

*Government Notice No. 143 of 2017***THE MERCHANT SHIPPING ACT****Regulations made by the Minister under section 228 of
the Merchant Shipping Act****1. Short title**

These regulations may be cited as the Merchant Shipping (Training and Certification) Regulations 2017.

2. Interpretation

In these regulations –

“able seafarer deck” means a rating qualified in accordance with the provisions of regulation II/5 of the Convention;

“able seafarer engine” means a rating qualified in accordance with the provisions of regulation III/5 of the Convention;

“Act” means the Merchant Shipping Act;

“appropriate certificate” means a certificate issued and endorsed in accordance with these regulations;

“approved” means approved by the Director;

“Assistant Engineer Officer” means a person under training to become an Engineer Officer;

“certificate of competency” means a certificate issued and endorsed for masters, officers and GMDSS radio operators in accordance with the provisions of chapters II, III, IV or VII of the Convention and entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level of responsibility specified therein;

“certificate of proficiency” means a certificate, other than a certificate of competency issued to a seafarer, stating that the relevant requirements of training, competencies or seagoing service in the Convention have been met;

“Chief Engineer Officer” means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;

“chief mate” means the officer next in rank to the master and on whom the command of the ship will rest in the event of the incapacity of the master;

“chemical tanker” means a ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the International Bulk Chemical Code;

“Code” means the Seafarers’ Training, Certification and Watchkeeping (STCW) Code;

“constructed” means a craft the keel of which is laid or is at a similar stage of construction;

“company” means the owner of the ship or any other organisation or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the ship owner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by these regulations;

“Convention” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended;

“deck officer” means an officer qualified in accordance with the provisions of regulation II/1 or II/3 of the Convention;

“documentary evidence” means documentation, other than a certificate of competency or certificate of proficiency, used to establish that the relevant requirements of the Convention have been met;

“engineer officer” means an officer qualified in accordance with the provisions of regulation III/1, III/2 or III/3 of the Convention;

“electro-technical officer” means an officer qualified in accordance with the provisions of regulation III/6 of the Convention;

“electro-technical rating” means a rating qualified in accordance with the provisions of regulation III/7 of the Convention;

“fast rescue boat” means a rescue boat which is –

- (a) of a length of not less than 6 metres nor more than 8.5 metres; and
- (b) capable of manoeuvring, for at least 4 hours, at a speed of at least –
 - (i) 20 knots in calm water with a suitably qualified crew of 3 persons;
 - (ii) 8 knots in calm water with a full complement of persons and equipment;

“function” means a group of tasks, duties and responsibilities, as specified in the STCW Code, necessary for ship operation, the safety of life at sea or protection of the marine environment;

“GMDSS” means the Global Maritime Distress and Safety System;

“GMDSS radio operator” means a person who is qualified in accordance with the provisions of regulation IV/2 of the Convention;

“GT” –

- (a) means gross tonnes;
- (b) in the case of a ship having alternative gross tonnage, means the larger of those tonnages;

“high speed craft” has the same meaning as in the International Code of Safety for High Speed Craft;

“HSC Code” means the International Code for the safety of high speed craft as adopted by the International Maritime Organisation in 1994 under Resolution MSC 36(63) and as may be amended from time to time;

“IBC Code” means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk, published by the International Maritime Organisation;

“IGC Code” means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, published by the International Maritime Organisation;

“ISPS Code” means the International Ship and Port Facility Security (ISPS) Code, as amended;

“liquefied gas tanker” means a ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product specified in chapter 19 of the International Gas Carrier Code;

“master” means the person having command of a ship;

“Ministry” means the Ministry responsible for the subject of shipping;

“month” means a calendar month or 30 days made up of periods of less than one month;

“near-coastal voyages” means voyages in the vicinity of a Party as defined by that Party;

“notice to mariners” means a notice described as such and issued by the Ministry responsible for the subject of shipping;

“officer” means a member of the crew, other than the master and rating;

“oil” –

(a) means petroleum in any form, including crude oil, fuel oil, sludge, oil refuse and refined products; but

