

## DEPARTMENT OF TRANSPORT

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Merchant Shipping Act, 1951 (Act No. 57 of 1951)

### **Merchant Shipping (Training and Certification) Regulations, 1999**

The Minister of Transport has, under section 356 of the *Merchant Shipping Act, 1951* (Act No. 57 of 1951), made the regulations in the Schedule.

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## Part 1                      General

### 1                      Interpretation

- (1) In these regulations, any word or expression given a meaning in the Act shall have that meaning and, unless the context indicates otherwise—

**"accelerated training"** means an approved programme of intensive training that is designed to reduce the period of qualifying service;

**"accredited institution"** means a training institution accredited under regulation 67;

**"approved"** means approved by the Authority;

**"approved sea service"**, in relation to—

- (a) a deck officer certificate, means sea service on trading ships relevant to the duties and functions carried out by officers associated with the deck department;
- (b) an engineer officer certificate, means sea service on trading ships relevant to the duties and functions carried out by officers associated with the engine department;
- (c) a deck rating certificate, means sea service in any capacity working on deck and carrying out duties and functions associated with the deck workings on trading ships;
- (d) an engineer rating certificate, means sea service in any capacity working in the engine-room and carrying out duties and functions associated with the engine-room workings on trading ships; and
- (e) a general purpose rating certificate, means sea service contemplated in paragraphs (c) and (d);

**"assessor"** means a person appointed as an assessor under regulation 19(2);

**"assistant engineer officer"** means a person under training to become an engineer officer;

**"certificated"** means duly certificated under the Act or deemed under the Act to be so certificated;

**"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 a ship;

**"chief mate"** means the deck 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;

**"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 IBC Code;

**"deck officer"** means an officer, including a master, certificated in accordance with part 3, division 1; and **"deck officer certificate"** shall be construed accordingly;

**"deck rating"** means a rating certificated as an ordinary seaman or able seaman in accordance with part 3, division 3; and **"deck rating certificate"** shall be construed accordingly;

**"endorsement"** means a document appended to a certificate and entitling the holder thereof to serve—

- (a) on a ship in a capacity other than that specified on the title page of the certificate;
- (b) on a specific type of ship in the capacity indicated in the certificate; or
- (c) on a ship engaged on a specific voyage when he or she cannot comply fully with the requirements as to medical fitness;

**"engineer officer"** means an officer certificated in accordance with part 3, division 2; and **"engineer officer certificate"** shall be construed accordingly;

**"engineer rating"** means a rating certificated as a wiper or an oiler in accordance with part 3, division 3; and **"engineer rating certificate"** shall be construed accordingly;

**"examiner"** means a person designated under section 77(4) of the Act, and includes an assessor;

**"fishing vessel"** means a ship used for catching fish or other living resources of the sea for financial gain or reward;

**"gas carrier"** means a ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product listed in chapter 19 of the IGC Code;

**"general purpose rating"** means a rating certificated as an efficient general purpose rating (port operations) in accordance with part 3, division 3; and **"general purpose rating certificate"** shall be construed accordingly;

**"GMDSS"** means the global maritime distress and safety system;

**"GT"** means gross register tons, and in the case of a ship with dual tonnage, the higher tonnage;

**"IBC Code"** means the latest edition of the *International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk* published by the International Maritime Organization, as amended from time to time;

**"IGC Code"** means the latest edition of the *International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk* published by the International Maritime Organization, as amended from time to time;

**"management level"** means the level of responsibility associated with—

- (a) serving as master, chief mate, chief engineer officer or second engineer officer on a trading ship; and
- (b) ensuring that all functions within the designated area of responsibility are properly performed;

**"mining operations"** means the exploitation by a ship at anchor, whether by mining or otherwise, of the mineral resources of the seabed or subsoil thereof, excluding oil and gas resources;

**"near-coastal voyage"** means a voyage made exclusively within waters under South African jurisdiction by a ship of less than 500 GT;

Definition of "near-coastal voyage" substituted by reg 3(a) GNR502 GG23345 26 April 2002

**"offshore" ...**

Definition of "offshore" deleted by reg 3(b) GNR502 GG23345 26 April 2002

**"officer in charge of an engineering watch"** includes a designated duty engineer officer for a periodically unmanned engine-room;

Definition of "officer in charge of an engineering watch" inserted by reg 3(c) GNR502 GG23345 26 April 2002

