MASTERS AND SEAMEN

1960 No. 967

The British Seamen's Cards Order, 1960

Made - - - -	1*st June*, 1960
Laid before Parliament	9*th June*, 1960
Coming into Operation	1*st September*, 1960

The Minister of Transport in exercise of his powers under sections 4 and 12 of the Emergency Laws (Miscellaneous Provisions) Act, 1953(a), and of all other powers enabling him in that behalf hereby makes the following Order :—

1. This Order shall come into operation on the first day of September, 1960, and may be cited as the British Seamen's Cards Order, 1960.

2.—(1) In this Order—

(*a*) the expressions " alien ", " British protected person ", " citizen of the " United Kingdom and Colonies ", " colony ", " mandated territory ", " protected state ", " protectorate ", " trust territory " and " United Kingdom trust territory " have respectively the same meanings as they have in and for the purposes of the British Nationality Act, 1948(b) ; and

(*b*) the following expressions have the meanings hereby respectively assigned to them, that is to say :—

" British seaman " means a person who, not being an alien, is employed or engaged or ordinarily employed or engaged in seagoing ships (whether British or not), other than fishing boats or ships forming part of the Navy of any country, as the master or a member of the crew thereof ;

" British Seaman's Card " means, subject to the provisions of paragraph (3) of Article 3 of this Order, a British Seaman's Card issued under this Order in the form specified in the Schedule to this Order ;

" fishing boats " means vessels of any description for the time being employed in sea fishing or in the sea fishing service ;

" Mercantile Marine Office " means a Mercantile Marine Office established or maintained under section 246 of the Merchant Shipping Act, 1894(c) ;

" Registrar General " means the Registrar General of Shipping and Seamen ;

" Superintendent " means a Superintendent of a Mercantile Marine Office ;

" the Minister " means the Minister of Transport ;

" the Order of 1942 " means the British Seamen's Identity Cards Order, 1942(d) ;

(a) 1 & 2 Eliz. 2. c. 47. (b) 11 & 12 Geo. 6. c. 56.
(c) 57 & 58 Vict. c. 60. (d) S.R. & O. 1942/2681 (1942 II, p. 2010).

(2) The Interpretation Act, 1889(a), shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament, and as if, for the purposes of subsection (2) of section 38 of that Act, this Order was an Act of Parliament and the Order revoked by Article 3 of this Order was an Act of Parliament thereby repealed.

3.—(1) Subject to paragraph (2) of Article 2 of this Order and to this Article, the Order of 1942 is hereby revoked.

(2) Any application or demand made or direction given under the Order of 1942 before the date of coming into operation of this Order shall, if in force immediately before that date, continue in force and have effect as if made or given under the corresponding provisions of this Order.

(3) Any Identity Card properly issued under the Order of 1942 and still valid at the date of coming into operation of this Order shall, unless a British Seaman's Card is substituted for it under paragraph (3) of Article 5 of this Order, continue in force and have effect as if it were a British Seaman's Card and references in Articles 8 to 14 inclusive of this Order to British Seamen's Cards shall be construed as including references to Identity Cards issued under the Order of 1942.

4. The following persons shall be exempt from the requirements of paragraph (1) of Article 5 of this Order—

(*a*) a person employed or engaged or ordinarily employed or engaged in seagoing ships on terms and conditions which are customary or similar to those customary for Indians or Pakistanis recruited in India or Pakistan, or for Chinese recruited at a Far Eastern port, or for East or West Africans recruited in East or West Africa respectively, or for West Indians recruited in the West Indies ;

(*b*) a person to whom there has at any time been issued under the authority of the government of any part of Her Majesty's dominions outside the United Kingdom, of India, of Pakistan, of the Federation of Malaya, of the Republic of Ireland, or of any protectorate, protected state, trust territory or mandated territory, a distinctive seaman's document of identity of which he has not ceased to be regarded as the holder by the government under whose authority the document was issued ;

(*c*) a person who, not being a radio officer, an apprentice or cadet or a person who is carrying on some trade, business or employment on board the ship, is engaged as a member of the crew of the ship, but receives no wages or only nominal wages ;

(*d*) a person who, not being a citizen of the United Kingdom and Colonies or a British protected person, is employed or engaged or ordinarily employed or engaged in a ship which is registered outside the following countries and territories, namely, the United Kingdom, the Channel Islands, the Isle of Man, and any colony, protectorate, protected state or United Kingdom trust territory.