(b) does not include oil-like substances defined in the International Maritime Dangerous Goods Code;

“oil tanker” means a ship constructed and used for the carriage of petroleum and petroleum products in bulk;

“passenger ship” means a ship as defined in the International Convention for the Safety of Life at Sea 1974 (SOLAS), as amended;

“propulsion power” means the total maximum continuous rated output power, in kilowatts, of all the ship’s main propulsion machinery which appears on the ship’s certificate of registry or other official document;

“radio duties” include, as appropriate, watchkeeping and technical maintenance and repairs conducted in accordance with the Radio Regulations, the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended and at the discretion of each Administration, the relevant recommendations of the Organisation.

“radio operator” means a person holding an appropriate certificate issued or recognised by the Director under the provisions of the Radio Regulations;

“rating” means a member of the ship’s crew, other than the master or an officer;

“rescue boat” means a boat designed to rescue persons in distress and marshal survival craft(s);

“ro-ro passenger ship” means a passenger ship with ro-ro spaces or special category spaces as defined in the International Convention for the Safety of Life at Sea, 1974 (SOLAS);

“seagoing” means going to sea beyond the limit of the territorial waters of Mauritius;

“seagoing service” means service on board a ship relevant to the issue or revalidation of a certificate or other qualification;

“second engineer officer” means the engineer officer next in rank to the chief engineer officer, on whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will rest in the event of the incapacity of the chief engineer officer;

“security duties” include all security tasks and duties on board ships as defined by regulation XI/2 of the International Convention for the Safety of Life at Sea 1974 (SOLAS) and the International Ship and Port Facility Security (ISPS) Code;

“Ship Security Officer” means the person on board the ship, accountable to the master, designated by the company as responsible for the security of the ship, including the implementation and maintenance of the ship security plan and liaison with the company security officer and port facility security officers;

“similar stage of construction” means a stage at which –

- (a) construction identifiable with a specific craft begins; and
- (b) assembly of that craft has commenced, comprising at least 50 tonnes or one per cent of the estimated mass of all structural material, whichever is the lesser;

“specified by the Ministry” means specified by the Ministry in a Merchant Shipping Notice which is considered to be relevant from time to time;

“survival craft” means a craft capable of sustaining the lives of persons in distress from the time of abandoning ships.

3. Application

(1) Subject to paragraph (2), these regulations shall apply to a ship’s master, officers and crew employed on seagoing ships registered in Mauritius and on other ships when in Mauritian waters.

(2) These regulations shall not apply to a ship’s master, officer or to any crew employed on –

- (a) fishing vessels;
- (b) pleasure craft as defined in the Tourism Authority Act;
- (c) warships or naval auxiliaries; or
- (d) other ships –
 - (i) owned or operated by Mauritius or by another State; and
 - (ii) engaged only on Government non-commercial service.

4. Right conferred by certificate

(1) A certificate of competency approved by the Director shall entitle the lawful holder to serve in the capacity and perform the functions involved at the level of responsibility specified therein on a ship of the type, tonnage or power and means of propulsion indicated by the endorsement issued by the Director under paragraph (2) while engaged on the particular voyage concerned.

(2) The Director may issue an endorsement attesting the issue of a certificate under the provisions of the Convention in such form as he may approve.

5. Recognition of certificates

(1) The Director may approve a certificate issued by or under the authority of another party to the Convention to a master, officer or radio operator if he is satisfied that –

- (a) the requirements of the Convention concerning standards of competency, the issue and endorsement of certificates and record keeping are fully complied with; and
- (b) prompt notification will be given of any significant change in the arrangements for training and certification provided in compliance with the Convention.

(2) Where the Director has approved a certificate pursuant to paragraph (1), he shall endorse the certificate to attest its recognition.

(3) The endorsement referred to in paragraph (2) shall be in such form as the Director may approve.

(4) Where the Director has approved a certificate under paragraph (1), any condition specified by him for the issue of an endorsement attesting the recognition of a certificate shall be limited to –

- (a) aptitude tests for the purpose of assessing the applicant's ability to pursue the profession of officer on Mauritius ships, in the light of subjects and training and related assessment procedures, which differ substantially from those covered by the applicant's certificate issued by that State; or

- (b) an adaptation period as specified by the Director.

