

No. R. 544

25 June 2015

MERCHANT SHIPPING ACT, 1951**MERCHANT SHIPPING (SAFE MANNING, TRAINING AND CERTIFICATION)
AMENDMENT REGULATIONS, 2015**

I, Dipuo Peters, Minister of Transport, under section 356 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), hereby amend the Merchant Shipping (Safe Manning, Training and Certification) Amendment Regulations, 2015, as set out in the Schedule below.

**MINISTER OF TRANSPORT**

DATE: 01/06/2015

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SCHEDULE**MERCHANT SHIPPING (SAFE MANNING, TRAINING AND CERTIFICATION)****AMENDMENT REGULATIONS, 2015****GENERAL EXPLANATORY NOTE:**

[] Words in bold type in square brackets indicate omissions from existing regulations.

_____ Words underlined with a solid line indicate insertions in existing regulations.

Interpretation

1. In this Schedule "the Regulations" means the Merchant Shipping (Safe Manning, Training and Certification) Regulations, 2013, published by Government Notice No. R. 511 of 23 July 2013.

Amendment of Schedule of Regulations

2. The schedule to the Regulations is amended by the deletion of the expression "[**(unlimited)**]" in the heading of item 28;

Amendment of regulation 1 of Regulations

3. Regulation 1 of the Regulations is amended—

- (a) by the substitution in subregulation (1) for the reference to **["Division 4"]** of the reference to **"Division 5"** in the definitions for the following:

**"able seafarer deck", "able seafarer engine", "able seafarer (fishing)",
"able seafarer deck (port operations)", "able seafarer engine (port
operations)", "electro-technical rating", "engineering officer certificate",
engineer rating", and "general purpose rating (port operations)";**

- (b) by the substitute in subregulation (1) after the definition of **"Authority"** of the following definition:

"basic training" means the approved training in Personal Survival Techniques, Fire **[Fighting]** Prevention and Fire **[Prevention]** Fighting, Elementary First Aid and Personal **[Survival]** Safety and Social Responsibility as specified in the Code;"

- (c) by the substitution in subregulation (1) for the definition of "non-trading vessels" of the following definition:

"non-trading vessels" means pleasure vessels or vessels operated for commercial gain of less than 3000 GT not carrying more than 12 passengers engaged on seagoing voyages during which no cargo operations are conducted;"

- (d) by the substitution in subregulation (1) for the definition of "pre-sea training" of the following definition:

"pre-sea training" means once-off mandatory approved training for all seafarers prior to their first employment on a fishing vessel to which these regulations apply;"

- (e) by the substitution for subregulation (4) of the following subregulation:

"(4) All seafarers shall have completed on-board safety familiarisation training before being assigned shipboard duties."; and

Amendment of regulation 2 of Regulations

4. Regulation 2 of the Regulations is amended—

- (a) by the substitution for subregulation (2)(c) for subparagraph (iii) of the following subparagraph:

"(iii) endorsed master of a ship of less than 500 GT on unlimited voyages (management level) [STCW Regulation II/3 – **[No]** Tonnage limitation].";

- (b) by the substitution in subregulation (2)(c) for subparagraph (iv) of the following subparagraph:

"(iv) endorsed master of a ship of less than 3000 GT on unlimited voyages (management level) [STCW Regulation II/2 – Tonnage limitation].";

- (c) by the substitution in subregulation (2)(d) for subparagraph (iii) of the following subparagraph:

"(iii) officer in charge of navigational watch of a ship of any tonnage on unlimited voyages (operational level) [STCW Regulation **[II/2]** II/1- No limitation].";

- (d) by the substitution in subregulation (2)(h) for subparagraph (ii) of the following subparagraph:

- "(ii) endorsed master of a ship less than 200 GT on unlimited voyages (Management Level) [STCW Regulation II/3 – **[No]** Tonnage limitation].";
- (e) by the substitution in subregulation (2)(k) for subparagraph (i) of the following subparagraph:
- "(i) officer in charge of a navigational watch on ships of less than 500 GT on near-coastal voyages (operational level) [STCW Regulation **[I/3]** II/3- No limitation].";
- (f) by the substitution in subregulation (3) for the words preceding paragraph (a) of the following words:
- "Subject to subregulation (7), the certificates of competency, with their limitations, endorsements and relative levels of responsibility (if any), applicable to **[fisherman]** fishermen are: ";
- (g) by the substitution in subregulation (3)(b) for subparagraph (ii) of the following subparagraph:
- "(ii) officer in charge of navigational watch of a ship of less than 24m engaged in fishing on unlimited voyages [STCW-F Regulation II/2- **[No]** length limitation].";
- (h) by the deletion in subregulation (4)(f) of subparagraph (iii);
- (i) by the substitution in subregulation (4)(h) for subparagraphs (i) and (ii) of the following subparagraphs, respectively:
- "(i) chief engineer of any vessel ≤24m <350 kW propulsion power (management level); [STCW Regulation III/3- Power limitation].

