
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give effect in part to the International Convention on Standards of Training, Certification and Watchkeeping (STCW) for Seafarers', 1978, as amended on 7 July 1995.

The Regulations revoke the Merchant Shipping (Certification of Deck Officers) Regulations 1985 and the Merchant Shipping (Certification of Marine Engineer Officers and Licensing of Marine Engine Operators) Regulations 1986 and other related Regulations. Provision is made for the continuing validity of certificates of competency issued under those Regulations (*regulation 1*).

The Regulations give effect in relation to qualified officers to Council Directive [89/48/EEC](#) (O.J. No. L19, 24.1.89, p. 16) on a general system of the recognition of higher education diplomas awarded on completion of professional education and training of at least three years' duration, and to Council Directive [92/51/EEC](#) (O.J. No. L209, 24.7.92, p. 25) on a second general system for the recognition of professional education and training to supplement Directive [89/48/EC](#) (*regulations 5(4) and 21 in particular*).

The Regulations set out a new certification structure for merchant ship officers which reflects the requirements of the revised STCW Convention (*regulation 4*).

Provision is made for the Secretary of State to recognise certificates issued by the authorities of other countries which are Parties to the STCW Convention (*regulation 5*).

Persons wishing to hold certificates issued under the Regulations must satisfy the appropriate training and competency requirements specified in Part A of the STCW Code which is annexed to the revised STCW Convention. They must also satisfy any other requirements specified by the Secretary of State. The provisions include minimum training and qualification requirements for seamen working on tankers, or ro-ro passenger ships.

There are minimum requirements for the training of personnel on high-speed craft constructed after 1 January 1996 which are ships (*regulation 12*).

Part II of the Regulations (relating to masters and seamen on ships) is made under section 47 of the Merchant Shipping Act 1995. The power to make exemptions from Part II of these Regulations is contained in section 48 of the Merchant Shipping Act 1995, and there are offences provided in sections 47, 49 and 50.

Part III of the Regulations (made under section 85 of the Act) contains similar requirements for hovercraft as Part II does for high-speed craft which are ships.

The Merchant Shipping Notices setting out the matters specified by the Secretary of State under these Regulations are obtainable from the Eros Marketing Support Services, Unit B, Imber Court Trading Estate, Orchard Lane, East Molesey, Surrey KT8 0BN. (Telephone number: 0181-957 5028).

Copies of the revised STCW Convention and the STCW Code annexed to it and the other Codes referred to in the Regulations are obtainable from the International Maritime Organisation, 4 Albert Embankment, London SE1 7SR.