



Merchant Shipping Act 1995

1995 CHAPTER 21

PART III

MASTERS AND SEAMEN

Wages etc.

30 Payment of seamen's wages.

- (1) Where a seaman employed under a crew agreement relating to a United Kingdom ship leaves the ship on being discharged from it, then, except as provided by or under this Part or any other enactment, the wages due to the seaman under the agreement shall either—
 - (a) be paid to him in full at the time when he so leaves the ship (in this section and in section 31 referred to as the time of discharge), or
 - (b) be paid to him in accordance with subsections (4) and (5) below.
- (2) If the amount shown in the account delivered to a seaman under section 31(1) as being the amount payable to him under subsection (1)(a) above is replaced by an increased amount shown in a further account delivered to him under section 31(3), the balance shall be paid to him within seven days of the time of discharge; and if the amount so shown in the account delivered to him under section 31(1) exceeds £50 and it is not practicable to pay the whole of it at the time of discharge, not less than £50 nor less than one-quarter of the amount so shown shall be paid to him at that time and the balance within seven days of that time.
- (3) If any amount which, under subsection (1)(a) or (2) above, is payable to a seaman is not paid at the time at which it is so payable the seaman shall be entitled to wages at the rate last payable under the crew agreement for every day on which it remains unpaid during the period of 56 days following the time of discharge; and if any such amount or any amount payable by virtue of this subsection remains unpaid after the end of that period it shall carry interest at the rate of 20 per cent. per annum.

Changes to legislation: Merchant Shipping Act 1995, Section 30 is up to date with all changes known to be in force on or before 02 June 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](#)

- (4) Where the crew agreement referred to in subsection (1) above provides for the seaman's basic wages to be payable up-to-date at specified intervals not exceeding one month, and for any additional amounts of wages to be payable within the pay cycle following that to which they relate, any amount of wages due to the seaman under the agreement shall (subject to subsection (5) below) be paid to him not later than the date on which the next payment of his basic wages following the time of discharge would have fallen due if his employment under the agreement had continued.
- (5) If it is not practicable, in the case of any amount due to the seaman by way of wages additional to his basic wages, to pay that amount by the date mentioned in subsection (4) above, that amount shall be paid to him not later than what would have been the last day of the pay cycle immediately following that date if his employment under the crew agreement had continued.
- (6) If any amount which, under subsection (4) or (5) above, is payable to a seaman is not paid at the time at which it is so payable, it shall carry interest at the rate of 20 per cent. per annum.
- (7) The provisions of subsection (3) or (6) above shall not apply if the failure to pay was due to—
- (a) a mistake,
 - (b) a reasonable dispute as to liability,
 - (c) the act or default of the seaman, or
 - (d) any other cause, not being the wrongful act or default of the persons liable to pay his wages or of their servants or agents;
- and so much of those provisions as relates to interest on the amount due shall not apply if a court in proceedings for its recovery so directs.
- (8) Where a seaman is employed under a crew agreement relating to more than one ship the preceding provisions of this section shall have effect, in relation to wages due to him under the agreement, as if for any reference to the time of discharge there were substituted a reference to the termination of his employment under the crew agreement.
- (9) Where a seaman, in pursuance of section 29, is discharged from a ship outside the United Kingdom but returns to the United Kingdom under arrangements made by the persons who employed him, the preceding provisions of this section shall have effect, in relation to the wages due to him under a crew agreement relating to the ship, as if for the references in subsections (1) to (4) above to the time of discharge there were substituted references to the time of his return to the United Kingdom, and subsection (8) above were omitted.
- (10) For the purposes of this section any amount of wages shall, if not paid to him in cash, be taken to have been paid to a seaman—
- (a) on the date when a cheque, or a money or postal order issued by [^{F1}a Post Office company (as defined by section 6 of the Postal Services Act 2011), for that amount was despatched by a recorded delivery service] to the seaman's last known address, or
 - (b) on the date when any account kept by the seaman with a bank or other institution was credited with that amount.

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Textual Amendments

F1 Words in s. 30(10) substituted (23.4.2012) by [Postal Services Act 2011 \(c. 5\)](#), s. 93(2)(3), [Sch. 12 para. 147](#); [S.I. 2012/1095](#), art. 3(1) (with art. 6)

Modifications etc. (not altering text)

C1 [S. 30\(10\)](#) modified (temp.) (15.9.2011) by [The Postal Services Act 2011 \(Commencement No. 1 and Transitional Provisions\) Order 2011 \(S.I. 2011/2329\)](#), [art. 5](#)

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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.)