

**MARITIME AND PORT AUTHORITY OF SINGAPORE ACT
(CHAPTER 170A, SECTION 40)**

**MARITIME AND PORT AUTHORITY OF SINGAPORE
(REGISTRATION AND EMPLOYMENT OF SEAMEN)
REGULATIONS**

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[9th April 1997]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Maritime and Port Authority of Singapore (Registration and Employment of Seamen) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

“certificate” means the certificate issued by the Authority to a person who has successfully completed a course of training approved by the Authority;

“Director” means the Director of Marine and includes any officer authorised by the Authority to act in that behalf;

[Deleted by S 225/2014 wef 01/04/2014]

“registration card” means a registration card issued to a registered seaman under regulation 4(3A);

[S 225/2014 wef 01/04/2014]

“Registration Committee” means the Registration Committee established by the Authority under regulation 3(1);

“registered seaman” means a seaman who is registered under these Regulations;

“seamen’s register” means the register of seamen established and maintained by the Authority under regulation 15;

“select” means to select registered seamen for engagement in any ship and “selection” shall be construed accordingly.

PART II

REGISTRATION OF SEAMEN

Registration Committee

3.—(1) There is established a Registration Committee whose function is to consider —

- (a) all questions relating to the registration, re-registration and renewal of registration of seamen under these Regulations as may be referred to it by the Authority from time to time;
- (b) appeals from the decisions made by the Director under regulation 34; and
- (c) such other matters that may be referred to the Registration Committee by the Authority from time to time.

(2) The Registration Committee is to consist of such persons as may be appointed by the Authority.

Application and qualifications

4.—(1) An application for registration as a seaman is to —

- (a) be made on such form as may be issued by the Authority; and
- (b) contain or be accompanied by such information or documents as the Authority may require.

(2) No person is to be registered as a seaman with the Authority unless —

- (a) he is a citizen or a permanent resident of Singapore;
- (b) he has attained the age of 16 years;
- (c) he possesses a certificate or has previous experience on board sea-going ships or has such other experience acceptable to the Authority;

(d) he meets the requirements of either Regulation II/4 or Regulation III/4 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended on 7th July 1995 and any amendment thereto which has come into force and has been accepted by the Government (referred to in this regulation as the Convention); and

(e) he is a fit and proper person to be registered as a seaman.

(3) A person who qualifies for registration as a seaman is, upon passing the medical examination prescribed by the Authority under regulation 5, to have his name entered in the seamen's register.

(3A) The Authority shall issue a registration card to a registered seaman upon the entry of his name in the seaman's register under paragraph (3).

[S 225/2014 wef 01/04/2014]

(4) The original certificate, registration card and any certificate required by the Convention to be held by any registered seaman must be kept available in its original form on board the ship which the registered seaman is employed.

Medical examination

5.—(1) An applicant for registration as a seaman with the Authority must undergo a medical examination as required by the Authority within 14 days of his being notified to do so.

(2) Any applicant who fails or refuses to undergo the medical examination is not entitled to submit a fresh application for registration as a seaman with the Authority until a period of 6 months has elapsed from the date the applicant was due to undergo the medical examination.

(3) *[Deleted by S 225/2014 wef 01/04/2014]*

Provisional registration

6.—(1) The Authority may register an applicant as a seaman provisionally before the results of the applicant's medical examination required under regulation 5 are known to the Authority.

(2) If the applicant fails to pass the medical examination his provisional registration is to be cancelled.

(3) If the applicant passes the medical examination, he is deemed to be registered on the date he was notified of the results of the medical examination.

Age qualification

7.—(1) When a registered seaman attains the age of 60 years, his registration is to be cancelled and his name removed from the seamen's register unless his registration is extended under paragraph (2).

(2) The Authority may, from year to year, extend the registration of a registered seaman who is 60 years of age or above but subject —

(a) to his passing an annual medical examination required by the Authority; and

(b) to such conditions as the Authority may impose.

(3) The registered seaman is to bear the expense of the medical examination referred to in paragraph (2).

Cancellation upon request

8. The Authority may on the request of a seaman cancel his registration.

Consequences of cancellation

9.—(1) A registered seaman shall, on being notified by the Authority in writing that his registration has been cancelled under regulation 7 or 8, return his registration card to the Authority within 14 days of the notification.

