
STATUTORY INSTRUMENTS

1987 No. 408

The Merchant Shipping (Seamen's Documents) Regulations 1987

PART I

BRITISH SEAMEN'S CARDS

Application for British Seamen's Cards

2.—(1) Subject to the provisions of regulation 3, a person who satisfies the conditions specified in paragraph (2) of this regulation (whether or not he has previously held a British Seaman's Card or a British Seaman's Identity Card) may apply for a British Seaman's Card.

(2) The conditions referred to in paragraph (1) of this regulation are that the person—

- (a) is a British seaman to whom this regulation applies; and
- (b) is not the holder of a British Seaman's Card issued to him under regulation 5 or endorsed under regulation 8.

3.—(1) Regulation 2 applies to any British seaman—

- (a) who is employed or ordinarily employed in a ship otherwise than in an employment specified in paragraph (2) of this regulation; and (b) who is not excluded by virtue of paragraph (3) of this regulation.

(2) The employments which are to be disregarded for the purposes of paragraph (1) of this regulation are—

- (a) employment in a fishing vessel;
- (b) employment in a ship belonging to a general lighthouse authority;
- (c) except in the case of a person who is a cadet, employment on terms under which he receives no wages or only nominal wages; and
- (d) in the case of a person who is not a citizen of the United Kingdom and colonies or a British protected person, employment in a ship registered otherwise than in the United Kingdom, the Channel Islands, the Isle of Man or any colony, protectorate or protected state.

(3) Regulation 2 does not apply to—

- (a) a person who is not—
 - (i) a British citizen, a British Dependent Territories citizen or a British Overseas citizen;
 - (ii) a British protected person; or
 - (iii) a British subject without citizenship;

and who holds a seaman's identity document which has been issued to him by or under the authority of the Government of a country specified in schedule 3 to the British Nationality Act 1981 or of any territory or trust territory under the protection of or administered by

such government or of the Republic of Ireland, and of which he has not ceased to be regarded as the holder by that government;

- (b) a person who holds a seaman's identity document—
 - (i) which has been issued to him by the government of any colony, protectorate, or protected state and
 - (ii) of which he has not ceased to be regarded as the holder by that government;
- (c) a person in the employment of the Crown who is employed, but not ordinarily employed, as a master or seaman; and
- (d) a member of the naval, military or air forces of the Crown or of any service administered by the Defence Council.

4. A person applying for a British Seaman's Card shall—

- (a) make an application in accordance with regulation 29; and
- (b) unless it has been lost or destroyed, surrender to the Registrar General of Shipping and Seamen or a superintendent any British Seaman's Card or British Seaman's Identity Card previously held by him.

Issue of British Seamen's Cards

5. If a person applying for a British Seaman's Card—

- (i) satisfies the conditions set out in regulation 2(2); and
- (ii) has paid the fee (if any) prescribed;

in the case of a person having the right of abode, the Secretary of State shall, and, in any other case, may issue a British Seaman's Card to him.

Form and contents of British Seamen's Cards

6. A British Seaman's Card shall be in book form and shall provide for there to be recorded in it from time to time in relation to its holder statements of those particulars specified in Schedule 2 to these Regulations.

Validity of British Seamen's Cards

7. A British Seaman's Card issued after the coming into operation of these Regulations shall be valid until the end of the period of ten years from the date of issue: provided that, if at the end of such period, the holder is not present in the United Kingdom, his British Seaman's Card shall remain valid until he first returns to the United Kingdom or the expiry of a further 12 months from the date of expiry, whichever is the sooner.

8.—(1) A British Seaman's Card issued pursuant to the Merchant Shipping (Seamen's Documents) Regulations 1972⁽¹⁾ shall be valid—

- (a) until the end of the period of 5 years from the date of issue; and
- (b) if it has been endorsed in accordance with paragraph (2) below, until the end of a further period of 5 years from the end of the period referred to in (a) above;

provided that, if at the end of either of such periods, the holder is not present in the United Kingdom, his British Seaman's Card shall remain valid until he first returns to the United Kingdom or the expiry of a further 12 months from the date of expiry, whichever is the sooner.

(1) [1972/1295](#); to which there were amendments not relevant to these Regulations.

(2) If an application is made for endorsement under paragraph (1)(b) above not less than 4 years and 9 months and not more than 6 years after the date of issue of the British Seaman's Card to which it relates, and the Registrar General of Shipping and Seamen or the superintendent to whom the application is made is satisfied—

- (i) that the person making the application is the holder of the British Seaman's Card; and
- (ii) that the British Seaman's Card was (or would be) valid at the end of the period of 5 years from the date of its issue;

he shall endorse the British Seaman's Card with a statement that it shall be valid until the end of the period referred to in paragraph (1)(b) above.

9. When his British Seaman's Card is lost, destroyed, defaced or required to be surrendered a person shall cease to be regarded as the holder of a British Seaman's Card.

Production of British Seamen's Cards

10.—(1) The holder of a British Seaman's Card shall produce it to the Registrar General of Shipping and Seamen or a superintendent, a proper officer, his employer or the master of his ship, on demand or within such period as the person requiring its production may allow.

(2) A person who fails to produce his British Seaman's Card in pursuance of a requirement made under this regulation shall be guilty of an offence.

Surrender of British Seamen's Cards

11.—(1) The holder of a British Seaman's Card shall surrender it to the Registrar General of Shipping and Seamen or a superintendent—

- (a) forthwith, upon his ceasing to be a British seaman or upon the card being defaced; and
- (b) on demand, after he has ceased to have the right of abode.

(2) A person who fails to comply with the requirements of this regulation shall be guilty of an offence.

Delivery of British Seamen's Cards

12.—(1) Any person who comes into possession of a British Seaman's Card of which he is not the holder shall forthwith deliver it to the Registrar General of Shipping and Seamen or to a superintendent.

(2) Any person who fails to comply with this regulation shall be guilty of an offence.

British Seamen's Cards issued under the Order of 1960.

13.—(1) This regulation applies to a British Seaman's Card issued under the Order of 1960 and which is still valid on the date these Regulations come into operation. (2) Subject to regulation 14, a British Seaman's Card to which this regulation applies shall continue in force and shall have effect as if it were a British Seaman's Card issued under regulation 5 provided that, if the holder is not present in the United Kingdom on the date these Regulations come into effect, his British Seaman's Card shall remain valid only until he first returns to the United Kingdom after that date; and references in regulations 9, 10, 12, 25, 26, 27, 28 and 29 to British Seamen's Cards or to seamen's documents shall include references to British Seamen's Cards to which this regulation applies.

14. A British Seaman's Card to which regulation 13 applies shall also cease to be valid upon—

- (a) the holder of it ceasing to be a British seaman; or
- (b) its being lost, destroyed, or defaced; or

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(c) its being required to be surrendered.