**"oil tanker"** means a ship constructed and used for the carriage in bulk of petroleum or petroleum products;

**"operational level"** means the level of responsibility associated with—

- (a) serving as officer in charge of a navigational or engineering watch or as designated duty engineer officer for periodically unmanned machinery spaces or as radio operator on a trading ship; and

Para (a) substituted by reg 3(d) GNR502 GG23345 26 April 2002

- (b) maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction of an individual serving in the management level for that area of responsibility;

**"port operations"** means voyages restricted to a port operations area; and **"port operations service"** shall be construed accordingly;

**"port operations area"** means the sea area within a radius of 15 nautical miles measured—

- (a) in the case of the port of Saldanha Bay, from the mid-point of an imaginary line joining the North Head and South Head lights; and
- (b) in the case of any other port in the Republic, from the outermost breakwater light;

Definition of "port operations area" substituted by reg 3(e) GNR502 GG23345 26 April 2002

**"port operations vessel"** means a harbour tug, dredger, hopper, pilot boat, work boat, bunker barge, ferry, tender, self-propelled floating crane or any other type of ship restricted to a port operations area;

**"propulsion power"** means the total maximum continuous rated output power in kilowatts of all a ship's main propulsion machinery appearing on the ship's certificate of registry or other official document;

**"qualifying service"**, in relation to a certificate or an endorsement, means approved sea service, sea service or port operations service, as the case may be;

Definition of "qualifying service" substituted by reg 3(f) GNR502 GG23345 26 April 2002

**"radio officer"** means a person employed as such and having responsibility for the operation of the radio installations on a ship;

**"rating"** means a seaman other than a master or an officer;

**"Registrar"** means the Registrar of Seafarers referred to in regulation 5;

**"ro-ro passenger ship"** means a passenger ship with ro-ro cargo spaces or special category spaces as defined in regulation II-2/3 of the Safety Convention;

**"seagoing ship"** means a ship other than one that navigates exclusively in inland waters or in a port operations area;

**"sea service"** means service on seagoing ships;

**"second engineer officer"** means the engineer officer next in rank to the chief engineer officer and upon whom 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;

**"specified by the Authority"** means specified by the Authority in a marine notice;

**"support level"** means the level of responsibility associated with performing assigned tasks, duties or responsibilities on a trading ship under the direction of an individual serving in the operational or management level;

**"tanker"** means a chemical tanker, a gas carrier or an oil tanker;

**"the Act"** means the *Merchant Shipping Act, 1951* (Act No. 57 of 1951);

**"the Code"** means the *Code for South African Maritime Qualifications* published by the Authority, as amended from time to time;

**"trading ship"** means a seagoing ship engaged in trade and proceeding to sea on regular voyages, excluding—

- (a) warships, naval auxiliaries or other ships owned or operated by a state and engaged only on government non-commercial service;
- (b) fishing vessels;
- (c) ships used solely for sport or recreation; and
- (d) sailing ships of traditional build;

**"unlimited voyage"** means a voyage other than one contemplated in the definitions of near-coastal voyage and port operations;

**"waters under South African jurisdiction"** means waters comprising—

- (a) the internal and territorial waters of the Republic; and
- (b) the exclusive economic zone of the Republic.

Definition of "waters under South African jurisdiction" added by reg 3(g) GNR502 GG23345 26 April 2002

- (2) Any reference in these regulations to a particular level of assessment shall be read as a reference to assessment, in accordance with regulation 18, at that particular level to ensure that the candidate has attained the relevant competencies specified in the Code.
- (3) References in these regulations to the holder of a certificate or to holding a certificate are references to the lawful holder of the certificate or to lawfully holding the certificate, as the case may be.

## **2 Introduction and classes of certificates**

- (1) These regulations prescribe, for the purposes of section 73 of the Act, the standards of competency and the conditions to be satisfied for certification as master, ship's officer or rating on South African ships other than fishing vessels.
- (2) A person is qualified as a master, ship's officer or rating for the purposes of section 73 of the Act and entitled to serve in the capacity and perform the functions involved at the level of responsibility specified in his or her certificate on a ship of the type, tonnage and power and means of propulsion so specified while engaged on the particular voyage concerned, if—

