

MERCHANT SHIPPING ACT

(CHAPTER 179, SECTIONS 47, 100 AND 216)

MERCHANT SHIPPING (TRAINING, CERTIFICATION AND MANNING) REGULATIONS

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[1st April 1998]

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MERCHANT SHIPPING ACT

(CHAPTER 179, SECTIONS 47, 100 AND 216)

MERCHANT SHIPPING (TRAINING, CERTIFICATION AND MANNING) REGULATIONS

[1st April 1998]

PART I

PRELIMINARY

Citation

1. These Regulations may be cited as the Merchant Shipping (Training, Certification and Manning) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —

"certificate of competency" means —

(a) a certificate of competency issued by the Director under these Regulations and in accordance with the STCW Code; or

(b) a certificate which is treated as equivalent to such a certificate by virtue of regulation 8,

but does not include a certificate of competency issued by a foreign maritime administration;

"certificate of proficiency in survival craft and rescue boats" means a certificate of proficiency in survival craft and rescue boats issued by the Director under regulation 19 and in accordance with the STCW Code;

"certificate of service" means a certificate of service issued by the Director under regulation 5 (2) of the Merchant Shipping (Deck Officers) Regulations (Rg 13, 1990 Ed.), or under regulation 5 (2) of the Merchant Shipping (Marine Engineer Officers) Regulations (Rg 14, 1990 Ed.), which were in force immediately before 1st June 1994;

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"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 upon whom the command of the ship will fall in the event of the incapacity of the master;

"Constitution and Convention of the International Telecommunication Union" means the Constitution and Convention of the International Telecommunication Union signed at Geneva in 1992 and includes every revision or modification thereof to which the Government of Singapore is a party;

"Convention" means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended on 7th July 1995 and any amendment thereto which has come into force and has been accepted by the Government;

"DSC Code" means the Code of Safety for Dynamically Supported Craft adopted by the IMO by resolution A.373(X) as may be amended by the IMO and accepted by the Government;

"foreign-going ship" includes every ship employed in trading or going between some place or places in Singapore and some place or places situated beyond the limits prescribed for home-trade ships;

"home-trade" means the area within the following limits:

an imaginary line drawn from a position in the Gulf of Martaban in latitude 16° 15' north, longitude 96° east in a south-easterly direction to a position in latitude 15° north, longitude 97° east, thence due south to a position in latitude 9° north, longitude 97° east, thence in a south-westerly direction to a position in latitude 6° north, longitude 94° east, thence due south to a position in latitude 4° north, longitude 94° east, thence in a south-easterly direction to a position in latitude 8° south, longitude 104° east, thence in an easterly direction to a position in latitude 10° south, longitude 120° east, thence due east to a position in latitude 10° south, longitude 125° east, thence due north to a position in latitude 8° north, longitude 125° east, thence due west to a position in latitude 8° north, longitude 110° east, thence in a 315° direction (N.W. true) to the coast of Vietnam, thence initially westward following the coasts of Vietnam, Cambodia, Thailand, the Malay Peninsular and Myanmar to the starting point;

"home-trade ship" means a ship plying solely within the home-trade;

"HSC Code" means the International Code of Safety for High-Speed Craft adopted by the Maritime Safety Committee of the IMO by resolution MSC.36(63) as may be amended by the IMO and accepted by the Government;

"IMO" means the International Maritime Organization;

"International Convention for the Safety of Life at Sea" means the International Convention signed at London on 1st November 1974, and includes the Regulations annexed thereto, or a subsequent International Convention relating to the safety of life at sea to which Singapore is a party and every regulation which may be annexed thereto;

"master" means the person having command of a ship;

"power" , in relation to a ship, means the brake or shaft power as shown in the ship's register, that is to say, the total continuous rated brake or shaft power of all the propulsion engines, irrespective of whether some of the power may be diverted from the propulsion shafts or whether all the power is normally used;

"qualified deck officer" means an officer of the deck department who is qualified in accordance with regulation 4 (3);

"qualified marine dual vocation officer" means any person who is —

- (a) a qualified deck officer as well as a qualified marine engineer officer; or

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(b) the holder of a certificate set out in regulation 6A;

"qualified marine engineer officer" means a marine engineer officer who is qualified in accordance with regulation 4 (3);

"rating" means a member of the ship's crew other than the master or a deck officer or a marine engineer officer;