6. Revalidation of certificates

(1) Every master, officer, radio operator and rating holding a certificate issued or recognised under any chapter of the Convention, who is serving at sea or intends to return to sea after a period ashore, shall, in order to continue to qualify for seagoing service, be required, at intervals not exceeding 5 years, to –

- (a) meet the standards of medical fitness prescribed by regulation I/9 of the Convention;
- (b) establish continued professional competence in accordance with section A-I/11 of the Code by having performed, during their period of seagoing service, functions appropriate to the level of certification held; and
- (c) meet such other requirements as the Director may approve.

(2) Every master, officer, radio operator and rating shall, for continuing seagoing service on board ships for which special training requirements have been internationally agreed upon, successfully complete approved relevant training.

(3) Any master, officer, radio operator or rating who does not meet the requirement for seagoing service shall complete such programme of study as the Director may approve.

7. Appropriate certificate

(1) The master and any officer serving on board a ship to which these regulations apply shall hold an appropriate certificate of competency for that capacity.

(2) The master or any officer may only be issued with an appropriate certificate of competency if he complies with –

- (a) the requirements of the Convention and specified in the First Schedule; and
- (b) such other requirement as the Director may specify.

8. Responsibilities of companies

(1) The company shall be responsible for the assignment of the master, officers and ratings for service on their ships in accordance with the provisions of the Convention and these regulations.

- (2) The company shall ensure that –
- (a) every master, officer and ratings assigned to any of its ships holds an appropriate certificate in accordance with the provisions of the Convention and the present regulations;
 - (b) its ships are manned in accordance with the applicable safe manning requirements of the Director;
 - (c) every master, officer and ratings assigned to any of its ships have received refresher and updated training as specified in the Convention;
 - (d) documentation and data relevant to all seafarers employed on its ships are maintained and readily accessible, and include, without being limited to, documentation and data on their experience, training, medical fitness and competency in assigned duties;
 - (e) seafarers, on being assigned to any of its ships, are familiarised with their specific duties and with every ship arrangement, installation, equipment, procedure

and ship characteristics that are relevant to their routine or emergency duties;

- (f) the ship's complement can effectively coordinate their activities in an emergency situation and in performing functions vital to the safety, security and to the prevention or mitigation of pollution; and
- (g) at all times, on board its ships there shall be effective oral communication in accordance with regulation V/14, paragraphs 3 and 4 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS).

9. Mandatory minimum requirements for certification of rating forming part of a navigational watch

(1) Every rating forming part of a navigational watch on a ship of at least 500 GT, other than a rating under training or a rating whose duties, while on watch, are of an unskilled nature, shall hold a certificate issued under this paragraph.

(2) No person shall be entitled to be issued with a certificate for the rating specified in paragraph (1) unless he complies with the criteria set out in regulation II/4 of the Annex to the Convention.

10. Mandatory minimum requirements for certification of ratings as able seafarer deck

(1) Every able seafarer deck serving on a seagoing ship of at least 500 GT shall hold a certificate issued under this paragraph.

(2) No person shall be issued with a certificate for the rating specified in paragraph (1) unless he complies with regulation II/5 of the Annex to the Convention.

11. Mandatory minimum requirements for the certification of ratings forming part of a watch in a manned engine room or designated to perform duties in a periodically unmanned engine room

(1) Every rating forming part of an engine room watch or designated to perform duties in a periodically unmanned engine room on a seagoing ship powered by a main propulsion machinery of propulsion power of not less than 750 kW, other than ratings under training and ratings whose duties are of an unskilled nature, shall hold a certificate issued under this paragraph.

(2) No person shall be issued with a certificate for the rating specified in paragraph (1) unless he complies with regulation III/4 of the Annex to the Convention.

(3) Every able seafarer engine serving on a seagoing ship powered by a main propulsion machinery of propulsion power of not less than 750 kW shall hold a certificate issued under this paragraph.

