

## STATUTORY INSTRUMENTS

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# 1972 No. 1635

## The Merchant Shipping (Maintenance of Seamen's Dependants) Regulations 1972

### Expenses in respect of which a retention notice may be served

4. The expenses, in respect of which a responsible authority may serve a retention notice, are expenses incurred by it during the seaman's employment in a ship being—

- [<sup>F1</sup>(a) benefit awarded under [<sup>F2</sup>the Social Security Act 1986] or under the Supplementary Benefits etc. Act (Northern Ireland) 1966 to meet, in either case, requirements which are or include those of the seaman's spouse or any children whom, for the purposes of the Act under which the benefit is awarded, he is liable to maintain; or]
- (b) expenses of the provision by a local authority of accommodation <sup>F3</sup>... under Part II of the Social Work (Scotland) Act 1968 or by a welfare authority under Part II of the Welfare Services Act (Northern Ireland) 1971 for the seaman's spouse and any children whom, for the purposes of the Act under which the accommodation is provided, he is liable to maintain, in cases where—
- (i) payment for that accommodation is not made at the standard rate fixed therefor; or
  - (ii) either such accommodation is temporary accommodation provided for less than a week or in special circumstances or, in Northern Ireland, is temporary accommodation and payment is not made at such rate as the local authority or welfare authority providing the accommodation may determine; or
- (c) expenses of provision made by a local authority or a welfare authority—
- (i) in respect of a child under the age of sixteen received into their care under section 1 of the Children Act 1948 or under Part II of the Social Work (Scotland) Act 1968; or
  - (ii) in respect of a child or young person under the age of sixteen committed to their care under an order, which is not an interim order, under the Children and Young Persons Act 1969; or
  - (iii) where a supervision requirement to which Part VI of the Social Work (Scotland) Act 1968 applies has been made in respect of a child; or
  - (iv) in respect of a child received into their care under section 103 of the Children and Young Persons Act (Northern Ireland) 1968;

in such circumstances that the seaman becomes liable to make contribution in respect of that child or young person, under or in accordance with the Children and Young Persons Act 1933, Part III of the Supplementary Benefits etc. Act (Northern Ireland) 1966, Part II of the Social Work (Scotland) Act 1968 or Part X of the Children and Young Persons Act (Northern Ireland) 1968, as the case may be.

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### Textual Amendments

- F1** Reg. 4(a) substituted (1.1.1973) by [The Merchant Shipping \(Maintenance of Seamen's Dependants\) \(No. 2\) Regulations 1972 \(S.I. 1972/1875\)](#), **regs. 1(1), 2**

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- F2** Words in reg. 4(a) substituted (11.4.1988) by The Merchant Shipping (Maintenance of Seamen's Dependants) (Amendment) Regulations 1988 (S.I. 1988/479), regs. 1, 2
- F3** Words in reg. 4(b) omitted (6.4.2009) by virtue of The Health and Social Care Act 2008 (Commencement No.9, Consequential Amendments and Transitory, Transitional and Saving Provisions) Order 2009 (S.I. 2009/462), art. 1(4), **Sch. 5 para. 1**

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