1959 No. 2148

The Merchant Shipping (Certificates of Competency as A.B.) Regulations, 1959

Made - - - - 15*th December*, 1959
Coming into Operation 1*st January*, 1960

The Minister of Transport in exercise of his powers under section 5 of the Merchant Shipping Act, 1948(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations shall come into operation on the first day of January, 1960, and may be cited as the Merchant Shipping (Certificates of Competency as A.B.) Regulations, 1959.

2.—(1) The Merchant Shipping (Certificates of Competency as A.B.) Regulations, 1952(b), the Merchant Shipping (Certificates of Competency as A.B.) (Amendment) Regulations, 1953(c), the Merchant Shipping (Certificates of Competency as A.B.) (Amendment) (No. 2) Regulations, 1953(d), the Merchant Shipping (Certificates of Competency as A.B.) (Amendment) Regulations, 1955(e), and the Merchant Shipping (Certificates of Competency as A.B.) (Amendment) Regulations, 1956(f), are hereby revoked, but every application or declaration made, and certificate of competency granted, before the said date, shall, if in force immediately before that date, continue in force and have effect as if made or granted under the corresponding provision of these Regulations.

(2) The prescribed dates for the purposes of subsections (1), (5) and (6) of section 5 of the Act shall continue to be the dates prescribed by Regulation 2 of the Merchant Shipping (Certificates of Competency as A.B.) Regulations, 1952, namely, the 30th day of April, 1953, the 30th day of April, 1953, and the 1st day of May, 1953, respectively.

3.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"the Act" means the Merchant Shipping Act, 1948;

"the Act of 1906" means the Merchant Shipping Act, 1906(g);

"the principal Act" means the Merchant Shipping Act, 1894(h);

"certificate of competency" means a certificate of competency as A.B. granted under these Regulations;

"the Minister" means the Minister of Transport;

"month of qualifying service" means a month of qualifying service calculated in accordance with the provisions of Regulation 10 of these Regulations;

"the Registrar General" means the Registrar General of Shipping and Seamen;

(a) 11 & 12 Geo. 6. c. 44.
(b) S.I. 1952/740 (1952 II, p. 1712).
(c) S.I. 1953/422 (1953 I, p. 1068).
(d) S.I. 1953/1447 (1953 I, p. 1069).
(e) S.I. 1955/400 (1955 I, p. 1131).
(f) S.I. 1956/582 (1956 I, p. 1191).
(g) 6 Edw. 7. c. 48.
(h) 57 & 58 Vict. c. 60.

" qualifying service " in relation to any person means service which he is entitled to reckon as qualifying service in accordance with the provisions of Regulation 10 of these Regulations.

(2) The Interpretation Act, 1889(a), shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of subsection (2) of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 2 of these Regulations were Acts of Parliament thereby repealed.

4.—(1) Subject to the provisions of Regulation 5 of these Regulations, a certificate of competency shall not be granted to any person unless—

(*a*) he has attained the age of eighteen years ; and

(*b*) subject to the provisions of this paragraph, he has performed thirty-six months of qualifying service of which not less than nine months shall have been performed in ships, other than fishing boats, having a gross tonnage, in the case of sailing ships, of 40 tons or more, and in the case of other ships, of 100 tons or more ; and

(*c*) he has passed an examination in the subjects specified in the syllabus set out in the First Schedule to these Regulations ; and

(*d*) he is the holder of a certificate of efficiency as lifeboatman issued by or under the authority of the Minister ; and

(*e*) he has, otherwise than for the purpose of receiving instruction therein, taken turns at the wheel in steering a ship (being a ship, other than a fishing boat, having a gross tonnage, in the case of sailing ships, of 40 tons or more, and in the case of other ships, of 100 tons or more) for periods amounting in the aggregate to not less than ten hours:

Provided that—

(i) where a person produces from the persons in charge satisfactory certificates in respect of his attendance and training at a course of pre-sea training in any of the training ships or nautical training schools specified in Parts 1 and 2 of the Second Schedule to these Regulations, he shall be entitled, subject to proviso (v) to this paragraph, to a reduction in the period of thirty-six months of qualifying service required by sub-paragraph (*b*) of this paragraph of one month for each period of four weeks attendance and training at any such ship or school, subject to a maximum reduction in the case of any particular ship or school of the number of months respectively specified in the said Second Schedule against that ship or school ;

(ii) where a person produces from the persons in charge satisfactory certificates in respect of his attendance and training at a course of pre-sea training in a training school specified in Part 3 of the Second Schedule to these Regulations, he shall be entitled, subject to proviso (v) to this paragraph, if he also produces from the persons in charge satisfactory certificates in respect of his attendance and training at a course of pre-sea training at one of the " National Sea Training Schools " specified in Part 2 of the Second Schedule to these Regulations, to a reduction in the said period of qualifying service of one month for each period of four weeks attendance and training at the said school specified in Part 3 of the said Second Schedule, subject to a maximum reduction in respect of that school of the number of months specified in the said Part 3 in relation to that school ;

(a) 52 & 53 Vict. c. 63.

(iii) where a person produces evidence that he has satisfactorily completed at an establishment or institution specified in the first column of Part 4 of the Second Schedule to these Regulations the course of pre-sea training specified in the second column of the said Part 4 against that establishment or institution he shall be entitled, subject to proviso (v) to this paragraph, to a reduction in the said period of qualifying service of the number of months specified in the third column of the said Part 4 in relation to that establishment or institution ;

(iv) where a person produces, in respect of his attendance and training at a course of pre-sea training, certificates which, under Regulation 3 of the Merchant Shipping (Certificates of Competency as A.B.) (Amendment) Regulations, 1956, would have entitled him, but for the coming into operation of these Regulations, to a reduction in the period of qualifying service required by paragraph (1) of Regulation 3 of the Merchant Shipping (Certificates of Competency as A.B.) Regulations, 1952, he shall be entitled, subject to proviso (v) to this paragraph, notwithstanding the coming into operation of these Regulations, to an equal reduction in the period of qualifying service required by sub-paragraph (*b*) of this paragraph ;

(v) no person shall be entitled, by virtue of the preceding provisos to this paragraph, to a total reduction in the period of qualifying service required by sub-paragraph (*b*) of this paragraph of more than six months.

(2) Any person who complies with the conditions referred to in the preceding paragraph of this Regulation shall be entitled to the grant of a certificate of competency.

5. Notwithstanding that he does not comply with the conditions referred to in paragraph (1) of Regulation 4 of these Regulations, a person who proves by his certificates of discharge or by a certificate of service issued by the Registrar General that he was, on or before the 1st day of May, 1952, serving as an A.B., or in an equivalent or superior deck rating, in a ship for which an agreement with the crew was required under Part II of the principal Act, shall be entitled to the grant of a certificate of competency.

6.—(1) Any person who under the preceding provisions of these Regulations is entitled to the grant thereof, may make an application for the grant of a certificate of competency.

(2) Every such application shall be made at a Mercantile Marine Office in such form as the Minister may approve and shall be accompanied by:

(*a*) in the case of a person who claims to be entitled to the grant of a certificate of competency under Regulation 4 of these Regulations—

(i) certificates of discharge or other evidence proving the qualifying service claimed by the applicant ;

(ii) where any reduction in the period of qualifying service is claimed for pre-sea training, a certificate proving satisfactory attendance and training from the person in charge of the training ship, training school or other training establishment ;

(iii) a certificate of efficiency as lifeboatman ;

(iv) one or more certificates showing that the applicant complies with the condition referred to in sub-paragraph (*e*) of paragraph (1) of Regulation 4 of these Regulations ; and

(v) proof of passing the qualifying examination ;

(*b*) in the case of a person who claims to be entitled to the grant of a certificate of competency under Regulation 5 of these Regulations, the certificates of discharge or certificate of service referred to in the said Regulation 5.

