

## 1985 No. 1306

## MERCHANT SHIPPING

## MASTERS AND SEAMEN

**The Merchant Shipping (Certification of Deck Officers)  
Regulations 1985**

<i>Made</i>	- - - -	16th August 1985
<i>Laid before Parliament</i>		30th August 1985
<i>Coming into Operation</i>		21st September 1985

The Secretary of State for Transport, being satisfied that it is necessary or expedient in the interests of safety to make the following Regulations in so far as they require ships to carry qualified deck officers, and after consulting with the organisations referred to in section 99(2) of the Merchant Shipping Act 1970(a), in exercise of powers conferred by sections 43 and 68 of that Act and now vested in him(b), and of section 21(1)(a) and (3) to (6) of the Merchant Shipping Act 1979(c) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

PART I  
GENERAL

*Citation, commencement and revocation*

1.—(1) These Regulations may be cited as the Merchant Shipping (Certification of Deck Officers) Regulations 1985 and shall come into operation on 21st September 1985.

(2) The Merchant Shipping (Certification of Deck Officers) Regulations 1980(d) are hereby revoked.

(3) These Regulations apply to or in relation to any certificate issued under any Regulations revoked by these Regulations, as they apply to or in relation to a certificate issued under these Regulations.

(4) Any certificate issued under any Regulations revoked by these Regulations in force at the date of the coming into operation of these Regulations shall, subject to its not being suspended or cancelled, remain in force and shall have effect for the purposes of these Regulations as if it had been issued under the corresponding provisions thereof:

(a) 1970 c. 36; section 43 was amended by the Merchant Shipping Act 1979 (c. 39), section 37(2) and (3).

(b) See S.I. 1970/1537.

(c) 1979 c. 39.

(d) S.I. 1980/2026.

Provided that any such certificate which is expressed to remain in force for a definite period shall remain in force, unless renewed, only until the expiration of that period.

*Interpretation*

2.—(1) In these Regulations, except where the context otherwise requires:—

“the Act of 1894” means the Merchant Shipping Act 1894(a);

“the Act of 1970” means the Merchant Shipping Act 1970;

“certificate of competency” means a certificate of competency issued by the Secretary of State by virtue of these Regulations;

“certificate of service (deck officer)” means a certificate of service (deck officer) issued by the Secretary of State by virtue of these Regulations;

“command endorsement” means a command endorsement endorsed on a certificate of competency by the Secretary of State by virtue of these Regulations;

“Extended European trading area” means the area specified as such in Schedule 2 to these Regulations;

“fishing vessel” means a vessel for the time being employed in sea fishing but does not include a vessel used otherwise than for profit;

“GRT” means gross register tonnage and the gross tonnage of a ship having alternative gross tonnages shall be taken to be the larger of those tonnages; for a ship having its tonnage determined both under Part II and regulation 16 of the Merchant Shipping (Tonnage) Regulations 1982(b) the gross tonnage shall be that determined under regulation 16;

“length” in relation to a vessel has the same meaning as in the Merchant Shipping (Tonnage) Regulations 1982;

“Limited European trading area” means the area specified as such in Schedule 2 to these Regulations;

“liquefied gas” means any liquefied gas listed in Chapter XIX of the 1976 International Maritime Organization (“IMO”) publication entitled “Code for the Construction and Equipment of Ships carrying Liquefied Gases in Bulk” as amended by Supplements containing Amendments 1–3 and by any other Supplement thereto which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

“liquid chemical” means any liquid chemical listed in Chapter VI of the 1980 IMO publication entitled “Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk” and any Supplement thereto which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

“location” includes any offshore installation, any other installation (whether floating or resting on the sea-bed or the subsoil thereof), or any location at sea defined by reference to its latitude and longitude;

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(a) 1894 c. 60.

(b) S.I. 1982/841.

“Merchant Shipping Notice” means a Notice described as such and issued by the Department of Transport;

“offshore installation supply vessel” means a vessel which performs services, including the carriage of supplies or passengers, or supplies and passengers, in respect of an offshore installation; and “offshore installation” means any offshore installation within the meaning of section 1(3) of the Mineral Workings (Offshore Installations) Act 1971(a) or any such other installation as is mentioned in section 44(1) of the Petroleum and Submarine Pipe-lines Act 1975(b);

“partially smooth waters” means, as respects any period specified in Schedule 2 to the Merchant Shipping (Smooth and Partially Smooth Waters) Rules 1977(c), the waters of any of the areas specified in column 3 of that Schedule in relation to that period;

“passenger ship” means a ship carrying more than 12 passengers but does not include such a ship in respect of which there is or should be in force the following certificates:—

- (a) “Passenger Certificate Class IV” being a certificate for ships engaged only on voyages in partially smooth waters, or in smooth and partially smooth waters;
- (b) “Passenger Certificate Class V” being a certificate for ships engaged only on voyages in smooth waters;
- (c) “Passenger Certificate Class VI” being a certificate for ships engaged only on voyages with not more than 250 passengers on board, to sea, in smooth or in partially smooth waters, in all cases in favorable weather and during restricted periods, in the course of which the ships are at no time more than 15 miles, exclusive of any smooth waters, from their point of departure nor more than 3 miles from land;
- (d) “Passenger Certificate Class VI(A)” being a certificate for ships carrying not more than 50 passengers for a distance of not more than 6 miles on voyages to or from isolated communities on the islands or coast of the United Kingdom and which do not proceed for a distance of more than 3 miles from land.

For the purposes of this definition:—

“restricted period” means a period falling wholly within the following limits, that is to say:—

- (a) from 1st April to 31st October, both dates inclusive, and
- (b) between one hour before sunrise and one hour after sunset in the case of ships fitted with navigation lights conforming to the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1983(d) and between sunrise and sunset in the case of any other ships;

“petroleum products” means the following substances produced directly or indirectly from crude oil, that is to say, fuels, lubricants, bitumen, wax, industrial spirits and any wide range substance (meaning a substance whose final boiling point at normal atmospheric pressure is more than 50°C higher

(a) 1971 c. 61; section 1 was substituted by section 24 of the Oil and Gas (Enterprise) Act 1982 (c. 23).

