STATUTORY INSTRUMENTS

# 1978 No. 1755

# MERCHANT SHIPPING

## The Merchant Shipping (Official Log Books) (Amendment) Regulations 1978

| | |
|---|---|
| *Made - - - -* | *4th December* 1978 |
| *Laid before Parliament* | *5th December* 1978 |
| *Coming into Operation* | *1st January* 1979 |

The Secretary of State, after consulting with the organisations referred to in section 99(2) of the Merchant Shipping Act 1970(**a**), in exercise of powers conferred by section 68 of that Act and now vested in him(**b**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**1.** These Regulations may be cited as the Merchant Shipping (Official Log Books) (Amendment) Regulations 1978 and shall come into operation on 1st January 1979.

**2.** The Merchant Shipping (Official Log Books) Regulations 1972(**c**) shall be amended as follows:

(1) In Regulation 1(2) there shall be inserted, in the appropriate alphabetical order:

" "Code of Conduct" means the National Maritime Board publication entitled "Code of Conduct for the Merchant Navy" published in 1978 by the Board";

(2) In Part I of the Schedule, after entry 27 there shall be inserted:—

| | Column 1<br>Particulars of entry | Column 2<br>Signatory | Column 3<br>Witness |
|---|---|---|---|
| "27A | When a seaman employed under a crew agreement, approved by the Secretary of State, to which the National Maritime Board agreement on disciplinary procedures applies and which requires him to comply with the Code of Conduct, is alleged, before the master, to have committed one of the breaches of the Code specified in paragraphs 9 and 11 thereof, | | |

(**a**) 1970 c. 36. (**b**) S.I. 1970/1537. (**c**) S.I. 1972/1874.

| | Column 1<br>Particulars of entry | Column 2<br>Signatory | Column 3<br>Witness |
|---|---|---|---|
| | a record of such of the following particulars as are relevant:—<br>(*a*) the nature of the allegation;<br>(*b*) the name of the person against whom the allegation is made;<br>(*c*) that the master has read the allegation to the seaman;<br>(*d*) that the master has advised the seaman of his right to be accompanied by a friend who may advise him and speak on his behalf;<br>(*e*) (i) if the seaman admits the allegation, a statement that he admits it;<br>(ii) in any other case, a statement that the seaman does not admit the allegation;<br>(*f*) (i) any statement made by the seaman, or by his friend on behalf of the seaman, in answer to the allegation;<br>(ii) that he declines to make a statement in answer to the allegation;<br>(*g*) that the master has given a formal warning to the seaman;<br>(*h*) that the master has given a written reprimand to the seaman;<br>(*i*) that the master has informed the seaman that he will be dismissed from the ship either at the first opportunity or at the end of the voyage and that the matter will be referred to a shore-based disciplinary committee;<br>(*j*) that the seaman has been given, and has acknowledged receipt of, a copy of all entries made in the official log book relating to his breach of the Code, together with a copy of any report made to a shore-based disciplinary committee." | the master | a member of the crew other than the seaman named in an entry under sub-paragraph (b) of this paragraph |

*Stanley Clinton Davis,*
Parliamentary Under-Secretary of State,
Department of Trade.

4th December 1978.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Merchant Shipping (Official Log Books) Regulations 1972 by prescribing additional particulars to be entered in official log books by masters when a seaman (who is employed under a crew agreement, approved by the Secretary of State, to which the National Maritime Board agreement on disciplinary procedures applies and which requires him to comply with the Code of Conduct) is charged with one of the acts of misconduct set out in a National Maritime Board publication entitled "Code of Conduct for the Merchant Navy" published in 1978 by the Board and obtainable from its office at 17/18 Bury Street, London E.C.3.

Consequential amendments are being made by the following Regulations, which will come into operation at the same time as these Regulations: the Merchant Shipping (Seamen's Wages and Accounts) (Amendment) Regulations 1978 (S.I. 1978/1757); the Merchant Shipping (Crew Agreements, Lists of Crew and Discharge of Seamen) (Amendment) Regulations 1978 (S.I. 1978/1756); the Merchant Shipping (Seamen's Documents) (Amendment No. 3) Regulations 1978 (S.I. 1978/1758); and the Merchant Shipping (Disciplinary Offences) (Amendment) Regulations 1978 (S.I. 1978/1754).

SI 1978/1755
ISBN 0-11-084755-5

