

1984 No. 94

MERCHANT SHIPPING

SAFETY

**The Merchant Shipping (Tankers—Officers and Ratings)
Regulations 1984**

<i>Made - - - -</i>	<i>31st January 1984</i>
<i>Laid before Parliament</i>	<i>10th February 1984</i>
<i>Coming into Operation</i>	<i>28th April 1984</i>

The Secretary of State for Transport, being satisfied that it is necessary or expedient in the interests of safety to make the following Regulations so far as they require tankers to carry qualified officers and ratings, and after consultation with the organisations referred to in section 99(2) of the Merchant Shipping Act 1970 (a) and the person referred to in section 22(2) of the Merchant Shipping Act 1979 (b), in exercise of powers conferred by section 43(1)(b) (3) and (4) of the said Act of 1970 (c) and now vested in him (d) and of section 21(1)(a), (3)(e), (4)(a) and (6)(b) and (bb) of the said Act of 1979 (e) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and Operation

1. These Regulations may be cited as the Merchant Shipping (Tankers—Officers and Ratings) Regulations 1984 and shall come into operation on 28th April 1984.

Interpretation

2. In these Regulations:

“employer” means the person for the time being employing the master;

“Merchant Shipping Notice” means a Notice described as such, issued by the Secretary of State;

“specified by the Secretary of State” means specified by the Secretary of State in Merchant Shipping Notice No. 1091 and any document amending or replacing it which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

“liquefied gas” means any liquefied gas listed in Chapter XIX of the 1976 International Maritime Organization (“IMO”) publication entitled “Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk” as amended by Supplements containing Amendments 1–3 and by any other Supplement thereto which is specified by the Secretary of State;

(a) 1970 c.36.

(b) 1979 c.39.

(c) Section 43 was amended by the Merchant Shipping Act 1979 sections 37(2) and (3) and 43(1) and Schedule 6, Part IV.

(d) See S.I. 1970/1537.

(e) Sections 21(6)(b) and (bb) were substituted by section 49(3) of the Criminal Justice Act 1982 (c.48).

“liquid chemical” means any liquid chemical listed in Chapter VI of the 1980 IMO publication entitled “Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk” and any Supplement thereto which is specified by the Secretary of State;

“petroleum” means crude liquid petroleum and the following substances produced directly or indirectly from crude, that is to say, fuels, lubricants, bitumen, wax, industrial spirits and any wide range substance (meaning a substance whose final boiling point at normal atmospheric pressure is more than 50°C higher than its initial boiling point) but excluding any product included in the definition of “liquefied gas” above;

“tanker” means a ship which is constructed or adapted and used for the carriage of bulk cargoes consisting in whole or in part of petroleum, liquid chemicals or liquefied gases; and a reference to a type of tanker is a reference to one of the categories of petroleum tanker, chemical tanker or liquefied gas tanker, being tankers constructed or adapted and used to carry cargoes of the class indicated;

“United Kingdom tanker” means a tanker which is a United Kingdom ship as defined in section 21(2) of the Merchant Shipping Act 1979.

Application

3. These Regulations apply to all sea-going United Kingdom tankers.

Obligation on employer and master

4.—(1) It shall be the duty of every employer to ensure that any tanker carries sufficient qualified officers and ratings to perform all duties in respect of the cargo and cargo equipment.

(2) The master of any tanker shall not permit an officer or rating to have specific duties, and responsibilities related to those duties, in connection with the cargo or cargo equipment on the tanker unless that officer or rating—

- (a) is qualified in accordance with regulation 5 of these Regulations; or
- (b) is an officer whose certificate of competency or service is endorsed with a dangerous-cargo endorsement for the type of tanker concerned in accordance with regulation 17 of the Merchant Shipping (Certification of Deck Officers) Regulations 1980 (a) or regulation 13 of the Merchant Shipping (Certification of Marine Engineer Officers) Regulations 1980 (b):

Provided that nothing in this regulation shall prohibit the participation of an officer or rating in duties connected with cargo or cargo equipment (in addition to those required for such duties) under the supervision of a qualified officer or rating as part of their training to acquire adequate knowledge of safe operational practices.

Qualifications

5.—(1) In order to be qualified for the duties described in regulation 4 on a tanker an officer or rating shall:

- (a) have served in the type of tanker concerned in the deck or engine department as appropriate as part of the regular crew complement for at least six months during the five years before 28th April 1984; or
- (b) have satisfactorily completed both a fire-fighting course specified by the Secretary of State and either:

(a) S.I. 1980/2026.

(b) S.I. 1980/2025.

- (i) a period of two months supervised shipboard service in the type of tanker concerned in order to acquire adequate knowledge of safe operational practices; or
- (ii) a tanker familiarisation course specified by the Secretary of State relating to the type of tanker concerned, together with a period of 14 days supervised shipboard service in a tanker of that type; or
- (iii) periods of familiarisation and instruction during not less than four loading or discharging operations (including at least one loading and one discharging operation) on board tankers of the type concerned, together with a period of 14 days supervised shipboard service in a tanker of that type:

Provided that:

- (a) the period of supervised shipboard service required under paragraph 1(b)(i) shall be reduced to one month in respect of any officer or rating who has completed the shipboard service described in either paragraph 1(a) or 1(b)(i) in a tanker of another type; and
- (b) during any period of supervised shipboard service required under paragraphs 1(b)(i), (ii) or (iii), there shall not be more than one deck and one engineer officer forming part of the regular crew complement engaged in such supervised service on board the tanker.

(2) An officer or rating who satisfactorily completes the service and training required by paragraph 1(a) or (b) above in respect of the type of tanker concerned, shall be given a written statement signed by the employer or master of the tanker in which the officer or rating has served. A superintendent at a Department of Transport Marine Office may, having regard to such statement, make an entry in the discharge book of the officer or rating concerned to that effect.

Offences

6. Contravention of regulation 4 by any employer or master shall be an offence punishable on summary conviction by a fine not exceeding £1,000 and on conviction on indictment by imprisonment for a term not exceeding two years and a fine.

Nicholas Ridley,
Secretary of State for Transport.

31st January 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide that only officers and ratings who are qualified in accordance with these Regulations and those officers whose certificates of competency or of service are endorsed with an appropriate dangerous cargo endorsement may perform duties in connection with the cargo and cargo equipment of sea-going United Kingdom tankers. The necessary qualifications are to have served for at least six months in the period of five years up to 28th April 1984 in a tanker of the type concerned as part of the regular crew complement or to have completed specified training and periods of supervised service. Other officers and ratings under training may participate in these duties only under supervision of qualified personnel (regulations 3, 4(2) and 5(1)). The training courses are specified by the Secretary of State in Merchant Shipping Notice No. 1091, which may be amended. Merchant Shipping Notices are obtainable from the Department of Transport Marine Library, Sunley House, 90 High Holborn, London WC1, and from any Department of Transport Marine Office.

It is an offence under the Regulations for the master to permit an unqualified officer or rating to perform duties in connection with the cargo and cargo equipment of tankers; and for the employer to fail to ensure that sufficient qualified officers and ratings are carried to perform such duties (regulations 4 and 6).

The publications of the International Maritime Organization, referred to in regulation 2, are obtainable from that Organization, 4 Albert Embankment, London SE1.

These Regulations give effect in part to Regulations V/1, V/2 and V/3 of Chapter V of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (1978) (Cmnd. 7543) which was laid before Parliament in May 1979 and was ratified by the United Kingdom on 28th November 1980. The Convention will come into force internationally on 28th April 1984.

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