
 STATUTORY INSTRUMENTS

1977 No. 1152

MERCHANT SHIPPING

MASTERS AND SEAMEN

The Merchant Shipping (Certification of Deck Officers)

Regulations 1977

<i>Made</i> - - - - -	12th July 1977
<i>Laid before Parliament</i>	21st July 1977
<i>Coming into Operation</i>	1st September 1981

The Secretary of State, being satisfied that it is necessary or expedient in the interests of safety to make the following Regulations so far as they require ships to carry qualified deck officers, and after consulting with the organisations referred to in section 99(2) of the Merchant Shipping Act 1970(a), in exercise of powers conferred by sections 43, 68 and 84 of that Act and now vested in him(b), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

PART I

GENERAL

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Certification of Deck Officers) Regulations 1977 and shall come into operation on 1st September 1981.

Interpretation

2.—(1) In these Regulations, except where the context otherwise requires:—

“the Act of 1894” means the Merchant Shipping Act 1894(c);

“the Act of 1970” means the Merchant Shipping Act 1970;

“certificate of competency” means a certificate of competency issued by the Secretary of State by virtue of these Regulations;

“certificate of validity” means a certificate of validity issued by the Secretary of State by virtue of these Regulations;

“certificate of service (deck officer)” means a certificate of service (deck officer) issued by the Secretary of State by virtue of these Regulations;

“command endorsement” means a command endorsement endorsed on a certificate of competency or on a certificate of validity by the Secretary of State by virtue of these Regulations;

(a) 1970 c. 36.

(b) See S.I. 1970/1537 (1970 III, p. 5293).

(c) 1894 c. 60.

“fishing vessel” means either a vessel which is for the time being employed in sea fishing or is a Government fishery research vessel, but does not include a vessel used otherwise than for profit;

“GRT” in relation to a ship, means its gross register tonnage and the gross tonnage of a ship having alternative gross tonnages shall be taken to be the larger of those tonnages;

“location” includes any offshore installation, any other installation (whether floating, or resting on the sea-bed or the subsoil thereof), or any location at sea defined by reference to its latitude and longitude;

“offshore installation supply vessel” means a vessel which performs services, including the carriage of supplies or passengers, or supplies and passengers, in respect of an offshore installation; and “offshore installation” has the same meaning as in section 1(3) of the Mineral Workings (Offshore Installations) Act 1971(a) as extended by section 44 of the Petroleum and Submarine Pipe-lines Act 1975(b);

“passenger ship” means a ship carrying more than 12 passengers but does not include such a ship in respect of which there is or should be in force the following certificates:—

- (a) “Passenger Certificate Class IV” being a certificate for ships engaged only on voyages in partially smooth waters, or in smooth and partially smooth waters;
- (b) “Passenger Certificate Class V” being a certificate for ships engaged only on voyages in smooth waters;
- (c) “Passenger Certificate Class VI” being a certificate for ships engaged only on voyages with not more than 250 passengers on board, to sea, in smooth or in partially smooth waters, in all cases in fine weather and during restricted periods, in the course of which the ships are at no time more than 15 miles, exclusive of any smooth waters, from their point of departure nor more than 3 miles from land;
- (d) “Passenger Certificate Class VI(A)” being a certificate for ships carrying not more than 50 passengers for a distance of not more than 6 miles on voyages to or from isolated communities on the islands or coast of Scotland, and which do not proceed for a distance of more than 3 miles from land.

For the purposes of this definition:—

- (aa) “restricted period” means a period falling wholly within the following limits, that is to say:—
 - (a) from 1st April to 31st October, both dates inclusive, and
 - (b) (i) in the case of ships fitted with navigation lights which conform to the collision regulations made under section 418 of the Act of 1894, between one hour before sunrise and one hour after sunset; and
 - (ii) in the case of all other ships, between sunrise and sunset;
- (bb) “smooth waters” means any waters not being the sea or partially smooth waters, and in particular means waters of any of the areas specified in column 2 of Schedule 2 to the Merchant Shipping (Smooth and Partially Smooth Waters) Rules 1977(c), as amended(d);

(a) 1971 c. 61.

(b) 1975 c. 74.

(c) S.I. 1977/252 (1977 I, p. 661).

(d) The amendment is not relevant to the subject matter of these Regulations.

