

Having determined that these proposals shall take the form of an International Convention  
adopts this twenty-eighth day of June of the year one thousand nine hundred and forty-six the following Convention which may be cited as the Social Security (Seafarers) Convention, 1946 :

*Article 1*

1. In this Convention —

- (a) The term “ seafarer ” includes every person employed on board or in the service of any seagoing vessel, other than a ship of war, which is registered in a territory for which this Convention is in force ;
- (b) The term “ dependant ” shall have the meaning assigned to it by national laws or regulations ; and
- (c) The term “ repatriation ” means transportation to a port to which a seafarer is entitled to be returned in accordance with national laws or regulations.

2. Any Member may in its national laws or regulations make such exceptions as it deems necessary in respect of—

- (a) Persons employed on board or in the service of—
  - (i) Vessels of public authorities when such vessels are not engaged in trade ;
  - (ii) Coastwise fishing boats ;
  - (iii) Boats of less than twenty-five tons gross register tonnage ;
  - (iv) Wooden ships of primitive build such as dhows and junks ; and
  - (v) In so far as ships registered in India are concerned and for a period not exceeding five years from the date of registration of the ratification of this Convention by India, home trade vessels of a gross register tonnage not exceeding 300 tons ;
- (b) Members of the shipowner's family ;
- (c) Pilots not members of the crew ;
- (d) Persons employed on board or in the service of the ship by an employer other than the shipowner, except radio officers or operators and catering staff ;
- (e) Persons employed in port who are not ordinarily employed at sea ;
- (f) Salaried employees in the service of a national public authority who are entitled to benefits at least equivalent on the whole to those provided for in this Convention ;
- (g) Persons not remunerated for their services or remunerated only by a nominal salary or wage ;
- (h) Persons working exclusively on their own account.

3. Where any benefit provided for in this Convention is furnished otherwise than in virtue of national laws or regulations relating to the liability of the shipowner in respect of sickness, injury or death of seafarers, such further exceptions as are deemed necessary may be made in national laws, regulations or collective agreements in respect of the right to such benefit and any obligation to contribute of—

- (a) Persons remunerated exclusively by a share of profits ;
- (b) Persons employed on board or in the service of fishing vessels for whom an exception is not already permitted under paragraph 2 (a) (ii) of this Article or on board or in the service of vessels engaged in hunting seals ;
- (c) Persons employed on board or in the service of whale catching, floating factory or transport vessels or otherwise for the purpose of whaling or similar operations under conditions regulated by the provisions of a special collective whaling or similar agreement determining the rates of pay, hours of work and other conditions of service concluded by an organization of seafarers concerned ;