- (ii) officer in charge of engineering watch of any vessel <24m <1000 kW propulsion power (operational level); [STCW Regulation III/3- Power limitation].";
- (j) by the substitution in subregulation (7) for subparagraphs (k), (l) and (m) of the following subparagraphs, respectively:
 - "(k) proficiency in basic training for liquefied gas tankers [STCW Regulation **[V/1-1]** V/1-2 (STCW Code Section **[A-V/1-1-2]** A-V/1-2-1)].
 - (l) proficiency in advanced training in oil tankers [STCW Regulation V/1-1 (STCW Code Section **[A-V/1-1-3]** A-V/1-1-2)].
 - (m) proficiency in advanced training in chemical tankers [STCW Regulation **[V/1-2]** V/1-1 (STCW Code Section **[A-V/1-2-1]** A-V/1-1-3)].".

Amendment of regulation 3 of Regulations

5. Regulation 3 of the Regulations is amended—

- (a) by the substitution for subregulation (3) of the following subregulation:
 - "(3) The certificates of proficiency listed in regulation 2(7)(a) to (h) shall be revalidated by completing an approved refresher training course and meeting the ~~[standardsspecified]~~ standard specified in the Code. Those certificates of proficiency listed in regulation 2(6) and 2(7)(i) to (u) may be revalidated by establishing continued professional competence by completing, during the preceding five years at least 12 months' sea service while performing the appropriate competencies specified in the Code."; and
- (b) by the substitution in subregulation (7) for paragraph (b) of the following paragraph:

"(b) have served on vessels equipped with ECDIS for a period of 12 months in the preceding five years whilst holding an approved ECDIS course certificate;"

Amendment of regulation 6 of Regulations

6. Regulation 6 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

"(1) The Authority shall—

- (a) in terms of section 77(4) of the Act, appoint examiners in accordance with procedures established from time to time; and
- (b) designate in writing, from among the examiners, a senior examiner (deck), a senior examiner (engine), a senior examiner (deck fishing), senior examiner (engine fishing), a senior examiner (small vessels), a senior examiner (radio) and a chief examiner."

Amendment of regulation 10 of Regulations

7. Regulation 10 of the Regulations is amended by the substitution for subregulation (5) of the following subregulation:

"(5) In the case of doubt about the appropriateness or sufficiency of a candidate's qualifying [~~candidate's qualifying~~] service, the candidate may submit his or her case, accompanied by the relevant certificates, discharge, testimonial, training records, watchkeeping certificates and such other documents as may be required, for determination by the relevant senior examiner."

Amendment of regulation 11 of Regulations

8. Regulation 11 of the Regulations is amended in subregulation (3) by renumbering the second subparagraph (a) as subparagraph (b).

Amendment of regulation 20 of Regulations

9. Regulation 20 of the Regulations is amended by the substitution in subregulation (1) of ALTERNATIVE C for the words preceding paragraph (a) of the following words:

"Have completed, while holding as a minimum the certificate of competency as coastal skipper ≥ 9 m or skipper offshore ≥ 9 m, at least 18 months' sea service in the deck department on any of the following types of [typesof] ships of 25 GT or more and/or 14 m or more in length overall:".

Amendment of regulation 21 of Regulations

10. Regulation 21 of the Regulations is amended by the substitution for subregulation (2) of ALTERNATIVE B of the following subregulation:

"(2) Have performed, during the required sea service, bridge watchkeeping duties under the supervision of a certificated deck officer for at least six months; and".

Amendment of regulation 22 of Regulations

11. Regulation 22 of the Regulations is amended—

- (a) by the substitution for subregulation (1) of ALTERNATIVE C of the following subregulation:

"(1) Have at least 12 months' sea service in the deck department on trading ships of 100GT or more on any seagoing voyages;"

- (b) by the substitution for subregulation (2) of ALTERNATIVE C of the following subregulation:

"(2) Have performed, during the required sea service, bridge watchkeeping duties under the supervision of a certificated deck officer for at least six months; and";

- (c) by the substitution for subregulations (1) and (2) of ALTERNATIVE D of the following subregulations, respectively:

"(1) Have at least 6 months' sea service in the deck department on trading ships of 100GT or more on any seagoing voyages;

(2) Have performed, during the required sea service, bridge watchkeeping duties under the supervision of a certificated deck officer for at least three months; and"; and

- (d) by the substitution for subregulation (1) of ALTERNATIVE E of the following subregulation:

"(1) Have at least six months' sea service in the deck department on trading ships of 100 GT or more on any seagoing voyages.".

