
 S T A T U T O R Y I N S T R U M E N T S

1972 No. 1698

MERCHANT SHIPPING**MASTERS AND SEAMEN****The Merchant Shipping (Seamen's Allotments) Regulations 1972**

Made - - - 9th November 1972
Laid before Parliament 17th November 1972
Coming into Operation 1st January 1973

The Secretary of State, after consulting with the organisations referred to in section 99(2) of the Merchant Shipping Act 1970(a), in exercise of powers conferred by section 13 of that Act and now vested in him (b), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Merchant Shipping (Seamen's Allotments) Regulations 1972 and shall come into operation on 1st January 1973.

(2) In these Regulations, "ship" means a ship (including a fishing vessel) registered in the United Kingdom.

(3) The Interpretation Act 1889(c) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Circumstances in which a seaman may make an allotment

2. A seaman employed under an agreement relating to one or more ships who either—

(a) is not exempted from the requirements of section 1 of the Merchant Shipping Act 1970 (which relates to crew agreements) by regulations made under that section; or

(b) is employed in a ship which is not exempted from those requirements by such regulations;

may at any time while he is so employed, by means of an allotment note issued in accordance with these Regulations, allot part of his wages to any person or persons.

Limitation on issue of allotment notes

3.—(1) Unless the seaman's employer or the master otherwise agrees, a seaman shall not—

(a) allot more than one half of his wages; or

(b) allot that part of his wages to more than 2 persons.

(2) For the purposes of calculating the proportion of a seaman's wages specified in paragraph (1)(a) of this regulation—

(a) 1970 c. 36.

(b) See the Secretary of State for Trade and Industry Order 1970 (S.I. 1970/1537 (1970 III, p. 5293)).

(c) 52 & 53 Vict. c. 63.

- (a) the wages of a seaman shall be taken to be his wages calculated at the rate stipulated in the agreement under which he is employed without any addition (including overtime payments) or deduction whatsoever; and
- (b) an allotment note issued under the law in force immediately before these Regulations come into operation shall be treated as if it had been issued under these Regulations.

Times and intervals of payments under allotment notes

4. Unless the seaman's employer or the master otherwise agrees—
- (a) the first sum payable under an allotment note shall be payable not less than one month from the date on which the allotment note is issued and subsequent sums shall become payable at regular intervals of not less than one month reckoned from the date when the first sum is payable; and
- (b) no sum shall be payable under an allotment note before the seaman has earned any of the wages allotted by it.

Form of allotment notes

5. An allotment note shall be in the form prescribed in the Schedule to these Regulations.

9th November 1972.

Michael Heseltine,
Minister for Aerospace and Shipping,
Department of Trade and Industry.

THE SCHEDULE

FORM OF ALLOTMENT NOTE

MERCHANT SHIPPING ACT 1970

THE MERCHANT SHIPPING (SEAMEN'S ALLOTMENTS) REGULATIONS 1972.

Seaman's Allotment Note

(A separate form must be used for each allotment.)

I, [name of seaman], employed in [name of ship, its port of registry and official number] require you [name and address of employer] to pay to [names and addresses of persons to whom the allotment is made] the sum of [amount of each payment] on [date of first payment] and at intervals of [intervals at which payments are to be made] thereafter until [number of payments*] payments have been made or until the agreement under which I am now employed is terminated or until 7 days after I have given notice

in writing of revocation of this allotment note to you or to the master of my ship, whichever shall be the earlier.

Signed: [Signature of seaman]

[Date]

*Leave blank if number of payments is NOT to be limited.

Acknowledgement by employer or master

I acknowledge receipt of this allotment note.

**My agreement to its issue is not required under the Regulations

**I agree to its issue

Signed: [signature of master or of other
person on behalf of the employer
of the seaman]

[Date]

**Delete words which are NOT applicable.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Section 13 of the Merchant Shipping Act 1970 permits a seaman to allot part of his wages to any person by means of an allotment note. These Regulations prescribe the form of an allotment note, provide for the calculation of the amount which may be allotted and limit the circumstances in which and the number of persons to whom an allotment may be made. They also prescribe the times and intervals at which the payments under an allotment note are to be made.

Sections 13 and 14 of the Merchant Shipping Act 1970 and these Regulations supersede existing provisions.

SI 1972/1698
ISBN 0-11-021698-9



780110 216980