

MARINE (CERTIFICATES OF COMPETENCY (REVALIDATION))
REGULATION, 1989

IN exercise of the powers conferred upon me by sections 98, 99, 143 and 212 of the Marine Act, 1986, I have made the following Regulations—

Short title

1. These regulations may be cited as the Marine (Certificates of Competency (Revalidation)) Regulations, 1989.

Object

2. These Regulations prescribe the procedure to be followed to revalidate a certificate of competency for seagoing service.

Regulations to be read as one

3.—(1) These Regulations are to be read as one with the Marine (Certificates of Competency and Manning of Vessels) (General) Regulations, 1989 and the other Regulations referred to in those Regulations.

(2) In particular words and phrases defined in the Marine (Certificates of Competency and Manning of Vessels) (General) Regulations, 1989 have the same meaning when used in these Regulations.

Application for revalidation of a certificate of competency

4.—(1) The holder of a certificate of competency who wishes to have the period of validity of that certificate for seagoing service extended shall apply to the Marine Board.

(2) On an application made to it under subregulation (1), the Marine Board shall not extend the period of validity of the certificate of competency for seagoing service unless it first satisfies itself—

- (a) as to the professional competence of the holder of the certificate of competency; and
- (b) that the holder of the certificate is not suffering from any medical defect that would render him incapable of satisfactorily discharging the ordinary seagoing duties of a holder of a certificate of competency as a deck officer.

Requirements as to professional competence

5.—(1) For the purposes of paragraph 4(2)(a), the Marine Board shall be deemed not to be satisfied as to the professional competence of the holder of a certificate of competency unless he can prove to the Board—

- (a) that he has at least 1 year's approved seagoing service during that 5 years immediately preceding his application to the Board for revalidation of his certificate of competency for seagoing service;
- (b) that, by virtue of having performed functions relating to duties appropriate to the grade of certificate of competency he holds, he has performed duties equivalent to those required by paragraph (a);
- (c) that he has during the 6 months immediately preceding his application to the Board for revalidation of his certificate of competency for seagoing service completed 3 months of substantially continuous approved seagoing service in a supernumerary capacity undertaking duties—
 - (i) appropriate to his grade of certificate of competency; or
 - (ii) in the case of the holder of a certificate of competency as an engineering officer—appropriate to a lower grade of certificate of competency;
- (d) that he has passed an approved examination; or
- (e) that he has successfully completed an approved course which included—
 - (i) changes in marine technology;
 - (ii) relevant international regulations; and
 - (iii) recommendations concerning safety of life at sea and protection of the marine environment.

(2) The Marine Board may, in any case, as a condition for extending the period of validity of a certificate of competency for seagoing service, require the holder of the certificate to complete successfully an approved course.

(3) Where the holder of a certificate of competency is to serve on a type of vessel for which special training requirements or recommendations have been agreed upon internationally the Marine Board shall not endorse the certificate of competency of that person for service on that vessel unless the holder of the certificate successfully completes an approved training course providing that special training.

Requirements as to health

6.—(1) In satisfying itself for the purpose of paragraph 4(2)(b), the Marine Board shall have particular regard to the applicant's hearing and eyesight.

(2) The Marine Board shall be deemed not to be satisfied as to the eyesight of an applicant until he has passed the letter test part of the eyesight test specified in the Schedule to the Marine (Certificate of Competency (Examination Procedures)) Regulations, 1989.

Fee

7.—(1) The fee to be paid by the holder of a certificate of competency who wishes to have the period of validity of that certificate extended for seagoing purposes is prescribed in the Marine (Fees) Regulations, 1989.

(2) The fee referred to in subregulation (1) is not refundable if, for any reason, the Marine Board refuses to extend the period of validity of the certificate of competency for seagoing purposes.

Endorsement

8. Where the period of validity of a certificate of competency is extended for seagoing purposes the Marine Board shall endorse the certificate accordingly.

Dated this third day of May 1989.

A.V. TORA
Minister for Communications,
Works and Transport