

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.

Editorial Notes

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.

Editorial Notes

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