(cc) “partially smooth waters” means, as respects any period specified in Schedule 2 to the Merchant Shipping (Smooth and Partially Smooth Waters) Rules 1977, the waters of any of the areas specified in column 3 of that Schedule in relation to that period;

“pleasure craft” means a vessel of less than 80 GRT primarily used for sport or recreation;

“proper officer” has the same meaning as in section 97(1) of the Act of 1970;

“qualified deck officer” means an officer of the deck department who is qualified in accordance with Regulation 4(2) of these Regulations;

“sail training ship” means a ship of 80 GRT or over which is equipped to be propelled by sail, whether or not provided with a propulsion engine, and which carries to sea (in addition to the trained crew) persons under training or instruction;

“specified by the Secretary of State” means specified in the Department of Trade Merchant Shipping publications entitled “Certificates of Competency in the Merchant Navy—Deck Officer Requirements”, and “Examinations for Certificates of Competency in the Merchant Navy—Deck Syllabuses and Specimen Papers” both published by Her Majesty’s Stationery Office;

“trading area” means an area set out in Schedule 2 to these Regulations; and any reference in these Regulations to a voyage to, from or between locations in a trading area shall be construed as including a reference to a voyage to, from, or to and from, such a location or between such locations in the particular trading area or areas referred to;

“tug” means a vessel constructed solely for the purpose of, and normally used for, providing external motive power for floating objects or vessels.

(2) In these Regulations:

(a) references to a certificate of a numbered class are references to a certificate of the class which bears that number as indicated in Regulation 4(3)(a) below;

(b) references to a certificate with a command endorsement shall be construed in accordance with Regulations 7 and 8 below.

(3) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Application

3. These Regulations apply to all ships, other than fishing vessels and pleasure craft, which go to sea beyond the limits of smooth or partially smooth waters, of the following descriptions:—

(1) ships registered in the United Kingdom which are:—

(a) passenger ships, or

(b) ships, other than passenger ships, of 80 GRT or over, or

(c) tugs, or

(d) sail training ships;

(a) 1889 c. 63.

(2) ships of 80 GRT or over registered outside the United Kingdom which carry passengers:—

- (a) between places in the United Kingdom or between the United Kingdom and the Isle of Man or any of the Channel Islands; or
- (b) on a voyage which begins or ends at the same place in the United Kingdom and on which the ships call at no place outside the United Kingdom.

PART II

CERTIFICATION OF DECK OFFICERS

Qualified Deck Officers and Classes of Certificates

4.—(1) Every ship to which these Regulations apply shall carry such number of qualified deck officers as is required by Part III of these Regulations.

(2) For the purposes of these Regulations an officer shall be qualified:

- (a) if he is the holder for the time being of a certificate of competency issued under these Regulations, or of a certificate which is to be treated as equivalent to such a certificate by virtue of Regulation 5 below; or
- (b) being the holder for the time being of a certificate of competency under the Act of 1894, he is also the holder of a certificate of validity under these Regulations

and, at the material time, such a certificate is in force in relation to the person named in it and is of a class appropriate to the deck officer's capacity in the ship.

(3) (a) Certificates of competency shall be issued, in accordance with these Regulations, of the following classes:

- Certificate of Competency (Deck Officer) Class 1 (Master Mariner)
- Certificate of Competency (Deck Officer) Class 2
- Certificate of Competency (Deck Officer) Class 3
- Certificate of Competency (Deck Officer) Class 4
- Certificate of Competency (Deck Officer) Class 5

(b) Command endorsements shall be issued, in accordance with these Regulations, as follows:

- Master (Middle Trade) Endorsement
- Master (Near Continental) Endorsement
- Tugmaster Command Endorsement
- Tugmaster (Near Continental) Command Endorsement

(4) For the purposes of these Regulations a certificate of competency of a class set out in the list in paragraph (3)(a) above shall be treated as being a certificate of a higher class than a certificate of any class which is set out after it in that list:

Provided that, a certificate of competency without a command endorsement shall not be treated as being a certificate of a higher class than

any class which is set out after it in that list if the lower class certificate is endorsed with a command endorsement; nor shall a certificate of competency endorsed with a command endorsement be treated as a certificate of a higher class than a certificate of competency set out before it in that list.

