

Regulations for the Minimum Standards of Seafarer Wage, On-Shore and Overtime Charges

Article 1

These regulations have been established according to Article 27 paragraph 1 of the Seafarer Act.

Article 2

Definitions used in these standards are as follows:

1. Wages: Refers to remuneration received by seafarers for regular working hours.
2. On-shore charges: Refers to pay that the employer should provide to seafarers after they have signed an employment contract and are waiting to be assigned to a vessel, or while they are undergoing training or taking examinations.
3. Overtime charges: Refers to additional remuneration that employers should provide to seafarers based on the amount of time they have spent working over 44 hours per week.

Article 3

The minimum monthly wage paid to the Republic of China (R.O.C.) seafarers by employers should be according to the regulations of the Minimum Monthly Wage for R.O.C. seafarers table (attachment).

After seafarers have signed an employment contract, their minimum monthly wage should be in accordance with the minimum wage standards referred to in the paragraph above.

Once standards for the seafarers' minimum monthly wage come into force, proposals for alterations should be agreed upon by the National Association of Chinese Shipowners, National Chinese Seaman's Union and the Master Mariners Association, and adjustments implemented following submission to the competent authorities for approval.

Article 4

When employers hire seafarers from the R.O.C., they should be assigned for actual work aboard a vessel within one month of signing the employment contract. During this period, seafarers are not permitted to transfer to the ship of another employer without the permission of the original employer. However, this does not apply if both sides reach agreement and any on-shore wage that has already been provided is returned by the seafarers.

Whilst seafarers are drawing on-shore wage, if they fail to report to the ship on the specified date or refuse to board the ship following official notification by the employer, the employer must halt payment of the seafarers' on-shore charge, and said seafarers should return any previous on-shore charge received.

If they are not paid their on-shore charge on the date specified in the employment

contract, seafarers should immediately request transferal to another employer's ship. The original employer is not entitled to demand compensation and should not confiscate any certification. The original employer should also provide any unpaid on-shore charge.

Article 5

Minimum standards for overtime charge per hour should be calculated according to the total number of hours worked beyond the seafarers' regular monthly wage.

Article 6

Employer shall provide a means to transmit all or part of their earnings to their families or dependants or legal beneficiaries according to seafarers' enabling.

The seafarers' earnings mentioned above paragraph are the summation among wage, on-shore and overtime charges.

Any charge for the service under paragraphs 1 shall be reasonable in amount, and the rate of currency exchange, unless otherwise provided, shall, in accordance with national laws or regulations.

Article 7

These regulations come into force from the date upon which they are issued. Article 6 issued with the 18, July 2013 amendments come into effect from 20, August 2013.