



**MONGOLIA MARITIME
ADMINISTRATION**

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Date 26 July 2024
Ref. 01/298

Marine Circular № 01/298/2024

SUBJECT: On-Board Complaint Procedure

APPLICATION: Shipowners/Operators, Ship Security Officers, Legal Representatives, Managers, Masters, Recognized Organization, Agents, other relevant parties.

PURPOSE OF THE GUIDELINE

This Marine Circular aims to ensure that ships flying Mongolia's flag to implement onboard procedures for fair, effective, and expeditious handling of seafarer complaints regarding breaches of the requirements of the Convention, including seafarers' rights. Additionally, this Circular seeks to prohibit and penalize any form of victimization against seafarers for filing complaints. The provisions outlined herein do not infringe upon a seafarer's right to seek redress through any legal means deemed appropriate.

REFERENCES

- Maritime Labour Convention, 2006, Regulation 5.1.5 – On-board complaint procedures.

ON-BOARD COMPLAINT PROCEDURE

Shipowners are mandated to establish an onboard procedure for the handling of seafarers' complaints alleging breaches of the requirements of MLC 2006, including seafarers' rights, in accordance with the national requirements and the requirements of MLC 2006.

All seafarers must be provided with a copy of the onboard complaint procedures. Any onboard complaint may be reported to the Mongolia Maritime Administration, as well as to the shipowner or the shipowner's designated representative onshore, who is responsible for handling and resolving such complaints. Additionally, if necessary, seafarers may contact an external competent authority for impartial advice and assistance in following the complaint procedures available on board or reach out to a competent authority in the seafarer's country of residence.

Shipowners are required to provide the contact details of authorities mentioned above in the Annex form to specific ship and seafarers.

Each vessel or company shall develop the onboard complaints procedures for the processing of complaints onboard. The vessel shall keep on board a record book for complaints, where all of these as well as the decisions made related to the same, should be recorded.

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The complaint process starts when seafarers submit their complaint form to the head of their department or their superior officer. The head of department or superior officer is then required to attempt to resolve the issue within five (5) days.

If the head of department or superior officer is unable to resolve the complaint to the seafarer's satisfaction, the seafarer may escalate the issue to the master. Seafarers have the right to be accompanied by another seafarer of their choice during this process.

If a complaint cannot be resolved onboard, it should be referred to the shipowner, who will have ten (10) days to address the issue in consultation with the seafarer or their appointed representative. Seafarers also have the right to submit their complaint directly to the master, the shipowner, or to the competent authorities, including the flag state, port state inspectors, and the relevant authority in their country of residence.

If the complaint onboard is not resolved within ten (10) days, the resolution period may be extended by an additional fourteen (14) days to seek a satisfactory solution. This extension must be recorded in the complaint record book and made available to the competent authorities.

Any inquiries or requests regarding this marine circular should be directed to Mongolia Maritime Administration (e-mail address: info@monmarad.gov.mn)

This Marine Circular will be effective from of 26 July 2024.



OTGONSUREN DAMDINSUREN
DIRECTOR-GENERAL
MONGOLIA MARITIME ADMINISTRATION

Name of Vessel:

IMO Number:

CONTACT POINTS

Mongolia Maritime Administration: Address:
Room No.7B, Lagshan Center,
Prime Minister Amar's Street, Sukhbaatar District,
Ulaanbaatar, Mongolia, PO 14200
Phone: +976-11 310642
Email: info@monmarad.gov.mn

Shipowner and/or legal representative:
(to be completed by shipowner)

Address:
.....
.....
Phone:
Email:

Competent Authority in the seafarer's Country of Residence:
(to be completed by shipowner)

Address:
.....
.....
Phone:
Email:

Designated onboard complaint advisor:
(to be completed by shipowner)

Address:
.....
.....
Phone:
Email:

ONBOARD COMPLAINT FORM

Sender's Information (if the complaint is not submitted by the complainant)

Name: _____ Telephone: _____

Address: _____ Email: _____

Seafarer's Information

Name: _____ Nationality: _____

Seaman book No.: _____ Capacity: _____

E-mail: _____ Telephone number: _____

Address: _____

Contract Details

Type of Contract: _____ Months _____ Years

Salary: _____ Period: _____ to _____

Vessel Details

Vessel Name: _____ IMO Number: _____

Call Sign: _____ Shipowner: _____

Voyage: _____ Ship Location: _____

Complaint Summary

Date: _____ Signature: _____

Please attach the employment contract or any document that verifies the labor relationship or supports the submitted complaint.