



Merchant Shipping Act 1995

1995 CHAPTER 21

PART III

MASTERS AND SEAMEN

Wages etc.

34 Restriction on assignment of and charge upon wages.

- (1) As respects the wages due or accruing to a seaman employed in a United Kingdom ship—
 - (a) the wages shall not be subject to attachment;
 - (b) the wages shall not, in Scotland, be subject to any diligence other than those provided for in section 46(1) of the ^{M1}Debtors (Scotland) Act 1987;
 - (c) an assignment thereof before they have accrued shall not bind the seaman and the payment of the wages to the seaman shall be valid notwithstanding any previous assignment or charge; and
 - (d) a power of attorney or authority for the receipt of the wages shall not be irrevocable.
- (2) Nothing in this section shall affect the provisions of this Part with respect to allotment notes.
- (3) Nothing in this section applies to any disposition relating to the application of wages—
 - (a) in the payment of contributions to a fund declared by regulations made by the Secretary of State to be a fund to which this section applies; or
 - (b) in the payment of contributions in respect of the membership of a body declared by regulations made by the Secretary of State to be a body to which this section applies;or to anything done or to be done for giving effect to such a disposition.
- (4) Subsection (1)(a) above is subject, in relation to England and Wales, to the ^{M2}Attachment of Earnings Act 1971.

Changes to legislation: Merchant Shipping Act 1995, Section 34 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

- (5) Subsection (1)(a) above is subject to any provision made by or under—
- (a) section 31 or 33 of the ^{M3}Child Support Act 1991 (deductions from earnings orders); or
 - (b) Article 31 or 32 of the ^{M4}Child Support (Northern Ireland) Order 1991 (deductions from earnings orders).

Marginal Citations

M1 1987 c. 18.

M2 1971 c. 32.

M3 1991 c. 48.

M4 S.I. 1991/2628 (NI 23).

Changes to legislation:

Merchant Shipping Act 1995, Section 34 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.

[View outstanding changes](#)

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.)