

L.N. 174 of 2019

**Merchant Shipping (Seafarers) (Allotments)
(Amendment) Regulation 2019**

(Made by the Secretary for Transport and Housing under sections 89 and 96 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 section 3.

3. Section 6 amended (times and intervals of payments under allotment notes)

(1) Section 6—

Renumber the section as section 6(1).

(2) Section 6(1)(a), English text—

Repeal

“shall” (wherever appearing)

Substitute

“must”.

(3) Section 6(1)(b), English text—

Repeal

“shall be”

Substitute

“is”.

(4) After section 6(1)—

Add

“(2) For the purposes of subsection (1)(b), wages earned by the seafarer include any wages required to be paid to the seafarer under section 55A of the Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation (Cap. 478 sub. leg. AF).”.

Frank CHAN Fan
Secretary for Transport and
Housing

26 November 2019

Explanatory Note

The Maritime Labour Convention, 2006, as amended (*ML Convention*) regulates and protects the working and employment conditions, as well as other entitlements of the seafarers. Certain amendments made to the ML Convention in 2018 are to be implemented in Hong Kong by amending the Merchant Shipping (Seafarers) (Working and Living Conditions) Regulation (Cap. 478 sub. leg. AF) (*Cap. 478AF*).

2. In conjunction with the amendments to Cap. 478AF, this Regulation amends section 6 of the Merchant Shipping (Seafarers) (Allotments) Regulation (Cap. 478 sub. leg. A) (*Cap. 478A*).
3. Cap. 478A is amended to make clear that, for the purposes of its section 6 (times and intervals of payments under allotment notes), wages earned by a seafarer include wages required to be paid under the new section 55A of Cap. 478AF.