



REPUBLIC OF SINGAPORE

# GOVERNMENT GAZETTE

## ACTS SUPPLEMENT

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The following Act was passed by Parliament on 9 November 2016 and assented to by the President on 21 December 2016:—

### REPUBLIC OF SINGAPORE

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**No. 29 of 2016.**

I assent.

TONY TAN KENG YAM,  
*President.*  
21 December 2016.



An Act to amend the Merchant Shipping (Maritime Labour Convention) Act 2014 (Act 6 of 2014) and to make a related amendment to the Work Injury Compensation Act (Chapter 354 of the 2009 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act is the Merchant Shipping (Maritime Labour Convention) (Amendment) Act 2016 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 23**

2. Section 23(2) of the Merchant Shipping (Maritime Labour Convention) Act 2014 (called in this Act the principal Act) is amended by deleting the full-stop at the end of paragraph (c) and substituting a semi-colon, and by inserting immediately thereafter the following paragraph:

“(d) where, in violation of the requirements of this Act or the terms of the seafarer’s employment agreement —

- (i) the seafarer is left by the shipowner without the necessary maintenance and support (including adequate food, accommodation, drinking water supplies, essential fuel for survival on board the ship and necessary medical care); or
- (ii) where the seafarer’s ties with the shipowner have been unilaterally severed by the shipowner including where the shipowner has failed to pay the seafarer’s contractual wages for a period of at least 2 months.”.

**Amendment of section 34**

3. Section 34 of the principal Act is amended —

(a) by deleting subsection (2) and substituting the following subsection:

“(2) The requirement mentioned in subsection (1) is that there is in force a contract of insurance or other financial security —

- (a) that is contracted with, or provided by, an approved financial security provider;

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- (b) that is adequate to ensure that the shipowner will be able to meet any liabilities the shipowner may have —
      - (i) arising from the shipowner's obligation to repatriate a seafarer; or
      - (ii) to provide compensation in the event of death or long-term disability to seafarers arising from occupational injury, illness or hazard; and
    - (c) that contains such terms and conditions, and meets such other requirements, as may be prescribed.”;
  - (b) by deleting the words “subsection (2)” in subsection (3) and substituting the words “subsection (2)(b)”;
  - (c) by deleting the words “section 23 of” in subsection (3)(b); and
  - (d) by inserting, immediately after subsection (4), the following subsection:
    - “(5) In this section, “approved financial security provider” means a provider of insurance or other financial security that has been approved by the Director under section 34A for the purposes of this section.”.

#### **New section 34A**

**4.** The principal Act is amended by inserting, immediately after section 34, the following section:

##### **“Approved financial security provider**

**34A.—**(1) The Director may approve, with or without terms or conditions, a person who provides insurance or other financial security services as an approved financial security provider for the purposes of section 34.

(2) In determining whether or not to approve any person as an approved financial security provider, the Director —

(a) must have regard to whether —

- (i) the person is able and willing to meet the requirements of a financial security provider under this Act; and
- (ii) the insurance or other financial security provided by the person will comply with the requirements of this Act; and

(b) may have regard to any other matter that the Director considers relevant.

(3) The Director may, by written notice to an approved financial security provider, vary any term or condition of approval.

(4) The Director may revoke the approval of a person as an approved financial security provider if the Director is satisfied that —

- (a) the person is not able or willing, or has failed, to meet the requirements of a financial security provider under this Act;
- (b) the insurance or other financial security provided by the person does not comply with the requirements of this Act;
- (c) the person has breached any term or condition of approval; or
- (d) it is otherwise not suitable for the person to continue to be an approved financial security provider.

(5) The Director must, before taking any action under subsection (3) or (4), give written notice to the approved financial security provider of the Director's intention to take such action and give the approved financial security provider an opportunity to submit reasons why the terms or conditions of approval should not be varied, or why the approval should not be revoked, as the case may be.