

other agent of the employer regarding any illness, disability, or injury suffered by the seaman when in service to the vessel not later than seven days after the date on which the illness, disability, or injury arose.

(b) The Secretary shall prescribe regulations requiring that each fishing vessel, fish processing vessel, and fish tender vessel shall have on board a placard displayed in a prominent location accessible to the crew describing the seaman's duty under subsection (a) of this section. (Pub. L. 100-424, §6(a), Sept. 9, 1988, 102 Stat. 1592.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10603 .....	New

**CHAPTER 107—EFFECTS OF DECEASED SEAMEN**

- Sec. 10701. Application.
- 10702. Duties of masters.
- 10703. Procedures of masters.
- 10704. Duties of consular officers.
- 10705. Disposition of money, property, and wages by consular officers.
- 10706. Seamen dying in the United States.
- [10707. Repealed.]
- 10708. Sale of property.
- 10709. Distribution.
- 10710. Unclaimed money, property, and wages.
- 10711. Penalties.

AMENDMENTS

1993—Pub. L. 103-206, title IV, §420(b), Dec. 20, 1993, 107 Stat. 2438, struck out item 10707 "Delivery to district court".

**§ 10701. Application**

(a) Except as otherwise specifically provided, this chapter applies to a vessel on a voyage between—

- (1) a port of the United States and a port in a foreign country (except a port in Canada, Mexico, and the West Indies); and
- (2) 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 a seaman by custom or agreement is entitled to share in the profit or result of a voyage.

(c) This chapter does not apply to a foreign vessel.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 572.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10701 .....	46:621

Section 10701 provides that the provisions in chapter 107 apply to vessels on voyages between U.S. ports and foreign countries (except Canada, Mexico, or the West Indies) and between United States ports on the Atlantic and United States ports on the Pacific. It does not apply to foreign vessels or vessels on which the seamen share the profits.

**§ 10702. Duties of masters**

(a) When a seaman dies during a voyage, the master shall take charge of the seaman's money

and property. An entry shall be made in the official logbook, signed by the master, the chief mate, and an unlicensed crewmember containing an inventory of the money and property and a statement of the wages due the seaman, with the total of the deductions to be made.

(b) On compliance with this chapter, the master shall obtain a written certificate of compliance from the consular officer or court clerk. Clearance may be granted to a foreign-bound vessel only when the certificate is received at the office of customs.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 572; Pub. L. 103-206, title IV, §422(a), Dec. 20, 1993, 107 Stat. 2438.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10702 .....	46:621

Section 10702 requires a master to take charge of the property of a deceased seaman, make note in the official logbook that the property was taken and obtain a certificate of compliance from a shipping commissioner which must be exhibited for port clearance of foreign bound vessels.

AMENDMENTS

1993—Subsec. (b). Pub. L. 103-206 substituted "the consular officer or court clerk" for "a shipping commissioner".

**§ 10703. Procedures of masters**

(a) If the vessel is proceeding to the United States when a seaman dies, the master shall deliver the seaman's money, property, and wages when the agreement required by this part is ended, as provided in section 10706 of this title.

(b) If the vessel touches at a foreign port after the death of the seaman, the master shall report to the first available consular officer. The consular officer may require the master to deliver to the officer the money, property, and wages of the seaman. The consular officer shall give the master a receipt for the matters delivered and certify on the agreement the particulars of the delivery. When the agreement ends, the master shall deliver the receipt to a district court of the United States.

(c) If the consular officer does not require the master to deliver the seaman's money, property, and wages, the officer shall so certify on the agreement, and the master shall dispose of the money, property, and wages as provided under section 10706 of this title.

(d) A deduction from the account of a deceased seaman is valid only if certified by a proper entry in the official logbook.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573; Pub. L. 103-206, title IV, §418, Dec. 20, 1993, 107 Stat. 2438.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10703 .....	46:622

Section 10703 provides for the disposal by the master of the property and wages of deceased seamen who have died outside the United States.