Amendment of regulation 23 of Regulations

12. Regulation 23 of the Regulations is amended by the substitution for subregulation (3) of ALTERNATIVE D of the following subregulation:

"(3) Have performed, during the required sea service, bridge watchkeeping duties under the supervision of a certificated deck officer for at least three months; and".

Amendment of regulation 25 of Regulations

13. Regulations 25 of the Regulations is amended by the substitution for ALTERNATIVE B of the following ALTERNATIVE:

"ALTERNATIVE B: Candidates holding a certificate of competency as skipper (< 200GT port operations)

- (1) be at least 20 years of age;
- (2) have completed at least 12 months port operations service as the officer in charge of navigational watch on port operations vessels of 1600GT or more; and
- (3) have completed approved training and meet the standards of competence specified in the Code."

Insertion of regulations 26 and 27 in Regulations

14. The following regulations are inserted after regulation 25 of the Regulations
"Master (< 500GT near coastal)

26. For the certificate of competency or endorsement as master (< 500GT near coastal), a candidate shall—

ALTERNATIVE A:

Candidates holding certificate of competency as mate (< 500GT near-coastal or unlimited) or deck officer

- (1) be at least 20 years of age;
- (2) have completed at least 12 months' sea service as officer in charge of a navigational watch on trading ships of 100GT or more on any seagoing voyages; and
- (3) have completed approved training and meet the standards of competence specified in the Code.

ALTERNATIVE B:

Candidates holding naval bridge watchkeeping certificate with command endorsement

- (1) have proof of being a commander onboard a South African Navy ship of 24m or more for a countable six months' and six months sea service as a supernumerary on trading ships of 100GT or more on any seagoing voyages; and
- (2) have completed approved training and meet the standards of competence specified in the Code.

Master (< 500GT)

27. For the certificate of competency or endorsement as master (< 500GT),
a candidate shall—

ALTERNATIVE A:

**Candidates holding certificate of competency as mate (< 500GT near-coastal or
unlimited) or deck officer**

- (1) be at least 20 years of age;
- (2) have completed, while holding as a minimum the certificate of
competency as mate (< 500GT coastal or unlimited), at least 12
months sea service as officer in charge of a navigational watch on
trading ships of 100GT or more on unlimited voyages; and
- (3) have completed approved training and meet the standards of
competence specified in the Code.

ALTERNATIVE B:

Candidates holding certificate of competency as master (< 500GT near-coastal)

- (1) be at least 20 years of age;
- (2) have completed, while holding as a minimum the certificate of
competency as master (< 500GT near coastal), at least six months sea
service as officer in charge of a navigational watch on trading ships of
100GT or more on unlimited voyages; and
- (3) have completed approved training and meet the standards of
competence specified in the Code.

ALTERNATIVE C

Candidates holding naval bridge watchkeeping certificate with command endorsement

- (1) have proof of being a commander onboard as South African Navy ship of 24m or more for a countable six months and six months bridge watchkeeping service on trading ships of 100GT or more on unlimited seagoing voyages under the supervision of a watchkeeping officer; and
- (2) have completed approved training and meet the standards of competence specified in the Code."

Amendment of regulation 28 of Regulations

15. Regulation 28 of the Regulations is amended by the substitution for the heading of the following heading:

"Deck officer [unlimited]"

Amendment of regulation 29 of Regulations

16. Regulation 29 of the Regulations is amended by the substitution for the heading of Alternative A of the following heading:

**"ALTERNATIVE A: Candidates holding certificate of competency as deck officer
[unlimited]"**

Amendment of regulation 30 of Regulations

17. Regulation 30 of the Regulations is amended by the substitution for the heading of Alternative B of the following heading:

"ALTERNATIVE B: Candidates holding certificate as deck officer [unlimited], chief mate or chief mate (< 3000 GT)"

Amendment of regulation 31 of Regulations

18. Regulation 31 of the Regulations is amended—

(a) by the substitution for the heading of ALTERNATIVE A of the following heading:

"ALTERNATIVE A: Candidates holding certificate of competency as deck officer [unlimited]"; and

(b) by the substitution for the heading of ALTERNATIVE B of the following heading:

"ALTERNATIVE B: Candidates holding certificate of competency as chief mate (<3000GT) [or master (< 3000 GT)]".

Amendment of regulation 35 of Regulations

19. Regulation 35 of the Regulations is amended the substitution for subregulation (3) of ALTERNATIVE A of the following subregulation:

"(3) have performed, during the required seagoing service, bridge watchkeeping duties under [nder] the supervision of a certificated deck officer for at least six months; and"

Amendment of regulation 36 of Regulations

20. Regulation 36 of the Regulations is amended by the substitution for subregulation (2) of ALTERNATIVE C of the following subregulation:

"(2) have completed approved training and meet the standard of competence specified in the Code."

