

Merchant Shipping (Property of Deceased Seamen) Regulations 1996

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No. S 49

**MERCHANT SHIPPING ACT 1995
(ACT 19 OF 1995)**

MERCHANT SHIPPING (PROPERTY OF DECEASED SEAMEN) REGULATIONS 1996

In exercise of the powers conferred by section 87 of the Merchant Shipping Act 1995, the Minister for Communications hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Property of Deceased Seamen) Regulations 1996 and shall come into operation on 2nd February 1996.

Definitions

2.—(1) In these Regulations —

“employer”, in relation to a seaman, means the owner of the ship on which the seaman is employed or, where the seaman is deceased, means the person who last employed him as a seaman before his death;

“next-of-kin” means a person named as the seaman’s next-of-kin in the crew agreement.

(2) A reference in these Regulations to a seaman shall include a reference to the master of a ship.

Application

3. These Regulations shall apply to all Singapore ships.

Properties of seaman upon his death

4.—(1) This regulation applies to all properties (including money) left on board a ship by a seaman dying while or after being employed in the ship.

(2) The master shall —

- (a) take charge of all the properties;
- (b) make an entry in the official log book signed by the master and by a member of the crew comprising —
 - (i) a list of all such properties so taken into his charge;
 - (ii) in the case of a sale under paragraph (3)(a) of any property or part thereof, a description of each article sold and the sum received;

- (iii) in the case of the destruction or disposal of any property or part thereof under paragraph (3)(b), a description of each article destroyed or disposed of and the name of any person to whom disposal was made.

(3) The master may at any time —

- (a) sell, by auction or otherwise any part of the property which in his opinion is likely, before it can be delivered to the next-of-kin or beneficiary in accordance with regulation 5, to perish or deteriorate to such a degree as to be unusable for the purpose which it is intended or to be of no value and the proceeds of sale shall form part of the property; and
- (b) destroy or otherwise dispose of any part of the property which, in his opinion, endangers or is likely to endanger the health or safety of any person on board the ship or endanger the safety, or affect the efficiency, of the ship or any equipment on the ship.

Delivery of properties of seaman

5.—(1) The master or employer shall deliver any property or part thereof which have not been disposed of under regulation 4(3) to —

- (a) the seaman's next-of-kin; or
- (b) any person who appears to be beneficially entitled to the property under a will or on intestacy, to the personal representative of the deceased.

(2) When any property is left in a country outside Singapore by a seaman who dies while or within 3 months after being employed in a ship, the employer shall make a list of the property and deliver the property to the person as provided in paragraph (1).

(3) A person to whom the property has been delivered in accordance with paragraph (1) shall give a written acknowledgement of the receipt of the property to the master or employer which shall include a list of all the property so taken into his charge.

Wages due to seaman

6. For the purposes of regulations 4 and 5, the property of the deceased seaman shall include wages due to the seaman at the time of his death.

Delivery of wages due to deceased seaman

7. In the case of a seaman who dies while or after being employed in a ship, the employer shall pay any wages due to the seaman at the date of his death to the person to