or international financial institution designated by the seaman;

(2) such deposits in the financial institution are fully guaranteed under commonly accepted international standards by the government of the country in which the financial institution is licensed;

(3) a written wage statement or pay stub, including an accounting of any direct deposit, is delivered to the seaman no less often than monthly; and

(4) while on board the vessel on which the seaman is employed, the seaman is able to arrange for withdrawal of all funds on deposit in the account in which the wages are deposited.

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 570; Pub. L. 99–36, § 1(a)(5), May 15, 1985, 99 Stat. 67; Pub. L. 99–640, § 10(b)(4), (5), Nov. 10, 1986, 100 Stat. 3550; Pub. L. 111–281, title IX, § 902(b), Oct. 15, 2010, 124 Stat. 3009.)

HISTORICAL AND REVISION NOTES

| *Revised section* | *Source section (U.S. Code)* |
|---|---|
| 10504 | 46:596<br>46:597<br>46:598 |

Section 10504 specifies when seamen on coastwise voyages may obtain portions of their wages. The section does not apply to fishing vessels, whaling vessels or yachts, and portions of it do not apply to vessels taking oysters. It does apply to foreign vessels while in United States ports.

AMENDMENTS

2010—Subsec. (c). Pub. L. 111–281, § 902(b)(1), designated existing provisions as par. (1), substituted ''Subject to subsection (d), and except as provided in paragraph (2), when'' for ''When'', and added pars. (2) and (3).

Subsec. (f). Pub. L. 111–281, § 902(b)(2), added subsec. (f).

1986—Subsec. (a). Pub. L. 99–640, § 10(b)(4), struck out last sentence which read as follows: ''However, this subsection applies to a vessel taking oysters.''

Subsec. (d)(3). Pub. L. 99–640, § 10(b)(5), struck out ''(except a vessel taking oysters)'' after ''vessel''.

1985—Subsec. (d). Pub. L. 99–36 amended subsec. (d) generally, thereby including reference to a vessel engaged in coastwise commerce.

EFFECTIVE DATE OF 1985 AMENDMENT

Pub. L. 99–36, § 1(b), May 15, 1985, 99 Stat. 68, provided that: ''The effective date of subsection (a)(5) of this section [amending this section] is August 26, 1983.''

## § 10505. Advances

(a)(1) A person may not—

(A) pay a seaman wages in advance of the time when the seaman has earned the wages;

(B) pay advance wages of the seaman to another person; or

(C) make to another person an order, note, or other evidence of indebtedness of the wages, or pay another person, for the engagement of seamen when payment is deducted or to be deducted from the seaman's wage.

(2) A person violating this subsection is liable to the United States Government for a civil penalty of not more than $5,000. A payment made in violation of this subsection does not relieve the vessel or the master from the duty to pay all wages after they have been earned.

(b) A person demanding or receiving from a seaman or an individual seeking employment as a seaman, remuneration for providing the seaman or individual with employment, is liable to the Government for a civil penalty of not more than $5,000.

(c) The owner, charterer, managing operator, agent, or master of a vessel seeking clearance from a port of the United States shall present the agreement required by section 10502 of this title at the office of clearance. Clearance may be granted to a vessel only if this section has been complied with.

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

(Pub. L. 98–89, Aug. 26, 1983, 97 Stat. 571; Pub. L. 99–640, § 10(b)(4), Nov. 10, 1986, 100 Stat. 3550; Pub. L. 103–206, title IV, § 414, Dec. 20, 1993, 107 Stat. 2437.)

HISTORICAL AND REVISION NOTES

| *Revised section* | *Source section (U.S. Code)* |
|---|---|
| 10505 | 46:598<br>46:599 |

Section 10505 prohibits any person from paying a seaman on a coastwise voyage advance wages, or to pay to another person any form of a seaman's wages prior to the commencement of the seaman's employment. It also prohibits a person from seeking or receiving remuneration for providing a seaman with employment. This section also requires that a vessel comply with this section before clearing port. It provides penalties for offenses of its provisions. The section does not apply to fishing vessels, whaling vessels, or yachts, but does apply to vessels taking oysters.

AMENDMENTS

1993—Subsec. (a)(2). Pub. L. 103–206, § 414(1), substituted ''$5,000'' for ''$100''.

Subsec. (b). Pub. L. 103–206, § 414(2), substituted ''$5,000'' for ''$500''.

1986—Subsec. (d). Pub. L. 99–640 struck out last sentence which read as follows: ''However, this section applies to a vessel taking oysters.''

## § 10506. Trusts

Section 10505 of this title does not prevent an employer from making deductions from the wages of a seaman, with the written consent of the seaman, if—

(1) the deductions are paid into a trust fund established only for the benefit of seamen employed by that employer, and the families and dependents of those seamen (or of those seamen, families, and dependents jointly with other seamen employed by other employers, and the families and dependents of the other seamen); and

(2) the payments are held in trust to provide, from principal or interest, or both, any of the following benefits for those seamen and their families and dependents:

(A) medical or hospital care, or both.

(B) pensions on retirement or death of the seaman.

(C) life insurance.

(D) unemployment benefits.

(E) compensation for illness or injuries resulting from occupational activity.

(F) sickness, accident, and disability compensation.