Amendment of regulation 41 of Regulations

21. Regulation 41 of the Regulations is amended by the substitution for the heading of ALTERNATIVE A of the following heading:

"ALTERNATIVE A: Candidates holding a certificate of [competency] proficiency as marine motorman grade 2".

Amendment of regulation 42 of Regulations

22. Regulation 42 of the Regulations is amended—

- (a) by the substitution for the heading of ALTERNATIVE C of the following heading:

"ALTERNATIVE C: Candidates holding certificate of [competency] proficiency as marine motorman grade 1"; and

- (b) by the addition after ALTERNATIVE C of ALTERNATIVE D as follows:

"ALTERNATIVE D: Candidates holding a certificate of competency as engineer officer STCW A-III/1

Qualifies for the endorsement as Chief Engineer (<1500 kW port operations) with no additional requirements."

Amendment of regulation 43 of Regulations

23. Regulation 43 of the Regulations is amended by the substitution for subregulation (1) of ALTERNATIVE A for paragraph (a) of the following paragraph:
- "(a) chief engineer (< 1500kW port operations); or";

Amendment of regulation 45 of Regulations

24. Regulation 45 of the Regulations is amended by the substitution for the heading of ALTERNATIVE A of the following heading:
- "ALTERNATIVE A: Candidates holding certificate of [competency] proficiency as marine motorman grade 2".**

Amendment of regulation 46 of Regulations

25. Regulation 46 of the Regulations is amended—
- (a) by the substitution for the heading of ALTERNATIVE A of for the following heading:
- "ALTERNATIVE A: Candidates holding certificate of [competency] proficiency as marine motorman grade 1".**
- (b) by the substitution for the heading of ALTERNATIVE B of the following heading:
- "ALTERNATIVE B: Candidates holding a certificate of competency [as marine motor man grade 1] as chief engineer (<1500kW port operations)";**

Amendment of regulation 47 of Regulations

26. Regulation 47 of the Regulations is amended—

- (a) by the substitution for the heading of ALTERNATIVE C of the following heading:

"ALTERNATIVE C: Candidates holding certificate of [competency] proficiency as marine motorman higher grade";

- (b) by the substitution for subregulations (1) and (2) of ALTERNATIVE H of the following subregulations:

"(1) have completed 12 months approved sea service in trading ships of 750 kW propulsion power or more performing watchkeeping duties under the supervision of a certificated engineer officer documented in a training record book; and

(2) have completed approved training and meet the standards of competence specified in the Code."; and

- (c) by the deletion of subregulation (3) of ALTERNATIVE H.

Amendment of regulation 49 of Regulations

27. Regulation 49 of the Regulations is amended by the substitution for the heading of ALTERNATIVE B of the following heading:

"ALTERNATIVE B: Candidates holding a certificate of competency as second engineer officer <3000 kW [or second engineer]".

Amendment of regulation 50 of Regulations

28. Regulation 50 of the Regulations is amended by the substitution for subregulation (2) of ALTERNATIVE C of the following subregulation:

"(2) have performed 12 months' engineer watchkeeping duties under the supervision of a certificated engineer officer or as a supernumerary on trading ships of 3000 kW propulsion power or more; and"

Amendment of regulation 55 of Regulations

29. Regulation 55 of the Regulations is amended—
- (a) by the substitution for the heading ALTERNATIVE C of the following heading:
- "ALTERNATIVE C: Candidates holding a certificate of [competency] proficiency as marine motorman grade 1".**
- (b) by the deletion of ALTERNATIVE D.

Amendment of regulation 56 of Regulations

30. Regulation 56 of the Regulations is amended—
- (a) by the substitution for the heading of ALTERNATIVE D of the following heading:
- "ALTERNATIVE D: Candidates holding a certificate of [competency] proficiency as marine motorman higher grade"**
- (b) by the addition after subregulation (2) of ALTERNATIVE D of ALTERNATIVE E as follows:
- "ALTERNATIVE E: Candidates holding a certificate of competency as engineer officer"**

- (1) have at least three months' sea service on fishing vessels of 750 kW propulsion power or more as watchkeeper under the guidance of a qualified engineer officer; and
- (2) have completed approved training and meet the standards of competence specified in the Code."