(b) 1975 c. 74.

(c) S.I. 1977/252; relevant amending instrument is S.I. 1978/801.

(d) S.I. 1983/708.

than its initial boiling point) but excluding any product included in the definition of "liquefied gas" above;

"pleasure craft" means a vessel primarily used for sport or recreation;

"proper officer" has the same meaning as in section 97(1) of the Act of 1970;

"qualified deck officer" means an officer of the deck department who is qualified in accordance with regulation 4(2) of these Regulations;

"sail training ship" means a ship of 80 GRT or over or of 24 metres or over in length which is equipped to be propelled by sail, whether or not provided with a propulsion engine, and which carries to sea (in addition to the trained crew) persons under training or instruction;

"seismic and oceanographic survey vessel" means a vessel employed either in the production and measurement of pulses for the seismic survey of the sea bed and subsoil thereof or in the collection of oceanographic data;

"smooth waters" means any waters not being the sea or partially smooth waters, and in particular means waters of any of the areas specified in column 2 of Schedule 2 to the Merchant Shipping (Smooth and Partially Smooth Waters) Rules 1977;

"specified by the Secretary of State" means specified in the Department of Transport Merchant Shipping publications entitled "Certificates of Competency in the Merchant Navy—Deck Officer Requirements" and "Examinations for Certificates of Competency in the Merchant Navy—Deck Syllabuses and Specimen Papers"; any reference to those publications shall include a reference to any document amending those publications which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

"stand-by vessel" has the same meaning as in the Offshore Installations (Emergency Procedures) Regulations 1976(a);

"trading area" means an area set out in Schedule 2 to these Regulations; and any reference in these Regulations to a voyage to, from, or between locations in a trading area shall be construed as including a reference to a voyage to, from, or to and from, such a location or between such locations in the particular trading area or areas referred to;

"tug" means a vessel constructed solely for the purpose of, and normally used for, providing external motive power for floating objects or vessels.

(2) In these Regulations:

- (a) references to a certificate of a numbered class are references to a certificate of the class which bears that number as indicated in regulation 4(3)(a) below;
- (b) references to a certificate with a command endorsement shall be construed in accordance with regulations 7 and 8 below.

#### *Application*

3.—(1) Subject to paragraph (2) of this regulation, these Regulations apply to:—

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(a) S.I. 1976/1542.

- (a) all United Kingdom ships; and
- (b) all other ships which carry passengers:—
  - (i) between places in the United Kingdom or between the United Kingdom and the Isle of Man or any of the Channel Islands; or
  - (ii) on a voyage which begins and ends at the same place in the United Kingdom and on which the ship calls at no place outside the United Kingdom,

being ships which go to sea beyond the limits of smooth or partially smooth waters, other than pleasure craft or less than 80 GRT or under 24 metres in length, fishing vessels and Government fishery research vessels.

(2) Notwithstanding the provisions of paragraph (1) of this regulation, in respect of ships operating between locations in such areas as may be specified in a Merchant Shipping Notice, the Secretary of State may grant exemptions from all or any of the provisions of these Regulations (as may be specified in the exemption) for classes of cases or individual cases on such terms (if any) as he may so specify and may, subject to giving reasonable notice, alter or cancel any such exemption.

## PART II

### CERTIFICATION OF DECK OFFICERS

#### *Qualified Deck Officers and Classes of Certificates*

4.—(1) Every ship to which these Regulations apply shall carry such number of qualified deck officers as is required by Part III of these Regulations.

(2) For the purposes of these Regulations an officer shall be qualified if he is the holder for the time being of a certificate of competency issued under these Regulations, or of a certificate which is to be treated as equivalent to such a certificate by virtue of regulation 5 below and, at the material time, such certificate is in force in relation to the person named in it and is of a class appropriate to the deck officer's capacity in the ship.

(3)(a) Certificates of competency shall be issued, in accordance with these Regulations, of the following classes and may be subject to any limitation as to area of operation, description of ship or deck officer's capacity in the ship endorsed thereon:

- Certificate of Competency (Deck Officer) Class 1 (Master Mariner)
- Certificate of Competency (Deck Officer) Class 2
- Certificate of Competency (Deck Officer) Class 3
- Certificate of Competency (Deck Officer) Class 4
- Certificate of Competency (Deck Officer) Class 5.

(b) Command endorsements shall be issued, in accordance with these Regulations, as follows and may be subject to any limitation as to area of operation or description of ship endorsed thereon:

- Master (Extended European) Endorsement
- Master (Limited European) Endorsement
- Master (Restricted) Endorsement
- Tugmaster Endorsement
- Tugmaster (Limited European) Endorsement.

(4) For the purposes of these Regulations a certificate of competency of a class set out in the list in paragraph (3)(a) above shall be treated as being a certificate of a higher class than a certificate of any class which is set out after it in that list:

Provided that a certificate of competency without a command endorsement shall not be treated as being a certificate of a higher class than any class which is set out after it in that list if the lower class certificate is endorsed with a command endorsement; nor shall a certificate of competency endorsed with a command endorsement be treated as a certificate of a higher class than a certificate of competency set out before it in that list.

*Certificates equivalent to a Certificate of Competency*

5.—(1) The Secretary of State may specify that the standard of competence to be attained by deck officers of any description may be the standard of competence required for the issue of a certificate of competence by an authority empowered in that behalf by the laws of a country outside the United Kingdom. The Secretary of State may also specify that a certificate issued by any such authority may be recognised as having the same force as a certificate of a specified class issued under these Regulations:

Provided that any certificate issued by any such authority to any such deck officer which is expressed to remain in force for a definite period shall remain in force, unless renewed, only until the expiration of that period.

