

L.N. 70 of 2016

**Merchant Shipping (Seafarers) (Allotments)
(Amendment) Regulation 2016**

(Made by the Secretary for Transport and Housing under sections 89 and 134 of the Merchant Shipping (Seafarers) Ordinance (Cap. 478))

1. Commencement

This Regulation comes into operation on a day to be appointed by the Secretary for Transport and Housing by notice published in the Gazette.

2. Merchant Shipping (Seafarers) (Allotments) Regulation amended

The Merchant Shipping (Seafarers) (Allotments) Regulation (Cap. 478 sub. leg. A) is amended as set out in sections 3 and 4.

3. Section 4 amended (circumstances in which a seafarer may make an allotment)

(1) Section 4—

Repeal

“A seafarer”

Substitute

“Subject to section 5, a seafarer”.

(2) Section 4, before “part of”—

Add

“all or a”.

4. Section 5 amended (limitation on issue of allotment notes)

Section 5(1), after “a seafarer”—

Add

“employed to work on board a coastal-going ship”.

Anthony B. L. CHEUNG
Secretary for Transport and
Housing

16 May 2016

Explanatory Note

The Maritime Labour Convention, 2006 (*Convention*) was adopted by the International Labour Conference of the International Labour Organization in 2006. It sets out a comprehensive set of global standards for the working and living conditions of seafarers on seagoing ships and seeks to protect the right of seafarers to decent employment. The Convention will apply to Hong Kong after China has ratified the Convention and extended it to Hong Kong.

2. Section 4 of the Merchant Shipping (Seafarers) (Allotments) Regulation (Cap. 478 sub. leg. A) (*principal Regulation*) only allows seafarers to allot part of their wages to other persons. This restriction is inconsistent with the Convention. That section is amended so that seafarers may allot all or a part of their wages to other persons.
3. Section 5 of the principal Regulation provides that seafarers may not allot more than half of their wages or allot that part of the wages to more than 2 persons unless their employers or the masters of the ships on which they work agree. That section is amended so that this restriction will only apply to seafarers employed to work on coastal-going ships, but not to seafarers employed to work on seagoing ships.