(2) The employer of a seaman whose registration has been cancelled shall, on being notified by the Authority in writing of the cancellation, sign-off the seaman on the expiry of his ship's articles of agreement or on his first return to Singapore, whichever is the earlier.

(3) Any seaman or employer of a seaman who fails to comply with this regulation shall be guilty of an offence and shall be liable on

conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months.

Application for re-registration

10.—(1) A seaman whose registration is cancelled at his own request may apply for re-registration after a period of 6 months from the date of the cancellation.

(2) A seaman whose registration is cancelled pursuant to a decision of the Director under regulation 34 may apply for re-registration after a period of 5 years from the date of cancellation.

(3) The Registration Committee may, in its discretion, waive the periods required before re-registration referred to in paragraphs (1) and (2).

(4) [*Deleted by S 225/2014 wef 01/04/2014*]

Registration cards

11.—(1) A registration card issued by the Authority is valid for 5 years from the date of its issue.

(2) [*Deleted by S 225/2014 wef 01/04/2014*]

(3) The registration of a seaman is to be cancelled where he fails to renew his registration card within —

(a) 30 days from its expiry date; or

(b) 30 days of his return to Singapore if he was engaged on board a ship on the expiry date.

(4) A seaman whose registration is cancelled under this regulation may, upon his application, be re-registered.

[*S 225/2014 wef 01/04/2014*]

Refusal to renew registration cards

12. The Registration Committee may refuse to renew the registration card of a seaman who has served as a seaman for a period that is less than 18 months during the period of registration just expired.

Loss, etc., of registration card

13.—(1) When a registration card is lost, destroyed or so defaced that the particulars are no longer decipherable, the registered seaman to whom the card relates shall report the fact to the Authority within 14 days or, if he was engaged on a ship when the registration card was lost, destroyed or defaced, within such longer time as the Authority may allow him.

(2) Subject to the seaman fulfilling any condition imposed by the Authority, a replacement card may be issued to him by the Authority.

[S 225/2014 wef 01/04/2014]

(3) *[Deleted by S 225/2014 wef 01/04/2014]*

Return of registration card

14.—(1) A seaman whose registration is suspended, cancelled or is not renewed shall return his registration card to the Authority within 14 days from the date of the notification to him of the suspension, cancellation or refusal to renew.

(2) Any seaman who fails to comply with paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

PART III

ENROLMENT ON REGISTER

Particulars to be recorded in register

15.—(1) The Authority is to keep a register in the manner it thinks fit.

(2) The Authority is to record in the register —

- (a) the name and registration card number of every registered seaman;
- (b) the category of seamen in which the seaman is placed; and
- (c) the date of the recording.

Transfers between categories of seamen

16. A registered seaman may be transferred to a category of seamen in the register other than the one in which he is currently registered but he is not eligible for another such transfer for a period of 12 months from the date of transfer, or such shorter period as the Authority may in its discretion decide.

PART IV

SELECTION OF SEAMEN

Procedure for selection

17.—(1) Except as provided in regulation 18, an employer of a seaman shall not select any seaman for engagement in any vessel unless he obtains the approval of the Authority for the engagement.

(2) For the purpose of obtaining the approval of the Authority, the employer must furnish the Authority with such particulars as the Authority may require.

(3) The Authority is to issue an engagement notice to the employer to signify its approval of the engagement of the seaman on board a specific vessel.

(4) Paragraph (1) does not apply to employment of seamen in transit through Singapore who join vessels in Singapore but who have signed agreements for employment on the vessels before their arrival in Singapore.

Engagement of seamen in emergencies

18.—(1) In a case of an emergency or where a ship arrives and sails again during the hours when the Authority's office is closed, an employer may select and engage any registered seaman who is not at the time of selection under suspension without first obtaining the approval of the Authority.

(2) In all cases under paragraph (1), the employer shall forward to the Authority within 48 hours of the selection and engagement —

- (a) a return showing the name, registration card number and the category in which the seaman is engaged; and

- (b) a statement of the circumstances in which the selection or engagement was made.

