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### TITLE 46--SHIPPING

#### CHAPTER I--COAST GUARD, DEPARTMENT OF HOMELAND SECURITY

#### PART 14\_SHIPMENT AND DISCHARGE OF MERCHANT MARINERS--Table of Contents

##### Subpart C\_Discharge of Merchant Mariners

#### Sec. 14.305 Entries in continuous discharge book.

If the merchant mariner holds a continuous discharge book, the master or individual in charge of the vessel shall make the proper entries in it.

#### Sec. 14.307 Entries on certificate of discharge.

(a) Each master or individual in charge of a vessel shall, for each merchant mariner being discharged from the vessel, prepare a certificate

of discharge and two copies; whether by writing or typing them on the prescribed form with permanent ink or generating them from computer in the prescribed format; and shall sign them with permanent ink. The prescribed format for a certificate of discharge is the same as the present form CG-718A (Rev. 3-85). The left portion of the form has the mariner's printed name, signature, citizenship, and merchant mariner's document number; the certification statement, date and the master's signature. The right portion of the form contains the rate/rank the mariner is serving on the voyage, date and place of shipment, date and place of discharge, name of the vessel, name of the operating company, official number of the vessel, class of the vessel, and the nature of the voyage.

(b) Each mariner being discharged shall sign the certificate and both copies with permanent ink.

(c) When the mariner leaves the vessel, the master or individual in charge shall give the original certificate to the mariner.

(d) Except as directed by Sec. 14.313, the shipping company shall keep both copies of the certificate.

(e) The company shall provide copies of certificates of discharge to the mariner and the Coast Guard upon request.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2002-13058, 67 FR 61278, Sept. 30, 2002]

#### Sec. 14.309 Entries in shipping articles at end of voyage.

(a) At the end of each voyage upon which shipping articles are required, the master or individual in charge of the vessel shall--

- (1) Complete the articles, conforming the pertinent entries in them to those on the certificate of discharge and its copies;
  - (2) Note in the articles the execution of each Mutual Release;
  - (3) Attach to the articles each Mutual Release and a copy of each certificate; and
  - (4) Pay to each merchant mariner all wages due.
- (b) When paid off, each mariner shall sign the articles.

Sec. 14.311 Report of discharge of merchant mariner.

(a) At the end of each foreign, intercoastal, and coastwise voyage by a vessel of the United States, or of each voyage by such a vessel that sails exclusively on bays or sounds (or by such a vessel at the close of the season on the Great Lakes, or once the vessel is withdrawn from service there, whichever occurs later), the shipping company shall electronically transmit the data from the certificates of discharge to an electronic address which the shipping company may request from the National Maritime Center.

(b) If the data is submitted manually, the shipping companies shall provide the data for foreign and intercoastal voyages at the end of each voyage. For coastwise voyages or of each voyage by such a vessel that sails exclusively on bays or sounds (or by such a vessel at the close of the season of the Great Lakes, or once the vessel is withdrawn from service there, whichever occurs later), the shipping companies shall submit a copy of each certificate of discharge to the address in Sec. 14.103(a) at least once per calendar month.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2007-29018, 72 FR 53964, Sept. 21, 2007]

Sec. 14.313 Storage of shipping articles and of certificates of discharge.

(a) Each shipping company shall keep all original shipping articles and copies of all certificates of discharge for 3 years. After 3 years the shipping companies shall prepare the original shipping articles in alphabetical order by vessel name and send to the address in Sec. 14.103(a) for storage at the Federal Records Center at Suitland, Maryland. The company may dispose of the copies of certificates of discharge. The Coast Guard will dispose of copies of certificates submitted manually, once the data are entered into its sea-service database and are validated.

(b) Each shipping company that goes out of business or merges with another company shall send all original articles to the address in Sec. 14.103(a) within 30 days of the transaction.

(c) The shipping company must provide copies of shipping articles and certificates of discharge to the mariner and the Coast Guard upon request.

Sec. 14.407 Reports.

(a) The owner, charterer, managing operator, master, or individual in charge of each oceanographic research vessel of 100 gross tons or more shall maintain a record of the employment, discharge, or termination of service of every merchant mariner in the

crew. At least every 6 months, the person maintaining this record shall transmit it to the Coast Guard, either manually, in the form of a copy of a certificate of discharge, or electronically.

(b) The owner, charterer, managing operator, master, or individual in charge of the vessel shall keep original shipping articles and a copy of each certificate ready for review by the Coast Guard or the mariner upon request. After January 3, 1997, the Coast Guard will no longer keep either original articles or copies of certificates; it will keep only electronic records of employment.

(c) The master or individual in charge of the vessel shall ensure that every entry made in the articles agrees with the corresponding entry made in a continuous discharge book, on a certificate, or in any other proof of sea service furnished to the mariner.

(d) Each oceanographic company shall keep all original articles and copies of all certificates for 3 years. After that each such company shall send all articles to the address in Sec. 14.103(a).

(e) Each oceanographic company that goes out of business or merges with another company shall send all original articles to the address in Sec. 14.103(a) within 30 days of the transaction.