"revoked Regulations" means the Merchant Shipping (Deck Officers) Regulations (Rg 13, 1997 Ed.), Merchant Shipping (Marine Engineer Officers) Regulations (Rg 14, 1997 Ed.) or Merchant Shipping (Proficiency in Survival Craft) Regulations (Rg 15, 1990 Ed.), which were in force immediately before 1st April 1998;

"safe manning requirements" means —

(a) the minimum number of deck officers, marine engineer officers and ratings that shall be carried on a ship under regulations 13, 14 and 18, respectively; or

(b) the number of other persons that shall be carried on a ship under the safe manning document issued by the Director in respect of that ship in compliance with IMO resolutions A.955 (23) and A.890 (23) and any amendment thereto which has come into force;

"second engineer officer" means the engineer officer next in rank to the chief engineer officer and upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the chief engineer officer;

"special limit" means the area within the following limits which are closely adjacent to sheltered waters:

from a point where the longitude 103° 00' East cuts the West coast of Johor, thence due South to latitude 00° 30' North, thence due East to longitude 105° 00' East, thence due North to latitude 01° 00' North, thence to the point 02° 00' North, 104° 15' East, thence due West to the coast of Johor and thence following the coast of Johor Westwards to the starting point;

"STCW Code" means the Seafarers' Training, Certification and Watchkeeping Code adopted by the 1995 Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and any amendment thereto which has come into force and has been accepted by the Government;

"survival craft" includes an approved lifeboat, liferaft or any other craft used for survival at sea;

"tons" means gross tonnage;

"type rating certificate" means a certificate issued by the Director under regulation 10A and in accordance with —

(a) paragraph 2 of chapter 17 of the DSC Code; or

(b) paragraph 3 of chapter 18 of the HSC Code.

Application

3.—(1) These Regulations shall apply to all self-propelled ships registered in Singapore unless otherwise stated.

(2) Regulation 21 shall apply to all ships in Singapore.

PART II

CERTIFICATION OF OFFICERS

Qualified officers

4.—(1) Every ship to which these Regulations apply shall carry such number of qualified officers as are required under Part III.

(2) Any certificate required by the Convention to be held by any officer shall be kept available in its original form on board the ship on which the qualified officer is serving.

(3) For the purposes of these Regulations, an officer is qualified if he is for the time being —

(a) the holder of a relevant certificate of competency issued under these Regulations or a certificate which is treated as equivalent to that certificate by virtue of regulation 8; or

(b) the holder of a relevant certificate of competency issued by a foreign maritime administration that is recognised by the Director under regulation 9.

(4) In paragraph (3) (a), “relevant”, in relation to a certificate of competency, means the certificate is, at the material time, valid and in force in relation to the person named in it and is of a class appropriate to the capacity in which the holder is to be employed on the ship or of a higher class.

(5) In paragraph (3) (b), “relevant”, in relation to a certificate of competency issued by a foreign maritime administration, means the certificate is, at the material time, valid and in force in relation to the person named in it and is of a grade appropriate to the capacity in which the holder is to be employed on the ship or of a higher grade.

Classes of deck officer certificates

5.—(1) The following classes of deck officer certificates of competency are to be issued in accordance with these Regulations:

(a) Certificate of Competency (Deck Officer) Class 1 (Master Mariner);

(b) Certificate of Competency (Deck Officer) Class 2;

(c) Certificate of Competency (Deck Officer) Class 3;

(d) Certificate of Competency (Deck Officer) Class 4 (Home-Trade Master);

(e) Certificate of Competency (Deck Officer) Class 5; and

(f) Certificate of Competency (Deck Officer) Class 6.

(2) Subject to paragraph (3), a certificate of competency of a class set out in paragraph (1) is to be treated as being a certificate of a class higher than a certificate of any class that is set out after it in that paragraph.

(3) Notwithstanding paragraph (2), a Class 2 or a Class 3 Certificate of Competency or its equivalent is not to be treated as being higher than, or equal to, a Class 4 Certificate of Competency or its equivalent for the purposes of the manning of home-trade ships.

(4) A person who is not a qualified deck officer shall not take charge of a navigational or deck watch.

Classes of marine engineer officer certificates

6.—(1) The following classes of marine engineer officer certificates of competency are to be issued in accordance with these Regulations:

(a) Certificate of Competency (Marine Engineer Officer) Class 1;

(b) Certificate of Competency (Marine Engineer Officer) Class 2;

(c) Certificate of Competency (Marine Engineer Officer) Class 3;

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(d) Certificate of Competency (Marine Engineer Officer) Class 4; and

(e) Certificate of Competency (Marine Engineer Officer) Class 5.

