

*Article 2*

1. Each Member of the International Labour Organization for which this Convention is in force shall, in accordance with national laws or regulations, establish or secure the establishment of a scheme for the payment of pensions to seafarers on retirement from sea service.

2. The scheme may embody such exceptions as the Member 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) Vessels which are not engaged in the transport of cargo or passengers for the purpose of trade ;

(iii) Fishing vessels ;

(iv) Vessels engaged in hunting seals ;

(v) Vessels of less than 200 gross register tons ;

(vi) Wooden ships of primitive build such as dhows and junks ;

(vii) In so far as ships registered in India are concerned and for a period not exceeding five years from the date of the registration of the ratification of the 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, or remunerated exclusively by a share of profits ;

(h) Persons working exclusively on their own account ;

(i) 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 ;

(j) Persons not resident in the territory of the Member ;

(k) Persons not nationals of the Member.

*Article 3*

1. The scheme shall comply with one of the following conditions :—

(a) The pensions provided by the scheme—

(i) Shall be payable to seafarers having completed a prescribed period of sea service on attaining the age of fifty-five or sixty years as may be prescribed by the scheme ; and

(ii) Shall, together with any other social security pension payable simultaneously to the pensioner, be at a rate not less than the total obtained by computing for each year of his sea service one and a half per cent. of the remuneration on the basis of which contributions were paid in respect of him for that year if the scheme provides pensions on attaining the age of fifty-five years or two per cent. of such remuneration if the scheme provides pensions at the age of sixty years ; or