Penalty

19. Where an employer who makes a selection and engagement under regulation 18(1) fails to forward to the Authority the return referred to in regulation 18(2), he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

20. *[Deleted by S 225/2014 wef 01/04/2014]*

Procedure when seamen engaged for service

21.—(1) Where a seaman who is engaged for service under these Regulations signs the articles of agreement (including a transit agreement) for service on a ship, the employer, or any person on his behalf, shall produce to the Director, the Consular Officer or the master of the ship, as the case may be —

- (a) the engagement notice;
- (b) the seaman's Singapore Seamen's Discharge Book; and
- (c) the seaman's registration card.

(2) Where the engagement notice of the seaman, Singapore Seamen's Discharge Book and registration card are not produced as required by this regulation, the employer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months.

22. *[Deleted by S 225/2014 wef 01/04/2014]*

PART V

DISCHARGE OF SEAMEN

Particulars of discharge to be forwarded to Authority

23.—(1) The employer of a registered seaman shall, within 14 days of the discharge of that seaman, forward the particulars of the discharge to the Authority.

(2) Any employer who fails to comply with paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500.

Registered seamen to report to Authority

24.—(1) A registered seaman shall, on discharge from a ship, report to the Authority within 30 days of his discharge and thereafter as often as may be required by the Authority.

(2) A seaman who fails to comply with paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months.

PART VI

WELFARE OF SEAFARERS

Authority to use funds for stated purposes

25. The Authority may utilise its funds for all or any of the following purposes:

- (a) the establishment of homes or institutions, for seafarers;
- (b) the granting of assistance to associations, clubs or other organisations, conducted wholly or partially for the benefit or welfare of any class of seafarers;
- (c) the provision of board, residential accommodation and recreational facilities for seafarers on such terms as the Authority may think fit;
- (d) the provision to seafarers of such medical or surgical treatment, or such medical or surgical appliances, recommended for such treatment as the Authority may think fit;
- (e) the provision of scholarships, bursaries and grants to, and training facilities for, seafarers or persons intending to become seafarers;
- (f) the provision, upon such terms as the Authority thinks fit, of loans, grants or financial assistance to seafarers, or persons

- intending to become seafarers, for or during a course of training approved by the Authority;
- (g) the promotion generally of the welfare of seafarers, retired seafarers and their dependants, as may be considered necessary or desirable by the Authority;
 - (h) the granting of financial assistance to seafarers and their dependants;
 - (i) the establishment of a special relief fund for granting financial assistance to dependants of seafarers where seafarers are missed at sea; and
 - (j) the creation of other welfare projects for the benefit of seafarers.

PART VII

DISCIPLINARY INQUIRY

Disciplinary inquiry — circumstances leading to

26. Subject to the provisions of this Part, the Director may hold an inquiry whenever he reasonably believes or receives a written complaint alleging that a seaman —

- (a) has deserted his ship;
- (b) has been convicted in Singapore or elsewhere of a criminal offence which in the opinion of the Authority makes his employment as a seaman undesirable;
- (c) has misconducted himself during the period of engagement or otherwise;
- (d) has received an adverse assessment of his conduct or ability;
- (e) has refused to undergo any medical examination required by the Authority under these Regulations;
- (f) after having been selected by an employer for employment, has refused without sufficient reason to sign-on and embark on board a ship;

- (g) has been charged in a court of law in Singapore or elsewhere for possessing, consuming or trafficking in drugs notwithstanding that there has been no conviction;
- (h) has failed to comply with any direction of the Authority; or
- (i) has caused wilful destruction or damage to the property of the Authority.

Charge to be communicated to seaman

27. The inquiry must not commence unless the charge has been communicated in writing to the seaman and he has been given 14 days within which to exculpate himself in writing.

Director may hold inquiry

28. After considering the seaman's exculpatory statement, the Director may hold an inquiry into the matter.

Representation at inquiry

29. At the inquiry —

- (a) the seaman may appear in person or be represented by an official of the seaman's union (referred to in these Regulations as the seaman's representative);
- (b) the employer may appear in person or be represented by one of his employees; and
- (c) the Authority may be represented by an officer of the Authority.

Procedure at inquiry

30. At the inquiry the seaman or the seaman's representative may be permitted —

- (a) to cross-examine the witnesses;
- (b) to give evidence on the seaman's behalf;
- (c) to have such witnesses as he may wish called on the seaman's behalf; and

- (d) to have access to information contained in any document at a reasonable time before such document is tendered in evidence.

