
STATUTORY INSTRUMENTS

2014 No. 1614

**The Merchant Shipping (Maritime Labour Convention)
(Consequential and Minor Amendments) Regulations 2014**

PART 2

Amendments to Secondary Legislation

Amendment of the Merchant Shipping (Seaman's Allotments) Regulations 1972

4.—(1) The Merchant Shipping (Seaman's Allotments) Regulations 1972(1) are amended as follows.

(2) In regulation 2—

(a) renumber the existing text as paragraph (1); and

(b) in that text—

(i) after “a seaman employed”, insert “or engaged”;

(ii) omit “either”;

(iii) at the end of sub-paragraph (b), insert “or”;

(iv) insert after sub-paragraph (b)—

“(c) is employed or engaged on a ship to which the Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014(2) apply”;

(v) after “so employed”, insert “or engaged”;

(vi) after “allot”, insert “all or”; and

(vii) at the end, insert—

“(2) In these Regulations, references to wages include any remuneration payable to a seaman who is not an employee and who is engaged on a ship falling within paragraph (1)(c).”.

(3) In regulation 3—

(a) in paragraph (1), insert at the start “Subject to paragraph (3)”; and

(b) insert after paragraph (2)—

“(3) Paragraph (1) does not apply to a seaman employed or engaged on a ship to which the Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014 apply.”.

(4) After regulation 5, insert—

(1) S.I. 1972/1698.

(2) S.I. 2014/1613.

“Payments pursuant to allotment notes

6. All sums payable pursuant to an allotment note must be paid promptly and directly to the person to whom the allotment is made.

Charges and exchange rates

7.—(1) Subject to paragraph (2), a person may recover from the relevant seaman any costs incurred in making payments pursuant to an allotment note in accordance with these Regulations, but may not otherwise charge for the provision of that service.

(2) Where paragraph (1) applies, costs which that person ordinarily incurs in making payments to the seaman may not be recovered.

(3) Where it is appropriate or necessary to exchange currency in order to make payments pursuant to an allotment note, the person making the payment must make the exchange at a reasonable rate.

(4) A breach of this regulation is an offence.

(5) A person guilty of the offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.”.