(3) Every such application duly completed shall be lodged with the Superintendent of the Mercantile Marine Office who shall—

(*a*) if satisfied that the applicant is entitled to the grant thereof, cause a certificate of competency to be issued to the applicant on payment of a fee of two shillings ; or

(*b*) if not so satisfied, inform the applicant in writing of the grounds on which his application is refused.

7.—(1) Any person who complies with the conditions referred to in sub-paragraphs (*a*), (*b*), (*d*) and (*e*) of paragraph (1) of Regulation 4 of these Regulations shall be entitled to make an application to be examined for the purpose of complying with the condition referred to in sub-paragraph (*c*) of the said paragraph and for the grant, should he pass the examination, of a certificate of competency.

(2) Every such application shall be made at a Mercantile Marine Office in such form as the Minister may approve and shall be accompanied by the documents specified as items (i), (ii), (iii) and (iv) in sub-paragraph (*a*) of paragraph (2) of Regulation 6 of these Regulations.

(3) Every such application duly completed shall be lodged with the Superintendent of the Mercantile Marine Office who shall—

(*a*) if satisfied that the applicant is eligible to make the application, ensure that the applicant is notified in due course of the arrangements made for his examination ; or

(*b*) if not so satisfied, inform the applicant in writing of the grounds on which his application is refused.

(4) On completion of every examination, the examiner shall inform the applicant of the result thereof and shall record the result on his form of application and return the form to the Superintendent who shall, in the case of an applicant who has passed the examination, cause a certificate of competency to be issued to him on payment of a fee of two shillings.

8.—(1) If a certificate of competency is lost or destroyed, the holder thereof shall forthwith notify the Registrar General who, if satisfied that it has been so lost or destroyed, shall, on payment of the fee (if any) payable under paragraph (2) of this Regulation, issue a copy of the certificate of competency (so marked) which shall have the same effect as the certificate of competency originally issued :

Provided that in the case of any certificate of competency which has been lost and is subsequently recovered the original certificate of competency shall be returned forthwith to the Registrar General.

(2) A fee of one shilling shall be paid for each copy of a certificate of competency so issued otherwise than in consequence of the wreck or loss of a ship or of a fire on board ship.

9.—(1) Subject to the provisions of this paragraph, any person who—

(*a*) has attained the age of eighteen years ; and

(*b*) has, otherwise than for the purpose of receiving instruction therein, taken turns at the wheel in steering a ship (being a ship, other than a fishing boat, having a gross tonnage, in the case of a sailing ship, of 40 tons or more, and in the case of any other ship, of 100 tons or

more) for periods amounting in the aggregate to not less than ten hours ; and

(*c*) has performed twelve months of qualifying service of which not less than three months shall have been performed in ships, other than fishing boats, having a gross tonnage, in the case of sailing ships, of 40 tons or more, and in the case of other ships, of 100 tons or more,

shall be entitled to make an application to be examined for the purpose of complying with the condition referred to in sub-paragraph (*c*) of paragraph (1) of Regulation 4 of these Regulations.

(2) Every such application shall be made at a Mercantile Marine Office in such form as the Minister may approve and shall be accompanied by the following documents:—

(*a*) certificates of discharge or other evidence proving the qualifying service claimed by the applicant ;

(*b*) one or more certificates showing that the applicant complies with the condition referred to in sub-paragraph (*b*) of paragraph (1) of this Regulation.

(3) Every such application duly completed shall be lodged with the Superintendent of the Mercantile Marine Office who shall—

(*a*) if satisfied that the applicant is eligible to make the application, ensure that the applicant is notified in due course of the arrangements made for his examination ; or

(*b*) if not so satisfied, inform the applicant in writing of the grounds on which his application is refused.

(4) On completion of every examination, the examiner shall inform the applicant of the result thereof and shall record the result on his form of application and return the form to the Superintendent.