(4) No person shall be issued with a certificate for such rating unless he complies with the criteria set out in regulation III/5 of the Annex to the Convention.

12. Mandatory minimum requirements for certification of electro-technical officers

(1) Every electro-technical officer serving on a seagoing ship powered by a main propulsion machinery of propulsion power of not less than 750 kW shall hold a certificate of competency issued under this paragraph.

(2) Every candidate for certification shall meet the criteria set out in regulation III/6 of the Annex to the Convention.

13. Mandatory minimum requirements for certification of electro-technical rating

(1) Every electro-technical rating serving on a seagoing ship powered by a main propulsion machinery of propulsion power not less than 750 kW shall hold a certificate of proficiency issued under this paragraph.

- (2) Every candidate for certification shall –
- (a) meet the criteria set under regulation III/7 of the Annex to the Convention;
 - (b) meet the standard of competence specified in section A-III/7 of the Code.

14. Radio communication and radio personnel on GMDSS ships

(1) Every person in charge of, or performing radio duties on, a ship required to participate in the GMDSS shall hold an appropriate certificate related to the GMDSS issued or recognised by the Director.

(2) Every candidate for certification under these regulations for service on a ship which is required by the International Convention for the Safety of Life at Sea (SOLAS) 1974 to have a radio installation shall –

- (a) be aged not less than 18 years; and
- (b) have completed approved education and training and meet the standard of competence specified in section A-IV/2 of the Code.

15. Mandatory minimum requirements for training and qualification of masters, officers and ratings on oil and chemical tankers

(1) Every officer and rating assigned specific duties and responsibilities related to cargo or cargo equipment on oil or chemical

tankers shall hold a certificate in basic training for oil and chemical tanker cargo operations.

(2) Every candidate for a certificate in basic training for oil and chemical tanker cargo operations shall have completed basic training in accordance with provisions of section A-V/1 of the Code and shall have completed –

- (a) at least 3 months of approved seagoing service on oil or chemical tankers and meet the standard of competence specified in section A-V/1-1, paragraph 1 of the Code; or
- (b) an approved basic training for oil and chemical tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 1 of the Code.

(3) Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on oil tankers shall hold a certificate in advanced training for oil tanker cargo operations.

(4) Every candidate for a certificate in advanced training for oil tanker cargo operations shall –

- (a) meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and
- (b) while qualified for certification in basic training for oil and chemical tanker cargo operations, have –
 - (i) at least 3 months of approved seagoing service on oil tankers; or

- (ii) at least one month approved on board training on oil tankers, in a supernumerary capacity, which includes at least 3 loading and 3 unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and
- (iii) have completed approved advanced training for oil tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 2 of the Code.

(5) Every master, chief engineer officer, chief mate, second engineer officers and every person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on chemical tankers shall hold a certificate in advanced training for chemical tanker cargo operations.

(6) Every candidate for a certificate in advanced training for chemical tanker cargo operations shall –

- (a) meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and
- (b) while qualified for certification in basic training for oil and chemical tanker cargo operations, have –
 - (i) at least 3 months approved seagoing service on chemical tankers; or
 - (ii) at least one month approved on board training on chemical tankers, in a supernumerary capacity, which includes at least 3 loading and 3 unloading operations and is documented in

an approved training record book taking into account guidance in section B-V/1; and

- (iii) have completed approved advanced training for chemical tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 3 of the Code.

(7) A certificate of proficiency shall be issued by the Director and issued to masters, officers and ratings who are qualified in accordance with paragraphs (2), (4) and (6) as appropriate.

16. Mandatory minimum requirements for training and qualification of masters, officers and ratings on liquefied gas tankers

(1) Every master, officer and rating assigned with specific duties and responsibilities related to cargo or cargo equipment on liquefied gas tankers shall hold a certificate in basic training for liquefied gas tanker cargo operations.