(2) Certificates of competency for all classes are to be issued for motor ships or steam ships or for combined motor and steam ships.

(3) A certificate of competency of a class set out in paragraph (1) is to be treated as being a certificate of a class higher than a certificate of any class which is set out after it in that paragraph, if the higher class certificate is issued for the same type of ship (whether motor or steam or combined motor and steam) as the lower class certificate.

(4) A person who is not a qualified marine engineer officer shall not take charge of an engineering watch.

Classes of marine dual vocation officer certificates

6A.—(1) The following classes of marine dual vocation officer certificates of competency are to be issued in accordance with these Regulations:

(a) Certificate of Competency (Marine Dual Vocation Officer) Class 1 (Management Level Deck and Marine Engineer Officer) — Master and Chief Engineer;

(b) Certificate of Competency (Marine Dual Vocation Officer) Class 2 (Management Level Deck and Marine Engineer Officer) — Chief Mate and 2nd Engineer;

(c) Certificate of Competency (Marine Dual Vocation Officer) Class 3A (Management Level Deck and Operational Level Marine Engineer Officer);

(d) Certificate of Competency (Marine Dual Vocation Officer) Class 3B (Management Level Marine Engineer Officer and Operational Level Deck); and

(e) Certificate of Competency (Marine Dual Vocation Officer) Class 4 (Deck and Marine Engineer Officer — Operational Level).

(2) The Director shall specify the function, level, capacity and limitations, if any, as appropriate on the certificates set out in paragraph (1).

(3) In lieu of a certificate set out in paragraph (1), the Director may, in his discretion and upon such conditions as he may determine, issue any certificate under regulation 5 or 6 to any person who qualifies as a marine dual vocation officer.

Contents of certificate and endorsement

7. Certificates of competency issued under these Regulations —

(a) shall be endorsed as required by Article VI of the Convention; and

(b) shall contain the information set out in paragraphs 1 and 2 of section A-I/2 of the STCW Code.

Certificates equivalent to certificates of competency

8.—(1) Subject to paragraph (2) —

(a) a valid certificate of competency as a marine engineer officer, an engine driver or a deck officer issued by the Minister before 1st August 1986 is to be treated as being equivalent to the certificate of competency issued under these Regulations set out against it in the First Schedule;

(b) a valid certificate of competency issued under regulation 5 (1) of the revoked Merchant Shipping (Deck Officers) Regulations (Rg 13, 1990 Ed.), or under regulation 5 (1) of the revoked Merchant Shipping (Marine Engineer Officers) Regulations (Rg 14, 1990 Ed.), which was in force immediately before 1st June 1994 is to be treated as being equivalent to a certificate of competency of the same type and class issued under these Regulations;

(c) a valid certificate of service issued under regulation 5 (2) of the revoked Merchant Shipping

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(Deck Officers) Regulations (Rg 13, 1990 Ed.), or under regulation 5 (2) of the revoked Merchant Shipping (Marine Engineer Officers) Regulations (Rg 14, 1990 Ed.), which was in force immediately before 1st June 1994 is to be treated as being equivalent to a certificate of competency of the same type and class issued under these Regulations; and

(d) a valid certificate of competency issued under regulation 5 (1) of the revoked Merchant Shipping (Deck Officers) Regulations (Rg 13, 1997 Ed.), or under regulation 5 (1) of the revoked Merchant Shipping (Marine Engineer Officers) Regulations (Rg 14, 1997 Ed.), which was in force immediately before 1st April 1998 is to be treated as being equivalent to a certificate of competency of the same type and class issued under these Regulations.

(2) A certificate of competency or a certificate of service referred to in paragraph (1) (a), (b), (c) or (d) is only to be treated as being equivalent to a certificate of competency issued under these Regulations of the same type and class if the following conditions are satisfied:

(a) the holder of the certificate shall satisfy such requirements as the Director may specify; and

(b) the certificate is limited to such trading area, and power and description of ship, as the Director may specify.

Certificate of endorsement

9.—(1) The Director may, in his discretion and upon such conditions as he may determine, recognise any valid certificate of competency issued by a foreign maritime administration by issuing a certificate of endorsement attesting the recognition of the certificate in accordance with Regulation I/10 of the Convention.

(2) The certificate of endorsement referred to in paragraph (1) is to contain the information set out in paragraph 3 of section A-I/2 of the STCW Code.