Evidence Act not to apply

31. The Director is not required to conduct the inquiry in a formal manner and the provisions of the Evidence Act (Cap. 97) and any other written law relating to evidence do not apply to the inquiry, but the Director may inform himself in such manner as he thinks fit.

Failure of seaman to appear

32. If the seaman or the seaman's representative fails to appear at the inquiry without giving, in writing, any prior explanation acceptable to the Director, the Director may proceed to hold the inquiry in his absence.

When Director shall dismiss charge

33. The Director is to forthwith dismiss the charge against the seaman if —

- (a) the complainant or his representative fails to appear at the inquiry without giving any prior explanation in writing acceptable to the Director; or
- (b) at any stage of the inquiry the Director is of the opinion that the evidence brought forward is insufficient or that there is no evidence to substantiate the charge.

Punishments

34. If, at the conclusion of the inquiry, the Director is of the opinion that there is sufficient evidence to substantiate the charge, the Director may, after giving the seaman a final opportunity of being heard, suspend the registration of the seaman for a period not exceeding 2 years or cancel the registration.

Appeals

35.—(1) Any seaman aggrieved by a decision made by the Director under regulation 34 may, within 14 days after receiving notice of the decision, appeal to the Registration Committee against the decision.

(2) The appeal must be in writing and must state briefly the grounds of the appeal.

Appeals to be heard by Registration Committee

36.—(1) The Registration Committee shall as soon as practicable hear the appeal and may confirm, vary or cancel the decision of the Director.

(2) The Registration Committee may before making a decision convene a hearing and may require the attendance of —

(a) the parties and their witnesses who were present at the inquiry conducted by the Director; or

(b) any other person as the Registration Committee thinks fit.

(3) The decision of the Registration Committee must be unanimous.

(4) Where the decision of the Registration Committee is not unanimous, the matter is to be referred to the Authority whose decision is final.

PART VIII

SEAMAN SUFFERING FROM DISEASE OR DISABILITY

Powers of Authority

37.—(1) The Authority may cancel or suspend the registration of any seaman who is suffering from a disease or disability which, in the opinion of the Authority, makes him unfit for employment as a seaman.

(2) The Authority must not cancel or suspend any registration until the seaman concerned has been notified in writing to appear before the Authority to show cause why his registration should not be cancelled or suspended.

(3) The registration of such a seaman who appears to show cause is to be suspended until the decision of the Authority has been made known.

(4) Where the seaman fails to appear before the Authority, the Authority is to forthwith cancel his registration.

PART IX

MISCELLANEOUS

Returns

38.—(1) The Authority may at any time for the purpose of obtaining information relating to the engagement of seamen require any employer to submit returns in such form and manner as the Authority may direct.

(2) Any employer who in any form, return or document required by or for the purposes of these Regulations makes, furnishes or supplies any statement or information which he knows or has reasonable cause to believe to be false shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months.

Savings

39. Any application, registration, registration card, approval, notice, welfare or financial assistance scheme, decision or inquiry made under the revoked National Maritime Board Regulations (Cap. 198, Rg 1) is deemed to have been made under the corresponding provisions of these Regulations.

[G.N. Nos.S 188/97; S 88/98]

LEGISLATIVE HISTORY
MARITIME AND PORT AUTHORITY OF SINGAPORE
(REGISTRATION AND EMPLOYMENT OF SEAMEN)
REGULATIONS
(CHAPTER 170A, RG 8)

This Legislative History is provided for the convenience of users of the Maritime and Port Authority of Singapore (Registration and Employment of Seamen) Regulations. It is not part of these Regulations.

**1. G. N. No. S 188/1997 — Maritime and Port Authority of Singapore
(Registration and Employment of Seamen)
Regulations 1997**

Date of commencement : 9 April 1997

**2. G. N. No. S 88/1998 — Maritime and Port Authority of Singapore
(Registration and Employment of Seamen)
(Amendment) Regulations 1998**

Date of commencement : 1 April 1998

**3. 2000 Revised Edition — Maritime and Port Authority of Singapore
(Registration and Employment of Seamen)
Regulations**

Date of operation : 30 April 2000

**4. G.N. No. S 225/2014 — Maritime and Port Authority of Singapore
(Registration and Employment of Seamen)
(Amendment) Regulations 2014**

Date of commencement : 1 April 2014