- (a) in the case of a master or ship's officer, he or she holds—
    - (i) a valid certificate of competency as such referred to in subregulation (3) or (4);
    - (ii) a valid certificate of competency as such that is treated as equivalent to a certificate contemplated in subparagraph (i) by virtue of regulation 23 of the *Merchant Shipping (Safe Manning) Regulations, 1999*; or
    - (iii) a valid certificate as such issued by or on behalf of the government of another country and has been authorized to serve on a South Africa ship under section 83(1) of the Act; and
  - (b) in the case of a rating, he or she holds—
    - (i) a valid certificate of qualification as such referred to in subregulation (5);
    - (ii) a valid certificate of qualification as such that is treated as equivalent to a certificate contemplated in subparagraph (i) by virtue of regulation 23 of the *Merchant Shipping (Safe Manning) Regulations, 1999*; or
    - (iii) a valid certificate as such issued and endorsed in accordance with the STCW Convention by or on behalf of the government of another country; or
    - (iv) any other certificate issued by or on behalf of the government of another country which, in the opinion of the Authority, qualifies the person to serve on a South African ship in the capacity concerned.
- (3) Subject to subregulation (7), the certificates of competency, with their limitations, endorsements and relative levels of responsibility (if any), applicable to deck officers are—
- (a) master (special grade);
  - (b) master
    - (i) master of a ship of any tonnage on unlimited voyages; (management level)
    - (ii) limited to mining operations;
  - (c) chief mate
    - (i) chief mate of a ship of any tonnage on unlimited voyages; (management level)
    - (ii) endorsed master of a ship of less than 3 000 GT on unlimited voyages; (management level)

- (iii) endorsed master of a ship of less than 500 GT on near-coastal voyages (management level);

Subpara (iii) substituted by reg 4(a) GNR502 GG23345 26 April 2002

- (iv) limited to mining operations;

(d) deck officer

- (i) officer in charge of a navigational watch on a ship of any tonnage on unlimited voyages (operation level);

Subpara (i) substituted by reg 4(b) GNR502 GG23345 26 April 2002

- (ii) endorsed chief mate of a ship of less than 3 000 GT on unlimited voyages; (management level)

- (iii) endorsed master of a ship of less than 500 GT on unlimited voyages; (management level)

- (iiiA) endorsed master of a ship of less than 3 000 GT on unlimited voyages (management level);

Subpara (iiiA) inserted by reg 3(a) GN1196 GG26878 15 October 2004

- (iv) endorsed master of a ship of less than 500 GT on near-coastal voyages; (management level)

- (ivA) endorsed master of a ship of any tonnage operating within a port operations area, with or without a port breakwater limitation;

Subpara (ivA) inserted by reg 4(c) GNR502 GG23345 26 April 2002

- (v) limited to mining operations;

(e) master (coastal)

- (i) master of a ship of less than 500 GT on near-coastal voyages; (management level)

- (ii) endorsed officer in charge of a navigational watch on a ship of any tonnage on unlimited voyages (operation level);

Subpara (ii) substituted by reg 4(d) GNR502 GG23345 26 April 2002

- (iii) limited to mining operations;

(f) mate (coastal)

- (i) chief mate/officer in charge of a navigational watch on ships of less than 500 GT on near-coastal voyages (operational level);

Subpara (i) substituted by reg 4(e) GNR502 GG23345 26 April 2002 and by reg 3(b) GN1196 GG26878 15 October 2004

- (iA) endorsed master of a ship of less than 500 GT on near-coastal voyages (management level);

Subpara (iA) inserted by reg 4(f) GNR502 GG23345 26 April 2002

- (iB) endorsed master of a ship of any tonnage operating within a port operations area, with or without a port breakwater limitation;

Subpara (iB) inserted by reg 4(f) GNR502 GG23345 26 April 2002

- (ii) limited to mining operations;
- (g) master (port operations)
  - master of a ship of any tonnage operating within a port operations area, with or without a port breakwater limitation;

Para (g) substituted by reg 4(g) GNR502 GG23345 26 April 2002

- (h) skipper (unlimited)
  - master of a ship of less than 100 GT on unlimited voyages; (management level)
- (i) skipper (coastal)
  - master of a ship of less than 100 GT on near-coastal voyages; (management level) and
- (j) skipper (port operations)
  - master of a ship of less than 200 GT operating within a port operations area, with or without a port breakwater limitation.