Amendment of regulation 59 of Regulations

31. Regulation 59 of the Regulations is amended—

- (a) by the substitution for subregulation (2) of ALTERNATIVE A of the following subregulation:

"(2) have completed, whilst holding as a minimum the certificate of proficiency as ordinary seafarer deck at least **[18]** 12 months' port operations service on ships of 25 GT or more;"

- (b) by the substitution of subregulation (2) of ALTERNATIVE B of the following subregulation:

"(2) have completed, whilst holding as a minimum the certificate, or provisional certificate, of proficiency as ordinary seafarer deck **[(port operations)]**, at least **[12]** 6 months' port operations service on ships of 25 GT or more as part of an approved accelerated training programme that includes onboard training documented in an approved training record book; and";

Amendment of regulation 60 of Regulations

32. Regulation 60 of the Regulations is amended—

- (a) by the substitution for subregulation (2) of ALTERNATIVE A of the following subregulation:

"(2) have completed, whilst holding as a minimum the certificate of proficiency as **[rating forming part of navigational watch]** ordinary seafarer, at least 18 months' sea service in the deck department on fishing vessels of **[100 GT]** 25 GT or more on unlimited or near-coastal voyages and have completed an approved training record book; and";

- (b) by the substitution of subregulation (2) of ALTERNATIVE B of the following:

"(2) have completed, whilst holding as a minimum the certificate of proficiency as Ordinary Seafarer deck, at least 12 months sea service in the deck department on fishing vessels of **[100 GT]** 25GT or more on unlimited or near-coastal voyages as part of an approved accelerated training programme that includes onboard training documented in an approved training record book; and";

- (c) by the substitution for the heading of ALTERNATIVE C of the following heading:

**"ALTERNATIVE C: Candidates holding a certificate of [competency]
proficiency as able seafarer";**

- (d) by the substitution for subregulation (2) of ALTERNATIVE C of the following subregulation:

"(2) have at least **[3]** three months' sea service in the deck department on fishing vessels of **[100 GT]** 25 GT or more on unlimited or near-coastal voyages;";

- (e) by the substitution for the heading of ALTERNATIVE D of the following heading:

**"ALTERNATIVE D: Candidates holding a certificate of [competency]
proficiency as able seafarer (port operations)";**

- (f) by the substitution for subregulation (2) of ALTERNATIVE D of the following subregulation:

"(2) have at least six months' sea service in the deck department on fishing vessels of **[100 GT]** 25 GT or more on unlimited or near coastal voyages;"

Amendment of regulation 61 of Regulations

33. Regulation 61 of the Regulations is amended—

- (a) by the substitution for subregulation (2) of ALTERNATIVE A of the following subregulation:

"(2) have completed, while holding as a minimum the certificate of proficiency as **[rating forming part of navigational watch]** ordinary seafarer deck, at least 18 months' sea service in the deck department on trading ships of 100 GT or more on unlimited or near-coastal voyages and have completed an approved training record book; and";

- (b) by the substitution for subregulation (2) of ALTERNATIVE B of the following subregulation:

"(2) have completed, while holding as a minimum the certificate of proficiency as **[Ordinary Seafarer]** ordinary seafarer deck, at least 12 months' sea service in the deck department on trading ships of 100 GT or more on unlimited or near-coastal voyages as part of an approved

accelerated training programme that includes onboard training documented in an approved training record book; and";

- (c) by the substitution for the heading of ALTERNATIVE C of the following heading:

"ALTERNATIVE C: Candidates holding a certificate of [competency] proficiency as able seafarer (fishing)";

- (d) by the substitution for the heading of ALTERNATIVE D of the following heading:

"ALTERNATIVE D: Candidates holding a certificate of [competency] proficiency as able seafarer (port operations)";

- (e) by the substitution for subregulation (2) of ALTERNATIVE D of the following subregulation:

"(2) have at least **[6]** 12 months' sea service in the deck department on trading ships of 100 GT or more on unlimited or near-coastal voyages;"

Amendment of regulation 62 of Regulations

34. Regulation 62 of the Regulations is amended—

- (a) by the substitution for subregulation (2) of ALTERNATIVE A of the following subregulation:

"(2) have at least six months' service in the engine department on trading ships of **[350 kW]** 750 kW or more;"

- (b) by the substitution for subregulation (2) of ALTERNATIVE B of the following subregulation:

"(2) have completed at least two months' service in the engine department on trading ships of **[350 kW]** 750 kW or more as part of an

approved accelerated training programme documented in an approved training record book and meet the standards of competence specified in the Code; and";

- (c) by the addition of ALTERNATIVE C after ALTERNATIVE b as follows:

"ALTERNATIVE C:

Candidates holding a certificate of proficiency as Marine Motorman Grade 2

"(1) be at least 16 years of age; and

(2) have completed at least one month's service in the engine department on trading ships of 750 kW or more as part of an approved accelerated training programme documented in an approved training record book and meet the standards of competence specified in the Code."

