

Government Notice No. 16 of 2026

THE MERCHANT SHIPPING ACT

Regulations made by the Minister under section 228 of the Merchant Shipping Act

1. These regulations may be cited as the Merchant Shipping (Manning of Tugs and Certification of Tug Personnel) Regulations 2026.

2. In these regulations –

“Act” means the Merchant Shipping Act;

“Certificate of Competency for Tug Operations” means a certificate issued to an applicant who qualifies as a tug master or tug engineer;

“company” means the owner of the tug or such other person who is responsible for the operation of the tug;

“external examiner” means a person having –

- (a) a Master Mariner Class 1 qualified as per Regulation II/2 of the STCW Convention; or
- (b) a Marine Engineer Class 1 qualified as per Regulation III/2 of the STCW Convention,

and appointed as such by the Director;

“guidelines” includes codes, guidance notes, circular notes, notices to mariners and such other similar instruments as the Director may issue;

“medically fit” means being certified as being medically fit in accordance with such applicable medical standards as the Director may approve;

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

“tug” means a vessel of more than 100 gross tonnage used exclusively in operations for –

- (a) towing another vessel or a floating object astern or alongside; or
- (b) pushing another vessel or a floating object ahead;

“tug engineer” means a person in charge of a tug’s engine room;

“tug master” means a person in command of a tug;

“tug personnel” means any person employed on a tug, including a tug master and a tug engineer.

3. Application

These regulations shall apply to a tug of more than 100 gross tonnage operating within the limits of the port and territorial sea of Mauritius.

4. Responsibilities of companies

(1) The company shall be responsible for the assignment of the tug master, tug engineer and any tug personnel in service on their tugs in accordance with these regulations.

(2) The company shall ensure that –

- (a) all tug personnel assigned to any of its tugs holds an appropriate certificate in respect of the functions performed by him on the tug;
- (b) its tugs are manned in accordance with the applicable safe manning scale as the Director may approve;

- (c) every tug master, engineer and all other tug personnel assigned to any of its tugs receive regular and continuous training, including towing operations;
- (d) records pertaining to all tug personnel employed on its tugs 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) the tug personnel, on being assigned to any of its tugs, are familiarised with their specific duties and with every tug arrangement, installation, equipment, procedure and tug characteristics that are relevant to their routine and emergency duties; and
- (f) the tug's complement can effectively discharge their duties and coordinate their activities in an emergency situation and in performing functions vital to the safety, security and to the prevention or mitigation of pollution.

5. Minimum safe manning scale

The company shall ensure that –

- (a) its tugs do not proceed to sea unless there is, on board, a valid minimum safe manning scale which has been determined by the Director or the flag State in respect of the tug;
- (b) the manning of the tug is maintained, at all times, to at least the levels specified in the minimum safe manning scale approved by the Director or the flag State; and
- (c) the Director is informed of any changes in the circumstances pertinent to the minimum safe manning scale.

6. Hours of work and rest of tug personnel

(1) The tug master or any tug personnel shall not be required to work for such length of time as shall –

- (a) endanger the safety of the tug; and
- (b) adversely affect the performance of their duties.

(2) No tug personnel shall commence duty on a tug unless he is properly rested.

7. Mandatory minimum requirements for familiarisation, basic safety training and instruction to tug personnel

(1) Every tug personnel shall receive safety familiarisation, basic training and instruction in accordance with section A-V/1 of the Seafarers' Training, Certification and Watchkeeping (STCW) Code.

(2) The tug master of every tug shall ensure that every member of a tug personnel who is newly employed on board a tug, is given a reasonable opportunity to become familiar with the shipboard equipment, operating procedures and such other arrangements as may be required for the proper performance of his duties.

8. Certificate of Competency for Tug Operations

(1) An application for a Certificate of Competency for Tug Operations shall be made to the Director in such form and manner as he may approve.

(2) An applicant under paragraph (1) shall undergo such oral examination by a surveyor or an external examiner as the Director may determine and may undergo such practical examination as the Director may approve.

(3) No applicant shall undergo an oral examination or a practical examination unless he is medically fit and has successfully completed the training course as determined by the Director.

(4) The surveyor or external examiner shall, after conducting the oral examination and the practical examination –

- (a) inform the Director of the result of the examination; and
- (b) make recommendations to the Director on the certificate to be delivered to the applicant who has passed the examination.

(5) The Director shall, on recommendation of the surveyor or external examiner, issue to the applicant a Certificate of Competency for Tug Operations as Tug Master or Tug Engineer.

(6) A Certificate of Competency for Tug Operations shall be in such form as the Director may approve and shall bear such limitations as the Director may determine.

9. Certificate of Proficiency for Tug Operations

(1) An application for a Certificate of Proficiency for Tug Operations shall be made to the Director in such form and manner as he may approve.

(2) An applicant under paragraph (1) shall undergo such oral examination by a surveyor or an external examiner as the Director may determine and may undergo such practical examination as the Director may approve.

(3) No applicant shall undergo an oral examination or a practical examination, as the case may be, unless he is medically fit and has successfully completed such training course as the Director may determine.

(4) The surveyor or external examiner shall, after conducting the oral examination and the practical examination –

- (a) inform the Director of the result of the examination; and

(b) make recommendations to the Director on the certificate to be delivered to the applicant who has passed the examination.

(5) The Director shall, on recommendation of the surveyor or external examiner, issue to the applicant a Certificate of Proficiency for Tug Operations.

(6) A Certificate of Proficiency for Tug Operations shall be in such form as the Director may approve and shall bear such limitations as the Director may determine.

10. Right conferred by a Certificate of Competency for Tug Operations and Certificate of Proficiency for Tug Operations

The holder of Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations shall perform such functions as may be specified in the Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations, as the case may be.

11. Validity of Certificate of Competency for Tug Operations and Certificate of Proficiency for Tug Operations

(1) A Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations shall be valid for a period of 5 years and may be renewed for further periods of 5 years.

(2) A person who intends to renew his Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations shall, at least 3 months before the expiry of the Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations, as the case may be, make an application to the Director.

(3) The Director may, where he is of the opinion that the person satisfies the criteria, renew the Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations.

(4) Where the holder of a Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations is medically unfit, the Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations, as the case may be, shall, subject to paragraph (1) lapse.

12. Records of certificates

(1) For the purposes of these regulations, the Director shall keep and maintain a Register.

(2) The Director shall record the following information in the Register –

- (a) the name and contact details of the holder of the Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations;
- (b) the date of issue of the Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations;
- (c) the date of expiry and date of renewal of the Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations;
- (d) the date of suspension, cancellation, loss or damage of the Certificate of Competency for Tug Operations or Certificate of Proficiency for Tug Operations is reported; and
- (e) such other details as the Director may determine.

13. Issue of guidelines

- (1) For the purposes of these regulations, the Director may issue such guidelines as may be necessary.
- (2) The guidelines may provide specification in respect of –
 - (a) the manning of tugs and training and certification of tug personnel;
 - (b) the eligibility, requirements; and
 - (c) details of courses on tug operations.

14. Offence

- (1) Any person who, by fraud or by means of forged documents, obtains an assignment on a tug to perform any function or to serve in any capacity without holding the appropriate qualification, competence or experience, shall commit an offence.
- (2) It shall be an offence for a company or tug master to allow any function or have any capacity on a tug to be performed by a person who does not possess the appropriate certificate and training.
- (3) Any person who commits an offence under these regulations shall, on conviction, be liable to a fine not exceeding 50,000 rupees.

15. Commencement

These regulations shall be deemed to have come into operation on 29 January 2026.

Made by the Minister on 29 January 2026.
