
STATUTORY INSTRUMENTS

2014 No. 1613

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

PART 12

Offences and penalties

Penalties

59.—(1) Subject to paragraphs (2) to (5) [^{F1}and regulation 59A], offences under these Regulations are punishable on summary conviction by a fine not exceeding level 5 on the standard scale.

(2) Offences under the following provisions are punishable on summary conviction by a fine not exceeding level 4 on the standard scale—

- (a) regulation 10(3) and (7);
- (b) regulation 12(4);
- (c) regulation 15(2), but only in relation to an offence consisting of a breach of regulation 15(1)(b);
- (d) regulation 36(3);
- (e) regulation 45(2); ^{F2}...
- (f) regulation 46(2);
- [^{F3}(g) regulation 53G(3);
- (h) regulation 53I(3); and
- (i) regulation 53Q(3).]

(3) Offences under the following provisions are punishable on summary conviction by a fine not exceeding level 3 on the standard scale—

- (a) regulation 12(8);
- (b) regulation 13(3);
- (c) regulation 24(5), (9) and (12);
- (d) regulation 25(3);
- (e) regulation 28(4), but only in relation to an offence consisting of a breach of regulation 28(3)(b);
- (f) regulation 29(5);
- (g) regulation 33(5), but only in relation to an offence consisting of a breach of regulation 33(4)(a);
- (h) regulation 36(5); ^{F4}...
- (i) regulation 41(4), but only in relation to an offence consisting of a breach of regulation 41(3)(b);

- [^{F5}(j) regulation 53G(5); and
- (k) regulation 53Q(5).]

(4) Offences under the following provisions are punishable on summary conviction by a fine not exceeding level 2 on the standard scale—

- (a) regulation 17(5);
- (b) regulation 18(2);
- (c) regulation 24(3);
- (d) regulation 29(7); and
- (e) regulation 33(5), but only in relation to an offence consisting of a breach of regulation 33(4)(b).

(5) Offences under the following provisions are punishable on summary conviction by a fine not exceeding [^{F6}the statutory maximum] or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine, or to both—

- (a) regulation 29(3);
- (b) regulation 30(4);
- (c) regulation 31(3);
- (d) regulation 32(4);
- (e) regulation 33(3);
- (f) regulation 37(8); [^{F7}and]
- (g) regulation 41(9). ^{F8}...
- ^{F9}(h)

Textual Amendments	
F1	Words in reg. 59(1) inserted (12.7.2018) by The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(a)
F2	Word in reg. 59(2)(e) omitted (12.7.2018) by virtue of The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(b)(i)
F3	Reg. 59(2)(g)-(i) inserted (12.7.2018) by The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(b)(ii)
F4	Word in reg. 59(3)(h) omitted (12.7.2018) by virtue of The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(c)(i)
F5	Reg. 59(3)(j)(k) inserted (12.7.2018) by The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(c)(ii)
F6	Words in reg. 59(5) substituted (12.7.2018) by The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(d)(i)
F7	Word in reg. 59(5)(f) inserted (12.7.2018) by The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(d)(ii)
F8	Word in reg. 59(5)(g) omitted (12.7.2018) by virtue of The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(d)(iii)
F9	Reg. 59(5)(h) omitted (12.7.2018) by virtue of The Merchant Shipping (Maritime Labour Convention) (Compulsory Financial Security) (Amendment) Regulations 2018 (S.I. 2018/667) , regs. 1, 2(9)(d)(iv)

[^{F10} **Further provision on penalties**

59A.—(1) Offences under the provisions listed in paragraph (2) are punishable on summary conviction—

- (a) in England and Wales, by a fine;
- (b) in Scotland and Northern Ireland, by a fine not exceeding level 5 on the standard scale.

(2) The provisions referred to in paragraph (1) are—

- (a) regulation 53J(3);
- (b) regulation 53M(2);
- (c) regulation 53S(3).

(3) Offences under the provisions listed in paragraph (4) are punishable—

- (a) on summary conviction—
 - (i) in England and Wales, by a fine;
 - (ii) in Scotland or Northern Ireland, by a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment, by imprisonment for a term not exceeding two years or a fine, or both.

(4) The provisions referred to in paragraph (3) are—

- (a) regulation 53B(2);
- (b) regulation 53F.]

Textual Amendments

F10 Reg. 59A inserted (12.7.2018) by [The Merchant Shipping \(Maritime Labour Convention\) \(Compulsory Financial Security\) \(Amendment\) Regulations 2018 \(S.I. 2018/667\)](#), regs. 1, **2(10)**

Defence

60. In any proceedings for an offence under these Regulations (other than an offence under regulation 10(5)) it is a defence for the person charged to show that all reasonable steps had been taken by that person to ensure compliance with the provision concerned.

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, PART 12.