



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART III

#### MASTERS AND SEAMEN

##### *Manning, qualifications, training and uniform*

#### 55 Young persons.

(1) [<sup>F1</sup>Subject to subsection (1A),] a person under school-leaving age shall not be employed in any United Kingdom ship except as permitted by regulations under this section.

[<sup>F2</sup>(1A) A person under 16 years of age shall not be employed in any sea-going United Kingdom ship.]

(2) The Secretary of State may make regulations—

(a) prescribing circumstances in which and conditions subject to which persons under school-leaving age who have attained such age as may be specified in the regulations may be employed in a ship [<sup>F3</sup>which is not a sea-going United Kingdom ship] in such capacities as may be so specified;

(b) prescribing circumstances and capacities in which persons over school leaving-age but under the age of 18 or under such lower age as may be specified in the regulations must not be employed in a United Kingdom ship [<sup>F4</sup>which is not a sea-going ship] or may be so employed only subject to such conditions as may be specified in the regulations.

[<sup>F5</sup>(c) prescribing circumstances and capacities in which persons of at least the age of 16 but under the age of 18 or under such lower age as may be specified in the regulations must not be employed in a sea-going United Kingdom ship or may be so employed only subject to such conditions as may be specified in the regulations.]

(3) Regulations made for the purposes of this section may make different provision for different employments and different descriptions of ship and any other different circumstances.

*Status: Point in time view as at 05/02/2015.*

*Changes to legislation: Merchant Shipping Act 1995, Section 55 is up to date with all changes known to be in force on or before 15 July 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)*

- (4) If any person is employed in a ship in contravention of this section or if any condition subject to which a person may be employed under regulations made for the purposes of this section is not complied with, the owner or master shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) For the purposes of this section a person employed in a ship shall be deemed to be over school-leaving age if he has, and under school-leaving age if he has not, attained the age which is the upper limit of compulsory school age (in Scotland school age) under the enactments relating to education in the part of the United Kingdom in which he entered into the agreement under which he is so employed or, if he entered into that agreement outside the United Kingdom or is employed otherwise than under an agreement, under the enactments relating to education in England and Wales; and if he is treated for the purposes of those enactments as not having attained that age he shall be so treated also for the purposes of this section.

#### Textual Amendments

- F1** Words in s. 55(1) inserted (7.9.2002) by S.I. 2002/2125, reg. 21, **Sch. 2 para. 1(a)**
- F2** S. 55(1A) inserted (7.9.2002) by S.I. 2002/2125, reg. 21, **Sch. 2 para. 1(b)**
- F3** Words in s. 55(2)(a) inserted (7.9.2002) by S.I. 2002/2125, reg. 21, **Sch. 2 para. 1(c)(i)**
- F4** Words in s. 55(2)(b) inserted (7.9.2002) by S.I. 2002/2125, reg. 21, **Sch. 2 para. 1(c)(ii)**
- F5** S. 55(2)(c) inserted (7.9.2002) by S.I. 2002/2125, reg. 21, **Sch. 2 para. 1(c)(iii)**

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

- C1** S. 55(1) excluded (1.10.1998) by 1998 c. 31, s. **112(2)** (with ss. 138(9), 144(6)); S.I. 1998/2212, art. 2(1), **Sch. 1 Pt. I**

**Status:**

Point in time view as at 05/02/2015.

**Changes to legislation:**

Merchant Shipping Act 1995, Section 55 is up to date with all changes known to be in force on or before 15 July 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.