



Merchant Shipping (International Labour Conventions) Act 1925

1925 CHAPTER 42 15 and 16 Geo 5

U.K.

An Act to give effect to certain Draft Conventions adopted by the International Labour Conference relating respectively to an unemployment indemnity for seamen in the case of loss or foundering of their ship, the minimum age for the admission of young persons to employment as trimmers and stokers, and the compulsory medical examination of children and young persons employed at sea. [31st July 1925]

Whereas at Genoa the General Conference of the International Labour Organisation of the League of Nations on the ninth day of July, nineteen hundred and twenty, adopted a draft convention concerning unemployment indemnity for seamen in case of loss or foundering of their ship, and at Geneva on the eleventh day of November, nineteen hundred and twenty-one, adopted two other draft conventions, namely, a draft convention fixing the minimum age for the admission of young persons to employment as trimmers and stokers, and a draft convention concerning the compulsory medical examination of children and young persons employed at sea:

And whereas the said draft conventions contain (together with other provisions) the provisions set out in Parts I., II. and III. respectively of the First Schedule to this Act:

And whereas it is expedient that for the purpose of giving effect to the said draft conventions such provision should be made as is contained in this Act:

Modifications etc. (not altering text)

- C1 Functions of Board of Trade under this Act became exercisable concurrently by Secretary of State: [S.I. 1970/1537, art. 2](#) and have ceased to be exercisable by the Board of Trade: [S.I. 1983/1127, art. 2\(4\)](#)
- C2 Act repealed (*prosp.*) by [Merchant Shipping Act 1970 \(c. 36\), s. 101\(4\), Sch. 5](#)
- C3 Act modified by [Merchant Shipping Act 1988 \(c. 12, SIF 111\), s. 47\(2\)\(b\)](#), (with s. 58(4), Sch. 8 para. 1) and by [S.I. 1989/1991, art. 10](#)
- C4 Act excluded by [S.I. 1989/1991, arts. 11–13](#)

*Status: Point in time view as at 01/02/1991.**Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping (International Labour Conventions) Act 1925 (repealed 1.5.1995). (See end of Document for details)***1** ^{F1} **U.K.****Textual Amendments****F1** S. 1, Sch. 1 Pt. I repealed by [Merchant Shipping Act 1970 \(c. 36\)](#), [Sch. 5](#)**2** **Employment of young persons as trimmers or stokers.** **U.K.**

(1) Subject to the provisions of this section, no young person shall be employed or work as a trimmer or stoker in any ship:

Provided that—

(a) The foregoing provision shall not apply—

(i) to the employment of a young person on such work as aforesaid in a school-ship or training-ship if the work is of a kind approved by the Board of Trade and is carried on subject to supervision by officers of the Board; or

(ii) to the employment of a young person on such work as aforesaid in a ship which is mainly propelled otherwise than by means of steam; or

(iii) to the employment of a young person subject to and in accordance with the provisions contained in paragraph (c) of Article 3 of the draft convention set out in Part II. of the First Schedule to this Act; and

(b) Where in any port a trimmer or stoker is required for any ship and no person over the age of eighteen years is available to fill the place, a young person over the age of sixteen years may be employed as a trimmer or stoker, but in any such case two young persons over the age of sixteen years shall be employed to do the work which would otherwise have been performed by one person over the age of eighteen years.

(2) There shall be included in every agreement with the crew a list of the young persons who are members of the crew, together with particulars of the dates of their birth, and, in the case of a ship in which there is no such agreement, the master of the ship shall, if young persons are employed therein, keep a register of those persons with particulars of the dates of their birth and of the dates on which they become or cease to be members of the crew.

(3) There shall be included in every agreement with the crew a short summary of the provisions of this section.

3 **Medical examination of young persons.** **U.K.**

(1) Subject to the provisions of this section, no young person shall be employed in any capacity in any ship, unless there has been delivered to the master of the ship a certificate granted by a duly qualified medical practitioner certifying that the young person is fit to be employed in that capacity:

Provided that—

(a) the foregoing provisions shall not apply to the employment of a young person in a ship in which only members of the same family are employed; and

(b) a superintendent or consular officer may on the ground of urgency authorise a young person to be employed in a ship notwithstanding that no such certificate as aforesaid has been delivered to the master of the ship, but a young person

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in whose case any such authorisation is given shall not be employed beyond the first port at which the ship calls after the young person has embarked thereon, except subject to and in accordance with the foregoing provisions of this section.

- (2) A certificate under this section shall remain in force for a period of twelve months from the date on which it is granted and no longer:

Provided that, if the said period of twelve months expires at some time during the course of the voyage of the ship in which the young person is employed, the certificate shall remain in force until the end of the voyage.

4 Penalties. **U.K.**

- (1) If any young person is employed in any ship in contravention of the provisions of this Act, the master of the ship shall be liable to a fine not exceeding [^{F2}level 2 on the standard scale], or, in the case of a second or subsequent offence, not exceeding [^{F2}level 2 on the standard scale], and where a young person is taken into employment in any ship in contravention of the provisions of this Act on the production by, or with the privity of, the parent of a false or forged certificate or on a false representation by the parent that the young person is of an age at which such employment is not in contravention of the said provisions, that parent shall be liable on summary conviction to a fine not exceeding [^{F2}level 2 on the standard scale].
- (2) If the master of a ship fails to keep such a register as is required to be kept by him under this Act, or, on being so required by an officer of the Board of Trade or any other person having power to enforce compliance with the provisions of the Merchant Shipping Acts 1894 to 1923, refuses or neglects to produce for inspection by that officer or person any such register as aforesaid or any certificate delivered to him under this Act, he shall be liable to a fine not exceeding [^{F2}level 2 on the standard scale].