Certificates equivalent to a Certificate of Competency

5.—(1) The Secretary of State may specify that the standard of competency to be attained by deck officers of any description may be the standard of competence required for the issue of a certificate of competency by an authority empowered in that behalf by the laws of a country outside the United Kingdom, and that a certificate issued by any such authority shall be treated as evidence of the attainment of a standard of competence equivalent to the standard required for the issue of a specified class of certificate under these Regulations:

Provided that any certificate issued by any such authority to any such deck officer which is expressed to remain in force for a definite period shall remain in force, unless renewed, only until the expiration of that period.

(2) A certificate of competency as Master Home Trade or Mate Home Trade granted under section 93 of the Act of 1894 to which has been added, by the Secretary of State, a certificate of service (deck officer) under these Regulations, shall be treated as equivalent to a certificate of competency issued under these Regulations in respect of First or Second in command respectively of ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the combined Near Continental and Middle Trade trading areas.

(3) A certificate of competency as Master Home Trade or as Mate Home Trade granted under section 93 of the Act of 1894 to which has been added, by the Secretary of State, a Middle Trade command endorsement under these Regulations, shall be treated as equivalent to a certificate of competency issued under these Regulations in respect of command of ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the combined Near Continental and Middle Trade trading areas.

(4) A certificate of competency as Mate Home Trade granted under section 93 of the Act of 1894 to which has been added, by the Secretary of State, a Near Continental command endorsement under these Regulations shall be treated as equivalent to:

- (a) a Class 4 certificate with a command endorsement or a Class 5 certificate with a command endorsement in any passenger ship not exceeding 1,000 GRT, or any other ship not exceeding 5,000 GRT, going between locations in the Near Continental trading area; or
- (b) a Class 4 certificate or a Class 5 certificate in any ship going to from or between locations in the Middle Trade or Unlimited trading areas.

(5) (a) Subject to sub-paragraph (b) below, a certificate of competency granted under the Act of 1894 shall be treated as a certificate of competency issued under these Regulations if the Secretary of State has issued to the person who holds it a certificate of validity declaring that it shall be so treated.

(b) Such a certificate of competency of a class set out in column 1 of Table 1 below shall be treated as equivalent to a certificate of competency issued under these Regulations of the class set out opposite thereto in column 2 of that Table:

TABLE 1

Column 1	Column 2
<i>Class of 1894 certificate</i>	<i>Equivalent class of certificate of competency issued under these Regulations</i>
Master Foreign Going	Class 1 (Master Mariner)
First Mate Foreign Going	Class 2
Second Mate Foreign Going	Class 3
Master Home Trade	<p>Class 1 (or any lower class with a command endorsement issued under these Regulations) in any passenger ship, and in any other ship not exceeding 10,000 GRT, going between locations in the Near Continental trading area; or</p> <p>Class 4 or class 5 in any ship going to, from or between locations in the combined Middle Trade and Unlimited trading areas</p>
Mate Home Trade	<p>Class 2, 4 or 5 in any passenger ship, and in any other ship not exceeding 10,000 GRT, going between locations in the Near Continental trading area; or</p> <p>Class 4 or class 5 in any ship going to, from or between locations in the combined Middle Trade and Unlimited trading areas</p>

(6) A certificate of service granted under section 99 of the Act of 1894 shall be treated as equivalent to a certificate of competency issued under these Regulations if the Secretary of State has granted to the person who holds it, a certificate of validity declaring that it shall be so treated and setting out therein the equivalent class of certificate of competency under these Regulations.

(7) A certificate of service (deck officer) of a description set out in column 1 of Table 2 below and granted by the Secretary of State shall be treated as equivalent to a certificate of competency issued under these Regulations of the class set out opposite thereto in column 2 of that Table:

TABLE 2

Column 1	Column 2
<i>Certificate of service (deck officer)</i>	<i>Equivalent class of certificate of competency issued under these Regulations</i>
Third Mate Foreign Going	Class 4 endorsed not as First, Second or Third in command in ships going to or from or between any locations
Master Home Trade (other than passenger ships)	Class 1 (or any lower class with command endorsement) in ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the Near Continental trading area
Mate Home Trade (other than passenger ships)	Class 3 in ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the Near Continental trading area
Second Mate Home Trade (other than passenger ships)	Class 4 endorsed not as First or Second in command in ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the Near Continental trading area
Mate Foreign Going (Tugs)	Class 2 endorsed For Tug Service Only
Second Mate Foreign Going (Tugs)	Class 3 endorsed not as First or Second in command and further endorsed For Tug Service Only
Master Home Trade (Tugs)	Class 5 endorsed For Tug Service Only with command endorsement in ships going between locations in the Near Continental trading area
Mate Home Trade (Tugs)	Class 5 endorsed For Tug Service Only in ships going between locations in the Near Continental trading area

