

(d) In a subsequent legal proceeding, if the entries required by this section are not produced or proved, the court may refuse to receive evidence of the offense.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 583.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
11502	46:702

Section 11502 describes the manner in which offenses must be recorded in the official logbook, and the use of the records by the court.

§ 11503. Duties of consular officers related to insubordination

(a) A consular officer shall use every means to discountenance insubordination on vessels of the United States, including employing the aid of local authorities.

(b) When a seaman is accused of insubordination, a consular officer shall inquire into the facts and proceed as provided in section 11106 of this title. If the consular officer discharges the seaman, the officer shall endorse the agreement required by this part and enter in the vessel's official logbook the cause and particulars of the discharge.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 583.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
11503	46:703

Section 11503 delegates to consular officers certain responsibilities related to insubordination of seamen on United States vessels.

§ 11504. Enforcement of forfeitures

When an offense by a seaman also is a criminal violation, it is not necessary that a criminal proceeding be brought to enforce a forfeiture.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 584.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
11504	46:705

Section 11504 provides that when a seaman has committed a criminal offense, a forfeiture may be enforced through civil proceedings.

§ 11505. Disposal of forfeitures

(a) Money, property, and wages forfeited under this chapter for desertion may be applied to compensate the owner or master of the vessel for expenses caused by the desertion. The balance shall be transferred to the appropriate district court of the United States when the voyage is completed.

(b) If it appears to the district court that the forfeiture was imposed properly, the property transferred may be sold in the same manner prescribed for the disposition of the property of deceased seamen. The court shall deposit in the Treasury as miscellaneous receipts the proceeds of the sale and any money and wages transferred to the court.

(c) When an owner or master fails to transfer the balance as required under subsection (a) of this section, the owner or master is liable to the United States Government for a civil penalty of 2 times the amount of the balance, recoverable by the Secretary in the same manner that seaman's wages are recovered.

(d) In all other cases of forfeiture of wages, the forfeiture shall be for the benefit of the owner of the vessel.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 584; Pub. L. 103-206, title IV, §421, Dec. 20, 1993, 107 Stat. 2438.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
11505	46:706

Section 11505 provides for the disposal of wages forfeited by deserting seamen.

AMENDMENTS

1993—Subsec. (a). Pub. L. 103-206, §421(1), substituted "The balance shall be transferred to the appropriate district court of the United States when the voyage is completed." for "The balance shall be transferred to the Secretary when the voyage is completed, as prescribed by the Secretary."

Subsec. (b). Pub. L. 103-206, §421(2), struck out at beginning "Within one month of receiving the balance under subsection (a) of this section, the Secretary shall transfer the balance to the appropriate district court of the United States."

§ 11506. Carrying sheath knives

A seaman in the merchant marine may not wear a sheath knife on board a vessel without the consent of the master. The master of a vessel of the United States shall inform each seaman of this prohibition before engagement. A master failing to advise a seaman is liable to the United States Government for a civil penalty of \$50.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 584.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
11506	46:710

Section 11506 prohibits a merchant seaman from carrying a sheath knife without permission of the master, and penalizes a master who does not advise a seaman of this provision.

§ 11507. Surrender of offending officers

When an officer of a vessel of the United States (except the master) has violated section 2191 of title 18, and the master has actual knowledge of the offense or if complaint is made within 3 days after reaching port, the master shall surrender the offending officer to the proper authorities. If the master fails to use diligence to comply with this section and the offender escapes, the owner, the master, and the vessel are liable for damages to the individual unlawfully punished.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 584.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source section (U.S. Code)</i>
11507	46:712