



Marine notice 10/2020
Supersedes 04/2020

UPDATED: Temporary arrangements for the maximum period of shipboard service for seafarers during COVID-19 pandemic

Purpose

This marine notice provides information to vessel owners, operators and seafarers about AMSA's updated approach to applying the Maritime Labour Convention, 2006 (MLC, 2006). It outlines the requirements for the maximum continuous period that a seafarer can serve on board a vessel without taking leave, during the COVID-19 pandemic.

Background

In 2016, AMSA issued [marine notice 17/2016](#), which outlined Australia's position on the maximum continuous period that a seafarer can serve on board a vessel without taking leave. It also outlined AMSA's compliance and enforcement approach for these issues.

On 26 June 2020, AMSA issued [marine notice 04/2020](#). This outlined AMSA's approach to the maximum continuous period that a seafarer can serve on board a vessel in response to increasing concerns about maritime safety and seafarer welfare in the context of the COVID-19 pandemic. It also outlined AMSA's compliance and enforcement approach for the period 1 July 2020 to 1 October 2020.

COVID-19 continues to cause significant disruptions to seafarers and is impacting on maritime safety and seafarer welfare due to long periods of service at sea without regular breaks.

Continuous periods that a seafarer can serve on board a vessel without taking leave need to return to sustainable and safe levels. There is evidence that, with planning, viable solutions to repatriate seafarers are generally available. AMSA is also aware that some flag States are taking action on their flagged ships to promote timely repatriations.

Arrangements under MN 04/2020 will be extended until 28 February 2021

The following paragraphs outline AMSA's temporary approach to the maximum continuous period that a seafarer can serve on board a vessel until 28 February 2021.

- 1) Where inspectors identify that a seafarer has a valid seafarer employment agreement (SEA), signed by all parties, and has served on board a vessel for less than 11 months without taking leave, no action will be taken.
- 2) Where inspectors identify that a seafarer has a valid SEA and has served on board a vessel for more than 11 continuous months, the master will be required to provide a plan for the seafarer's repatriation, approved by the flag State. The plan must result in the repatriation of the seafarer before having served a maximum continuous period of 14 months.
- 3) Where inspectors identify that a seafarer does not have a valid SEA, the master will be required to facilitate a valid SEA or otherwise repatriate the seafarer.

- 4) No extensions of service without taking leave beyond 14 months will be accepted by AMSA unless the master or owner demonstrate to AMSA that:
 - a. all possible efforts have been made to repatriate the seafarer without success;
 - b. the seafarer has provided written confirmation accepting the extension; and
 - c. a plan to repatriate the seafarer within a month has been put in place.

After 28 February 2021

After 28 February 2021, AMSA will revert to the compliance and enforcement approach outlined in [marine notice 17/2016](#).

This means that AMSA inspectors will verify compliance with Regulation 2.4 of the MLC, 2006 to ensure seafarers serve no longer than 11 months continuously on board a vessel. This will include verification that any service extensions do not result in seafarers serving on board for more than 11 months.

Cancellation

This marine notice will be cancelled on 28 February 2021.

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