Amendment of regulation 63 of Regulations

35. Regulation 63 of the Regulations is amended—

- (a) by the substitution for subregulation (2) of ALTERNATIVE A of the following subregulation:

"(2) have completed, while holding as a minimum the certificate, or provisional certificate, of proficiency as ordinary seafarer engine (port operations) or ordinary seafarer engine, at least 12 months' port operations service on ships of **[350 kW]** 750 kW or more;"

- (b) by the substitution for subregulation (2) of ALTERNATIVE B of the following subregulation:

"(2) have completed, while holding as a minimum the certificate, or provisional certificate, of proficiency as ordinary seafarer engine

(port operation) or ordinary seafarer engine, at least six months' port operations service on ships of **[350 kW]** 750 kW or more as part of an approved accelerated training programme that includes onboard training documented in an approved training record book; and".

Amendment of regulation 64 of Regulations

36. Regulation 64 of the Regulations is amended—

- (a) by the substitution for subregulation (2) of ALTERNATIVE A of the following subregulation:

"(2) have completed, while holding as a minimum the certificate of proficiency as ordinary seafarer engine, at least 12 months' sea service in the engine department on trading ships of **[350 kW]** 750 kW or more; and";

- (b) by the substitution for subregulation (2) of ALTERNATIVE B of the following subregulation:

"(2) have completed, while holding as a minimum the certificate, or provisional certificate, of proficiency as ordinary seafarer engine at least six months' sea service in the engine department on trading ships of **[350 kW]** 750 kW or as part of an approved accelerated training programme that includes onboard training documented in an approved training record book; and";

- (c) by the substitution for the heading of ALTERNATIVE C of the following heading:

"ALTERNATIVE C: Candidates holding a certificate of [competency] proficiency as able seafarer engine (port operations)";

- (d) by the substitution for subregulation (1) of ALTERNATIVE C of the following subregulation:

"(1) have completed at least one month sea service in the engine department on trading ships of **[350 kW]** 750 kW or more; and";

- (e) the addition of ALTERNATIVE D after ALTERNATIVE C as follows:

"ALTERNATIVE D: Candidate holding a certificate of proficiency as Marine Motorman Grade 1

(1) have completed at least three months' sea service in the engine department on trading ships of 750 kW or more as part of an approved accelerated training programme that includes on-board training documented in an approved training record book;

(2) have completed approved training and meet the standards of competence specified in the Code; and

(3) hold a provisional certificate of proficiency as ordinary seafarer engine issued by the chief engineer officer of the ship on which the on-board training was completed."

Amendment of regulation 69 of Regulations

37. Regulation 69 of the Regulations is amended by addition of subregulation (3) after subregulation (2)

" (3) a certificate of proficiency in basic training is not required for personnel on fishing vessels".

Amendment of regulation 72 of Regulations

38. Regulation 72 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

"(1) have at least 12 months' sea service **[in the deck department]** on trading ships of 500 GT or more or passenger vessels engaged on international voyages; and".

Amendment of regulation 73 of Regulations

39. Regulation 73 of the Regulations is amended by the substitution in subregulation (3) for paragraph (a) of the following paragraph:

"(a) trading ships of 100 GT or more engaged in mining operations or on unlimited or near-coastal voyages; or".

Amendment of regulation 74 of Regulations

40. Regulation 74 of the Regulations is amended by the substitution in subregulation (3) for the words preceding paragraph (a) of the following words:

"Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on chemical tankers shall hold a certificate in advanced training for **[oil]** chemical tanker cargo operations. A candidate for a certificate in advanced training in chemical tanker cargo operations shall—".

Amendments to regulation 75 of Regulations

41. Regulation 75 of the Regulations is amended—

- (a) by the substitution in subregulation (2) for the words preceding paragraph (a) of the following words:

"Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning **[and on oil or chemical]** or other cargo related operations on liquefied gas tankers shall hold a certificate in advanced training for liquefied gas tanker cargo operations. Candidates for a certificate in advanced training for liquefied gas tanker shall—";

- (b) by the substitution in subregulation (2) for paragraph (c) of the following paragraph:

"(c) have completed approved advance training for **[that type of tanker]** liquefied gas tankers and meet the standards of competence specified in the Code."

Amendment to regulation 76 of Regulations

42. Regulation 76 is amended by the substitution in subregulation (3) of the following paragraph:

" (3) Seafarers who are required to be trained in accordance with subregulations (4), (6) and (7) shall, at intervals not exceeding five years demonstrate continued professional competence by serving in the appropriate capacity for at least 12 months in the preceding five years or complete approved (refresher) training and meet the standards of competence specified in the Code".