(2) A certificate of competency granted under these Regulations or under section 93 or 414 of the Act of 1894 to which has been added, by the Secretary of State, a certificate of service (deck officer) under regulation 6(2) of these Regulations of a description set out in column 1 of Table 2 below, shall be treated as equivalent to a certificate of competency issued under these Regulations of the class set out opposite thereto in column 2 of that Table and may be subject to any limitation as to area of operation or description of ship endorsed thereon.

(3) A certificate of competency granted under section 93 of the Act of 1894 to which has been added, by the Secretary of State, an Extended European command endorsement under these Regulations, shall be treated as equivalent to a certificate of competency issued under these Regulations and may be subject to any limitation as to area of operation or description of ship endorsed thereon.

(4) A certificate of competency granted under any Regulations revoked by these Regulations to which has been added a Master (Middle Trade) endorsement shall be treated as equivalent to a certificate of competency issued under these Regulations to which has been added a Master (Extended European) endorsement.

(5) A certificate of competency as Mate Home Trade granted under section 93 of the Act of 1894 to which has been added, by the Secretary of State, a Limited European command endorsement under these Regulations shall, in addition to being treated as equivalent to the appropriate certificates set out in column 2 of Table 1 below, be treated as equivalent to a Class 4 certificate with a command endorsement or a Class 5 certificate with a command endorsement and may be subject to any limitation as to area of operation or description of ship endorsed thereon.

(6) A certificate of competency granted under any Regulations revoked by these Regulations to which has been added a Master (Near Continental) or Tugmaster (Near Continental) endorsement shall be treated as equivalent to a certificate of competency issued under these Regulations to which has been added a Master (Limited European) or Tugmaster (Limited European) endorsement respectively.

(7) An existing certificate of competency granted under section 93 of the Act of 1894 shall be deemed for the purposes of these Regulations and of sections 43 to 60, 75(2) and 92 of the Act of 1970 to be a certificate of competency issued under section 43 of the Act of 1970 and to confer on the person to whom it was issued the qualifications specified in column 2 of Table 1 below which are equivalent to the certificate of competency set out opposite thereto in column 1 of that Table:

TABLE 1

Column 1	Column 2
<i>Class of 1894 certificate</i>	<i>Equivalent class of certificate of competency issued under these Regulations</i>
Master Foreign Going	Class 1 (Master Mariner)
First Mate Foreign Going	Class 2
Second Mate Foreign Going	Class 3
Master Home Trade	Class 1 (or any lower class with a command endorsement issued under these Regulations) in any passenger ship, and in any other ship not exceeding 15,000 GRT, going between locations in the Limited European trading area; or Class 4 in any ship going to, from or between locations in the extended European trading area
Mate Home Trade	Class 2 in any passenger ship, and in any other ship not exceeding 15,000 GRT, going between locations in the Limited European trading area; or Class 4 in any ship going to, from or between locations in the Extended European trading area

(8) an existing certificate of service as master of a foreign-going ship granted under section 99 of the Act of 1894 shall be deemed to be equivalent to a certificate of competency Class 1 (Master Mariner) issued under these Regulations, except that the certificate holder shall not be entitled to act in the capacity of master or second in command of a passenger ship going between locations in the Limited European trading area other than as a part of a voyage from or to locations beyond the Limited European trading area.

(9) A certificate of service (deck officer) of a description set out in column 1 of Table 2 below and granted by the Secretary of State shall be treated as equivalent to a certificate of competency issued under these Regulations of the class set out opposite thereto in column 2 of that Table:

TABLE 2

Column 1	Column 2
<i>Certificate of Service (deck officer)</i>	<i>Equivalent class of certificate of competency issued under these Regulations</i>
Master Middle Trade	Class 1 (or any lower class with command endorsement) in ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the Extended European trading area
Mate Middle Trade	Class 2 in ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the Extended European trading area
Third Mate Foreign Going	Class 4 endorsed not as First, Second or Third in command in ships going to or from or between any locations
Master Home Trade (other than passenger ships)	Class 1 (or any lower class with command endorsement) in ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the Limited European trading area
Mate Home Trade (other than passenger ships)	Class 3 in ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the Limited European trading area
Second Mate Home Trade	Class 4 endorsed not as First or Second in command in ships not exceeding 10,000 GRT going between locations in the Limited European trading area
Mate Foreign Going (Tugs)	Class 2 endorsed For Tug Service Only
Second Mate Foreign Going (Tugs)	Class 3 endorsed not as First or Second in command and further endorsed For Tug Service Only
Master Home Trade (Tugs)	Class 5 endorsed For Tug Service Only with command endorsement in ships going between locations in the Limited European trading area
Mate Home Trade (Tugs)	Class 5 endorsed For Tug Service Only in ships going between locations in the Limited European trading area

*Standards and conditions applicable with respect to the issue of certificates*

6.—(1) Subject to paragraph (3) below:

- (a) the standards of competency to be attained and the conditions to be satisfied by a person before he may be issued with a certificate of competency or with a command endorsement under these Regulations, including any exceptions applicable with respect to any such standards or conditions;
- (b) the manner in which the attainment of any such standards or the satisfaction of any such conditions is to be evidenced; and



- (c) the conduct of any examination for that purpose and the conditions of admission to them

shall be such as may be specified by the Secretary of State either in relation to certificates of competency or certificates of competency with command endorsement in general or to either of such certificates of a particular class as may be so specified.

