

Status: Point in time view as at 01/11/2003.

Changes to legislation: Merchant Shipping Act 1995, Cross Heading: Qualifications: certificates of A.B. is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 14

TRANSITORY, SAVING AND TRANSITIONAL PROVISIONS

Qualifications: certificates of A.B.

- 3 (1) A seaman engaged in any United Kingdom ship shall not be rated as A.B. unless he is the holder of a certificate of competency granted in pursuance of regulations under this paragraph.
- (2) The Secretary of State may make regulations providing for the grant of certificates of competency as A.B. for the purposes of this paragraph.
- (3) The regulations shall direct that no certificate shall be granted to any person unless—
- (a) he has reached such minimum age as may be prescribed;
 - (b) he has performed such qualifying service at sea as may be prescribed; and
 - (c) he has passed such examination as may be prescribed.
- (4) The regulations may make such consequential provisions as appear to the Secretary of State to be necessary or expedient, including provision—
- (a) for the payment of prescribed fees in respect of any application for the grant or replacement of a certificate;
 - (b) for applying section 104 of the Merchant Shipping Act 1894 (offences) to certificates, subject to such adaptations and modifications as may be prescribed.
- (5) Where provision is made by the law of any Commonwealth country for the grant of certificates of competency as A.B, and the Secretary of State is satisfied that the conditions under which such a certificate is granted require standards of competency not lower than those required for the grant of a certificate under the regulations, Her Majesty may by Order in Council direct that certificates granted in that country shall have the same effect for the purposes of this paragraph as if they had been granted under the regulations; and any such Order may apply to any such certificate any of the provisions of the regulations.
- (6) Any Order in Council under sub-paragraph (5) above shall be laid before Parliament after being made.
- (7) Any superintendent or other officer before whom a seaman is engaged in any United Kingdom ship shall refuse to enter the man as A.B. on the crew agreement unless the seaman produces a certificate or such other proof that he is the holder of such a certificate as may appear to the superintendent or other officer to be satisfactory.
- (8) In this paragraph—
- “certificate” means a certificate of competency under the regulations;
 - “prescribed” means prescribed by the regulations; and
 - “the regulations” means regulations under this paragraph.

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