STATUTORY INSTRUMENTS

2014 No. 1613

MERCHANT SHIPPING

The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014

Made - - - 9th July 2014
Laid before Parliament 15th July 2014
Coming into force 7th August 2014

THE MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) (MINIMUM REQUIREMENTS FOR SEAFARERS ETC.) REGULATIONS 2014

PART 1

General matters

- 1. Citation and commencement
- 2. Interpretation
- 3. Application

PART 2

Minimum age

- 4. Seafarer to be of minimum age
- 5. Young persons on night duty
- Part 2 requirements for non-United Kingdom ships with MLC documentation
- 7. Meaning of "employer" etc.

PART 3

Recruitment and placement

8. Duty on shipowner in respect of recruitment and placement services

PART 4

Seafarers' employment agreements

- 9. Duty to enter into seafarer employment agreement
- 10. Content of seafarer employment agreement
- 11. Minimum notice period
- 11A Seafarer employment agreements: captive seafarers
- 12. Documents
- 13. Foreign language seafarer employment agreement
- 14. Duty of master to produce seafarer employment agreement
- 15. Part 4 requirements for non-United Kingdom ships with MLC documentation

PART 5

Wages

- 16. Late payment of wages etc.
- 17. Account of seafarer's wages etc.
- 18. Part 5 requirements for non-United Kingdom ships with MLC documentation

PART 6

Repatriation

- 19. Duty to repatriate seafarers
- 20. Place for return.
- 21. Scope of duty to repatriate
- 22. Duty pending repatriation
- 23. Prohibition on recovering costs from seafarer
- 24. Seafarer property
- 25. Duty to carry documents
- 26. Financial security requirement applicable to all ships
- 27. Secretary of State functions in the event of shipowner default
- 28. Part 6 requirements for non-United Kingdom ships with MLC documentation

PART 7

Crew accommodation

- 29. Crew accommodation requirements
- 30. Provision for certain older ships
- 31. Exemptions
- 32. Approvals to allow substantial equivalences
- 33. Part 7 requirements for non-United Kingdom ships with MLC documentation

PART 8

Food and catering

- 34. Provision of food and drinking water
- 35. Organisation and equipment of the catering department
- 36. Inspection of food and catering facilities

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014. (See end of Document for details)

- 37. Requirement to carry a qualified ship's cook
- 38. Certificate of competency as a ship's cook
- 39. Recognition of existing certificates of competency
- 40. Training requirements for catering staff and other persons processing food in the galley
- 41. Part 8 requirements for non-United Kingdom ships with MLC documentation
- 42. Interpretation of Part 8

PART 9

Medical care

- 43. Shipowner duty to make provision for seafarer medical and other expenses
- 44. Duty to carry a medical practitioner on ship
- 45. Right to medical attention
- 46. Part 9 requirements for non-United Kingdom ships with MLC documentation
- 47. Interpretation of Part 9

PART 10

Shipowners' liability

- 48. Shipowners' liability for seafarer unemployment and losses following loss or foundering of ship
- 49. Financial security requirement applicable to all ships
- 50. Shipowners' liability for wages following sickness or injury sustained by seafarer
- 51. Property left behind by sick or injured seafarer
- 52. Shipowners' liability in respect of burial or cremation of seafarer
- 53. Interpretation of Part 10

PART10A

Security against shipowner's liability for death or long term disability of seafarers

- 53A Interpretation of Part 10A
- 53B Shipowner's security requirement applicable to all ships
- 53C Shipowner's security
- 53D Payment of contractual compensation
- 53E Interim payments
- 53F Offence of undue pressure
- 53G Duty to carry and display shipowner's security document
- 53H Termination of shipowner's security on notice to the Secretary of State
- Duty on shipowner's security provider to notify the Secretary of State where a shipowner's security has been terminated
- 53J Duty on shipowner to notify seafarers if shipowner's security is to be terminated

PART 10B

Security against the abandonment of seafarers

- 53K Interpretation of Part 10B
- 53L Abandonment
- 53M Abandonment security requirement applicable to all ships

- 53N Abandonment security
- 530 Consideration and payment of abandonment claims
- 53P Subrogation
- 530 Duty to carry and display an abandonment security document
- 53R Termination of abandonment security effective only where notice given
- 53S Duty on shipowner to notify seafarers if abandonment security is to be terminated

PART 11

Inspection and detention of ships

- 54. Inspection of United Kingdom ships and non-United Kingdom ships without MLC documentation
- 55. Inspection of non-United Kingdom ships with MLC documentation
- 56. Detention of ships
- 57. Failure to repatriate - detention of non-United Kingdom ships with MLC documentation at request of foreign State
- 58. Supplementary provisions as respects detention of ships

PART 12

Offences and penalties

- 59. **Penalties**
- 59A Further provision on penalties
- 60. Defence

PART 13

Review

61. Review Signature

> SCHEDULE 1 — Provision to be included in a Seafarer Employment Agreement PART 1 — Provision to be included in all agreements

- 1. The full name, birthplace and date of birth (or age...
- 2. The name and address of the shipowner.
- The place where the agreement is entered into. 3.
- 4. The date on which the agreement is entered into.
- The capacity in which the seafarer is to work. 5.
- If the agreement has been made for a definite period,... 6.
- 7. If the agreement has been made for an indefinite period,...
- 8. If the agreement has been made for a particular voyage,...
- 9. The health and social security protection benefits to be provided...
- 10. The maximum period of service on board following which the...
- 11. The seafarer's entitlement to repatriation (including the mode of transport...
- 12. The circumstances in which the seafarer is required to meet...
- 13. The maximum sum which the shipowner will pay to the...
- 14. Details of any collective bargaining agreement which is incorporated (in... PART 2 — Provision to be included where seafarer is an employee
- The wages (either the amount or the formula to be... 1.
- 2. The manner in which wages must be paid, including payment...

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014. (See end of Document for details)

- 3. The hours of work.
- 4. The paid leave (either the amount or the formula to...
- 5. Any pension arrangements, including any entitlement to participate in a...
- 6. The grievance and disciplinary procedures.
 - PART 3 Provision to be included where seafarer is not an employee
- 1. The remuneration (either the amount or the formula to be...
- 2. The manner in which the remuneration must be paid, including...

SCHEDULE 2 — Provision to be included in a written record of work on a ship

- 1. Name, port of registry, gross or register tonnage and official...
- 2. Description of voyage.
- 3. Capacity in which seafarer worked on the ship.
- 4. Date on which seafarer started work on the ship.
- 5. Date and location of seafarer's discharge from the ship.

SCHEDULE 3 — Information to be included in a shipowner's security document

1. The information to be included in a shipowner's security document...

SCHEDULE 4 — Information to be included in an abandonment security document

1. The information to be included in an abandonment security document...

Explanatory Note

Changes to legislation:
There are currently no known outstanding effects for the The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014.