



Date: 11<sup>th</sup> September 2024

Circular no.: 0068C/TG/09/24

**To:** Ship Owners/ Operators & Managers/ Masters/ Officers/ Authorized Recognized Organizations/  
Deputy Registrars/ Port State Control officers/ P&I Clubs - insurers

**Subject:** Maritime Labour Convention (MLC 2006) financial security to ensure Repatriation  
(Regulation 2.5) and Shipowner's Liability (Reg.4.2)

**References:**

- a) Maritime Labour Convention (MLC), 2006
- b) Togo Maritime Law
- c) Marine Notice MLC2006-003 Rev. 00/13
- d) Marine Circular 0013 CTG O1 17- (MLC 2006) amendments of 2014 on Repatriation  
(Regulation 2.5) and Shipowner's Liability (Reg.4).
- e) Marine Circular No. 0052C/TG/12/20 (MLC 2006) amendments of 2018 on Repatriation  
(Reg 2.5) and Shipowners Liability (Reg 4.2)

**Purpose**

The purpose of the Circular is to introduce a new circular that complements existing circulars concerning the financial security of seafarers on ships above 500 GT flying the Togolese flag. It addresses the specific financial security requirements of Repatriation (Reg 2.5) and Shipowners Liability (Reg 4.2) for ships below 500 Gross Tonnage (GT) registered in Togo's international registry and outlines measures to protect seafarers in line with the Maritime Labour Convention (MLC-2006) and its amendments.

**Applicability**

The circular applies to ships under the Togolese flag below 500 GT that are registered in the international registry. These ships, not covered under previous circulars applicable to ships above 500 GT, are now required to adhere to the same financial security requirements. *ny*





### Existing Circulars in Force

1. The Maritime Labour Convention, 2006 and its amendments in 2014 and 2018 contain standards for financial protection of seafarers' entitlements when abandoned by the shipowner. In addition, provides minimum requirements for financial security, for compensation claims, for the death or disability of seafarers due to occupational accidents, diseases or hazards.
2. The Togo Administration in order to comply with the 2014 and 2018 amendments of MLC 2006, has issued the Marine Circulars 0013C/TG/01/17 and the 0052C/TG/12/20 on Repatriation (Regulation 2.5) and Shipowner's Liability (Reg.4.2).
3. According to the above-mentioned circulars, all ships above 500 GT that fly the flag of Togo should provide the competent authority with a) evidence of financial security to ensure that seafarers are duly repatriated (Regulation 2.5). b) Financial Security relating to ship-owners Liability (Regulation 4.2) to assure compensation in the event of death or long-term disability of seafarers. Consequently, onboard all Togo Flag Vessels above 500 GT both financial security (P&I Club or Insurer) are maintained with DMLC I&II and ML certificates.

### New circular

This new Circular aims to complement the Marine Circulars 0013C/TG/01/17 and 0052C/TG/12/20 on Repatriation (Regulation 2.5) and Shipowner's Liability (Reg.4.2) and inform interested parties upon the protection of seafarers on board ships below 500 GT that fly the flag of Togo and registered in the international registry.

The reason of issuing this circular is the abandonment of the seafarers in several regions of the world for vessels below 500GT. Unfortunately, the unpaid wages and repatriation of the crew in case of abandonment are not covered by a financial secure of an Insurance company or P&I club for these vessels.

This situation causes a lot of problems to the seafarers, harms the reputation of the Registry and the Flag State and obliges our Maritime Administration to cover a lot of expenses and the repatriation of the crew. Consequently, it is considered necessary a financial security (by the insurer or the P&I club) in order to protect the seafarers on board vessels below 500 GT registered in the international registry.

In particular:

1. From the date of publishing the circular all ships below 500 GT joining the international registry, therefore engaged in international voyages, should be in possession of a financial security in accordance with 2.5 and 4.2 standards of MLC 2006 as amended. These documents should be sent to this Administration and carried on board the ship.
2. The ships below 500 GT already registered in the international registry have also to comply with the same requirement of valid insurance cover in accordance with MLC 2006 as amended. Therefore, all shipowners, managers, operators will be notified officially to comply with the new requirement within 60 days from the day of the notification. Failure to comply with this requirement within this period, will lead our Administration to issue a suspension of the registration of the vessel. If there will be no action within 60 days form the suspension this Administration has the right to cancel the registration of the vessel.





3. It is reminded that the Maritime Labour Convention, 2006 as amended requires all ships of 500 GT and above to carry onboard a Maritime Labour Certificate complemented with DMLC Part I and Part II. It is not mandatory for a vessel of less than 500 GT to have an MLC Certificate on board, however this certificate can be issued on a voluntary basis if requested.
4. This Maritime Administration recommends shipowners of vessels of less than 500 GT voluntarily to apply for an MLC Certificate in order to reduce possible problems with Port State Control Authorities.

### Conclusion

All ships below 500 GT flying the Togolese flag and registered in the international registry of Togo must be in possession of the valid insurance cover as ships above 500 GT in accordance with MLC 2006 Regulations 2.5 (Repatriation) and 4.2 (Shipowners Liability).

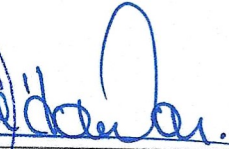
This Administration requires the shipowners to keep a copy of the new Circular on board in order to notify PSC authorities on the measures of this Administration with respect to MLC. It is clarified that the Marine Circulars 0013C/TG/01/17 and 0052C/TG/12/20 on Repatriation (Regulation 2.5) and Shipowners Liability (Regulation 4.2) remain in force for the vessels above 500 GT.

### Contact Information:

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For the International Ship Registry of Togo



  
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