1978 No. 430

MERCHANT SHIPPING

MASTERS AND SEAMEN

The Merchant Shipping (Certification of Deck Officers) (Amendment) Regulations 1978

Made - -	*16th March* 1978
Laid before Parliament	*23rd March* 1978
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 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 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 Deck Officers) (Amendment) Regulations 1978 and shall come into operation on 1st September 1981.

2. The Merchant Shipping (Certification of Deck Officers) Regulations 1977(**c**) shall be amended as follows:

(1) In the Preamble, for "sections 43, 68 and 84" there shall be substituted "sections 43 and 68";

(2) In regulation 3(2)(*b*) for "begins or ends" there shall be substituted "begins and ends";

(3) In regulation 5:

(*a*) for paragraph (2) there shall be substituted the following:

"(2) 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 (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.";

(*b*) in paragraph (3) the words "as Master Home Trade or as Mate Home Trade" shall be deleted;

(*c*) in paragraph (4) the words "as Mate Home Trade" shall be deleted;

(*d*) in paragraph (7) for Table 2 there shall be substituted the following:

(**a**) 1970 c. 36. (**b**) *See* S.I. 1970/1537. (**c**) S.I. 1977/1152.

"TABLE 2

Column 1	Column 2
Certificate of Service (deck officer)	**Equivalent class of certificate of competency issued under these Regulations.**
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 combined Near Continental and Middle Trade trading areas
Mate Middle Trade	Class 2 in ships (other than passenger ships) not exceeding 10,000 GRT going between locations in the combined Near Continental and Middle Trade trading areas
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 Near Continental 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 Near Continental 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 Near Continental 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 Near Continental trading area
Mate Home Trade (Tugs)	Class 5 endorsed For Tug Service Only in ships going between locations in the Near Continental trading area"

Stanley Clinton Davis,

16th March 1978. Parliamentary Under-Secretary of State, Department of Trade.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, in addition to two minor drafting amendments, amend the Merchant Shipping (Certification of Deck Officers) Regulations 1977 as follows:—

(1) Certificates of competency of any class of deck officer (and not, as formerly, only Master Home Trade or Mate Home Trade) granted under section 93 of the Merchant Shipping Act 1894 (c. 60) to which has been added a certificate of service (deck officer) will be regarded as equivalent to a certificate of competency issued under the Regulations of the appropriate class specified in Table 2 thereof (regulation 5(2)).

(2) Certificates of competency of any class of deck officer (and not, as formerly, only Master Home Trade or Mate Home Trade) granted under section 93 of the Merchant Shipping Act 1894 to which has been added:

(*a*) a Middle Trade command endorsement (regulation 5(3)) or

(*b*) a Near Continental command endorsement (regulation 5(4))

will be regarded as equivalent to a certificate of competency issued under the Regulations of the appropriate class specified in paragraphs (3) and (4) of regulation 5.

(3) Certificates of service (deck officer) as Master or Mate Middle Trade will also be treated as equivalent to certificates of competency issued under the Regulations of the appropriate class specified in Table 2; and the restriction on Second Mate Home Trade to ships other than passenger ships, has been deleted (Table 2, Regulation 5(7)).

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