(2) Subject to the proviso to this paragraph and subject also to paragraph (3) below, the conditions to be satisfied by an uncertificated officer or by the holder of a certificate of competency granted under these Regulations or under sections 93 or 414 of the Act of 1894 who applies to be issued with a certificate of service (deck officer) shall be:

- (a) (i) that he has served in an appropriate capacity of mate; or  
(ii) that he has served in the capacity of master in a sea-going ship to which these Regulations apply prior to 12th July 1977; and
- (b) that he has served as master or as a watchkeeping deck officer at sea for a period of not less than three years falling:
- (i) in the period of six years immediately preceding 12th July 1977; or  
(ii) in any period of six years ending after 12th July 1977, but before 1st September 1981; and
- (c) that he has produced such evidence as the Secretary of State may require in the particular case:
- (i) of his having served for 12 months of such service in ships to which these Regulations apply in the capacity for which a certificate of service is claimed; and  
(ii) of his satisfactory conduct during the 12 months mentioned in (i) above and during the last 12 months of sea service in a watchkeeping capacity if this is not the same period:

Provided that, notwithstanding that the conditions set out in sub-paragraphs (a), (b) and (c) above have not been complied with, the Secretary of State, taking into account the circumstances in a particular case, may, where he is satisfied that those conditions have been substantially complied with, issue a certificate of service (deck officer) subject to any limitation as to area of operation or description of ship endorsed thereon.

(3) Notwithstanding that an applicant for a certificate of competency, a command endorsement or a certificate of service (deck officer) complies with the standards or fulfils the conditions specified by, or by virtue of, the foregoing provisions of this regulation, the Secretary of State shall not issue the certificate applied for unless he is satisfied, having regard to all the relevant circumstances, that the applicant is a fit person to be the holder of the certificate and to act competently in the capacity to which it relates. If the Secretary of State intends to refuse the issue of a certificate to any such applicant on either of these grounds he shall give notice in writing to the applicant who shall have the right to make representations to the Secretary of State.

*Command endorsements on certificates of competency*

7. On the issue of a certificate of competency of any class set out in column 1 of Table 3 below, or subsequently, the Secretary of State may, if satisfied that

the person to whom it is issued is competent to be in command of a ship of the description specified in column 3 of that Table, endorse the certificate to that effect as a certificate of competency with the command endorsement set out in column 2 of that Table subject to any limitation as to area of operation or description of ship which may be endorsed thereon:

TABLE 3

Column 1	Column 2	Column 3
<i>Certificate of Competency (Deck Officer)</i>	<i>Command Endorsement</i>	<i>Description of Ship</i>
Class 2 or Class 3	Master (Extended European)	Ships (other than passenger ships) of less than 5,000 GRT going between locations in the Extended European trading area  Passenger ships of less than 1,000 GRT going between locations in the Limited European trading area
Class 4	Master (Extended European)	Ships (other than passenger ships) of less than 1,600 GRT going between locations in the Extended European trading area  Passenger ships of less than 1,000 GRT going between locations in the Limited European trading area
Class 2, Class 3 or Class 4	Master (Limited European)	Ships (other than passenger ships) of less than 5,000 GRT going between locations in the Limited European trading area  Passenger ships of less than 1,000 GRT going between locations in the Limited European trading area
Class 5	Master (Limited European)	Ships (other than passenger ships) of less than 1,600 GRT going between locations in the Limited European trading area  Passenger ships of less than 200 GRT going between locations in the Limited European trading area

*Certificates of Competency and Command Endorsements for Tugs*

8.—(1) Where an applicant for a certificate of competency under these Regulations fails to satisfy the conditions specified by the Secretary of State under regulation 6(1) of these Regulations in respect of sea service in ships other than tugs but has performed sea service so specified in tugs, and if he fulfils the other standards of competency and conditions so specified, he may be

issued with a certificate of competency Class 2, 3, 4 or 5 as appropriate endorsed 'For Tug Service Only'.

(2) On the issue of a certificate of competency of any class set out in column 1 of Table 4 below, or subsequently, the Secretary of State may, if satisfied that the person to whom it is issued is competent to be in command of a tug of the description set out in column 3 of that Table, endorse the certificate to that effect as a certificate of competency with the command endorsement set out in column 2 of that Table:

TABLE 4

Column 1	Column 2	Column 3
<i>Certificate of Competency (Deck Officer) endorsed for Tug Service Only</i>	<i>Command endorsement</i>	<i>Description of tug</i>
Class 2	Tugmaster	Tugs going to sea from any location
Class 3 or Class 4	Tugmaster	Tugs going between locations in the Extended European trading area
Class 4 or Class 5	Tugmaster (Limited European)	Tugs going between locations in the Limited European trading area

(3) In the event that the holder of a Class 2, 3, 4 or 5 certificate of competency (deck officer) endorsed 'For Tug Service Only' applies to have that endorsement removed, the Secretary of State may, subject to the holder having fulfilled any conditions required by the Secretary of State in the particular case, including sea service in ships other than tugs, from which the holder was previously exempted, delete the endorsement 'For Tug Service Only' and that certificate shall then be treated in all respects as equivalent to a certificate of competency issued under these Regulations.

*Certificate of Competency and Command Endorsements for Stand-by vessels and Seismic and Oceanographic Survey vessels.*

9.—(1) Where an applicant for a certificate of competency under these Regulations fails to satisfy the conditions specified by the Secretary of State under regulation 6(1) of these Regulations in respect of sea service in ships other than stand-by vessels or seismic and oceanographic survey vessels but has performed the sea service so specified in such vessels and if he fulfils the other standards of competency and conditions so specified, he may be issued with a certificate of competency endorsed 'For Standby-by, Seismic and Oceanographic Survey Vessels Only'.

(2) On the issue of a certificate of competency of any class set out in column 1 of Table 5 below, or subsequently, the Secretary of State may, if satisfied that the person to whom it is issued is competent to be in command of a stand-by vessel or seismic and oceanographic survey vessel of the description set out in column 3 of that Table, endorse the certificate to that effect as a certificate of competency with the command endorsement set out in column 2 of that Table.

(3) In the event that the holder of a Class 2, 3, 4 or 5 certificate of competency (deck officer) endorsed 'For Stand-by, Seismic and Oceanographic Survey Vessels Only' applies to have that endorsement removed, the Secretary of State may, subject to the holder having fulfilled any conditions required by the Secretary of State in the particular case, including sea service in ships other than stand-by vessels and seismic and oceanographic survey vessels from which the holder was previously exempted, delete the endorsement 'For Stand-by, Seismic and Oceanographic Survey Vessels Only' and that certificate shall then be treated in all respects as equivalent to a certificate of competency issued under these Regulations.