Para (j) substituted by reg 4(h) GNR502 GG23345 26 April 2002

(4) Subject to subregulation (7), the certificates of competency, with their limitations, endorsements and relative levels of responsibility (if any), applicable to engineer officers are—

- (a) chief engineer officer (special grade);
- (b) chief engineer officer
  - (i) chief engineer officer of a ship of 3 000 kW propulsion power or more; (management level)
  - (ii) chief engineer officer of a ship of less than 3 000 kW propulsion power; (management level)
- (c) second engineer officer
  - (i) second engineer officer of a ship of 3 000 kW propulsion power or more; (management level)
  - (ii) second engineer officer of a ship of less than 3 000 kW propulsion power; (management level)
  - (iii) endorsed chief engineer officer of a ship of less than 3 000 kW propulsion power; (management level)
  - (iv) endorsed chief engineer officer of a ship of less than 750 kW propulsion power; (management level)
  - (v) endorsed chief engineer officer of a ship of any kilowatt propulsion power operating within a port operations area;

Subpara (v) added by reg 4(i) GNR502 GG23345 26 April 2002

- (d) engineer officer

- (i) officer in charge of an engineering watch on a ship of any kilowatt propulsion power operating in a port operations area;

Subpara (i) substituted by reg 4(j) GNR502 GG23345 26 April 2002

- (ii) endorsed chief engineer officer of a ship of any kilowatt propulsion power operating within a port operations area;

- (iiA) endorsed chief engineer officer of a ship of less than 1 500 kW propulsion power operating within a port operations area;

Subpara (iiA) added by reg 4(k) GNR502 GG23345 26 April 2002

- (e) chief engineer officer (port operations)

- chief engineer officer of a ship of any kilowatt propulsion power operating within a port operations area, with or without a port breakwater limitation;

Para (e) substituted reg 4(l) GNR502 GG23345 26 April 2002

- (f) second engineer officer (port operations)

- (i) second engineer officer/officer in charge of an engineering watch on a ship of any kilowatt propulsion power operating in a port operations area;

Subpara (i) substituted reg 4(m) GNR502 GG23345 26 April 2002

- (ii) endorsed chief engineer officer of a ship of less than 1 500 kW propulsion power operating within a port operations area, with or without a port breakwater limitation.

- (5) Subject to subregulation (7), the certificates of qualification, with their limitations and relative levels of responsibility (if any), applicable to ratings are—

- (a) ordinary seaman (support level)
  - limited to port operations;
- (b) able seaman (support level)
  - limited to port operations;
- (c) wiper (support level)
  - limited to port operations;
- (d) oiler (support level)
  - limited to port operations;
- (e) efficient general purpose rating (port operations); and
- (f) efficient cook.

- (6) The other certificates of qualification are—

- (a) proficiency in liferafts;
- (b) proficiency in survival craft; and

- (c) proficiency in fast rescue boats.
- (7) The certificates referred to in subregulations (3), (4) and (5) may, in addition, be endorsed for service on tankers, ro-ro passenger ships or passenger ships other than ro-ro passenger ships, in accordance with regulation 51, 52 or 52A respectively.

Subreg (7) substituted reg 4(n) GNR502 GG23345 26 April 2002

- (8) The ranking of voyage limitations is such that the holder of—
  - (a) a certificate unlimited as to voyages may serve in the certificated capacity on ships engaged on unlimited voyages or voyages of any limitation;
  - (b) a certificate limited to near-coastal voyages may serve in the certificated capacity on ships engaged on near-coastal voyages and in port operations but not on unlimited voyages;
  - (c) a certificate limited to port operations may serve in the certificated capacity only on ships engaged in port operations; and
  - (d) a certificate limited to mining operations may serve in the certificated capacity only on ships employed in mining operations.

Para (d) substituted reg 4(o) GNR502 GG23345 26 April 2002

- (9) The certificates referred to in subregulations (3) to (6) shall be issued and endorsed in accordance with the STCW Convention, except—
  - (a) the certificate of competency as master (special grade);
  - (b) the certificate of competency as chief engineer officer (special grade);
  - (c) any certificate limited to port operations;
  - (d) the certificate of qualification as efficient cook;
  - (e) the certificate of qualification as efficient general purpose rating (port operations); and
  - (f) the certificate of qualification as proficient in liferafts.