(3) The recognition of any certificate of competency issued by any foreign maritime administration is subject to the following conditions:

(a) that the Director is of the opinion that the certificate of competency is of a grade appropriate to the capacity in which the holder of the certificate is to be employed on a Singapore ship or is of a higher grade; and

(b) that the Director is satisfied that the holder of the certificate of competency is a fit and proper person to be employed on a Singapore ship.

(4) Where the Director is of the opinion that a person whose certificate of competency is recognised under this regulation is not a fit and proper person to be employed on a Singapore ship or that the person has breached any condition upon which his certificate is recognised, the Director may issue a written notice to the person informing that person of his intention to cease recognition of such certificate and giving the reasons therefor and requiring that person to show cause why his certificate should not cease to be recognised.

(5) A person required to show cause under paragraph (4) may do so in writing addressed to the Director or may, at the discretion of the Director, appear before an officer appointed by the Director to investigate the matter.

(6) Where no cause or insufficient cause is shown, the Director shall issue a written notice to the person informing him that his certificate of competency will cease to be recognised as from a specified date and giving the reasons therefor and the person shall, on being so required by the Director, forthwith deliver his certificate of recognition to the Director to cancel the endorsement attesting to the recognition of the certificate.

(7) Any person who fails to deliver his certificate to the Director when required to do so under paragraph (6) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(8) Any person aggrieved by any decision of the Director to cease recognition of his certificate may appeal to the Minister whose decision shall be final.

(9) An appeal lodged under paragraph (8) shall not operate as a stay of the decision of the Director to cease recognition of the certificate of the appellant unless the Director consents in writing.

10. Deleted by S 388/2005, wef 01/07/2005.

Type rating certificate

10A.—(1) The Director may, in his discretion and upon such conditions as he may determine, issue a type rating certificate to any person in accordance with —

- (a) paragraph 2 of chapter 17 of the DSC Code; or
- (b) paragraph 3 of chapter 18 of the HSC Code.

(2) Where the Director is of the opinion that a person whose type rating certificate issued under this regulation is not a fit and proper person to be employed on a Singapore ship or that the person has breached any condition upon which his certificate is issued, the Director may issue a written notice to the person informing that person of his intention to revoke his type rating certificate and giving reasons therefor and requiring that person to show cause why his certificate should not be revoked.

(3) Any person required to show cause under paragraph (2) may do so in writing addressed to the Director or may, at the discretion of the Director, appear before an officer appointed by the Director to investigate the matter.

(4) Where no cause or insufficient cause is shown, the Director shall issue a written notice to the person informing him that his type rating certificate will be revoked as from a specified date and giving the reasons therefor and the person shall, on being so required by the Director, forthwith deliver his type rating certificate to the Director for cancellation.

(5) Any person who fails to deliver his type rating certificate to the Director when required to do so under paragraph (4) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(6) Any person aggrieved by any decision of the Director to revoke his type rating certificate may appeal to the Minister whose decision shall be final.

(7) An appeal lodged under paragraph (6) shall not operate as a stay of the decision of the Director to revoke the appellant's type rating certificate unless the Director consents in writing.

Recognition of foreign type rating certificate issued in accordance with HSC Code

10B. The Director shall recognise any valid type rating certificate that is issued by a foreign maritime administration in accordance with the HSC Code.

Standards and conditions applicable with respect to issue, endorsement and revalidation of certificates

11.—(1) The Director may determine the requirements for —

- (a) the standards of competency to be attained and the conditions to be satisfied by a person before he may be issued with an endorsed certificate of competency of a particular class under these Regulations, including any exceptions applicable with respect to any such standards or conditions;
- (b) the standards of competency to be attained and the conditions to be satisfied by a person seeking endorsement to his certificate of competency to qualify him to serve on ships carrying particular cargoes or particular classes of cargo;
- (c) the conditions to be complied with by a person seeking revalidation of his certificate;
- (d) the standards of competency to be attained and the conditions to be satisfied by a person before he may be issued with a type rating certificate to qualify him to serve on —

- (i) a dynamically supported craft as defined in the DSC Code; or

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(ii) a high-speed craft as defined in the HSC Code; and

(e) the manner in which the attainment of any standards, or the compliance with any conditions referred to in this paragraph, is to be satisfied.

(2) The Director may publish the requirements determined under paragraph (1) in the manner he thinks fit.