TABLE 5

Column 1	Column 2	Column 3
<i>Certificate of Competency (Deck Officer) endorsed For Stand-by Vessel, Seismic and Oceanographic Survey Vessel Service Only</i>	<i>Command endorsement</i>	<i>Description of Stand-by Vessel, or Seismic and Oceanographic Survey Vessel</i>
Class 2	Master (Restricted)	Vessels going to sea from any location
Class 3 or Class 4	Master (Restricted) Extended European	Vessels going between locations in the Extended European trading area
Class 4 or Class 5	Master (Restricted) Limited European	Vessels going between locations in the Limited European trading area

*Form, validity, record and surrender of certificates*

10.—(1) Certificates of competency and certificates of service (deck officer) shall be issued in duplicate, on receipt of any fee payable, the original to be delivered to the person entitled to the certificate and the duplicate to be retained by the Secretary of State.

(2) A certificate shall remain valid for sea-going service only so long as the holder can comply with the standards and conditions as to medical fitness and competency to act in the appropriate capacity specified by the Secretary of State.

(3) A record of all certificates of competency and of all certificates of service (deck officer) issued under these Regulations and of the suspension, cancellation or alteration of, and any other matters affecting, any such certificate shall 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.

(4) Where the holder of a certificate of a particular class issued under these Regulations is issued with such a certificate of a higher class, he shall surrender the first-mentioned certificate to the Secretary of State, or to such person as the Secretary of State directs, for cancellation.

(5) Where a person is convicted of an offence under section 43(5) of the Act of 1970, or where a certificate is issued and the conditions for its issue prescribed in these Regulations or specified by the Secretary of State have not been complied with, then the holder of the relevant certificate shall, at the direction of the Secretary of State, deliver it to the Secretary of State, or to such person as the Secretary of State directs, for cancellation.

*Loss of certificates*

11. If a person entitled to a certificate of competency or a certificate of service (deck officer) proves to the satisfaction of the Secretary of State that he has, without fault on his part, lost or been deprived of a certificate already issued to him, the Secretary of State shall, and where he is not so satisfied may, upon receipt of any fee payable, cause a copy of the certificate to which the said person appears to be entitled to be issued to him. Any such copy shall, before it is so issued, be certified as such by the Register 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 regulation 10(3) above.

PART III

NUMBERS OF DECK OFFICERS TO BE CARRIED

*Minimum number of qualified deck officers to be carried in ships, other than passenger ships, tugs, sail training ships, stand-by vessels or seismic and oceanographic survey vessels*

12.—(1) Subject to paragraph (2) of this regulation and to regulation 17 below, the minimum number of qualified deck officers of a particular class which ships (other than passenger ships, tugs, sail training ships or stand-by vessels or seismic and oceanographic survey vessels) of a description set out in column 2 of Table A in Schedule 1 to these Regulations, when engaged on a voyage to or from a location or between locations in the trading area set out in relation to that description of ship in column 1 of the said Table, are required to carry shall be the number set out in column 3 of that Table.

(2) The provisions of column 3 of the said Table have effect subject to the preamble at the beginning of Schedule 1 and the Notes at the end of the Table, and paragraph (1) above, as read with the provisions of the said column 3, shall apply accordingly.

*Minimum number of qualified deck officers to be carried in passenger ships*

13.—(1) Subject to paragraph (2) of this regulation to regulation 17 below, the minimum number of qualified deck officers of a particular class which passenger ships, being ships of a description set out in column 2 of Table B in Part I of Schedule 1 to these Regulations, when engaged on a voyage to or from a location or between locations in the trading area set out in relation to that

description of ship in column 1 of the said Table, are required to carry shall be the number set out in column 3 of that Table.

(2) The provisions of column 3 of the said Table have effect subject to the preamble at the beginning of Schedule 1 and the notes at the end of the Table, and paragraph (1) above, as read with the provisions of the said column 3, shall apply accordingly.

*Minimum number of qualified deck officers to be carried in tugs*

**14.**—(1) Subject to paragraph (2) of this regulation and to regulation 17 below, the minimum number of qualified deck officers of a particular class which tugs engaged on a voyage to or from a location or between locations in the trading area set out in column 1 of Table C in Schedule 1 to these Regulations, are required to carry shall be the number set out in column 3 of that Table.

(2) The provisions of column 3 of the said Table have effect subject to the preamble at the beginning of Schedule 1 and the Notes at the end of the Table, and paragraph (1) above, as read with the provisions of the said column 3, shall apply accordingly.

*Minimum number of qualified deck officers to be carried in sail training ships*

**15.** Sail training ships shall carry a minimum number of two qualified deck officers of whom one shall be the holder of a certificate of competency Class I and one the holder of a certificate of competency Class 2:

Provided that, in a particular case, the Secretary of State may exempt a sail training ship from this requirement and permit particular officers, with qualifications appropriate to the command of sail training ships, to act in the capacity of master or second in command.

*Minimum number of qualified deck officers to be carried in stand-by vessels and seismic and oceanographic survey vessels*

**16.**—(1) Subject to paragraph (2) of this regulation and to regulation 17 below, the minimum number of qualified deck officers of a particular class which stand-by vessels and seismic and oceanographic survey vessels engaged on a voyage to or from a location or between locations in the trading area set out in column 1 of Table D in Schedule 1 to these Regulations are required to carry shall be the number set out in column 3 of that Table:

Provided that, in former fishing vessels converted to stand-by vessels or seismic and oceanographic survey vessels, deck officers holding certificates as Skipper (Full) issued under section 414 of the Act of 1894 before 28th April 1984 may be substituted for any of the qualified deck officers required to be carried, subject to the officer in command having served for not less than 12 months in a capacity not lower than second in command of the same type of vessel. On production of evidence of 12 months satisfactory service acceptable to the Secretary of State the deck officer concerned may have added to his certificate a statement of qualification to serve in command of a stand-by vessel or a seismic and oceanographic survey vessel as the case may be.

