

# Seamen (Unemployment Indemnity) Act 1951

Chapter 178.

[\*Seamen \(Unemployment Indemnity\) Act 1951.\*](#)

Certified on: / /20 .

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 178.

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ARRANGEMENT OF SECTIONS.

1. Interpretation.
2. Unemployment indemnity.
3. Recovery of indemnity.

**INDEPENDENT STATE OF PAPUA NEW GUINEA.**

AN ACT

entitled

*Seamen (Unemployment Indemnity) Act 1951.*

Being an Act to give effect to a draft convention adopted by the International Labour Conference at Genoa on 9 July 1920, relating to unemployment indemnity for seamen in the case of loss or foundering of their ship.

**1. INTERPRETATION.**

In this Act, unless the contrary intention appears—

“owner” includes a person with whom the seaman has contracted for service on board the vessel;

“seamen” includes any person employed or engaged in any capacity on board a vessel engaged in maritime navigation, but in the case of a vessel that is a fishing boat does not include a person who is entitled to share in the profits or the gross earnings of the working of the vessel;

“vessel” includes any ship or boat of any kind registered in Papua New Guinea, but does not include a vessel of war.

**2. UNEMPLOYMENT INDEMNITY.**

(1) Notwithstanding anything in any other law, where by reason of the wreck or loss of a vessel on which a seaman is employed his service terminates before the date contemplated in the agreement, he is entitled, in respect of each day on which he is in fact unemployed during a period of two months from the date of the termination of the service, to receive wages at the rate to which he was entitled at that date.

(2) A seaman is not entitled to receive wages under this section if the owner shows—

(a) that the unemployment was not due to the wreck or loss of the vessel; or

(b) in respect of any day that the seaman was able to obtain suitable employment on that day.

**3. RECOVERY OF INDEMNITY.**

The money payable under Section 2 in respect of each day the seaman was in fact unemployed is recoverable in a court of competent jurisdiction in the same manner as arrears of wages earned during the service.

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