Textual Amendments

- F2** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\), s. 46](#); (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), s. 289G](#) and (N.I.) [S.I. 1984/703 \(N.I. 3\), art. 5](#)

5 Interpretation. **U.K.**

In this Act—

The expression “young person” means a person who is under the age of eighteen years:

The expression “ship” means any sea-going ship or boat of any description which is registered in the United Kingdom as a British ship, and includes any British fishing-boat entered in the fishing-boat register, but does not include any tug, dredger, sludge vessel barge, or other craft whose ordinary course of navigation does not extend beyond the seaward limits of the jurisdiction of the harbour authority of the port at which such vessel is regularly employed, if and so long as such vessel is engaged in her ordinary occupation.

6 Power to apply Act to British possessions. **U.K.**

- (1) His Majesty may by Order in Council direct that the provisions of this Act shall, subject to such modifications and adaptations, be specified in the Order, as appear

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to His Majesty necessary or expedient in the circumstances of the case, apply to ships registered in any British possession outside the United Kingdom, other than the Dominions mentioned in the Second Schedule to this Act, as they apply to ships registered in the United Kingdom.

- (2) The reference in this section to British possessions shall include a reference to territories which are under His Majesty's protection and territories in respect of which a mandate has been accepted by His Majesty, other than any such territories in respect of which the mandate is being exercised by the Government of any of the Dominions mentioned in the said Second Schedule.
- (3) An Order in Council made under this section may be varied or revoked by a subsequent Order.

7 Short title and construction. U.K.

This Act may be cited as the Merchant Shipping (International Labour Conventions) Act 1925, and shall be construed as one with the Merchant Shipping Acts 1894 to 1923, and those Acts and this Act may be cited together as the Merchant Shipping Acts 1894 to 1925.

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SCHEDULES

PREAMBLE SECTION 2. FIRST SCHEDULE **U.K.**

PART I **U.K.**

PART II **U.K.**

DRAFT CONVENTION FIXING THE MINIMUM AGE FOR THE ADMISSION OF YOUNG PERSONS TO EMPLOYMENT AS TRIMMERS OR STOKERS

ARTICLE 1 **U.K.**

For the purpose of this Convention, the term “vessel” includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned, it excludes ships of war.

ARTICLE 2 **U.K.**

Young persons under the age of eighteen years shall not be employed or work on vessels as trimmers or stokers.

ARTICLE 3 **U.K.**

The provisions of Article 2 shall not apply:

- (a) To work done by young persons on school-ships or training-ships, provided that such work is approved and supervised by public authority;
- (b) To the employment of young persons on vessels mainly propelled by other means than steam;
- (c) To young persons of not less than sixteen years of age, who, if found physically fit after medical examination, may be employed as trimmers or stokers on vessels exclusively engaged in the coastal trade of India and of Japan, subject to regulations made after consultation with the most representative organisations of employers and workers in those countries.

ARTICLE 4 **U.K.**

When a trimmer or stoker is required in a port where young persons of less than eighteen years of age only are available, such young persons may be employed and in that case it shall be necessary to engage two young persons in place of the trimmer or stoker required. Such young persons shall be at least sixteen years of age.

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ARTICLE 5 U.K.

In order to facilitate the enforcement of the provisions of this Convention, every shipmaster shall be required to keep a register of all persons under the age of eighteen years employed on board his vessel, or a list of them in the articles of agreement, and of the dates of their births.

ARTICLE 6 U.K.

Articles of agreement shall contain a brief summary of the provisions of this Convention.

ARTICLE 11 U.K.

Each member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, possessions and protectorates, in accordance with the provisions of Article 421 of the Treaty of Versailles and of the corresponding Article of the other Treaties of Peace.

PART III U.K.

DRAFT CONVENTION CONCERNING THE COMPULSORY MEDICAL EXAMINATION OF CHILDREN AND YOUNG PERSONS EMPLOYED AT SEA

ARTICLE 1 U.K.

For the purpose of this Convention, the term “vessel” includes all ships and boats, of any nature whatsoever, engaged in maritime navigation, whether publicly or privately owned; it excludes ships of war.

ARTICLE 2 U.K.

The employment of any child or young person under eighteen years of age on any vessel, other than vessels upon which only members of the same family are employed, shall be conditional on the production of a medical certificate attesting fitness for such work, signed by a doctor who shall be approved by the competent authority.

ARTICLE 3 U.K.

The continued employment at sea of any such child or young person shall be subject to the repetition of such medical examination at intervals of not more than one year, and the production, after each such examination, of a further medical certificate attesting fitness for such work. Should a medical certificate expire in the course of a voyage, it shall remain in force until the end of the said voyage.

ARTICLE 4 U.K.

In urgent cases, the competent authority may allow a young person below the age of eighteen years to embark without having undergone the examination provided for in Articles 2 and 3 of

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this Convention, always provided that such an examination shall be undergone at the first port at which the vessel calls.

ARTICLE 9 U.K.

Each member of the International Labour Organisation which ratifies this Convention engages to apply it to its colonies, possessions and protectorates, in accordance with the provisions of Article 421 of the Treaty of Versailles and of the corresponding Articles of the other Treaties of Peace.

SECOND SCHEDULE U.K.

Section 6.

DOMINIONS TO WHICH ACT MAY NOT BE APPLIED BY ORDER IN COUNCIL

British India.

The Dominion of Canada.

The Commonwealth of Australia (including Papua and Norfolk Island).

The Dominion of New Zealand.

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Textual Amendments

F3 Words repealed by [South Africa Act 1962 \(c. 23\)](#), [Sch. 5](#)

The Irish Free State.

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F4

Textual Amendments

F4 Words repealed by [Newfoundland \(Consequential Provisions\) Act 1950 \(c. 5\)](#), [Sch. Pt. II](#)

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