Standards and conditions applicable with respect to the issue of certificates

6.—(1) Subject to paragraph (3) below:

- (a) the standards of competency to be attained and the conditions to be satisfied by a person before he may be issued with a certificate of competency or with a command endorsement under these Regulations, including any exceptions applicable with respect to any such standards or conditions;
- (b) the manner in which the attainment of any such standards or the satisfaction of any such conditions is to be evidenced; and
- (c) the conduct of any examination for that purpose, the conditions of admission to them and the appointment and remuneration of examiners

shall be such as may be specified by the Secretary of State either in relation to certificates of competency or certificates of competency with command endorsement in general or to either of such certificates of a particular class as may be so specified.

(2) Subject to the proviso to this paragraph and to paragraph (3) below, the conditions to be satisfied by an uncertificated officer who applies to be issued with a certificate of service (deck officer) shall be:

- (a)
 - (i) that he has served in the appropriate capacity of mate, or
 - (ii) that he has served in the capacity of masterin a sea-going ship to which these Regulations apply prior to the date on which these Regulations are made; and
- (b) that he has served as a watchkeeping deck officer at sea for a period of not less than three years falling:
 - (i) in the period of six years immediately preceding the date on which these Regulations are made; or
 - (ii) in any period of six years ending after the date on which these Regulations are made, but before the date on which these Regulations come into operation; and
- (c) that he has produced such evidence as the Secretary of State may require in the particular case:
 - (i) of his having served for 12 months of such service in the capacity claimed; and
 - (ii) of his satisfactory conduct during the 12 months mentioned in (i) above and during the last 12 months of sea service in a watchkeeping capacity:

Provided that, notwithstanding that the conditions set out in sub-paragraphs (a), (b) and (c) above have not been complied with, the Secretary of State, taking into account the circumstances in a particular case may, where he is satisfied that those conditions have been substantially complied with, issue a certificate of service (deck officer) to an uncertificated officer.

(3) Notwithstanding that an applicant for a certificate of competency, a command endorsement or a certificate of service (deck officer) complies with

the standards or fulfils the conditions specified by, or by virtue of, the foregoing provisions of this Regulation, the Secretary of State shall not issue the certificate applied for unless he is satisfied, having regard to all the relevant circumstances, that the applicant is a fit person to be the holder of the certificate and to act competently in the capacity to which it relates.

Command endorsements on certificates of competency or certificates of validity

7. On the issue of a certificate of competency or a certificate of validity of any class set out in column 1 of Table 3 below, or subsequently, the Secretary of State may, if satisfied that the person to whom it is issued is competent to be in command of a ship of the description specified in column 3 of that Table, endorse the certificate to that effect as a certificate of competency or of validity with the command endorsement set out in column 2 of that Table:

TABLE 3

Column 1	Column 2	Column 3
<i>Certificate of Competency (Deck Officer) or Certificate of Validity</i>	<i>Command Endorsement</i>	<i>Description of Ship</i>
Class 2 or Class 3	Master (Middle Trade)	Ships (other than passenger ships) of less than 5,000 GRT going between locations in the combined Near Continental and Middle Trade trading areas
Class 4	Master (Middle Trade)	Ships (other than passenger ships) of less than 1,600 GRT going between locations in the combined Near Continental and Middle Trade trading areas
Class 2, Class 3 or Class 4	Master (Near Continental)	Ships (other than passenger ships) of less than 5,000 GRT going between locations in the Near Continental trading area Passenger ships of less than 1,000 GRT going between locations in the Near Continental trading area
Class 5	Master (Near Continental)	Ships (other than passenger ships) of less than 1,600 GRT going between locations in the Near Continental trading area Passenger ships of less than 200 GRT going between locations in the Near Continental trading area

Certificates of Competency and Command Endorsements for Tugs

8.—(1) Where an applicant for a certificate of competency under these Regulations fails to satisfy the conditions specified by the Secretary of State under Regulation 6(1) of these Regulations in respect of sea service in ships (other than passenger ships), but has performed sea service so specified in tugs, and if he fulfils the other standards of competency and conditions so specified, he may be issued with a certificate of competency Class 2, 3, 4 or 5 as appropriate endorsed For Tug Service Only.

