§ 10301. Application

(a) Except as otherwise specifically provided, this chapter applies to a vessel of the United States—

(1) on a voyage between a port in the United States and a port in a foreign country (except a port in Canada, Mexico, or the West Indies); or

(2) of at least 75 gross tons as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title on a voyage between a port of the United States on the Atlantic Ocean and a port of the United States on the Pacific Ocean.

(b) This chapter does not apply to a vessel on which the seamen are entitled by custom or agreement to share in the profit or result of a voyage or to riding gang members.

(c) Unless otherwise provided, this chapter does not apply to a foreign vessel.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 561; Pub. L. 104–324, title VII, § 737, Oct. 19, 1996, 110 Stat. 3941; Pub. L. 109–241, title III, § 312(c)(2), July 11, 2006, 120 Stat. 533.)

HISTORICAL AND REVISION NOTES

Revised section	*Source section (U.S. Code)*
10301	46:564 46:566 46:574

Section 10301 specifies that vessels on foreign and intercoastal voyages (except for fishing vessels and foreign vessels) are subject to the seamen protection and relief provisions contained in chapter 103.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109–241 inserted ''or to riding gang members'' after ''voyage''.

1996—Subsec. (a)(2). Pub. L. 104–324 inserted ''as measured under section 14502 of this title, or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title'' after ''75 gross tons''.

§ 10302. Shipping articles agreements

(a) The owner, charterer, managing operator, master, or individual in charge shall make a shipping agreement in writing with each seaman before the seaman commences employment.

(b) The agreement shall contain the following:

(1) the nature, and, as far as practicable, the duration of the intended voyage, and the port or country in which the voyage is to end.

(2) the number and description of the crew and the capacity in which each seaman is to be engaged.

(3) the time at which each seaman is to be on board to begin work.

(4) the amount of wages each seaman is to receive.

(5) regulations about conduct on board, and information on fines, short allowance of provisions, and other punishment for misconduct provided by law.

(6) a scale of the provisions that are to be provided each seaman.

(7) any stipulation in reference to advances and allotments of wages.

(8) other matters not contrary to law.

(c) Each shipping agreement must be signed by the master or individual in charge or a representative of the owner, charterer, or managing operator, and by each seaman employed.

(d) The owner, charterer, managing operator, master, or individual in charge shall maintain the shipping agreement and make the shipping agreement available to the seaman.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 561; Pub. L. 103–206, title IV, § 401, Dec. 20, 1993, 107 Stat. 2435.)

HISTORICAL AND REVISION NOTES

Revised section	*Source section (U.S. Code)*
10302	46:564

Section 10302 requires the master to make a shipping agreement with each crew member and lists the information that must be included in the agreement.

AMENDMENTS

1993—Subsec. (a). Pub. L. 103–206, § 401(1), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: ''Before proceeding on a voyage, the master of a vessel to which this chapter applies shall make a shipping articles agreement in writing with each seaman in the crew.''

Subsecs. (c), (d). Pub. L. 103–206, § 401(2), added subsecs. (c) and (d).

§ 10303. Provisions

(a) A seaman shall be served at least 3 meals a day that total at least 3,100 calories, including adequate water and adequate protein, vitamins, and minerals in accordance with the United States Recommended Daily Allowances.

(b) The text of subsection (a) of this section shall be included in the agreement required by section 10302 of this title. A copy of the text also shall be posted in a conspicuous place in the galley and forecastle of each vessel.

(c) This section does not apply to a fishing or whaling vessel or a yacht.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 562.)

HISTORICAL AND REVISION NOTES

Revised section	*Source section (U.S. Code)*
10303	46:713

Section 10303 requires that seamen be served adequate food and water and that the text of this requirement be posted in the galley. The provisions do not apply to fishing vessels, whaling vessels, or yachts.

§ 10304. Form of agreement

The form of the agreement required by section 10302 of this title shall be in substance as follows:

UNITED STATES OF AMERICA

(Date and place of first signature of agreement):

It is agreed between the master and seamen of the , of which is at present master, or whoever shall go for master, now bound from the port of to (here the voyage is to be described, and the places named at which the vessel is to touch, or if that cannot be done, the general na-