(2) Every candidate for a certificate in basic training for liquefied gas tanker cargo operations shall have completed basic training in accordance with provisions of section A-V/1-2 of the Code and shall have completed –

- (a) at least 3 months of approved seagoing service on liquefied gas tankers and meet the standard of competence specified in section A-V/1-2, paragraph 1 of the Code; or
- (b) an approved basic training for liquefied gas tanker cargo operations and meet the standard of competence specified in section A-V/1-2, paragraph 1 of the Code.

(3) Every master, chief engineer officer, chief mate, second engineer officer and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on liquefied gas tankers shall hold a certificate in advanced training for liquefied gas tanker cargo operations.

(4) Every candidate for a certificate in advanced training for liquefied gas tanker cargo operations shall –

- (a) meet the requirements for certification in basic training for liquefied gas tanker cargo operations; and
- (b) while qualified for certification in basic training for liquefied gas tanker cargo operations, have –
 - (i) at least 3 months approved seagoing service on liquefied gas tankers; or
 - (ii) at least one month approved on board training on liquefied gas tankers, in a supernumerary capacity, including at least 3 loading and 3 unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and
 - (iii) have completed approved advanced training for liquefied gas tanker cargo operations and meet the standard of competence specified in section A-V/1-2, paragraph 2 of the Code.

(5) A certificate of proficiency shall be issued to the master, the officers and ratings, who are qualified in accordance with paragraph (2) or (4), as the case may be, in such form as the Director may approve.

17. Mandatory minimum requirements for training and qualifications of masters, officers, ratings and other personnel on passenger ships

(1) These regulations shall apply to masters, officers and ratings and other personnel serving on board passenger ships engaged on international voyages.

(2) Every seafarer shall, prior to being assigned shipboard duties on board passenger ships, have completed the training specified in paragraphs (4) to (7) in accordance with their capacity, duties and responsibilities.

(3) A seafarer who is required to be trained in accordance with paragraphs (4), (6) and (7) shall, at intervals not exceeding 5 years –

- (a) undertake appropriate refresher training; or
- (b) be required to provide evidence of having achieved the required standard of competence within the previous 5 years.

(4) Every master, officer and other personnel designated on muster lists to assist passengers in emergency situations on board passenger ships shall have completed training in crowd management as specified in section A-V/2, paragraph 1 of the Code.

(5) Personnel providing direct service to passengers in passenger spaces on board passenger ships shall have completed the safety training specified in section A-V/2, paragraph 2 of the Code.

(6) Every master, chief engineer officer, chief mate, second engineer officer and any person designated on muster lists of having responsibility for the safety of passengers in emergency situations on board passenger ships shall have completed approved training

in crisis management and human behaviour as specified in section A-V/2, paragraph 3 of the Code.

(7) Every master, chief engineer officer, chief mate, second engineer officers and every person assigned immediate responsibility for embarking and disembarking passengers, loading, discharging or securing cargo, or closing hull openings on board ro-ro passenger ships shall have completed approved training in passenger safety, cargo safety and hull integrity as specified in section A-V/2, paragraph 4 of the Code.

(8) Documentary evidence of the training which has been completed in the form of a certificate specified by the Director shall be issued to every person qualified under the provisions of these regulations.

18. Mandatory minimum requirements for training and qualification of masters, officers, ratings and other personnel on high speed craft

(1) These regulations shall apply to masters and officers, ratings and other personnel serving on board high-speed craft ships constructed on or after 1 January 1996.

(2) Prior to being assigned shipboard duties onboard a high speed craft, every master, officer, rating and other personnel shall be trained in accordance with the provisions of the Convention, the Code and the High Speed Craft Code.

(3) Every person providing the training referred to in this regulation shall issue a certificate to every person who successfully completes the training.

(4) In the case of a master, and an officer having an operational role on a high speed craft, the documentary evidence shall be a

certificate in such form as the Director may determine and shall be endorsed in such manner as the Director may determine.

19. Mandatory minimum requirements for training of hovercraft personnel

(1) This regulation shall apply to every seagoing hovercraft, registered in Mauritius, which was constructed on or after 1 January 1996.

(2) Every owner of a hovercraft to which this regulation applies shall ensure that every master and officer, every rating and other personnel have completed such training as the Director may determine.

