
STATUTORY INSTRUMENTS

2022 No. 1342

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

PART 2

Training and certification: ships

Suspension and cancellation of certificates and appeals

Appeal against refusal, suspension or cancellation of a certificate

45.—(1) If the Secretary of State intends to—

- (a) refuse the issue of;
- (b) refuse the revalidation of;
- (c) suspend; or
- (d) cancel,

a certificate issued under this Part for any reason, the Secretary of State must give notice in writing to the applicant or holder of the certificate.

(2) If an approved training provider intends to—

- (a) refuse the issue or revalidation of a certificate of proficiency; or
- (b) refuse the issue of documentary evidence as required by regulation 26 (seafarers on a high speed craft) or regulation 49(2) (issue of certificates of proficiency and documentary evidence by an approved training provider),

that approved training provider must give notice in writing to the applicant or holder of the certificate.

(3) The requirement that the notice given under paragraph (1) or (2) be in writing is satisfied where the text of the notice is—

- (a) transmitted by electronic means;
- (b) received in legible form; and
- (c) capable of being used for subsequent reference.

(4) The applicant may, before a date specified in the notice given under paragraph (1) or (2), require the refusal, suspension or cancellation to be reviewed at an inquiry.

(5) If the Secretary of State fails either to—

- (a) issue or revalidate a certificate of equivalent competency; or
- (b) give notice in writing pursuant to paragraph (1) to an applicant for a certificate of equivalent competency within 28 days of the application being made,

the Secretary of State is deemed to have refused the application and, before the expiry of a further 28 days, the applicant has the right to require in writing that the application be reviewed at an inquiry.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2022, Section 45. (See end of Document for details)

(6) If the applicant has required an inquiry in accordance with paragraph (4) or (5), the Secretary of State must cause such an inquiry to be held by one or more persons appointed by the Secretary of State.

(7) For the purposes of paragraph (1), “certificate” includes an endorsement under regulation 34 (endorsements on a certificate of competency).

Commencement Information

II Reg. 45 in force at 10.1.2023, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2022, Section 45.