(3) Notwithstanding the fact that an applicant for the issue, endorsement or revalidation of a certificate of competency or a type rating certificate complies with the relevant requirements of this regulation, the Director shall not issue, endorse or revalidate the certificate applied for unless he is satisfied having regard to all the circumstances that the applicant is a fit and proper person to be the holder of the certificate and that the applicant is competent to act in the capacity to which it relates.

(4) A person who is refused a certificate under paragraph (3) may appeal to the Minister whose decision shall be final.

(5) The Director may, in his discretion and subject to such terms as he thinks fit to impose, exempt any person from any requirement determined by him under paragraph (1) and may, upon giving reasonable notice to that person, at any time withdraw the exemption.

Revalidation of certificate

12.—(1) Every holder of a certificate of competency who is serving at sea, or intends to return to sea after a period ashore shall, in order to requalify or continue to qualify for sea service in the capacity appropriate to his certificate, at regular intervals to be determined by the Director but not exceeding 5 years, satisfy the Director as to his medical fitness (including eyesight and hearing), and professional competence, as may be specified by the Director.

(2) Every holder of a type rating certificate shall, in order to requalify or continue to qualify for sea service on board a craft referred to in regulation 11 (1) (d) (i) or (ii), at regular intervals to be determined by the Director but not exceeding 2 years, satisfy the Director as to his medical fitness (including eyesight and hearing), and professional competence, as may be specified by the Director.

(3) Where the Director is of the opinion that the holder of a certificate of competency or a type rating certificate is not a fit and proper person, the Director may refuse to revalidate the certificate of competency or the type rating certificate.

(4) A type rating certificate that is not revalidated ceases to be valid.

(5) A certificate of competency that is not revalidated ceases to be valid for manning purposes in the rank appropriate to the certificate under these Regulations.

(6) To qualify for sea service for the purposes of revalidation, a holder of a certificate referred to in paragraph (5) is allowed to sail at any rank lower than that appropriate to his certificate.

PART III

NUMBER OF OFFICERS TO BE CARRIED ON SHIPS

Minimum number of deck officers to be carried

13. The minimum number of qualified deck officers of a particular class who are required to be carried on a ship of a description set out in column 2 of Part A of the Second Schedule when engaged on a voyage within the trading area set out in relation to that description of ship in column 1 of that Part shall be the number set out in column 3 of that Part.

Minimum number of marine engineer officers to be carried

14.—(1) Subject to paragraph (2), the minimum number of qualified marine engineer officers of a particular class who are required to be carried on a ship of a power set out in column 2 of Part B of the Second Schedule when engaged on a voyage within the trading area set out in column 1 of that Part shall be the number set out in column 3 of that Part.

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(2) A ship of 750 kW power or more engaged on a voyage in the unlimited trading area is not required to carry the number of Class 5 marine engineer officers specified in column 3 of Part B of the Second Schedule, or where 2 Class 5 marine engineer officers are specified, only one such officer is required to be carried, if —

- (a) the ship's machinery has been installed for operation with unattended machinery spaces; and
- (b) the Director is satisfied with the ship's fitness to operate with unattended machinery spaces.

(3) No marine engineer officer holding a Class 2 Certificate of Competency may serve as a chief engineer officer on a ship below 3,000 kW power unless he has served at least 12 months sea service after obtaining the Class 2 Certificate of Competency.

Manning by qualified marine dual vocation officers

14A.—(1) For the purposes of complying with the minimum manning requirements in regulations 13 and 14, a qualified marine dual vocation officer may be carried on any ship in place of a qualified deck officer or a qualified marine engineer officer, provided that the qualified marine dual vocation officer is of a class equivalent to the qualified deck officer or qualified marine engineer officer being replaced.

(2) Nothing in this regulation shall be construed as reducing the minimum manning requirements under regulations 13 and 14, or permitting the assignment of the combined duties of engine and deck watchkeeping to a single qualified marine dual vocation officer during any particular watch.

Special training requirements for personnel on certain types of ships

15.—(1) Every ship to which Chapter V of the Convention, the DSC Code or the HSC Code applies shall carry as masters, chief mates, chief engineer officers, and second engineer officers, deck officers and marine engineer officers —

- (a) who are qualified under these Regulations; and
- (b) who have been certified by the Director as having satisfied such conditions as to training and service as the Director may specify.

(2) No person, other than a master, chief mate, chief engineer officer or second engineer officer as mentioned in paragraph (1), shall act as cargo officer, or assume or be charged with any duty or immediate responsibility on board ships to which Chapter V of the Convention applies, unless the Director certifies that he has completed such additional training and service as the Director may specify.

