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STATUTORY INSTRUMENTS

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**2022 No. 1342**

**The Merchant Shipping (Standards of Training,  
Certification and Watchkeeping) Regulations 2022**

**PART 2**

**Training and certification: ships**

**Recognition of certificates**

**Recognition of a certificate issued by an EEA State**

**36.**—(1) The Secretary of State may recognise—

- (a) a certificate of competency issued in accordance with the requirements of the Directive by or on the authority of an EEA State which is a party to the STCW Convention to a master, officer or GMDSS radio operator;
- (b) a certificate of proficiency in training for tanker cargo operations issued in accordance with the requirements of the Directive by or on the authority of an EEA State which is a party to the STCW Convention; and
- (c) any other certificate of proficiency issued in accordance with the requirements of the Directive by or on the authority of an EEA State which is a party to the STCW Convention.

(2) Subject to regulation 39(1) (additional requirements for a certificate of equivalent competency), where the Secretary of State recognises a certificate described in paragraph (1)(a) or (b), the Secretary of State may, on the application of a holder of such certificate, issue a certificate of equivalent competency attesting to its recognition.

(3) The Secretary of State may, before issuing a certificate of equivalent competency to an applicant performing management level functions, require the applicant to demonstrate sufficient knowledge of such United Kingdom maritime legislation as is relevant to the applicant's management level functions.

(4) An applicant may, instead of demonstrating knowledge of United Kingdom maritime legislation in accordance with paragraph (3), choose to undergo an adaptation period of a duration specified by the Secretary of State, which must not exceed three years.

(5) If an applicant chooses to undergo an adaptation period in accordance with paragraph (4), the Secretary of State may, for the duration of that period, issue to the applicant a certificate of equivalent competency of such next lower capacity as does not require a knowledge of United Kingdom maritime legislation.

(6) In this regulation—

“management level functions” means functions of the level of responsibility associated with—

- (a) undertaking the role of a master, chief mate, chief engineer or second engineer officer on board a seagoing ship;
- (b) ensuring that all functions within the designated area of responsibility are properly performed; and

“functions within the designated area of responsibility” means the seven functions listed in paragraph 2 of the Introduction to the STCW Code.