5.—(1) Every person who is not exempt from the requirements of this paragraph by virtue of Article 4 of this Order and who—

(*a*) is a British seaman and is in the United Kingdom at the date of the coming into operation of this Order ; or

(*b*) arrives in the United Kingdom after that date at a time when he is a British seaman ; or

(a) 52 & 53 Vict. c. 63.

(*c*) becomes a British seaman after that date at a time when he is in the United Kingdom,

shall, unless he is lawfully in possession of an Identity Card issued to him under the Order of 1942, or of a British Seaman's Card, within the time provided for by paragraph (2) of this Article apply in person at any Mercantile Marine Office for the issue to him of a British Seaman's Card.

(2) The time within which an application for a British Seaman's Card shall be made by any such person as aforesaid shall be—

(*a*) in the case of such a person as is mentioned in subparagraph (*a*) of paragraph (1) of this Article, 7 days from the date of the coming into operation of this Order;

(*b*) in the case of such a person as is mentioned in subparagraph (*b*) of paragraph (1) of this Article, 7 days from the date of his arrival in the United Kingdom; and

(*c*) in the case of such a person as is mentioned in subparagraph (*c*) of paragraph (1) of this Article, 7 days from the date on which he became a British seaman,

or such extended time as may be allowed in his case by a Superintendent.

(3) Any British seaman, not being a person who is exempt from the requirements of paragraph (1) of this Article by virtue of Article 4 of this Order, who is lawfully in possession of an Identity Card issued to him under the Order of 1942 may, at any time after this Order has come into operation, apply in person at any Mercantile Marine Office for the issue to him of a British Seaman's Card in substitution for such Identity Card.

6. Every applicant for the issue to him of a British Seaman's Card shall produce to the Superintendent such documents and furnish the Superintendent with such information as the Superintendent may require for the discharge of his duties under this Order.

7. The Superintendent, if satisfied that an applicant is a person required under paragraphs (1) and (2) of Article 5 of this Order to apply for the issue to him of a British Seaman's Card, or that he is such a British seaman as is referred to in paragraph (3) of the said Article 5, may issue to him a British Seaman's Card.

8. Every person to whom a British Seaman's Card has been issued shall keep it in his safe custody and shall produce it on demand to any Superintendent or, if the card be not so produced, shall produce it within 48 hours after the demand is made, or within such extended time as a Superintendent may allow, to the officer in charge of such Mercantile Marine Office as may be specified by him at the time of the demand or may be directed by a Superintendent.

9.—(1) If a British Seaman's Card is lost, destroyed or defaced, the person to whom the card was issued shall as soon as practicable report the fact at a Mercantile Marine Office and, if so directed by a Superintendent, shall apply for the issue of a card in substitution therefor, and shall pay the fee, if any, herein prescribed and in the case of a defaced card surrender the defaced card to the Superintendent; and the Superintendent may thereupon issue a fresh card.

(2) A fee of five shillings shall be paid for each British Seaman's Card issued in substitution for a British Seaman's Card which has been lost, destroyed or defaced:

Provided that no fee shall be charged if the Superintendent is satisfied that such loss, destruction or defacement is due to fair wear and tear or could not reasonably have been avoided by the seaman.

10. If any of the particulars entered upon a British Seaman's Card shall become or be found to be incorrect, the person to whom the card was issued shall as soon as practicable report the fact at a Mercantile Marine Office and, if so directed by a Superintendent, shall apply for amendment of the incorrect card or for the issue of a card in substitution therefor and the Superintendent may require the incorrect card to be surrendered to him and issue a card in substitution therefor or he may amend the incorrect card.

11.—(1) No person (other than the Registrar General or a Superintendent or a person authorised by the Minister in that behalf, acting in accordance with the provisions of this Order or instructions given by the Minister) shall make any mark or entry upon, or erase, cancel or alter any mark or entry made upon, or otherwise deface, or destroy, a British Seaman's Card.

(2) No person shall assign or charge, or agree to assign or charge, any British Seaman's Card, and the assignment of or any charge on a British Seaman's Card shall be void and of no effect.

12. A British seaman who has in his possession more than one British Seaman's Card or holds in addition to a British Seaman's Card a distinctive seaman's document of identity issued under the authority of any of the governments referred to in paragraph (*b*) of Article 4 of this Order shall without delay and in person produce such cards and documents of identity to a Superintendent and shall surrender to him such one or more of the cards being British Seamen's Cards as the Superintendent shall require.