(3) The Director may, in his discretion, refuse to certify that any officer or person —

- (a) has satisfied the conditions as to training and service as the Director may specify under paragraph (1); or
- (b) has completed such additional training and service as the Director may specify under paragraph (2),

if in his opinion the officer or person is not a fit and proper person to act as master, chief mate, chief engineer officer, second engineer officer, deck officer, marine engineer officer or cargo officer, or to assume or be charged with any duty or immediate responsibility on board ships to which Chapter V of the Convention, the DSC Code or the HSC Code applies.

Foreign-going ships to carry medical practitioners

16.—(1) A qualified medical practitioner shall be carried on every foreign-going ship having 100 persons or more on board as part of her complement.

(2) In paragraph (1), a "qualified medical practitioner" means a person who possesses any of the qualifications specified in the Schedule to the Medical Registration Act (Cap. 174), or such other qualification approved by the Director.

PART IV

RADIO-COMMUNICATION AND RADIO PERSONNEL

Qualified radio personnel

17. Crew performing designated radio duties shall be —

- (a) qualified in accordance with the relevant provisions of the Radio-communication (Certificates of Competency for Ship Station Operators) Regulations (Cap. 323, Rg 2); or
- (b) certified in accordance with the International Convention for the Safety of Life at Sea and the Constitution and Convention of the International Telecommunication Union.

PART V

RATINGS

Qualified ratings

18.—(1) Such number of certificated ratings as are required for the ship under the Safe Manning Document issued by the Director (in compliance with Resolutions A.955(23) and A.890(21) of the IMO and any amendment thereto which has come into force) shall be carried on every ship to which these Regulations apply.

(2) Any certificate required by the Convention to be held by a rating shall be kept available in its original form on board the ship on which the certificated rating is serving.

(3) No rating may be certificated by the Director under these Regulations unless the rating is registered as a seaman under the Maritime and Port Authority of Singapore (Registration and Employment of Seamen) Regulations (Cap. 170A, Rg 8).

(4) Paragraph (3) shall not apply to a rating who is certificated by a foreign maritime administration in compliance with the Convention.

(5) Every rating forming part of —

- (a) a navigational watch on a seagoing ship of 500 tons or more; or
- (b) an engineering watch or designated to perform duties in a periodically unmanned engine-room on a seagoing ship of 750 kW power or more,

shall be certificated by the Director or by a foreign maritime administration to perform such duties.

(6) No person may be issued by the Director with a certificate entitling the holder to be part of a navigational or an engineering watch unless the person complies with the requirements set out in regulation II/4 or III/4 of the Convention, whichever is applicable.

(7) Every rating for certification shall, in addition to meeting the requirements of paragraph (5), meet the applicable requirements of Chapters V, VI and VIII of the Convention.

(8) The procedure and form of certification of ratings under this regulation is to be determined by the Director.

PART VI

PROFICIENCY IN SURVIVAL CRAFT AND RESCUE BOATS

Requirements for issue of certificate

19.—(1) The Director may determine the requirements for the standards of competency to be attained and the conditions to be satisfied by a person before he may be issued in accordance with section A-VI/2, paragraphs 1 to 4 of the STCW Code with a Certificate of Proficiency in Survival Craft and Rescue Boats.

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(2) The Director may publish the requirements and conditions made under paragraph (1) in the manner he thinks fit.

(3) A valid Certificate of Efficiency as Lifeboatman under the revoked Regulations is to be treated as equivalent to a Certificate of Proficiency in Survival Craft and Rescue Boats issued under these Regulations upon satisfying such requirements as the Director may specify.

(4) A certificate issued by or under the authority of any other foreign maritime administration for proficiency in survival craft may, at the discretion of the Director be accepted as equivalent to a certificate issued under this regulation.

PART VII

MISCELLANEOUS

Responsibilities of shipowner

20.—(1) Every owner of a ship shall be responsible for the assignment of seafarers in the ship in accordance with the Convention, the DSC Code and the HSC Code and shall ensure that —

(a) each seafarer assigned to the ship holds an appropriate certificate in accordance with the provisions of the Convention, the DSC Code and the HSC Code;

(b) the ship is manned in compliance with the applicable safe manning requirements;

(c) 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;

(d) seafarers, on being assigned to the ship, are familiarised with their specific duties and with all ship arrangements, installations, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties; and

(e) the ship's complement can effectively co-ordinate their activities in an emergency situation and in performing functions vital to safety or to the prevention or mitigation of pollution.