10.—(1) A person shall be entitled to reckon as qualifying service for the purposes of sub-paragraph (*b*) of paragraph (1) of Regulation 4 and of sub-paragraph (*c*) of paragraph (1) of Regulation 9 of these Regulations, subject to the provisions thereof, all periods of service at sea in a deck rating in ships (being ships having a gross tonnage of 15 tons or more) calculated in accordance with the subsequent provisions of this Regulation.

(2) Subject to the provisions of this paragraph, every period of such service shall be calculated separately from the date of commencement to the date of termination thereof:

Provided that where any period of service in a ship having a gross tonnage, in the case of a sailing ship, of 40 tons or more, and in the case of any other ship, of 100 tons or more, is followed immediately by a period of service in another such ship, or where any period of service in a ship having a gross tonnage, in the case of a sailing ship, of less than 40 tons, and in the case of any other ship, of less than 100 tons, is followed immediately by a period of service in another such ship, the said periods shall be treated as one continuous period, and for the purposes of this proviso a period of service shall be deemed to follow immediately upon another period of service if the later period commences not later than the day following the termination of the earlier period.

(3) For the purpose of calculating the total number of months of qualifying service in respect of any person—

(*a*) every completed calendar month comprised in a period of service in a ship having a gross tonnage, in the case of a sailing ship, of

40 tons or more, and in the case of any other ship, of 100 tons or more, shall count as one month of qualifying service, and every day by which a period of service exceeds the number of calendar months comprised therein or where the whole period of service is less than a calendar month every day of service shall count as one-thirtieth of a month of qualifying service ; and

(*b*) every completed calendar month comprised in a period of service in a ship having a gross tonnage, in the case of a sailing ship, of less than 40 tons, and in the case of any other ship, of less than 100 tons, shall count as one half of a month of qualifying service, and every day by which a period of service exceeds the number of calendar months comprised therein or where the whole period of service is less than a calendar month every day of service shall count as one-sixtieth of a month of qualifying service.

11. The provisions of section 104 of the principal Act (which relates to forgery and other offences relating to certificates of competency of ships' officers granted under that Act) shall apply in relation to certificates of competency granted under these Regulations as they apply in relation to certificates of competency of ships' officers granted under the principal Act.

Given under the Official Seal of the Minister of Transport this 15th day of December, 1959.

(L.S.)

D. C. Haselgrove,
An Under Secretary
of the Ministry of Transport.

FIRST SCHEDULE

Syllabus for Examination for Rating of Able Seaman

Nautical Knowledge

(1) The meaning of common nautical terms.

(2) The names and functions of various parts of the ship (e.g., decks, compartments, ballast tanks, strum boxes, etc.).

(3) Knowledge of the compass and ability to report the approximate bearing of an object in terms of points on the bow.

(4) Understanding Helm Orders.

(5) Reading, streaming and hauling in a patent log.

(6) Markings on a hand lead line, taking a cast of the hand lead and correctly reporting the soundings obtained.

(7) The patent sounding machine ; how to rig it and take a cast.

(8) Ship cleanliness and personal hygiene.

Practical Work

(To be tested so far as possible by practical demonstrations.)

(9) Knots in common use. Hitches, bends, etc., in common use. Whipping a rope's end. Finishing off the end of a heaving line by a wall and crown knot or other simple method. Putting a stopper on a hawser or derrick lift. Putting on a seizing.

(10) Splicing. Manila rope. Eye splice, short splice, long splice and back splice. Wire rope. Eye splice and cut splice. (Demonstration of the cut splice will not be required.)

(11) Reeving a boat's fall or luff tackle.

(12) Slinging a stage and rigging a boatswain's chair.

(13) How to steer.

(14) Rigging a derrick. Driving a winch, engaging and disengaging gears and their use. General precautions to be taken before and during operation of a winch whether used for working cargo or for warping.

(15) The use and operation of a windlass in anchor work and in warping. Stowage of chain cable in the chain locker and securing the anchor for sea.