13. A person to whom a British Seaman's Card has been issued shall surrender it to a Superintendent forthwith upon his ceasing to be a British seaman and a Superintendent may require any person to whom such a card has been issued to surrender the same to him.

14. Any person who comes into possession of a British Seaman's Card issued to some other person shall forthwith deliver or forward it to the Registrar General or a Superintendent.

Given under the Official Seal of the Minister of Transport this first day of June, 1960.

(L.S.)

Ernest Marples,
The Minister of Transport.

We approve the fees prescribed in Article 9 of this Order.

Michael H. C. Hughes-Young,
J. D. Gibson-Watt,
Two of the Lords Commissioners of Her Majesty's Treasury.

SCHEDULE

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NOTICE

1. This card is a seafarer's identity document for the purpose of the Seafarers' Identity Documents Convention, 1958, adopted by the General Conference of the International Labour Organisation on 13th May, 1958.

2. This card must be carefully preserved and produced on demand to the Superintendent of a Mercantile Marine Office.

3. If the card is lost the fact must be reported at once to the Superintendent of a Mercantile Marine Office.

4. Only a Superintendent or other duly authorised person may make any entry or alteration on this card. The Holder may not do so himself. If any particulars require alteration, apply to the Superintendent of a Mercantile Marine Office. It is a punishable offence to forge or fraudulently alter this card or to allow it to be used by another person.

5. This card may be held only by persons who, not being aliens within the meaning of the British Nationality Act, 1948, are employed or engaged or ordinarily employed or engaged in seagoing employment. If the holder ceases to be ordinarily engaged in seagoing employment, he must surrender the card forthwith to the Superintendent of a Mercantile Marine Office, but it will be re-issued on resumption of seagoing employment. Failure to observe this or any other

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requirement of the Order under which this card is issued may render the offender liable to prosecution.

DECLARATION

I DECLARE (i) that the person to whom this card relates has satisfied me as to entitlement to hold the card and (ii) that the photograph within bearing an official stamp is a true likeness of that person and that the signature and personal description of that person are true.

Date.....

Office Stamp

Signature of Issuing Officer

Note: Any person finding this card must hand it to the Superintendent of the nearest Mercantile Marine Office or send it to the Registrar General of Shipping and Seamen, Cardiff, postage unpaid.

BRITISH SEAMAN'S CARD

PERSONAL PARTICULARS

3

All particulars to be in BLOCK CAPITALS

Surname.....

Other Names.....

.....

Birth (*a*) Date.....(*b*) Place.....

Colour of (*a*) Eyes.....

(*b*) Hair.....

Complexion..... Height.....ft.....ins.

Distinguishing Marks (if any).....

.....

.....

Discharge Book No.....

Nationality.....

Home Address.....

.....

Name and Address of Next-of-Kin

.....

.....

.....

4

Serial No.....

National Insurance No.....

Union or Society No.....

Photograph of holder

M.M.O. Embossing Stamp

Signature of Holder

(or, if Holder is unable to sign, his left Thumbprint and the signature of a witness)

5	6		
FOR USE OF H.M. GOVERNMENT	1	2	INCOME TAX CODING
	3	4	
	5	6	
	7	8	

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

Section 4 of the Emergency Laws (Miscellaneous Provisions) Act, 1953, revoked Regulation 45A of the Defence (General) Regulations, 1939, (which empowered the Minister of Transport to provide by Order for the issue of identity cards to British seamen), subject to the continuance in force of any Order made under that Regulation, and made permanent provision for the making of an Order by the Minister of Transport providing for the issue to British seamen of British seamen's cards. This Order, made under sections 4 and 12 of the above-mentioned Act, revokes the British Seamen's Identity Cards Order, 1942, (subject, however, to the continuance in force of applications or demands made, directions given, and, unless they are exchanged for British Seamen's Cards, Identity Cards issued under that Order) and makes provision for the issue, to the British seamen specified in the Order, of British Seamen's Cards, and for such Cards to be seafarers' identity documents for the purpose of the Seafarers' Identity Documents Convention, 1958, adopted by the General Conference of the International Labour Organisation on 13th May, 1958. The Order also provides for the production of such Cards and of Identity Cards issued under the British Seamen's Identity Cards Order, 1942, on demand to the persons prescribed by the Order, for the issue of fresh British Seamen's Cards in place of cards which have been lost, destroyed or defaced, for the surrender of such cards in the circumstances prescribed by the Order and for various incidental and supplementary matters.