### **3 Revalidation of certificates**

- (1) A certificate as master or ship's officer issued under the Act in accordance with the STCW Convention shall not be valid for sea service unless revalidated in accordance with this regulation.
- (2) For the purposes of revalidation, every person who holds a certificate referred to in subregulation (1) shall be required at intervals not exceeding five years to satisfy the Authority as to—
  - (a) medical fitness (including, where applicable, colour and form vision), in accordance with the requirements of the *Merchant*

*Shipping (Eyesight and Medical Examination) Regulations, 2004; and*

Para (a) substituted by reg 26(a) GN1197 GG26878 15 October 2004

- (b) continued professional competence either by—
- (i) having completed at least one year's approved sea service in the rank specified in the certificate held during the preceding five years; or
  - (ii) having performed the duties appropriate to the certificate held that are considered to be at least equivalent to the sea service required by subparagraph (i); or
  - (iii) having passed an approved test; or
  - (iv) having successfully completed one or more approved courses; or
  - (v) having completed approved sea service in the appropriate rank for a period of not less than three months in a supernumerary capacity or in a lower officer rank than that for which the certificate held is valid immediately before taking up the rank to which he or she is entitled by virtue of his or her certificate.

- (3) Every master and officer shall, for continuing sea service on ships for which special training requirements have been internationally agreed upon, successfully complete approved training as specified in the Code.

Subreg (3) substituted reg 5 GNR502 GG23345 26 April 2002

- (4) Application for revalidation shall be made in the manner specified by the Authority at an office of the Authority designated as an examination centre.
- (5) The Authority shall, if it is satisfied that the applicant meets the requirements of subregulation (2) or (3), issue to the applicant an endorsement revalidating his or her certificate.
- (6) If an applicant fails to satisfy the Authority as mentioned in subregulation (2)(a), the Authority may—
- (a) restrict the capacity in which the applicant may serve in a ship; and/or
  - (b) limit the type of voyage on which the applicant may serve; and/or
  - (c) reduce the period of validity of the certificate,

and, if it does so, shall endorse the applicant's certificate accordingly.

#### **4 Equivalence of certificates issued before commencement of regulations, etc**

- (1) Regulation 23 of the *Merchant Shipping (Safe Manning) Regulations, 1999*, has effect for the purpose of determining the equivalency of certificates of competency and of qualification, including the endorsements thereto, issued under the Act before the commencement of these regulations, or thereafter in accordance with regulation 72.
- (2) The certificates referred to in subregulation (1) are to be exchanged for the corresponding new certificates within the time and in the manner specified by the Authority.

Reg 4 substituted reg 6 GNR502 GG23345 26 April 2002

#### **5 Registrar of Seafarers**

- (1) The Authority shall designate a member of its staff to be the Registrar of Seafarers.
- (2) In addition to functions bestowed by any other law, the functions of the Registrar shall be—
  - (a) to issue certificates of competency and qualification in accordance with the Act;
  - (b) to issue endorsements to certificates in accordance with the Act;
  - (c) to maintain a register of all certificates of competency and of qualification issued or recognized under the Act, and of all matters affecting them;
  - (d) to make available information on the status of certificates of competency and of qualification, including the matters affecting them, to other competent authorities or shipping firms requesting verification of the authenticity or validity of certificates produced to them; and
  - (e) to perform the functions incidental to those referred to in paragraphs (a) to (d).
- (3) The Registrar shall perform his or her functions in accordance with any applicable quality assurance system implemented pursuant to regulation 7.

#### **6 Senior examiners**

The Authority may, for the purposes of these regulations, designate one or more examiners as senior deck or engineer examiners.

**7 Quality assurance**

The Authority shall implement a quality assurance system to monitor the working procedures of the examiners and Registrar.

**8 Syllabus committee**

- (1) The Authority may establish a syllabus committee the functions of which shall be to interpret the syllabuses set out in the Code and to keep these regulations and the Code under review.
- (2) The committee shall be chaired by a senior examiner, and the remaining members of the committee, not exceeding eleven, shall be representative of the Government, the training institutions, the shipping industry and organized labour in the shipping industry.

## **Part 2 Assessment**

**9 Proof of identity**

Every candidate for a certificate or an endorsement shall furnish proof of his or her identity to the satisfaction of the Authority. Such proof may be in the form of a valid South African identity document or passport or, in the case of a foreign citizen or resident, a valid passport.

