

1979 No. 599

MERCHANT SHIPPING**MASTERS AND SEAMEN****The Merchant Shipping (Certification of Marine Engineer Officers) (Amendment) Regulations 1979***Made* - - - - 29th May 1979*Laid before Parliament* 6th June 1979*Coming into Operation* 1st September 1981

The Secretary of State, being satisfied that it is necessary or expedient in the interests of safety to make the following Regulations so far as they require ships to carry qualified engineer 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 section 43 of that Act and now vested in him(b), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Merchant Shipping (Certification of Marine Engineer Officers) (Amendment) Regulations 1979 and shall come into operation on 1st September 1981.

2. The Merchant Shipping (Certification of Marine Engineer Officers) Regulations 1977(c) shall be amended as follows:—

(1) In Regulation 6:

(a) in paragraph (1) opposite the description of “Second Class Engineer” in column 2 of the Table, the words after “service endorsement” shall be deleted;

(b) in paragraph (1) after the Table, there shall be added the following sub-paragraph:—

“(c) A certificate of competency granted under section 93 of the Act of 1894 to which has been added, by the Secretary of State, a certificate of service (engineer officer) under paragraph (2) of this regulation, shall be treated as equivalent to a certificate of competency of the appropriate class issued under these Regulations as Marine Engineer Officer in respect of the same type of machinery as that for which the certificate of service was issued.”

(c) for paragraph (2) there shall be substituted:—

“(2)(a) A certificate of service (engineer officer) shall be issued under these Regulations to an engineer officer who has fulfilled the conditions of Regulation 7(2) of these Regulations

(a) 1970 c. 36.

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

(c) S.I. 1977/2072.

and has satisfied the Secretary of State that he has served as engineer officer in charge of a watch at sea in ships to which these Regulations apply:

- (i) in a capacity not required to be served by an officer duly certificated under section 92 of the Act of 1894; and
 - (ii) for not less than 12 months in the capacity claimed;
- (b) A certificate of service issued under these Regulations shall be for the type of machinery, steam or motor, with which the engineer officer was concerned during the 12 months in the capacity claimed:

Provided that:

- (i) a certificate of service in Classes 1, 2 or 3 for more than one type of machinery, shall not be issued unless the engineer officer has had experience for not less than 12 months with each type of machinery in the capacity claimed or in a higher capacity;
 - (ii) a certificate of service in Class 4 for more than one type of machinery shall not be issued unless the engineer officer has had experience for not less than 12 months in the capacity claimed, or in any higher capacity, including not less than 4 months experience with each type of machinery;
- (c) A certificate of service issued under these Regulations may, according to the engineer officer's service, be endorsed:
- (i) for voyages within a trading area or areas;
 - (ii) with another capacity or capacities either for the same trading area or another trading area;
 - (iii) for the same or another type of machinery;
 - (aa) in the same capacity or in another capacity;
 - (bb) in the same trading area or in another trading area; or
 - (iv) with a description of the ships in which the engineer officer may be carried."

(2) In Regulation 7(2) for sub-paragraphs (c) there shall be substituted:—

“(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 the capacity claimed; and
- (ii) of his satisfactory conduct:
 - (aa) during the 12 months in the capacity claimed; and
 - (bb) whether or not in the capacity claimed, during the last 12 months of sea service as an engineer officer.”

29th May 1979.

Norman Tebbit,
Parliamentary Under Secretary of State,
Department of Trade.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations amend the Merchant Shipping (Certification of Marine Engineer Officers) Regulations 1977 :

- (1) The requirements for specified certificates for engineer officers to be regarded as equivalent to certificates of competency have been amended :
 - (a) the description of the service endorsement attaching to a certificate of competency to be issued under these Regulations as equivalent to a second class engineer has been deleted (Regulation 6(1), Table);
 - (b) a certificate of competency issued under section 93 of the Merchant Shipping Act 1894 which has been endorsed with a certificate of service issued under the Regulations will be treated as equivalent to a certificate of competency (Regulation 6(1)(c));
 - (c) an applicant for a certificate of service for more than one type of machinery (steam or motor) in Class 1, 2 or 3 will require not less than 12 months experience with each type of machinery, and in class 4 not less than 12 months experience, including not less than 4 months with each type of machinery; the experience must be in the capacity claimed or a higher capacity (Regulation 6(2)(b)); a certificate may be additionally endorsed with a description of the ships in which the engineer officer is to be carried (Regulation 6(2)(c)(iv)); a certificate may also be endorsed with another capacity either for the same type of machinery or a different type of machinery and in either case with another trading area in which the certificate may be valid (Regulation 6(2)(c)(i) to (iii)).
- (2) The standards and conditions applicable with respect to the issue of certificates of service have been amended so as to require an engineer officer who applies to be issued with such a certificate, to produce to the Secretary of State evidence of having served 12 months in the capacity claimed and as to satisfactory conduct (a) during the 12 month's service in the capacity he is claiming and (b) during the last 12 months of sea service (Regulation 7(2)).

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