(2) Any owner of a ship who breaches or fails to comply with any of his obligations under paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

(3) In this regulation, "owner of a ship" includes any person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the owner of the ship by these Regulations.

Control procedures

21.—(1) The Director may authorise an officer of the Authority to go on board any ship to —

(a) verify that all seafarers serving on board who are required to be certificated in accordance with the Convention hold an appropriate certificate or a valid dispensation, or provide documentary proof that an application for an endorsement has been submitted to the foreign maritime administration in accordance with regulation I/10, paragraph 5 of the Convention;

(b) verify that all seafarers —

(i) serving on board Singapore registered ships who are required to be certificated in accordance with the DSC Code and the HSC Code; and

(ii) serving on board foreign registered ships who are required to be certificated in accordance with the HSC Code,

hold an appropriate certificate, or a valid dispensation;

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(c) verify that the numbers and certificates of the seafarers serving on board are in conformity with the applicable safe manning requirements; and

(d) assess, in accordance with section A-I/4 of the STCW Code, the ability of the seafarers of the ship to maintain watchkeeping standards as required by the Convention if there are clear grounds for believing that such standards are not being maintained because any of the following has occurred:

(i) the ship has been involved in a collision, grounding or stranding;

(ii) there has been a discharge of substances from the ship when underway, at anchor or at berth which is illegal under any international convention;

(iii) the ship has been manoeuvred in an erratic or unsafe manner whereby routing measures adopted by the IMO or safe navigation practices and procedures have not been followed; or

(iv) the ship is otherwise being operated in such a manner as to pose a danger to persons, property or the environment.

(2) Deficiencies that are deemed to pose a danger to persons, property or the environment include the following:

(a) failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the foreign maritime administration in accordance with regulation I/10, paragraph 5 of the Convention;

(b) failure to comply with the applicable safe manning requirements;

(c) failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship under regulation 18 of Chapter V of the Merchant Shipping (Safety Convention) Regulations (Rg 11);

(d) absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radiocommunications or the prevention of marine pollution; and

(e) inability to provide for the first watch at the commencement of a voyage, and for subsequent relieving watches, persons who are sufficiently rested and otherwise fit for duty.

(3) Failure to correct any of the deficiencies referred to in paragraph (2), in so far as it has been determined by the Director that they pose a danger to persons, property or the environment, shall be the grounds, under these Regulations, on which the Director may cause a ship to be detained.

Unlawful authorisation to perform function or service

22. Any master who has allowed any function or service in any capacity required by these Regulations to be performed by a person holding an appropriate certificate, to be performed by a person not holding the required certificate or a valid dispensation, or not having the documentary proof required by regulation I/10, paragraph 5 of the Convention, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000.

Power to exempt

23. The Director may, subject to the provisions of the Convention and paragraph 3 of chapter 18 of the HSC Code, exempt any person or ship, or description of persons or of ships, from all or any of the provisions of these Regulations subject to such conditions as he thinks fit to impose.

Holder of certificate with disease or disability

24.—(1) The Authority may cancel or suspend any certificate issued by the Director under these Regulations if the holder of the certificate is suffering from a disease or disability which, in the opinion of the Authority, makes him incapable of discharging his ordinary seagoing duties adequately.

(2) The Authority shall not cancel or suspend any certificate under paragraph (1) until the holder of the

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certificate has been notified in writing to appear before the Authority to show cause why the certificate should not be cancelled or suspended.

(3) Where the holder of the certificate appears to show cause under paragraph (2), his certificate shall be suspended until the decision of the Authority is made known to him.

(4) Where the holder of the certificate fails to appear before the Authority as provided in paragraph (2), the Authority shall forthwith cancel his certificate.

(5) For the purposes of this regulation and regulations 25 and 26, "certificate issued by the Director under these Regulations" includes —

(a) any certification by the Director that an officer or person has satisfied the conditions as to training and service as the Director may specify under regulation 15 (1) or has completed such additional training and service as the Director may specify under regulation 15 (2); and

(b) any certification by the Director in respect of any rating under regulation 18.

Loss of certificate

25. If the holder of any certificate issued by the Director under these Regulations proves to the satisfaction of the Director that he has, without fault on his part, lost or been deprived of the certificate already issued to him, the Director may, upon payment of the prescribed fee, issue to him —

(a) a certified copy of the certificate; or

(b) a certificate equivalent to the certificate which he has lost or been deprived of.