**10 Dates and places of examination**

- (1) The Authority shall publish annually in a marine notice information (including dates, times and places) about written examinations to be conducted by accredited institutions.
- (2) A candidate for an oral examination shall receive confirmation of the date, time and place of examination after the examiner has determined that the candidate meets all the requirements preliminary to examination.

**11 How to apply**

- (1) Candidates for the issue of certificates or endorsements shall apply at an office of the Authority designated as an examination centre on an application form obtainable from that office. The duly completed application form shall be accompanied by the relevant supplementary documents specified in the annex.
- (2) Candidates for oral examination shall ensure that application is made in accordance with subregulation (1) at least 21 days before the date proposed for examination.

## **12 How to apply in special cases**

- (1) Whenever there is doubt about the sufficiency of a candidate's qualifying service, the candidate may submit his or her case, accompanied by the relevant certificates, discharges, testimonials, training records, watchkeeping certificates and such other documents as may be required, for special consideration by an examiner.
- (2) Applications for certificates and endorsements by candidates abroad may be made by post and shall include full particulars of the case, accompanied, where necessary, by certified copies of the relevant documents. Original documents should not accompany such applications.

## **13 Declaration and proof of qualifying service**

- (1) Each candidate shall be required to make a declaration of qualifying service in the application form referred to in regulation 11(1), and shall be required to explain in writing, to the satisfaction of the examiner concerned, any period of discontinuity in such service.
- (2) Certificates of discharge or a duly completed Seaman's Record Book shall, in the absence of evidence to the contrary, be accepted as sufficient proof of the service recorded therein.
- (3) A candidate for a deck officer certificate shall, where service in charge of a watch is required, produce certificates of watchkeeping service signed by the respective masters of the ships on which he or she has served, stating that he or she has acted as a watchkeeping officer for at least 8 hours out of every 24 hours' service claimed. A candidate for a first deck officer certificate shall produce testimonials signed by the respective masters of the ships on which he or she has served for the 12 months' qualifying service preceding the date of application for examination.
- (4)
  - (a) A candidate for an engineer officer certificate may submit testimonials as proof of workshop service. The testimonials shall set out the kind of work the candidate has undertaken or in which the candidate has been trained.
  - (b) Testimonials produced as proof of qualifying service by a candidate for an engineer officer certificate shall be signed by either the chief engineer officer or master of the ship concerned and shall state—
    - (i) the candidate's actual rank on watch;
    - (ii) the number of engineer officers simultaneously on watch;
    - (iii) the type of propulsion machinery and the propulsion power (in kilowatts) of the ship;

- (iv) the nature of duties performed; and
- (v) where service in charge of a watch is required, that the candidate has acted as a watchkeeping officer for at least—
  - (aa) eight hours in every 24 hours' service claimed on ships having a continuously manned engine room; and
  - (bb) 24 hours in every 72 hours' service claimed on ships having a periodically unmanned engine room.

Para (b) substituted by reg 7 GNR502 GG23345 26 April 2002

#### **14 Bribery**

A candidate who has been convicted of bribery in terms of section 314 of the Act or upon whom a penalty for bribery has been imposed under section 324 of the Act shall not be admitted to any examination for a certificate or an endorsement before a period of at least 12 months has elapsed since the date of such conviction or the date of imposition of such penalty, as the case may be.

#### **15 Unsatisfactory conduct**

A candidate or prospective candidate who, after having signed an agreement with the crew contemplated in section 102 of the Act, failed to join the ship or who, after having joined, left the ship other than upon discharge, or who has been found guilty of misconduct on board shall, unless the Authority directs otherwise, be required to produce satisfactory proof of at least two years' subsequent qualifying service with good conduct.

#### **16 Oral examinations**

- (1) Where an examination consists of a written part and an oral part, a candidate shall not be examined in the oral part unless he or she has passed in the written part.
- (2) Oral examinations shall be conducted by an examiner in the presence of an assessor. The purpose of an oral examination shall be to ascertain a candidate's competency in the practical aspects of an officer's duty.
- (3) Every candidate shall, before being examined in the oral part of an examination, submit to the examiner a certificate of results from an accredited institution, signed by an authorized person and showing—
  - (a) the candidate's full name and student number;
  - (b) the course or courses successfully completed;