(2) On the issue of a certificate of competency of any class set out in Column 1 of Table 4 below, or subsequently, the Secretary of State may, if satisfied that the person to whom it is issued is competent to be in command of a tug of the description set out in column 3 of that Table, endorse the certificate to that effect as a certificate of competency with the command endorsement set out in column 2 of that Table:

TABLE 4

Column 1	Column 2	Column 3
<i>Certificate of Competency (Deck Officer)</i>	<i>Command endorsement</i>	<i>Description of tug</i>
Class 2 endorsed For Tug Service Only	Tugmaster	Tugs going to sea from any location
Class 3 endorsed For Tug Service Only	Tugmaster	Tugs going between locations in the combined Near Continental and Middle Trade trading areas
Class 4 or Class 5 endorsed in both cases For Tug Service Only	Tugmaster (Near Continental)	Tugs going between locations in the Near Continental trading area

(3) In the event that the holder of a Class 2, 3, 4 or 5 certificate of competency (deck officer) endorsed For Tug Service Only applies to have that endorsement removed, the Secretary of State may, subject to the holder having fulfilled any conditions required by the Secretary of State in the particular case including sea service in ships other than tugs, from which the holder was previously exempted, delete the endorsement For Tug Service Only and that certificate shall then be treated in all respects as equivalent to a certificate of competency issued under these Regulations.

Form, record and surrender of certificates

9.—(1) Certificates of competency, certificates of validity and certificates of service (deck officer) shall be issued in duplicate, on payment of the appropriate fee (if any), the original to be delivered to the person entitled to the certificate and the duplicate to be retained by the Secretary of State.

(2) A record of all certificates of competency, certificates of validity and of all certificates of service (deck officer) issued under these Regulations and of the suspension, cancellation or alteration of, and any other matters affecting, any such certificate shall be kept, in such manner as the Secretary of State may require, by the Registrar General of Shipping and Seamen or by such other person as the Secretary of State may direct.

(3) Where the holder of a certificate of competency of a particular class issued under these Regulations is issued with such a certificate of a higher class, he shall surrender the first-mentioned certificate to the Secretary of State, or to such person as the Secretary of State directs, for cancellation.

Loss of certificates

10. If a person entitled to a certificate of competency, certificate of validity or a certificate of service (deck officer) proves to the satisfaction of the Secretary of State that he has, without fault on his part, lost or been deprived of a certificate already issued to him, the Secretary of State shall, and where he is not so satisfied may, upon payment of such fee (if any) as he may require, cause a copy of the certificate to which the said person appears to be entitled, to be issued to him. Any such copy shall, before it is so issued, be certified as such by the Registrar General of Shipping and Seamen or, as the case may be, by such person as the Secretary of State may have directed to keep the record referred to in Regulation 9(2) above.

PART III

NUMBERS OF DECK OFFICERS TO BE CARRIED

Minimum number of qualified deck officers to be carried in ships, other than passenger ships or tugs, of 80 GRT or over

11.—(1) Subject to paragraph (2) of this Regulation and to Regulation 15 below, the minimum number of qualified deck officers of a particular class which ships (other than passenger ships or tugs) of a description set out in column 2 of Table A Part I of Schedule 1 to these Regulations, when engaged on a voyage to or from a location or between locations in the trading area set out in relation to that description of ship in column 1 of the said Table, are required to carry shall be the number set out in column 3 of that Table.

(2) The provisions of column 3 of the said Table have effect subject to the special provisions set out in Part II of the said Schedule 1 and paragraph (1) above, as read with the provisions of the said column 3, shall apply accordingly.

Minimum number of qualified deck officers to be carried in passenger ships

12.—(1) Subject to paragraph (2) of this Regulation and to Regulation 15 below, the minimum number of qualified deck officers of a particular class which passenger ships, being ships of a description set out in column 2 of Table B Part I of Schedule 1 to these Regulations, when engaged on a voyage to or from a location or between locations in the trading area set out in relation to that description of ship in column 1 of the said Table, are required to carry shall be the number set out in column 3 of that Table.

(2) The provisions of column 3 of the said Table have effect subject to the special provisions set out in Part II of the said Schedule 1, and paragraph (1) above, as read with the provisions of the said column 3, shall apply accordingly.