(16) A knowledge of the gear used in cargo work and an understanding of its uses. General maintenance with special reference to the overhauling of gin blocks and guy blocks.

(17) The safe handling of hatch covers; battening down and securing a hatchway.

(18) Use, care and maintenance of life saving appliances.

Boat Work

(19) A candidate will be required to satisfy the examiner that:

(*a*) he understands and can carry out orders relating to lifeboat launching and operation and the management of a boat under sail;

(*b*) he understands the general principles of boat management in a tideway and in bad weather; and in landing on all kinds of beaches or in a surf; and

(*c*) he is familiar with a lifeboat and its equipment and the starting and running of the engines of a powered boat.

SECOND SCHEDULE

Training Ships and Training Schools and Establishments

Part 1

Training Ships

	Maximum period of remission of sea service
T.S. Arethusa	6 months
T.S. Mercury	6 months
H.M.S. Worcester	6 months

Part 2

Nautical Training Schools

Place	*Name of School*	*Maximum period of remission of sea service*
Aberdeen ...	Robert Gordon's Technical College	6 months
Belfast	City of Belfast College of Technology	6 months
Blyth	Wellesley Nautical School	6 months
Bristol (Portishead)	Incorporated National Nautical School	6 months
Buckie	Buckie High School	3 months
Cardiff	Welsh College of Advanced Technology	6 months
Cardiff	National Sea Training School	3 months
Cardiff	Reardon Smith Nautical College	6 months
Dover	Prince of Wales Sea Training School	6 months
Dundee ...	Technical College	6 months
Fleetwood ...	Navigation School (Cadet Course)	6 months
	(Junior Course)	3 months
Glasgow ...	Royal College of Science and Technology ...	6 months
Gordonstoun ...	Gordonstoun School (Nautical Department) ...	6 months
Gravesend ...	National Sea Training School	3 months

NAUTICAL TRAINING SCHOOLS—*continued*

Place	*Name of School*	*Maximum period of remission of sea service*
Greenock ...	Watt Memorial School	6 months
Grimsby ...	Grimsby Nautical School (Merchant Navy Course)	3 months
Hull	Kingston-upon-Hull High School for Nautical Training	6 months
Hull	Kingston-upon-Hull Nautical College	6 months
Hull	Trinity House Navigation Schools...	6 months
Leith	Leith Nautical College	6 months
Leith	Leith Nautical College (T.S. Dolphin)	3 months
Liverpool ...	City of Liverpool College of Technology	6 months
Liverpool ...	H.M.S. " Conway " Merchant Navy Cadet School	6 months
Liverpool ...	The Indefatigable and National Sea Training School for Boys	6 months
London ...	King Edward VII Nautical College	6 months
London ...	L.C.C. London Nautical School	6 months
Pangbourne ...	The Nautical College	6 months
Parkstone ...	Parkstone Sea Training School	6 months
Plymouth ...	Plymouth and Devonport Technical College ...	6 months
Sharpness ...	National Sea Training School	3 months
Southampton ...	Warfleet Sea Training Centre	6 months
Southampton ...	School of Navigation, University of Southampton, Warsash	6 months
South Shields ...	South Shields Marine and Technical College ...	6 months
South Shields ...	National Sea Training School	3 months
Stornoway ...	Lews Castle College (Cadet Course)	6 months
	(Junior Course)	3 months

PART 3

TRAINING SCHOOLS

Place	*Name of School*	*Maximum period of remission of sea service*
Lowestoft ...	Technical College	6 months

PART 4

ESTABLISHMENTS OR INSTITUTIONS

Name	*Training Course*	*Maximum period of remission of sea service*
The Sea Cadet Corps ...	Cadet Petty Officers	3 months

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations revoke the existing Regulations relating to the grant of certificates of competency as A.B. and re-enact their provisions with amendments. The principal change is that the forms for use by applicants are no longer set out in Schedules to the Regulations. The Regulations also increase the fees payable on the issue of certificates of competency as A.B.