Amendment of regulation 82 of Regulations

43. Regulation 82 of the Regulations is amended—

(a) by the substitution in subregulation (3) for paragraph (b) of the following paragraph:

"(b) in all other cases—

(i) _____ if mining operations were conducted for more than two thirds of the period of sea service, the sea service is not to count [counts in full towards] for more than one-half of the qualifying service;

or

(ii) _____ if mining operations were conducted for less than two thirds of the period of sea service, the sea service [is not to count for more than one- half of] counts in full towards the qualifying service."

Amendment of regulation 85 of Regulations

44. Regulation 85 of the Regulations is amended—

(a) by the substitution in subregulation (2)(b) for subparagraph (iii) of the following subparagraph:

"(iii) have received appropriate guidance in assessment methods and practice and have attended an approved assessors training programme;

(b) by the substitution for subregulation (3) of the following subregulation:

"(3) Application for accreditation shall be made in the form and manner, include the information and be accompanied by the documents specified by [in] the Authority."

Amendment of regulation 91 of Regulations

45. Regulation 91 of the Regulations is amended—

- (a) by the substitution in subparagraph (1)(e) for the words preceding subparagraph (i) of the following words:

"(1)(e) every rating employed on the ship and designated to have safety or pollution prevention duties holds documentary evidence of having successfully completed approved basic training in accordance with Part 3 Division 5"; and

- (b) by the deletion in subregulation 1(e) of subparagraphs (i) and (ii);

Amendment of regulation 97 of Regulations

46. Regulation 97 of the Regulations is amended—

- (a) by the deletion of subregulation (1);
- (b) by the substitution for subregulation (2) of the following subregulation:

"(2) An employer who wishes to employ a seafarer holding a foreign certificate issued by a party to the STCW-F Convention as an officer or rating required by these Regulations, shall apply to the Authority to have such candidate assessed by an examiner of the Authority in accordance with Regulation 17."; and

- (c) by the deletion of subregulations (3) and (4).

Amendment of regulation 99 of Regulations

47. Regulation 99 of the Regulations is amended by the substitution in row 7 of column 5 of the Table for "[offshore skipper]" of "Skipper offshore".

Amendment of regulation 100 of Regulations

48. Regulation 100 is amended by the substitution in the 5th column, second row, of item (1) of the Table for "(A)" of "(a)".

Amendment of regulation 101 of Regulations

49. Regulation 101 is amended—

- (a) by the substitution in row "5", fifth column, for "[Marine motorman Grade 1]" by "Marine Motorman Grade 2";
- (b) by the substitution in row "6", third column, for "≥350 but <500 and <500GT" by "≥350 but <1500 and <500GT";
- (c) by the substitution in row "10", fifth column, for "[Marine motorman Grade 1]" by "Marine Motorman Grade 2";
- (d) by the substitution in row "11", fifth column, for "[Marine motorman Grade 2]" by "Marine Motorman Grade 1";

Amendment of regulation 103 of Regulations

50. Regulation 103 of the Regulations is amended by the substitution for paragraph (d) of the proviso of the following paragraph:

- "(d) when the radio equipment on the ship is being used for **[General]** general communications, other than distress, urgency or safety communications, such general communications shall not be conducted by the deck officer on watch."

Amendment of regulation 104 of Regulations

51. Regulation 104 of the Regulations is amended—
- (a) by the substitution for paragraph (c) of the proviso of the following paragraph:
- "(c) on passenger ships the prescribed number of ratings qualified as proficient in survival craft and rescue boats and as proficient in fast rescue boats shall be in addition to the number of ratings qualified as ordinary or able seafarers **[and as able seafarer engines]**";
- (b) by the substitution for paragraphs (e) and (f) of the proviso of the following paragraph, respectively:
- "(e) owners and masters (bearing in mind that the table **[below]** above specifies minimum requirements only) shall have regard to the requirements of regulation 91(4) when determining the appropriate manning;
- (f) in respect of a ship engaged solely in port operations, and instead of meeting the requirements specified in the table **[below]** above, application may be made to the proper officer at the ship's port of operation for the number of certificated ratings to be determined, with the necessary changes, in accordance with regulation 91(4);".

Amendment of regulation 107 of Regulations

52. Regulation 107 of the regulations is amended—

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) The owner and master of a seagoing ship of 500 GT or more or a passenger ship on international voyages shall ensure that all personnel employed on board the ship have received **[training on security-related training]** security awareness training"; and

(b) by the addition after subregulation (3) of the following subregulation:

"(4) Fishing vessels are excluded from this Regulation."