(2) The provisions of column 3 of the said Table have effect subject to the preamble at the beginning of Schedule 1 and the Notes at the end of the Table, and paragraph (1) above, as read with the provisions of the said column 3, shall apply accordingly.

*Exceptional provisions when a ship may proceed to sea with one qualified deck officer less than the number required by these Regulations*

17.—(1) Subject to paragraph (3) below, if on an occasion on which a ship in respect of which the requirements of these Regulations have otherwise been fully complied with goes to sea from a location beyond the United Kingdom, one of the qualified deck officers is not carried because of illness, incapacity, or other unforeseen circumstance, but all reasonable steps were taken to secure the carriage on that occasion of a duly qualified deck officer, so much of the provisions of these Regulations as require such a ship on such a voyage to carry that deck officer shall not, subject to compliance with the condition of paragraph (2) below, apply to the ship during whichever is the shorter of the following periods, beginning with the day on which the ship goes to sea from that location on that occasion, that is to say:

- (a) a period ending with the day on which the ship does carry a qualified deck officer as that deck officer, or
- (b) a period determined as follows:
  - (i) in the case of a ship going to sea from a location beyond the Extended European trading area . . . 28 days;
  - (ii) in the case of a ship of 5,000 GRT and over going to sea from a location beyond the Limited European trading area but within the Extended European trading area . . . 14 days;
  - (iii) in the case of a ship under 5,000 GRT going to sea from a location beyond the Limited European trading area but within the Extended European trading area . . . 14 days;
  - (iv) in the case of a ship going to sea from a location beyond the United Kingdom but within the Limited European trading area and which is required by these Regulations to carry not less than three qualified deck officers . . . 7 days:

Provided that one such period of 28, 14 or 7 days, as the case may be, shall not be followed immediately by any further period at sea during which the ship carries one less than the number of duly qualified deck officers required by these Regulations.

(2) The conditions referred to in paragraph (1) above are that the master, when going to sea from that location, shall:

- (a) notify a proper officer of his intention not to carry that qualified deck officer, and
- (b) make an entry of that notification in the ship's official logbook.

(3) Notwithstanding the provisions of paragraph (1) above, a ship such as is mentioned in sub-paragraph (b)(iii) or (iv) of paragraph (1) above, may only go to sea on such a voyage carrying one deck officer less than is required by these

Regulations if, at the time, the ship carries the full number of qualified marine engineer officers required by any regulations made under section 43 of the Act of 1970 relating to the carriage of qualified marine engineer officers.

*Additional conditions in respect of ships carrying dangerous cargoes*

**18.** A ship to which these Regulations apply which has a bulk cargo consisting in whole or in part of;

- (a) crude liquid petroleum or petroleum products; or
- (b) liquid chemicals; or
- (c) liquefied gases;

shall carry as officer in command and as second in command respectively, deck officers qualified under these Regulations whose certificates of competency or of service have been endorsed to show that they have satisfied such conditions as to training and service as may be specified by the Secretary of State. If a deck officer (other than the officers in command and second in command) is acting as cargo officer and has immediate responsibility for loading, discharging and care in transit or handling of cargo, that officer shall hold a similarly endorsed certificate.

#### PART IV

##### WATCHKEEPING REQUIREMENTS

*Persons to act only in a capacity for which certificated*

**19.—(1)** No person shall act in the capacity of master or second in command unless he holds an appropriate certificate of competency or certificate of service:

Provided that in the event of:

- (a) the death or incapacity of the master or second in command while the ship is at sea, or
- (b) a ship going to sea without a duly certificated master or second in command in the circumstances specified in regulation 17 of these Regulations,

a deck officer may act in the capacity of master or second in command until the ship reaches the next intended port of call or during the period allowed by regulation 17(1)(b).

(2) The master of a ship shall not permit any person to be in charge of a navigational watch unless he holds a certificate of competency or certificate of service of a class required by regulations 12 to 16 of these Regulations, read with Schedule 1 thereto, to be held by a deck officer required to be carried in that ship at that time.

(3) An owner shall not appoint any person to act in a capacity for which he is not duly certificated in accordance with these Regulations.



*Offences and Penalties*

**20.**—(1) Any person who contravenes regulation 19(1) of these Regulations, or any master who contravenes regulation 19(2) of these Regulations, shall be guilty of an offence and liable on summary conviction to a fine not exceeding £2,000 or, on conviction on indictment, to imprisonment for a term not exceeding two years and a fine.

(2) Any owner who contravenes regulation 19(3) of these Regulations shall be guilty of an offence and be liable on summary conviction to a fine not exceeding £2,000 or, on conviction on indictment, to imprisonment for a term not exceeding two years and a fine.

*Nicholas Ridley,*  
Secretary of State  
for Transport.

16th August 1985.



## Notes:

Where a number set out in the Table opposite is followed by the indication (A), (B), (C), (D) or (E), that provision of column 3 to which the number relates shall be construed:

- (a) in the case of indication (A), as requiring the certificate or one of the certificates in question to be endorsed with the Master (Extended European) endorsement;
- (b) in the case of indication (B), as requiring one of the certificates in question to be endorsed with the Master (Limited European) endorsement;
- (c) in the case of indication (C), where the vessel is an offshore installation supply vessel, the number of deck officers shall be determined in accordance with Merchant Shipping Notice M 781 of 1976 and any document amending or replacing it which is considered by the Secretary of State to be relevant from time to time and is specified—in a Merchant Shipping Notice;
- (d) in the case of indication (D), as requiring the certificate in question to be endorsed with the Master (Limited European) endorsement: provided that where the ship is engaged on a voyage of such duration that a change of watch will become necessary, the ship shall carry an additional deck officer who is the holder of a Class 5 certificate;
- (e) in the case of indication (E), as requiring the certificate holder in question serving as second-in-command (unless his certificate is endorsed with a command endorsement) to have previously served as an officer in charge of a navigational watch on a ship of 200 GRT or more for a period of not less than 18 months.

