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STATUTORY INSTRUMENTS

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**2015 No. 782**

The Merchant Shipping (Standards of Training,  
Certification and Watchkeeping) Regulations 2015

PART 2

TRAINING AND CERTIFICATION: SHIPS

*Application and issuing of certificates*

**Application for a certificate**

**28.** An application for the issue of a certificate required by this Part must be made in a form specified by the Secretary of State and be accompanied by the prescribed fee and evidence of identity, age, relevant service, standards of competence and certificates or qualifications held.

**Form of a certificate and approval of seagoing service**

**29.—**(1) A certificate of competency or a certificate of proficiency issued under this Part must be in the form specified in section A-I/2, paragraph 1, of the STCW Code.

(2) When approving seagoing service required by the Convention, the Secretary of State must act in accordance with section A-I/2, paragraph 5, of the STCW Code and Section 9 of Merchant Shipping Notice 1856(M + F).

**Endorsements on a certificate**

**30.** Where the Secretary of State issues a certificate under regulation 6, 8, 9, 10, 11, 12 or 13, the certificate must be endorsed by the Secretary of State in the form prescribed in STCW Regulation I/2.

**Exemptions**

**31.—**(1) The Secretary of State may grant an exemption from the requirements of this Part provided that the Secretary of State is satisfied that—

- (a) in the case of a master or chief engineer officer, the conditions specified in paragraphs (2) and (3) are met;
- (b) in the case of a radio operator, the conditions specified in paragraph (2) are met and the relevant requirements of the radio regulations annexed to, or regarded as being annexed to the International Telecommunication Convention, as amended<sup>(1)</sup>, are met; or
- (c) in the case of any other category of seafarer, the conditions specified in paragraph (2) are met.

(2) The conditions referred to in each subparagraph of paragraph (1) are that—

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(1) 2012 Edition of the radio regulations, ISBN 978-92-61-14021-2.

- (a) an exemption is necessary and does not pose a danger to persons, property or the environment;
  - (b) the seafarer is adequately qualified to fill the vacant post in a safe manner; and
  - (c) the seafarer is—
    - (i) properly certificated to fill the post immediately below that which the seafarer now performs; or
    - (ii) where certification of the post immediately below is not required, the qualification and experience of the seafarer are of clear equivalence to the requirements for the post to be filled and the seafarer passes a test accepted by the Secretary of State as demonstrating that an exemption may safely be issued.
- (3) The conditions referred to in paragraph (1)(a) only is that circumstances of force majeure exist.
- (4) The Secretary of State must specify the duration of an exemption and the duration must be—
- (a) in the case of a seafarer referred to in paragraph (1)(a), the shortest possible period; and
  - (b) in the case of another category of seafarer, a period not exceeding six months.
- (5) In exercising the function specified in paragraph (4) the Secretary of State must have as an objective ensuring that the post in question is filled by the holder of an appropriate certificate as soon as possible.
- (6) The Secretary of State may impose such additional terms on an exemption under this regulation as the Secretary of State may consider appropriate.
- (7) The Secretary of State may amend or cancel any exemptions granted under this regulation.