(3) Every person providing the training referred to in this regulation shall issue a certificate to every person who successfully completes the training.

(4) In the case of a master, and an officer having an operational role on seagoing hovercraft, the documentary evidence shall be a certificate in such form as the Director may determine and shall be endorsed in such manner as the Director may determine.

20. Mandatory knowledge of English

A person who is not familiar with the English language to have a full understanding of directions in that language as to the performance of duties shall not be qualified to serve on a ship.

21. Mandatory minimum requirements for familiarisation, basic safety training and instruction to seafarers

(1) Every seafarer shall receive safety familiarisation and basic training or instruction in accordance with section A-VI/1 of

the Code and shall meet the appropriate standard of competence specified in the code.

(2) Where basic training is not included in the qualification for the certificate to be issued, a certificate of proficiency shall be issued, indicating that the holder has attended the course in basic training.

22. Mandatory minimum requirements for issue of certificates of proficiency in survival craft, rescue boats and other fast rescue boats

(1) Every candidate who wishes to obtain a certificate of proficiency in survival craft, rescue boats, other than fast rescue boats, shall –

- (a) be aged not less than 18;
- (b) have approved seagoing service of not less than 12 months or have attended an approved training course and have approved seagoing service of not less than 6 months; and
- (c) meet the standard of competence for certificates of proficiency in survival craft and rescue boats, set out in section A-VI/2, paragraphs 1 to 4 of the Code.

(2) Every candidate for a certificate of proficiency in fast rescue boats shall –

- (a) be the holder of a certificate of proficiency in survival craft and rescue boats other than fast rescue boats;
- (b) have attended an approved training course; and
- (c) meet the standard of competence for certificates of proficiency in fast rescue boats, set out in section A-VI/2, paragraphs 7 to 10 of the Code.

23. Mandatory minimum requirements for training in advanced firefighting

Every master, officer and ratings designated to control firefighting operations shall have successfully completed advanced training in techniques for firefighting with particular emphasis on organisation, tactics and command in accordance with the provisions of section A-VI/3 of the Code and shall meet the standard of competence specified in the code and be issued such certificate of proficiency as the Director may approve.

24. Mandatory requirements relating to medical first aid and medical care

(1) Every seafarer designated to provide medical first aid on board a ship shall meet the standard of competence in medical first aid specified in section A-VI/4, paragraphs 1 to 3 of the Code.

(2) Every seafarer designated to take charge of medical care on board a ship shall meet the standard of competence in medical care on board ships as specified in section A-VI/4, paragraphs 4 to 6 of the Code.

(3) A certificate of proficiency shall be issued indicating that the holder has attended a course of training in medical first aid or in medical care, in such form as the Director may approve.

25. Mandatory minimum requirements for the issue of certificates of proficiency for ship security officers

(1) Every candidate for a certificate of proficiency as ship security officer shall –

- (a) have approved seagoing service of not less than 12 months or appropriate seagoing service and knowledge of ship operations; and

- (b) meet the standard of competence for certification of proficiency as ship security officer, set out in section A-VI/5, paragraphs 1 to 4 of the Code.

(2) Every person who is qualified under the provisions of these regulations shall be issued with a certificate of proficiency in such form as the Director may approve.

26. Mandatory minimum requirements for security-related training instruction for all seafarers

(1) Every seafarer shall –

- (a) receive security-related familiarisation and security awareness training or instruction in accordance with section A-VI/6, paragraphs 1 to 4 of the Code; and
- (b) meet the appropriate standard of competence specified in the Code.

(2) A certificate of proficiency shall be issued, in such form as the Director may approve, indicating that the holder has attended a course in security awareness training.

(3) A seafarer assigned, or to be assigned with designated security duties shall meet the standard of competence specified in section A-VI/6, paragraphs 6 to 8 of the Code.

(4) A certificate of proficiency shall be issued, in such form as the Director may approve, indicating that the holder has attended a course of training for designated security duties.