Cancellation and suspension of certificate

26.—(1) Any certificate issued by the Director under these Regulations may be suspended or cancelled by him if the holder fails to comply with any of the provisions of these Regulations and the holder of the certificate shall, if required by the Director, forthwith deliver the certificate to the Director.

(2) The holder of a certificate issued by the Director under these Regulations who fails to deliver his certificate to the Director when required by the Director to do so under paragraph (1), or under section 51 (2) of the Act, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(3) Every valid certificate issued by the Director under these Regulations shall, on the death of the person to whom the certificate was issued, be surrendered to the Director for cancellation.

(4) Any person who is found in possession of a certificate referred to in paragraph (3) after the death of the person to whom it was issued without being able to account for the way in which it came into his possession, or to give good reasons for not surrendering it to the Director for cancellation, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(5) Where the holder of a certificate of competency of a particular class is to be issued with a certificate of a higher class, he shall surrender the first-mentioned certificate to the Director for cancellation.

FIRST SCHEDULE

Regulation 8

EQUIVALENT CERTIFICATES

DECK OFFICERS

COLUMN 1

Classes of Certificates of Competency issued before 1st August 1986

COLUMN 2

Equivalent Class of Certificates of Competency issued under these Regulations

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Master Foreign-Going	Class 1 (Master Mariner)
First Mate Foreign-Going	Class 2
Second Mate Foreign-Going	Class 3
Master Home-Trade	Class 4 (Master Home-Trade)
Mate Home-Trade	Class 5
Helmsman	Class 6

MARINE ENGINEER OFFICERS

COLUMN 1	COLUMN 2
Classes of Certificates of Competency as Engineer and Engine Driver issued before 1st August 1986	Equivalent Class of Certificates of Competency issued under these Regulations
First Class Engineer	Marine Engineer Officer — Class 1
Second Class Engineer	Marine Engineer Officer — Class 2
First Class Engine Driver	Marine Engineer Officer — Class 4
Second Class Engine Driver	Marine Engineer Officer — Class 5

SECOND SCHEDULE

Regulations 13 and 14

MINIMUM MANNING SCALE

PART A — DECK OFFICERS

COLUMN 1	COLUMN 2	COLUMN 3							
TRADING AREA	DESCRIPTION OF SHIP IN TONS	Minimum number of qualified Deck Officers to be carried							
		Class 1	Class 2	Class 3	Class 4	Local Trade Master	Class 5	Local Trade Master	Class 6
SPECIAL LIMIT	Below 100	—	—	—	—	—	—	—	1*+
	100 and above	—	—	—	—	1	—	—	1+
HOME-TRADE	Below 3,000	—	—	—	—	1	—	1+	—
	3,000 and above	—	—	—	1++	—	1++	1+	—
FOREIGN-GOING	Below 3,000	1	1	—	—	—	1+	—	—
	3,000 and above	1	1	1#+	—	—	—	—	—

*For passenger ship, at least 12 months seagoing service is required.

#Alternatively, a Class 4 certificated officer with no tonnage limitations may be provided.

+If the above number of officers is insufficient to ensure adequate rest periods for watchkeepers, additional officers must be provided.

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++With no tonnage limitations.

PART B — MARINE ENGINEER OFFICERS

COLUMN 1 Trading Area	COLUMN 2 Registered Power (Kilowatts) of Ships	COLUMN 3 Minimum number of qualified Marine Engineer Officers to be carried				
		Class 1	Class 2	Class 3	Class 4	Class 5
Unlimited	3,000 and above	1	1			1+
	1,500 and above but below 3,000			1	1	1+
	750 and above but below 1,500				1	2+ *(1E + 1)
	Below 750				1	1+
Special Limit	750 and above				1	1+
	Below 750					1+

*(E) denotes an endorsement on a Class 5 Certificate of Competency which qualifies the holder under regulation 14 (3) of the Merchant Shipping (Marine Engineer Officers) Regulations (Rg 14, 1990 Ed.), or regulation 15 (3) of the Merchant Shipping (Marine Engineer Officers) Regulations (Rg 14, 1997 Ed.), to serve as Second Engineer on ships below 1,500 kW power.

+If the above number of officers is insufficient to ensure adequate rest periods for watchkeepers, additional officers must be provided.

[G.N. Nos. S 89/98; S345/2000]