## **Title 46: Shipping**

### **PART 14—SHIPMENT AND DISCHARGE OF MERCHANT MARINERS**

[Browse Previous](#) | [Browse Next](#)

#### **Subpart C—Discharge of Merchant Mariners**

**§ 14.301 Paying off of merchant mariner during or after voyage upon which shipping articles are required.**

Each master or individual in charge of a vessel when shipping articles are required shall complete and sign, and each merchant mariner paid off during or after such a voyage shall sign the articles and otherwise comply with the requirements of this subpart. When signed by the master or individual in charge and by the mariner, the articles constitute a release from the duties to which they bound their parties.

#### **§ 14.303 Discharge of merchant mariner in foreign port.**

Upon the discharge of any mariner in a foreign port, the master shall make the required entries on the ship's articles. Upon the request of the master or a mariner, the consular officer shall discharge the mariner in accordance with the requirements of 46 U.S.C. 10318.

#### **§ 14.305 Entries in continuous discharge book.**

If the merchant mariner holds a continuous discharge book, the master or individual in charge of the vessel shall make the proper entries in it.

#### **§ 14.307 Entries on certificate of discharge.**

(a) Each master or individual in charge of a vessel shall, for each merchant mariner being discharged from the vessel, prepare a certificate of discharge and two copies; whether by writing or typing them on the prescribed form with permanent ink or generating them from computer in the prescribed format; and shall sign them with permanent ink. The prescribed format for a certificate of discharge is the same as the present form CG-718A (Rev. 3-85). The left portion of the form has the mariner's printed name, signature, citizenship, MMD or MMC number; the certification statement, date and the master's signature. The right portion of the form contains the rate/rank the mariner is serving on the voyage, date and place of shipment, date and place of discharge, name of the vessel, name of the operating company, official number of the vessel, class of the vessel, and the nature of the voyage.

(b) Each mariner being discharged shall sign the certificate and both copies with permanent ink.

(c) When the mariner leaves the vessel, the master or individual in charge shall give the original certificate to the mariner.

(d) Except as directed by §14.313, the shipping company shall keep both copies of the certificate.

(e) The company shall provide copies of certificates of discharge to the mariner and the Coast Guard upon request.

[CGD 94-004, 61 FR 56637, Nov. 4, 1996, as amended by USCG-2002-13058, 67 FR 61278, Sept. 30, 2002; USCG-2006-24371, 74 FR 11260, Mar. 16, 2009]

#### **§ 14.309 Entries in shipping articles at end of voyage.**

(a) At the end of each voyage upon which shipping articles are required, the master or individual in charge of the vessel shall—

(1) Complete the articles, conforming the pertinent entries in them to those on the certificate of discharge and its copies;

(2) Note in the articles the execution of each Mutual Release;

(3) Attach to the articles each Mutual Release and a copy of each certificate; and

(4) Pay to each merchant mariner all wages due.

(b) When paid off, each mariner shall sign the articles.

#### **§ 14.311 Report of discharge of merchant mariner.**

(a) At the end of each foreign, intercoastal, and coastwise voyage by a vessel of the United States, or of each voyage by such a vessel that sails exclusively on bays or sounds (or by such a vessel at the close of the season on the Great Lakes, or once the vessel is withdrawn from service there, whichever occurs later), the shipping company shall electronically transmit the data from the certificates of discharge to an electronic address which the shipping company may request from the National Maritime Center.

(b) If the data is submitted manually, the shipping companies shall provide the data for foreign and intercoastal voyages at the end of each voyage. For coastwise voyages or of each voyage by such a vessel that sails exclusively on bays or sounds (or by such a vessel at the close of the season of the Great Lakes, or once the vessel is withdrawn from service there, whichever occurs later), the shipping companies shall submit a copy of each certificate of discharge to the address in §14.103(a) at least once per calendar month.

[CGD 94–004, 61 FR 56637, Nov. 4, 1996, as amended by USCG–2007–29018, 72 FR 53964, Sept. 21, 2007]

#### **§ 14.313 Storage of shipping articles and of certificates of discharge.**

(a) Each shipping company shall keep all original shipping articles and copies of all certificates of discharge for 3 years. After 3 years the shipping companies shall prepare the original shipping articles in alphabetical order by vessel name and send to the address in §14.103(a) for storage at the Federal Records Center at Suitland, Maryland. The company may dispose of the copies of certificates of discharge. The Coast Guard will dispose of copies of certificates submitted manually, once the data are entered into its sea-service database and are validated.

(b) Each shipping company that goes out of business or merges with another company shall send all original articles to the address in §14.103(a) within 30 days of the transaction.

(c) The shipping company must provide copies of shipping articles and certificates of discharge to the mariner and the Coast Guard upon request.

**Authority:** 5 U.S.C. 552; 46 U.S.C. Chapters 103 and 104; 46 U.S.C. 70105.

**Source:** CGD 94–004, 61 FR 56637, Nov. 4, 1996, unless otherwise noted.