



Merchant Shipping Act 1995

1995 CHAPTER 21

PART III

MASTERS AND SEAMEN

Merchant Navy Reserve

82 Maintenance of Merchant Navy Reserve.

- (1) The Secretary of State may maintain the body of persons known as the Merchant Navy Reserve whose members may, in such circumstances and for such periods as the Secretary of State may determine, be required by him to serve in ships belonging to or employed in the service of Her Majesty.
- (2) The Merchant Navy Reserve shall consist of such number of persons as the Secretary of State may determine who voluntarily undertake to become members of the Reserve and are accepted as members of it.
- (3) The Secretary of State may determine the procedure by which, and the conditions under which, persons may become, or (subject to any regulations made by him under this section) may cease to be, members of the Merchant Navy Reserve.
- (4) The Secretary of State may make regulations with respect to the calling into, and discharge from, service of members of the Merchant Navy Reserve and with respect to other matters relating to the service of members of the Reserve.
- (5) Any such regulations may, in particular, make provision—
 - (a) for call-out notices to be served on members of the Reserve;
 - (b) for the requirements to be complied with by persons on whom such notices have been served;
 - (c) as to the uniform and equipment with which members of the Reserve are to be provided;
 - (d) for regulating the conduct and discipline of members of the Reserve who have entered into service, and for securing their attendance at their places of duty;

Changes to legislation: Merchant Shipping Act 1995, Cross Heading: Merchant Navy Reserve is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (e) for the imposition of fines, or the forfeiture of pay or other amounts, for misconduct or breaches of discipline or for contravention of provisions of the regulations.
- (6) Without prejudice to the operation of subsection (5)(e) above, regulations under this section may provide that a contravention of the regulations shall be an offence punishable on summary conviction by a fine not exceeding level 3 on the standard scale or such lower amount as is prescribed by the regulations.
- (7) Regulations under this section may make different provision for different circumstances.

83 Supplementary provisions as respects the Reserve.

- (1) Subject to such conditions as the Secretary of State may determine, there shall be payable to members of the Merchant Navy Reserve such pay, bounties and allowances as he may determine.
- (2) The Secretary of State may make such payments as he thinks fit in connection with the training and certification of members of the Merchant Navy Reserve (including payments to persons undergoing such training and payments in connection with the re-validation of certificates).
- (3) The Secretary of State shall not make any determination under subsection (1) above, or any payment under subsection (2) above, except with the consent of the Treasury.
- (4) Where any person is called into service by virtue of regulations under section 82—
 - (a) the provisions of the ^{M1}Reserve Forces (Safeguard of Employment) Act 1985 shall apply to that person as if any service rendered by him in pursuance of the call-out were whole-time service within the meaning of that Act; and
 - (b) any service so rendered shall be relevant service within the meaning of the ^{M2}Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.

Marginal Citations

- M1** 1985 c. 17.
- M2** 1951 c. 65.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 145(2)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 13\(2\)](#)
- s. 145(2)(a)(ia) words substituted by [2015 c. 2 Sch. 11 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2)(a)(ia) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)
- s. 145(2A) inserted by [2003 c. 44 Sch. 36 para. 13\(3\)](#)
- s. 145(2A) words substituted by [2015 c. 2 Sch. 11 para. 16\(3\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2A) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)