Amendment of regulation 108 of Regulations

53. Regulation 108 of the Regulations is amended by the substitution for the heading of the following heading:

"Employment of qualified personnel on passenger ships"

Amendment of regulation 113 of Regulations

54. Regulation 113 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

"(1) The owner and master of every ship that is equipped with one or more fast rescue boats shall ensure that there are employed on the ship at least two persons per boat who hold a valid certificate of proficiency in fast rescue boats

issued in accordance with regulation [72] 71 of these regulations or an approved equivalent."

Amendment of regulation 115 of Regulations

55. Regulation 115, in the table under subregulation (2), is amended—

- (a) by the substitution in rows 20 and 21 in column 5 for "[skipper]" of "Master";
- (b) by the insertion after row 35 of row 35 A as follows:

35A	=	<u>Marine Engineer Officer Class 3 non STCW endorsed</u>	<u>Marine Engineer Officer Class 3 non STCW endorsed</u>	<u>Chief Engineer Officer (Fishing)</u>
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- (c) by the deletion in row 37, column 4 of "second engineer officer (port operations)";
- (d) by the insertion after row 37 of rows 37A, 37B and 37C as follows:

37A	=	<u>Marine Engineer Officer Class 4 non STCW endorsed</u>	<u>Marine Engineer Officer Class 3 non STCW endorsed</u>	<u>Chief Engineer Officer (Fishing) <3 000 kW propulsion power</u>
37B		<u>Second Engineer Officer (Port Operations)</u>	<u>Second Engineer Officer (Port Operations)</u>	<u>Chief Engineer Officer <1 500 kW (Port Operations)</u>
37C		<u>Engineer Officer (Port Operations)</u>	<u>Engineer Officer (Port Operations)</u>	<u>Chief Engineer Officer < 750 kW (Port Operations)</u>

- (f) by the insertion in row 38, column 4 after "Marine Motorman Higher Grade", of the following:

"Endorsed:

- Second Engineer Officer (Fishing)
- Chief Engineer Officer <1500kW propulsion power operating within a port operations area";

(g) by the insertion in row 39, column 5, after "Marine Motorman grade 1", of the following:

"Endorsed:

- Watch-keeping Engineer Officer (Fishing) <3000kW propulsion power";

Substitution of regulation 117 of Regulations

56. The following regulation is substituted for regulation 117:

"Carriage of documents

117. Without limiting regulation [4] 91, the owner and the master of every ship shall ensure that there are carried at all times on board the ship all original certificates and other documents issued pursuant to the Act, the STCW Convention or STCW-F Convention, as the case may be, showing the qualification of the master and any member of the crew to perform functions which they are required to perform aboard ship in the course of their designated duties."

Amendment of regulation 119 of Regulations

57. Regulation 119 of the Regulations is amended—

(a) by the substitution for subregulation (4) of the following subregulation:

"(4) Examination Regulations For Certificates Of Competency For [Fisherman] Fishermen, 1993, published by Government Notice No. R 2317 of 01 December 1993, as amended, is repealed.";

(b) by the addition of subregulation (6) after subregulation (5) as follows:

"(6) Examination Regulations for Certificates of Competency as Coxswain (Rescue vessels) 1991, published by Government Notice No. 1945 of 16 August 1991, as amended, is repealed."

Amendment of regulation 120 of Regulations

58. Regulation 120 of the Regulations is amended by the addition of subregulations (7), (8), (9), (10) and (11) after subregulation (6) as follows:

"(7) Masters or owners, as the case may be, must, within two years after entry into force of these Regulations, ensure that ratings, who have designated safety, or pollution prevention duties, complete "basic training" in terms of Regulation 91(e).

(8) Masters or owners, as the case may be, of passenger vessels engaged in voyages other than unlimited voyages must, within two years after the entry into force of these Regulations, comply with Regulation 108.

(9) Masters or owners, as the case may be, of fishing vessels of less than 30m in length, required by these Regulations to increase the number of deck officers on board, must comply within two years after the entry into force of these Regulations.

(10) Fishing vessels issued with safe manning certificates based on operating in the so-called "Defined fishing zone" before the coming into force of these Regulations, may continue to operate at the manning levels prescribed under the Merchant Shipping (Safe Manning) Regulations 1999 and applicable to the "Defined fishing zone", until 22 July 2015.

(11) Before 1 January 2016, personnel who produce documentary evidence of serving on a sea going ship for six months in the previous three years performing security functions shall be exempted from the training required for personnel with designated security duties and may be awarded the Certificate of Proficiency."

Short title and commencement

59. 1. These regulations are called the Merchant Shipping (Safe Manning, Training and Certification) Amendment Regulations, 2015, and come into effect on the date of publication in the *Gazette*
2. Provisions of the Regulations referring to the International Convention on Standards of Training, Certification and Watch keeping for fishing Vessel personnel 1995 (STCW-F 95) will only come into force 12 months after ratification of the Convention .