



# Merchant Shipping Act 1948

1948 CHAPTER 44 11 and 12 Geo 6

**U.K.**

An Act to amend the provisions of the Merchant Shipping Acts relating to matters affected by certain International Conventions adopted at Seattle in the year nineteen hundred and forty-six. [13th July 1948]

Whereas at a session of the International Labour Conference held at Seattle in the year nineteen hundred and forty-six certain Conventions were adopted, dealing respectively with crew accommodation on board ship, the certification of able seamen, food and catering for crews on board ship, the certification of ships' cooks, and social security for seafarers:

And whereas it is expedient to make such amendments in the law relating to merchant shipping as will enable effect to be given to those Conventions or certain parts thereof, and otherwise to amend the Merchant Shipping Acts with respect to matters dealt with by those Conventions:

## Modifications etc. (not altering text)

- C1 Functions of Minister of Transport under this Act now exercisable by Secretary of State by virtue of [S.I. 1965/145, art. 2, Sch. 1](#), [1970/1537, art. 2](#) and [S.I. 1983/1127, art. 2\(4\)](#)
- C2 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](#)
- C3 Act excluded by [S.I. 1989/1991, arts. 11–14](#)

1–4 .....<sup>F1</sup> **U.K.**

## Textual Amendments

- F1 [Ss. 1–4, 7](#) repealed by [Merchant Shipping Act 1970 \(c. 36\)](#), [Sch. 5](#) and [Ss. 1–4](#) expressed to be repealed as they apply to the Isle of Man by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), [s. 1\(1\)](#), [Sch. 1 Pt. X](#)

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*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping Act 1948. (See end of Document for details)*

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### *Certification of Able Seamen*

#### [<sup>F2</sup>5] **Rating of seamen. U.K.**

- (1) After such date as may be prescribed by regulations made under the following provisions of this section, a seaman engaged in any British ship registered in the United Kingdom shall not be rated as A.B. unless he is the holder of a certificate of competency granted in pursuance of those regulations.
- (2) The Minister may make regulations providing for the grant of certificates of competency as A.B. for the purposes of this section; and such regulations shall in particular direct that no such certificate shall be granted to any person unless—
  - (a) he has reached such minimum age as may be prescribed by the regulations; and
  - (b) he has performed such qualifying service at sea as may be so prescribed; and
  - (c) he has passed such examination as may be so prescribed;

Provided that the regulations may authorise the grant of a certificate thereunder to any person, notwithstanding that he has not complied with the conditions aforesaid, if he shows, in such manner as may be prescribed by the regulations, that he was serving as A.B., or in an equivalent or superior deck rating, on the date on which the regulations came into force, or had so served at any time before that date.

- (3) Regulations made under this section may make such consequential provisions as appear to the Minister to be necessary or expedient, including provision—
  - (a) for the payment of such fees as may be prescribed by the regulations in respect of any application for the grant or replacement of a certificate thereunder;
  - (b) for applying to certificates granted under the regulations, subject to such adaptations and modifications as may be so prescribed, the provisions of section one hundred and four of the principal Act (which relates to forgery and other offences relating to certificates of competency of ships' officers granted under that Act).
- (4) Where provision is made by the law of any part of His Majesty's dominions outside the United Kingdom for the grant of certificates of competency as A.B., and the Minister reports to His Majesty that he is satisfied that the conditions under which such a certificate is granted require standards of competency not lower than those required for the grant of a certificate in pursuance of regulations made under this section, His Majesty may by Order in Council direct that certificates granted in that part of His Majesty's dominions shall have the same effect for the purposes of this section as if they had been granted in pursuance of such regulations as aforesaid; and any such Order may apply to any such certificate any of the provisions of the regulations relating to certificates granted thereunder.
- (5) Any superintendent or other officer before whom, at any time after such date as may be prescribed by regulations made under this section, a seaman is engaged in any British ship registered in the United Kingdom, shall refuse to enter the seaman as A.B. on the agreement with the crew unless the seaman produces a certificate of competency granted in pursuance of the regulations or such other proof that he is the holder of such a certificate as may appear to the superintendent or other officer to be satisfactory.
- (6) As from such date as may be prescribed by regulations made under this section, section one hundred and twenty-six of the principal Act and section fifty-eight of the

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<sup>M1</sup>Merchant Shipping Act 1906, shall cease to have effect in relation to any seamen for the time being engaged in a British ship registered in the United Kingdom.]

**Textual Amendments**

**F2** S. 5 repealed (*prosp.*) by Merchant Shipping Act 1970 (c. 36), s. 101(4), **Sch. 5**

**Modifications etc. (not altering text)**

**C4** S. 5 modified by S.I. 1986/2220, **art. 2**

**Marginal Citations**

**M1** 1906 c. 48.

*Certification of Ships' Cooks*

**6** ..... <sup>F3</sup> **U.K.**

**Textual Amendments**

**F3** Ss. 6, 8, 9, 10, 11, 12 repealed by Merchant Shipping Act 1970 (c. 36), s. 101(4), **Sch. 5**

**7** ..... <sup>F4</sup> **U.K.**

**Textual Amendments**

**F4** Ss. 1–4, 7 repealed by Merchant Shipping Act 1970 (c. 36), **Sch. 5** and Ss. 1–4 expressed to be repealed as they apply to the Isle of Man by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. X**

*Supplemental*

**8–12** ..... <sup>F5</sup> **U.K.**

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