Minimum number of qualified deck officers to be carried in tugs

13.—(1) Subject to paragraph (2) of this Regulation and to Regulation 15 below, the minimum number of qualified deck officers of a particular class

which tugs engaged on a voyage to or from a location or between locations in the trading area set out in column 1 of Table C Part I of Schedule 1 to these Regulations, are required to carry shall be the number set out in column 3 of that Table.

(2) The provisions of column 3 of the said Table have effect subject to the special provisions set out in Part II of the said Schedule 1, and paragraph (1) above, as read with the provisions of the said column 3, shall apply accordingly.

Minimum number of qualified deck officers to be carried in sail training ships

14. Subject to Regulation 15 below, sail training ships shall carry a minimum number of two qualified deck officers of whom one shall be the holder of a certificate of competency Class 1 and one the holder of a certificate of competency Class 2.

Exceptional provisions when a ship may proceed to sea with one qualified deck officer less than the number required by these Regulations

15.—(1) Subject to paragraph (3) below, if on an occasion on which a ship to which these Regulations apply goes to sea, one of the qualified deck officers is not carried because of illness, incapacity, or other unforeseen circumstance, but all reasonable steps were taken to secure the carriage on that occasion of a duly qualified deck officer, so much of the foregoing provisions of these Regulations as require such a ship on such a voyage to carry that deck officer shall not, subject to compliance with the conditions of paragraph (2) below, apply to the ship during whichever is the shorter of the following periods, beginning with the day on which the ship goes to sea from that location on that occasion, that is to say:

- (a) a period ending with the day on which the ship does carry a qualified deck officer as that deck officer or
- (b) a period determined as follows:
 - (i) in the case of a ship going to sea from a location beyond the Middle Trade trading area 28 days
 - (ii) in the case of a ship of 5,000 GRT and over going to sea from a location beyond the Near Continental trading area but within the Middle Trade trading area 14 days
 - (iii) in the case of a ship under 5,000 GRT going to sea from a location beyond the Near Continental trading area but within the Middle Trade trading area 14 days
 - (iv) in the case of a ship going to sea from a location beyond the United Kingdom but within the Near Continental trading area and which is required by these Regulations to carry not less than three qualified deck officers 7 days

Provided that one such period of 28, 14 or 7 days, as the case may be, shall not be followed immediately by any further period at sea during which the ship carries one less than the number of duly qualified deck officers required by these Regulations.

(2) The conditions referred to in paragraph (1) above are that the master, when going to sea from that location, shall:

- (a) notify a proper officer of his intention not to carry that qualified deck officer, and
- (b) make an entry of that notification in the ship's official log.

(3) Notwithstanding the provisions of paragraph (1) above, a ship such as is mentioned:

- (a) in sub-paragraph (b)(i) or (ii) of paragraph (1) above, may go to sea on such a voyage carrying one deck officer less than is required by these Regulations even if, at the time, the ship carries one qualified marine engineer officer less than is required by any regulations made under section 43 of the Act of 1970 relating to the carriage of qualified marine engineer officers;
- (b) in sub-paragraph (b)(iii) or (iv) of paragraph (1) above, may only go to sea on such a voyage carrying one deck officer less than is required by these Regulations if, at the time, the ship carries the full number of qualified marine engineer officers required by any such regulations referred to in sub-paragraph (a) of this paragraph.

Additional conditions in respect of ships carrying dangerous cargoes

16. A ship to which these Regulations apply which has a bulk cargo consisting in whole or in part of:

- (1) any liquid chemical listed in Chapter VI of the Inter-governmental Maritime Consultative Organisation ("IMCO") publication entitled "Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk" and the Supplement thereto, both published in 1974 by IMCO; or
- (2) any liquefied gas listed in Chapter XIX of the IMCO publication entitled "Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk" published in 1976 by IMCO;

shall carry as officer in command and as second in command respectively, deck officers qualified under these Regulations, subject to the condition that both such officers shall satisfy such conditions as to training and service as may be specified by the Secretary of State.

12th July 1977.

Stanley Clinton Davis,
Parliamentary Under-Secretary of State,
Department of Trade.

