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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement part of Regulation 1.4 of the Maritime Labour Convention, 2006 (Cm 7049). They apply to certain employment agencies and employment businesses which carry on business in the United Kingdom and impose requirements in relation to the employment of seafarers on certain sea-going ships.

*Regulation 4* requires an employment agency to obtain confirmation of specified information before providing certain services in connection with seafarer employment.

*Regulation 5* provides that employment agencies and employment businesses must take specified steps as regards seafarer employment agreements when providing certain services in connection with seafarer employment.

*Regulation 6* requires employment agencies and employment businesses to have a financial system of protection as regards persons who they have introduced or supplied for work as a seafarer and who have been employed as such. The system should compensate the seafarer for monetary loss arising from the failure of the shipowner or the employment agency or employment business to meet certain obligations to the seafarer.

*Regulation 7* imposes a requirement on employment agencies and employment businesses to maintain records to demonstrate compliance with these Regulations.

*Regulation 8* creates offences for non-compliance with these requirements and *regulations 9 to 12* make associated provision (including powers of inspection).

*Regulation 13* requires the Secretary of State to review the operation and effect of these Regulations and publish a report within five years after they come into force and within every five years after that. Following a review it will fall to the Secretary of State to consider whether the Regulations should remain as they are, or be revoked or amended. A further instrument would be needed to revoke the Regulations or to amend them.

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The Maritime Labour Convention, 2006 may be downloaded from the website of the International Labour Organisation ("ILO") at [www.ilo.org/global/standards/maritime-labour-convention/lang-en/index.htm](http://www.ilo.org/global/standards/maritime-labour-convention/lang-en/index.htm). Copies of the Convention may be obtained from [www.tsoshop.co.uk](http://www.tsoshop.co.uk), by e-mail from [customer.services@tso.co.uk](mailto:customer.services@tso.co.uk) or by post from TSO, P.O. Box 29, Norwich, NR3 1GN, Tel: +44 (0)870 600 5522/Fax: +44 (0)870 600 5533, as a priced publication.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is published with the Explanatory Memorandum alongside this instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).

**Changes to legislation:**

There are currently no known outstanding effects for the The Merchant Shipping (Maritime Labour Convention) (Recruitment and Placement) Regulations 2014.