

MCI Circular 234 /2020 *(This circular has been revoked and is superseded by Circular 271)*

To: Owners, Managers and Deputy Registrars

Subject: Seafarer Employment Agreement – Maritime Labour Convention

Attachment: Model format for seafarer employment agreement

Date: 17th June 2020

This circular revokes MCI Circular 79/2014.

Summary

Regulation 2.1 of the Maritime Labour Convention sets out the standards for conditions of employment of seafarers. In particular the MLC defines the minimum requirements for the Seafarer Employment Agreement.

Seafarers' employment agreements shall in all cases contain the following particulars:

- (a) the seafarer's full name, date of birth or age, and birthplace;
- (b) the shipowner's name and address;
- (c) the place where and date when the seafarers' employment agreement is entered into;
- (d) the capacity in which the seafarer is to be employed;
- (e) the amount of the seafarer's wages or, where applicable, the formula used for calculating them;
- (f) the amount of paid annual leave or, where applicable, the formula used for calculating it;
- (g) the termination of the agreement and the conditions thereof, including:
 - (i) if the agreement has been made for an indefinite period, the conditions entitling either party to terminate it, as well as the required notice period, which shall not be less for the shipowner than for the seafarer;
 - (ii) if the agreement has been made for a definite period, the date fixed for its expiry; and
 - (iii) if the agreement has been made for a voyage, the port of destination and the time which has to expire after arrival before the seafarer should be discharged;

- (h) the health and social security protection benefits to be provided to the seafarer by the shipowner;
- (i) the seafarer's entitlement to repatriation;
- (j) reference to the collective bargaining agreement, if applicable; and
- (k) any other particulars which national law may require.

Please find attached to this circular a sample Seafarer Employment Agreement (SEA), complying with the MLC requirements, provided by ILO.

The attached sample is neither property of nor it has been produced by Maritime Cook Islands; its use is not mandatory and it is intended to be a guideline and it is provided for the benefit and use of any owner who is employing or engaging persons to work on board vessels to which the MLC, 2006 applies.

If you require further information or assistance regarding the information contained in this circular, please contact the MLC department at mlc@maritimecookislands.com