SCHEDULE 1

Regulation 11

PART I

MINIMUM NUMBER OF DECK OFFICERS TO BE CARRIED

TABLE A (SHIPS OF 80 GRT AND OVER, OTHER THAN PASSENGER SHIPS AND TUGS)

Column 1	Column 2	Column 3				
Trading Area	Descriptions of ships	Minimum number of certificated Officers to be carried				
		Class 1 Cert	Class 2 Cert	Class 3 Cert	Class 4 Cert	Class 5 Cert
Unlimited	1600 GRT and over	1	1	1	1	–
	80 GRT but under 1600 GRT	1	1	1	–	–
Middle Trade	5000 GRT and over	1	1	1	1	–
	1600 GRT but under 5000 GRT	–	–	1(A)	1	1
	under 1600 GRT	–	–	–	2(A)	1
Near Continental	10,000 GRT and over	1	1	1	–	–
	5,000 GRT but under 10,000 GRT	1	–	1	1	–
	1600 GRT but under 5000 GRT	–	–	–	2(B)	1
	800 GRT but under 1600 GRT	–	–	–	–	3(B)
	200 GRT but under 800 GRT	–	–	–	–	2(B) (C)
	80 GRT but under 200 GRT	–	–	–	–	1(D)

Note: Column 3 is to be read subject to, and the meaning of (A) (B) (C) (D) is to be found in paragraph 2(1) of, the special provisions set out in Part II of this Schedule.

Regulation 12 TABLE B (PASSENGER SHIPS)

Column 1	Column 2	Column 3				
Trading Area	Description of passenger ships	Minimum number of certificated Officers to be carried				
		Class 1 Cert	Class 2 Cert	Class 3 Cert	Class 4 Cert	Class 5 Cert
Unlimited or Middle Trade	Any tonnage	1	1	1	1	–
Near Continental	2000 GRT and over	1	1	–	1	–
	1000 GRT but under 2000 GRT	1	–	–	1	–
	200 GRT but under 1000 GRT	–	–	–	1(x)	1
	Under 200 GRT	–	–	–	–	1(x)

Note: Column 3 is to be read subject to, and the meaning of (x) is to be found in paragraph 2(2) of, the special provisions set out in Part II of this Schedule.

Regulation 13 TABLE C (TUGS)

Column 1	Column 2	Column 3				
Trading Area	Description of Tugs	Minimum number of certificated Officers to be carried				
		Class 1 Cert	Class 2 Cert	Class 3 Cert	Class 4 Cert	Class 5 Cert
Unlimited	Any tug	–	2(a)	1	–	–
Middle Trade	Any tug	–	–	2(a)	1	–
Near Continental	Any tug	–	–	–	–	2(b)

Note: Column 3 is to be read subject to, and the meaning of (a) and (b) is to be found in paragraph 2(3) of, the special provisions set out in Part II of this Schedule.

PART II

Regulation 11(2)

SPECIAL PROVISIONS APPLICABLE TO PART I OF THIS SCHEDULE

1. The provisions of column 3 of each of Tables A, B and C set out in Part I above, in so far as they impose a requirement with respect to the carrying in a ship of a qualified deck officer who is the holder of a certificate of competency issued under these Regulations of a particular class, shall be treated as complied with (subject to the qualification in Regulation 4(4) of these Regulations with regard to certificates with a command endorsement) if the officer who is carried in pursuance of that requirement is the holder of a certificate of competency issued under these Regulations of a higher class.

2.—(1) Where a number set out in column 3 in Table A set out in Part I above in relation to a certificate of competency issued under these Regulations of a particular class is followed by the indication (A), (B), (C) or (D), that provision of the said column 3 to which the number relates shall be construed:

- (a) in the case of indication (A), as requiring the certificate or one of the certificates in question to be endorsed with the Master (Middle Trade) endorsement;
- (b) in the case of indication (B), as requiring one of the certificates in question to be endorsed with the Master (Near Continental) endorsement;
- (c) in the case of indication (C), as if the number so set out were 3, in accordance with the provisions of paragraph 3 below;
- (d) in the case of indication (D), as requiring the certificate in question to be endorsed with the Master (Near Continental) endorsement.

(2) Where a number set out in column 3 in Table B set out in Part I above in relation to a certificate of competency issued under these Regulations of a particular class is followed by the indication (x), that provision of the said column 3 to which the number relates shall be construed as requiring the certificate in question to be endorsed with the Master (Near Continental) endorsement.