27. Form, validity, record and surrender of certificates

(1) A certificate or an endorsement under these regulations shall be issued by the Director on receipt of the fees specified in the Merchant Shipping (Fees) Regulations 2009.

(2) A certificate or endorsement shall remain valid for seagoing service so long as the holder complies with the standards and conditions to medical fitness and professional competency to act in such capacity as the Director may specify.

(3) A record of all certificates and endorsements which are issued under these regulations and which have expired or have been revalidated, suspended, cancelled, or reported lost or destroyed, and of any alteration of or any other matters affecting any such certificates or endorsements, shall be maintained by the Director.

(4) Where the holder of a certificate is issued with an appropriate certificate at a higher level, he shall surrender the former certificate to the Director for cancellation.

(5) Where a certificate or endorsement is issued and the conditions for its issue that have been prescribed in these regulations, or specified by the Director, have not complied with, the holder of the certificate shall, on being so directed by the Director, deliver it to the Director for cancellation.

28. Transitional certificates

A certificate issued prior to 1 August 2017 shall be deemed to have been issued and shall remain in force until the date of expiry specified on the certificate.

29. Loss of certificate

Where a person loses his certificate, the Director may issue a duplicate of the certificate to the person.

30. Temporary dispensation

The Minister may, on an application made in writing, grant a temporary dispensation consistent with Article VIII of the Convention.

31. Quality standards

An evaluation shall be undertaken at intervals not exceeding 5 years by a body of competent persons appointed by the Director and not directly involved with the implementation of STCW, in conformity with section A-I/8 of the Code.

32. Forgery of documents

A certificate of competency or an endorsement attesting the recognition of a certificate shall, for the purposes of the Criminal Code, be deemed to be a public document.

33. Offence

- (1) Any person –
 - (a) employs a person not holding a certificate referred to in the Convention;
 - (b) has obtained, by fraud or by means of forged documents, an engagement to perform any function or to serve in any capacity by a person not holding the required certificate or the necessary dispensation,

shall commit an offence.

(2) A master who has allowed any function or service in any capacity to be performed by a person not having the required certificate, dispensation or documentary proof required under regulation 5 shall commit an offence.

(3) Any person who commits an offence under these regulations shall, on conviction, be liable to a fine not exceeding 50,000 rupees.

34. Revocation

The Merchant Shipping (Training and Certification) Regulations 2000 are revoked.

35. Commencement

These regulations shall come into operation on 1 August 2017.

Made by the Minister on 19 July 2017.

SCHEDULE
[Regulation 7]

**TABLE OF CRITERIA FOR APPROPRIATE
CERTIFICATES**

PART I – DECK DEPARTMENT

Grade	Regulation annexed to STCW Convention
Officer in charge of a navigational watch on ships of not less than 500 GT	Regulation II/1
Master and Chief mate on a ship of not less than 3,000 GT	Regulation II/2.1, II/2.2
Master and Chief mate on a ship of not less than 500 nor more than 3,000 GT	Regulation II/2.3, II/2.4
Officer in charge of a navigational watch on a ship of less than 500 GT and not engaged on near-coastal voyages	Regulation II/3.1
Master on a ship of less than 500 GT and not engaged on near-coastal voyages	Regulation II/3.2
Officer in charge of a navigational watch on a ship of less than 500 GT engaged on near coastal voyages	Regulation II/3.3, II/3.4
Master on a ship of less than 500 GT engaged on near coastal voyages	Regulation II/3.5, II/3.6

PART II – ENGINE DEPARTMENT

Grade	Regulation annexed to STCW Convention
Officer in charge of an engineering watch in a manned engine room, or designated duty engineer officer in a periodically unmanned engine-room, on a ship powered by a main propulsion machinery of propulsion power of not less than 750 kW	Regulation III/1
Chief engineer officer or second engineer officer on a ship powered by a main propulsion machinery of propulsion power of not less than 3,000 kW	Regulation III/2
Chief engineer officer and second engineer on a ship powered by a main propulsion machinery of propulsion power of not less than 750 kW nor more than 3,000 kW	Regulation III/3
Electro-technical Officer	Regulation III/6
