
STATUTORY INSTRUMENTS

2014 No. 1613

**The Merchant Shipping (Maritime Labour Convention)
(Minimum Requirements for Seafarers etc.) Regulations 2014**

PART 8

Food and catering

Certificate of competency as a ship's cook

38.—(1) On receipt of an application for a certificate of competency as a ship's cook and the appropriate fee (if any), the Secretary of State must, on being satisfied that the applicant is an eligible person, issue a certificate of competency to the applicant.

(2) Before the issue of any such certificate, the Secretary of State may require the applicant to produce such certificates of discharge and such other documentary evidence as may be necessary to establish to the satisfaction of the Secretary of State that the applicant is an eligible person.

(3) The provisions of sections 62 to 69 of the Act (disqualification of seamen and inquiries) apply in respect of a certificate of competency issued under paragraph (1) as if such a certificate were a certificate to which those sections apply.

(4) The provisions prescribed in the Merchant Shipping (Disqualification of Holder of Seaman's Certificates) Regulations 1997^{M1} apply in respect of a certificate of competency issued under paragraph (1) as if regulation 2 of those Regulations included a reference to such a certificate.

(5) For the purposes of any inquiry under section 63 of the Act and of any re-hearing of an inquiry under section 64 of the Act in relation to a certificate of competency issued under paragraph (1), the Merchant Shipping (Section 63 Inquiries) Rules 1997^{M2} apply as if the definition of “certificate holder” in rule 2(1) included a reference to the holder of a certificate of competency issued under paragraph (1).

(6) If an eligible person—

- (a) satisfies the Secretary of State that a certificate already issued to that person has been lost, destroyed or stolen; and
- (b) pays the appropriate fee (if any),

the Secretary of State must issue a copy of the certificate to that person.

(7) Any such copy must, 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 paragraph (8).

(8) A record of all certificates of competency issued under this regulation and of the suspension, cancellation or alteration of, and any other matters affecting, any such certificate must 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.

Changes to legislation: There are currently no known outstanding effects for the *The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014, Section 38. (See end of Document for details)*

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Marginal Citations

- M1** [S.I. 1997/346](#), amended by [S.I. 1997/2971](#). The Marine Safety Agency is now the Maritime and Coastguard Agency.
- M2** [S.I. 1997/347](#).

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014, Section 38.