(3) Where a number set out in column 3 of Table C set out in Part I above in relation to a certificate of competency issued under these Regulations of a particular class is followed by the indication (a) or (b), that provision of the said column 3 to which the number relates shall be construed:

- (i) in the case of indication (a), as requiring one of the certificates in question to be endorsed with the Tugmaster's command endorsement;
- (ii) in the case of indication (b), as requiring one of the certificates in question to be endorsed with the Tugmaster (Near Continental) command endorsement.

3. In relation to any offshore installation supply vessel which goes to sea:

- (a) to or from any location in the United Kingdom and an offshore installation in the Near Continental trading area; or
- (b) between offshore installations in the Near Continental trading area

the provisions of Table A shall apply, subject to the modification that such offshore installation supply vessel shall be required to carry a minimum of three qualified deck officers each of whom is the holder of a Certificate of Competency (Deck Officer) Class 5 issued under these Regulations.

Regulation 2(1)

SCHEDULE 2

DEFINITION OF "TRADING AREA"

"trading area" means any of the following areas, that is to say:

Near Continental trading area: any location within the area bounded by a line from a point on the Norwegian coast in latitude 62° North to a point 62° North 02° West; thence to a point 58° North 10° West; thence to a point 51° North 12° West; thence to Brest, but excluding all waters which lie to the eastward of a line drawn between Kristiansand, Norway, and Hanstholm lighthouse on the North Danish coast;

Middle Trade trading area: any location not within the Near Continental trading area but within an area (which includes places in the Baltic Sea) bounded by the northern shore of Vest Fjord (Norway) and a line joining Skomvaer lighthouse (Latitude 67° 25' N Longitude 11° 53' E) to a point 62° North 02° West; thence to a point 58° North 10° West; thence to a point 51° North 12° West; thence to a point 41° 9' North 10° West; thence to Oporto;

Unlimited trading area: any location not within the Middle Trade or Near Continental trading areas.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

(1) These Regulations prescribe requirements for UK registered ships of 80 gross register tonnage or over and for passenger ships to carry a specified number of deck officers determined according to the tonnage of the ship and the voyage to, from or between locations in specified trading areas on which it will be engaged (Regulation 3(1)). Similar requirements are prescribed for ships registered outside the UK which carry passengers between places in the UK or between the UK and the Channel Islands or Isle of Man or on voyages which begin or end at the same place in the UK and call at no place outside the UK (Regulation 3(2)). Provision is made for the exceptional circumstance when one deck officer cannot be carried because of illness or incapacity (Regulation 15). Special requirements are prescribed for tugs (Regulation 13) and sail training ships (Regulation 14). Requirements are not prescribed for pleasure craft of less than 80 gross register tonnage nor for fishing vessels (Regulation 3).

(2) Certificates of competency will be issued to deck officers who satisfy the requisite standards of competency (Regulation 6). Deck officers holding valid certificates of competency or certificates of service under the Merchant Shipping Act 1894 will have them validated by the issue of a certificate of validity (Regulation 5). Provision is made for the Secretary of State to specify that certificates issued by countries outside the UK may be treated as equivalent to certificates of competency under these Regulations (Regulation 5(1)). Certificates of competency and certificates of validity may be further endorsed with command endorsements enabling the holder to be carried in command of a ship of a specified description or tug (Regulations 7 and 8).

(3) Provision is made for certificates of service (deck officer) to be issued to uncertificated Masters and Mates serving in ships which do not at present have to carry certificated officers but will be required to do so under these Regulations (Regulation 6(2)). Certificates of service (deck officer) will be treated as equivalent to certificates of competency and enable the holders to continue to be carried in their present capacity (Regulation 5(7)).

(4) The standards of competency which must be attained before a deck officer will be issued with a certificate of competency under these Regulations are set out in the Department of Trade publications entitled "Certificates of Competency in the Merchant Navy—Deck Officer Requirements" and "Examinations for Certificates of Competency in the Merchant Navy—Deck Syllabuses and Specimen Papers" both published by Her Majesty's Stationery Office (Regulation 6(1)).

(5) Additional training is required for certain deck officers in ships carrying bulk cargoes of specified dangerous chemicals or gases (Regulation 16). The Inter-governmental Maritime Consultative Organisation publications specifying the dangerous chemicals and gases are obtainable from the Publications Office of the Organisation 101-104 Piccadilly, London.

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