
STATUTORY INSTRUMENTS

2022 No. 1342

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

PART 5

General

Offences and penalties

66.—(1) A person who contravenes regulation 48(13)(a), (b), (c) or (d) (providing training without approval or holding out as an approved training provider etc.), is guilty of an offence, punishable—

- (a) on summary conviction—
 - (i) in England and Wales by a fine; or
 - (ii) in Scotland or Northern Ireland by a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment by a fine.

(2) An owner who contravenes regulation 51(3) (duty of owner in relation to type rating training for hovercraft) is guilty of an offence, punishable—

- (a) on summary conviction—
 - (i) in England and Wales by a fine; or
 - (ii) in Scotland or Northern Ireland by a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment by a fine.

(3) A company which contravenes regulation 55(2) (requirement for safe manning document), 61(1) or (3) (responsibilities of companies) or 62 (carriage of documents) is guilty of an offence, punishable—

- (a) on summary conviction—
 - (i) in England and Wales by a fine; or
 - (ii) in Scotland or Northern Ireland by a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment by a fine or, in the case of an individual, by imprisonment not exceeding six months, or both.

(4) A master who contravenes regulation 55(3) (requirement for safe manning document), 56(1) or (2) (watchkeeping arrangements generally and at sea), 57 (watchkeeping arrangements in port), 58 (watchkeeping arrangements in port for ships carrying hazardous cargo), 61(5) (responsibilities of masters) or 62 (carriage of documents) is guilty of an offence, punishable—

- (a) on summary conviction—
 - (i) in England and Wales by a fine; or
 - (ii) in Scotland or Northern Ireland by a fine not exceeding the statutory maximum; or

- (b) on conviction on indictment by a fine or by imprisonment not exceeding six months, or both.
- (5) A member of the crew who contravenes regulation 61(5) (responsibilities of other crew) is guilty of an offence, punishable on summary conviction—
 - (a) in England and Wales by a fine; or
 - (b) in Scotland or Northern Ireland by a fine not exceeding level 3 on the standard scale.
- (6) A chief engineer who contravenes regulation 56(3) (watchkeeping arrangements generally and at sea) is guilty of an offence, punishable on summary conviction—
 - (a) in England and Wales by a fine; or
 - (b) in Scotland or Northern Ireland by a fine not exceeding the statutory maximum.
- (7) It is a defence for a person charged with an offence under these Regulations that the person took all reasonable steps to avoid commission of the offence.
- (8) In any proceedings for an offence under these Regulations consisting of a failure to comply with a duty or requirement to do something so far as is reasonably practicable, it is for the person charged to prove that it was not reasonably practicable to do more than was in fact done to satisfy the duty or requirement.

Commencement Information

II Reg. 66 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 66.