



STATUTORY INSTRUMENTS.

S.I. No. 370 of 2025

MERCHANT SHIPPING (MARITIME LABOUR CONVENTION)
(SHIP OWNERS' LIABILITIES AND REPATRIATION) (AMENDMENT)
REGULATIONS 2025

MERCHANT SHIPPING (MARITIME LABOUR CONVENTION)
(SHIP OWNERS' LIABILITIES AND REPATRIATION) (AMENDMENT)
REGULATIONS 2025

I, SEÁN CANNEY, Minister of State at the Department of Transport, in exercise of the powers conferred on me by section 87 of the Merchant Shipping Act 2010 (No. 14 of 2010) (as adapted by the Transport, Tourism and Sport (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 351 of 2020)) and the Transport (Delegation of Ministerial Functions) Order 2025 (S.I. No. 144 of 2025), hereby make the following regulations:

1. These Regulations may be cited as the Merchant Shipping (Maritime Labour Convention) (Shipowners' Liabilities and Repatriation) (Amendment) Regulations 2025.

2. The Merchant Shipping (Maritime Labour Convention) (Shipowners' Liabilities and Repatriation) Regulations 2014 (S.I. No. 375 of 2014) are amended—

(a) in Regulation 2 –

(i) by inserting before the definition of “Act of 1992” the following definition:

“abandoned” means where, in violation of the requirements of the Convention or the terms of a seafarers’ employment agreement, the shipowner:

(a) fails to cover the cost of a seafarer’s repatriation,

(b) has left a seafarer without the necessary maintenance and support, or

(c) has otherwise unilaterally severed their ties with a seafarer including failure to pay contractual wages for a period of at least two months;”;

(ii) by inserting after the definition of “agreement” the following definition:

“armed robbery against ships” means any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within Ireland’s territorial sea, or any act of inciting or of intentionally facilitating an act described above;”;

(iii) by substituting for the definition of “competent authority” the following definition:

- “‘competent authority’ means that part of the Department of Transport which is known as the Marine Survey Office;”,
- (iv) by deleting the definitions of “Convention” and “Minister”, and
 - (v) by inserting after the definition of “Irish ship” the following definition:
- “‘piracy’ has the same meaning as in the United Nations Convention on the Law of the Sea 1982;”,
- (b) in Regulation 4(7)(b)(ii), by substituting for subclause (VII) the following:
- “(VII) name of the shipowner, or of the registered owner if different from the shipowner;”,
- (c) in Regulation 5(4), by substituting for subparagraph (b) the following:
- “(b) a period beginning on the day on which the sickness or injury first occurs and ending on the day on which the seafarer has recovered from his or her sickness or injury.”,
- (d) by substituting for Regulation 6 the following:
- “6. (1) When a ship to which these Regulations apply is in a port of call, the shipowner shall permit a seafarer to seek medical attention, where reasonably practical, without delay.
- (2) The State shall facilitate the prompt disembarkation of a seafarer in need of medical attention on board a ship which enters a port in the State.”,
- (e) in Regulation 11, by inserting after paragraph (5) the following:
- “(6) Where a seafarer has died during a ship’s voyage, the shipowner shall arrange for, and cover the cost of, repatriation of the body or ashes of the seafarer in accordance with the wishes of the seafarer or their next of kin.
- (7) The State shall facilitate the shipowner in making repatriation arrangements, where the death of the seafarer occurs aboard a ship that enters a port in the State.”,
- (f) in Regulation 11A, by substituting for paragraph (1) the following:
- “(1) If the owner fails to make provision for or to bear the cost of repatriation of a seafarer who is entitled to be repatriated in accordance with Regulation 11, or the seafarer has been abandoned, the Minister shall make arrangements, or have arrangements made on his or her behalf, for the repatriation of the seafarer and shall be entitled to recover the cost of repatriation from the owner as a simple contract debt in any court of competent jurisdiction.”,
- (g) by substituting for Regulation 13 the following:

“13. (1) The duty to repatriate referred to in Regulation 11(1) ends when—

- (a) the seafarer is repatriated in accordance with Regulation 12,
- (b) notwithstanding reasonable endeavours, the shipowner is unable to contact the seafarer for a period of three months or more, or
- (c) the seafarer does not claim their entitlement to repatriation within a period of 3 months,

(2) Subparagraphs (b) and (c) do not apply where a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against the ship.”,

(h) in Regulation 16A(3)(b)(ii), by substituting for subclause (VII) the following:

“(VII) name of the shipowner, or of the registered owner if different from the shipowner;”,

and

(i) in Regulation 17(2)(c) by substituting “Regulation 6(1)” for “Regulation 6”.

GIVEN under my hand,
29 July 2025

SEÁN CANNEY,
Minister of State at the Department of Transport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations provide for the 2022 amendments to the Maritime Labour Convention 2006 in relation to repatriation and financial security. In particular, they make it clear that a Member State will provide for the repatriation of a seafarer in cases of abandonment and that a seafarer's right to repatriation will not lapse should they be held captive on or off the ship as a result of acts of piracy or armed robbery. It also includes amendments to the details required for the evidence of financial security for seafarers.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie



9 781399 339971

€ 3.00