TABLE B  
(PASSENGER SHIPS)

Regulation 13

Column 1	Column 2	Column 3				
<i>Trading Area</i>	<i>Description of passenger ships</i>	<i>Minimum number of certificated Officers to be carried</i>				
		<i>Class 1 Cert</i>	<i>Class 2 Cert</i>	<i>Class 3 Cert</i>	<i>Class 4 Cert</i>	<i>Class 5 Cert</i>
Unlimited or Extended European	Any tonnage	1	1	1	1	—
Limited European	2,000 GRT and over	1	1	—	1	—
	1,000 GRT but under 2,000 GRT	1	—	—	1(Y)	1
	200 GRT but under 1,000 GRT	—	—	—	1(X)	1
	Under 200 GRT	—	—	—	—	1(X)

**Notes:**

Where a number set out in the Table above is followed by the indication (X) or (Y), that provision of column 3 to which the number relates shall be construed:

- (a) in the case of indication (X), as requiring the certificate in question to be endorsed with the Master (Limited European) endorsement: provided that where a ship of under 200 GRT is engaged on a voyage of such duration that a change of watch will become necessary, the ship shall carry an additional deck officer who is the holder of a Class 5 certificate;
- (b) in the case of indication (Y), as requiring the certificate holder in question if the ship is of 1,600 GRT or more, to have previously served as an officer in charge of a navigational watch on a ship of 200 GRT or more for a period of not less than 18 months.

Regulation 14

TABLE C  
(TUGS)

Column 1	Column 2	Column 3				
Trading Area	Description of Tugs	Minimum number of certificated Officers to be carried				
		Class 1 Cert	Class 2 Cert	Class 3 Cert	Class 4 Cert	Class 5 Cert
Unlimited	Any tug	—	2(a)	1	—	—
Extended European	1600 GRT or over	—	—	1(a)	2(c)	—
	Under 1600 GRT	—	—	—	3(a)	—
Limited European	Any tug	—	—	—	—	2(b)(c)

## Notes:

Where a number set out in the Table above is followed by the indication (a), (b) or (c), that provision of column 3 to which the number relates shall be construed:

- (a) in the case of indication (a), as requiring one of the certificates in question to be endorsed with the Tugmaster's command endorsement;
- (b) in the case of indication (b), as requiring one of the certificates in question to be endorsed with the Tugmaster (Limited European) command endorsement;
- (c) in the case of indication (c), as requiring the certificate holder in question serving as second-in-command, if the tug is of 1,600 GRT or more, (unless his certificate is endorsed with a command endorsement) to have previously served as an officer in charge of a navigational watch on a ship of 200 GRT or more for a period of not less than 18 months.

TABLE D Regulation 16  
(STAND-BY VESSELS AND SEISMIC AND OCEANOGRAPHIC SURVEY VESSELS)

Column 1	Column 2	Column 3				
<i>Trading Area</i>	<i>Description of Stand-by Vessel or Seismic or Oceanographic Survey Vessel</i>	<i>Minimum number of certificated Officers to be carried</i>				
		<i>Class 1 Cert</i>	<i>Class 2 Cert</i>	<i>Class 3 Cert</i>	<i>Class 4 Cert</i>	<i>Class 5 Cert</i>
Unlimited	Any tonnage	—	2(p)(s)	1	—	—
Extended European	1,600 GRT or over	—	—	1(q)	2(s)	—
	Under 1,600 GRT	—	—	—	3(q)	—
Limited European	Any tonnage	—	—	—	—	2(r)(s)

**Notes:**

Where a number set out in column 3 of the Table above is followed by the indication (p), (q), (r) or (s), that provision of column 3 to which the number relates shall be construed:

- (a) in the case of indication (p), as requiring one of the certificates in question to be endorsed with the Master (Restricted) command endorsement;
- (b) in the case of indication (q), as requiring one of the certificates in question to be endorsed with the Master (Restricted) Extended European command endorsement;
- (c) in the case of indication (r), as requiring one of the certificates in question to be endorsed with the Master (Restricted) Limited European command endorsement;
- (d) in the case of indication (s), as requiring the certificate holder in question serving as second-in-command, if the vessel is of 1,600 GRT or more (unless his certificate is endorsed with a command endorsement) to have previously served as an officer in charge of a navigational watch on a ship of 200 GRT or more for a period of not less than 18 months.