AMENDMENTS

1993—Subsec. (a). Pub. L. 103-206, § 418(1), substituted “in section 10706 of this title” for “by regulations prescribed by the Secretary”.

Subsec. (b). Pub. L. 103-206, § 418(2), substituted “to a district court of the United States” for “as prescribed by regulations”.

Subsec. (c). Pub. L. 103-206, § 418(3), substituted “section 10706 of this title” for “subsection (a) of this section”.

§ 10704. Duties of consular officers

When a seaman dies outside the United States leaving money or property not on board a vessel, the consular officer nearest the place at which the money and property is located shall claim and take charge of it.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10704 .....	46:624

Section 10704 requires consular officers to take charge of the property (not left on board a vessel) of deceased seamen who have died outside the United States.

§ 10705. Disposition of money, property, and wages by consular officers

When money, property, or wages of a deceased seaman comes into possession of a consular officer, the officer may—

- (1) sell the property and remit the proceeds and other money or wages of the seaman the officer has received, to the district court of the United States for the district in which the voyage begins or ends; or
- (2) deliver the money, property, and wages to the district court.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10705 .....	46:624

Section 10705 instructs consular officers on the disposal of the property and wages of deceased seamen who have died outside the United States.

§ 10706. Seamen dying in the United States

When a seaman dies in the United States and is entitled at death to claim money, property, or wages from the master or owner of a vessel on which the seaman served, the master or owner shall deliver the money, property, and wages to a district court of the United States within one week of the seaman's death. If the seaman's death occurs at sea, such money, property, or wages shall be delivered to a district court or a consular officer within one week of the vessel's arrival at the first port call after the seaman's death.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573; Pub. L. 103-206, title IV, § 419, Dec. 20, 1993, 107 Stat. 2438.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10706 .....	46:625

Section 10706 provides for the disposal by the master of the property and wages of deceased seamen who have died in the United States.

AMENDMENTS

1993—Pub. L. 103-206 substituted “to a district court of the United States within one week of the seaman's death. If the seaman's death occurs at sea, such money, property, or wages shall be delivered to a district court or a consular officer within one week of the vessel's arrival at the first port call after the seaman's death.” for “as provided by regulations prescribed by the Secretary.”.

[§ 10707. Repealed. Pub. L. 103-206, title IV, § 420(a), Dec. 20, 1993, 107 Stat. 2438]

Section, Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 573, related to delivery to district court of money, property, and wages of a deceased seaman.

§ 10708. Sale of property

A district court of the United States may direct the sale of any part of the property of a deceased seaman. Proceeds of the sale shall be held as wages of the seaman are held.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 574.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10708 .....	46:628

Section 10708 permits a district court to sell a deceased seaman's property and treat the proceeds as wages.

§ 10709. Distribution

(a)(1) If the money, property, and wages of a seaman, including proceeds from the sale of property, are not more than \$1,500 in value, the court, subject to deductions it allows for expenses and at least 60 days after receiving the money, property, and wages, may deliver the money, property, and wages to a claimant proving to be—

- (A) the seaman's surviving spouse or child;
- (B) entitled to the money, property, and wages under the seaman's will or under a law or at common law; or
- (C) entitled to secure probate, or take out letters of administration, although no probate or letters of administration have been issued.

(2) The court is released from further liability for the money, property, and wages distributed under paragraph (1) of this subsection.

(3) Instead of acting under paragraphs (1) and (2) of this subsection, the court may require probate or letters of administration to be taken out, and then deliver the money, property, and wages to the legal representative of the seaman.

(b) If the money, property, and wages are more than \$1,500 in value, the court, subject to deductions for expenses, shall deliver the money, property, and wages to the legal representative of the seaman.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 574; Pub. L. 99-307, § 1(15), May 19, 1986, 100 Stat. 446.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
10709 .....	46:627