## Regulation 2(1)

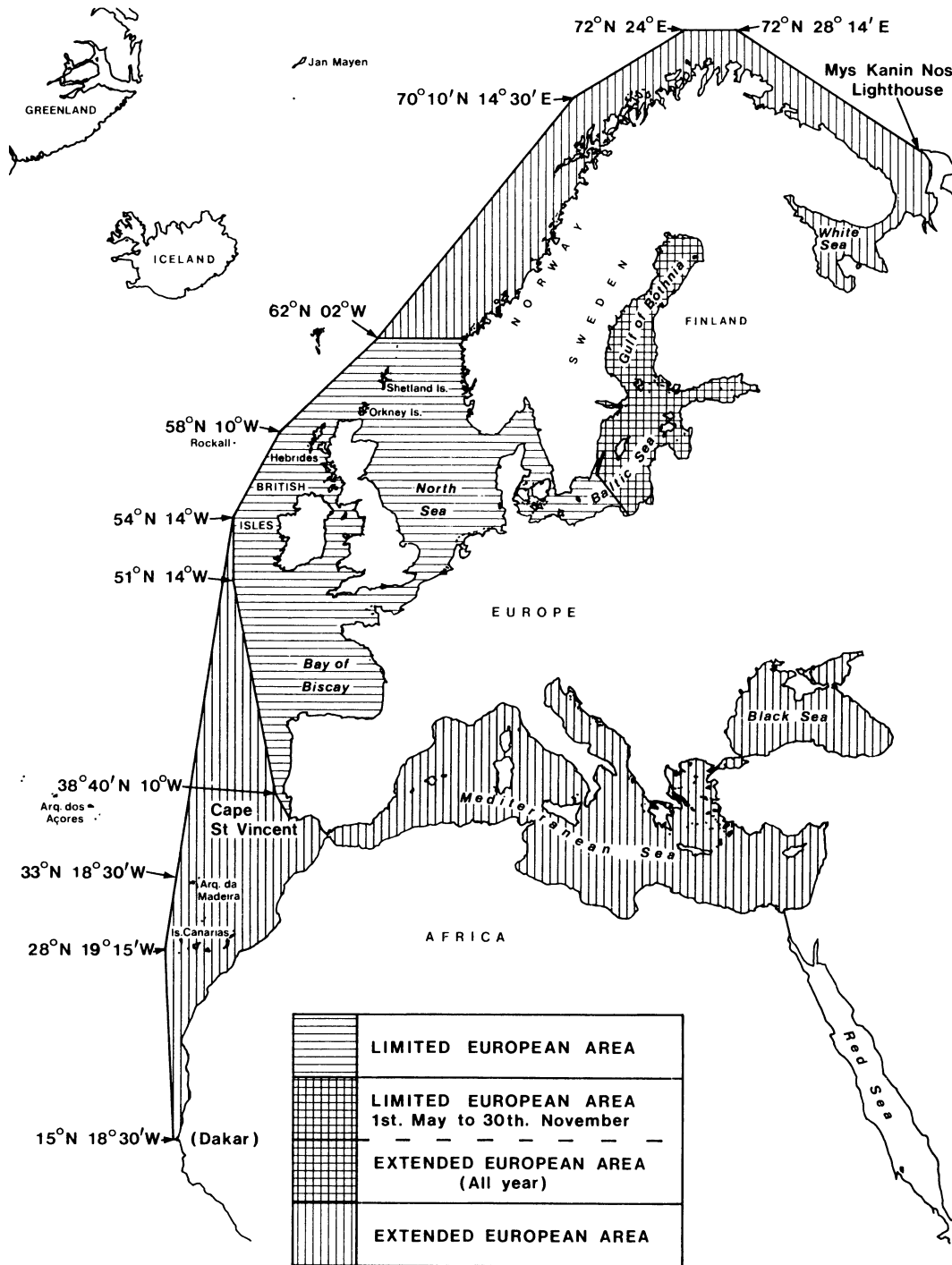
## SCHEDULE 2

## DEFINITIONS OF "LIMITED EUROPEAN TRADING AREA" AND "EXTENDED EUROPEAN TRADING AREA"

"Limited European trading area" an area bounded by a line from a point on the Norwegian coast in latitude 62° North to a point 62° North 02° West; thence to a point 58° North 10° West; thence to a point 54° North 14° West; thence to a point 51° North 14° West; thence to a point 38° 40' North 10° West; thence to Cape St. Vincent; but excluding all waters which lie to the northward and eastward of a line between Kalmar on the East coast of Sweden and a point on the West coast of Oland in latitude 56° 40' North and from the southern tip of Oland to Gdansk, except between the dates of 1st May and 30th November when the remaining waters of the Baltic Sea are included.

"Extended European trading area" an area bounded by a line from Mys Kanin Nos lighthouse on the eastern shore of the White Sea to a point 72° North 28° 14' East; thence to a point 72° North 24° East; thence to a point 70° 10' North 14° 30' East; thence to a point 62° North 02° West; thence to a point 58° North 10° West; thence to a point 54° North 14° West; thence to a point 33° North 18° 30' West; thence to a point 28° North 19° 15' West; thence to a point 15° North 18° 30' West; thence to Dakar; including the Limited European trading area and the Baltic, Mediterranean and Black Seas.

Note: By way of illustration only, a map showing the Limited European and the Extended European trading areas is annexed hereto.



Note; Extended European Area includes Limited European Area



## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations revoke the Merchant Shipping (Certification of Deck Officers) Regulations 1980, and re-enact them with amendments.

The major amendments are:

- (a) the Near Continental trading area is replaced by a larger Limited European trading area and the Middle trade area by a larger Extended European trading area. (Schedule 2);
- (b) new certification requirements are included specifically for stand-by vessels and seismic or oceanographic survey vessels. (Regulation 9).

Other significant amendments are:

- (i) certificates of competency and command endorsements can now be issued subject to limitations as to area of operation, description of ship or the deck officer's capacity in the ship. (Regulation 4);
- (ii) existing command endorsements issued for the former Near Continental and Middle trade areas are validated for use in the new Limited European and Extended European trading areas respectively. (Regulation 5(4) and (6));
- (iii) the threshold at which it becomes necessary to carry a third deck officer on ships operating in the Limited European trading area is raised from 800 GRT to 1,000 GRT.

The penalty for acting outside the capacity for which an officer is certificated is prescribed in regulation 20, as is the penalty for owners employing officers in capacities for which they are not duly certificated.

Other relevant offences are laid down in the Merchant Shipping Act 1970:

OFFENCE	MAXIMUM FINE
S.43(5): making a false statement to obtain a certificate or other document	£2,000 on summary conviction
S.45: ship going to sea undermanned	£2,000 on summary conviction; no limit on conviction on indictment
S.46: unqualified person going to sea as qualified	as under S.45

Merchant Shipping Notices and other Department of Transport publications are obtainable from the Department of Transport Library, Sunley House, 90 High Holborn, London WC1V 6LP, and from any Department of Transport Marine Office.

IMO Publications are obtainable from IMO, 4 Albert Embankment, London SE1 7SR.

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