- (c) for each subject, the subject mark, marks obtained in the final examination (if applicable), final marks and result; and
  - (d) the duration of the course or courses.
- (4) The oral examination for a deck officer certificate shall test a candidate's knowledge of the ambit and intent of the collision regulations, and the mere ability to repeat the regulations verbatim shall not suffice to ensure a pass in the examination, nor shall the lack of verbatim repetition necessarily entail failure, provided the examiner is satisfied that the candidate grasps the full significance, content and practical application of those regulations. During the examination a candidate shall not be required to handle a sailing ship, but his or her ability to recognize a sailing ship's lights, and knowledge of a sailing ship's possible manoeuvres according to the direction of the wind, shall be tested.
- (5) A candidate may, during an oral examination, be required to complete a calculation or to elaborate upon any section of the syllabus applicable to the certificate or endorsement for which he or she is being examined.
- (6) A candidate who fails in the oral part of an examination for any certificate or endorsement through serious deficiency in practical knowledge may, at the examiner's discretion, be required to perform further qualifying service, not exceeding six months, before being eligible for re-examination.
- (7) A candidate who, without reasonable excuse, fails to appear for an oral examination at the appointed time and place may be failed by default.

## **17 Written examinations**

- (1) Written examinations shall be conducted by accredited institutions and shall cover the subjects required for each certificate or endorsement as specified in the Code so as to ensure that candidates have attained the standard of theoretical knowledge required in the Code.
- (2) The Authority shall designate examiners who shall—
- (a) moderate examination question papers and memoranda at least 30 days before the appointed examination date;
  - (b) moderate examination scripts;
  - (c) re-mark examination scripts at the request of an accredited institution; and

- (d) consult with the relevant lecturer or internal examiner of an accredited institution when a negative trend or fault is detected in a memorandum, script or batch of scripts.
- (3) In the subjects chartwork, navigation, naval architecture and emergency procedures for deck officers, a candidate shall be required to obtain a final aggregate pass-mark of at least 60 per cent in each subject; in all other subjects, in both the deck officer and engineer officer syllabuses, the final pass-mark for each subject shall be at least 50 per cent.  
Subreg (3) substituted by reg 8 GNR502 GG23345 26 April 2002
- (4) In cases of doubt about a candidate's final mark in the subjects chartwork, navigation, naval architecture, emergency procedures and engineering knowledge, the examiner's decision shall be final.  
Subreg (4) substituted by reg 8 GNR502 GG23345 26 April 2002

## **18 Assessment procedure**

- (1) Every candidate for the issue of a certificate or an endorsement shall be assessed at one or more of the following levels:
  - (a) Level 1 assessment is carried out during qualifying service on a ship or during training at an accredited institution, and shall be carried out aboard ship by one or more designated ship's officers and ashore by one or more persons who meet the requirements of regulation 19(1).
  - (b) Level 2 assessment is carried out during qualifying service on a ship or during training at an accredited institution, and shall be carried out by an assessor.
  - (c) Level 3 assessment is carried out by an examiner and an assessor when a candidate presents himself or herself for oral examination.
- (2) All units of competency that are to be assessed at level 1 or 2 shall be indicated in the training record book issued to a candidate.
- (3) Only an assessor may sign off a unit of competency in a candidate's training record book when the candidate is considered to be ready for the next level of assessment and has successfully demonstrated competency in the unit as specified in the Code.
- (4) A candidate who is required to complete more than one level of assessment shall not be assessed at the higher level until he or she has demonstrated competency at the lower level, nor shall such candidate be assessed at level 3 until all the relevant units of competency have been signed off by at the lower levels of assessment by an assessor.

## 19 Assessors

- (1) Every person who, whether aboard ship or ashore, conducts in-service assessment of a candidate for the purposes of certification in terms of these regulations shall—
  - (a) have an appropriate level of knowledge and understanding of the competence to be assessed;
  - (b) have proof of being qualified in the activities for which the assessment is being made;
  - (c) have proof of having received appropriate guidance in assessment methods and practice;
  - (d) have gained practical assessment experience; and
  - (e) where assessment is conducted by means of simulators, have gained practical assessment experience on the particular type of simulator under the supervision to the satisfaction of another, more experienced assessor.
- (2)
  - (a) The Authority may, subject to paragraph (b), in writing appoint as an assessor any person who, in the Authority's opinion, is qualified to be so appointed, stating in the instrument of appointment the levels, competencies and tasks that the person is entitled to assess.
  - (b) A person is not eligible for appointment under paragraph (a) unless he or she—
    - (i) holds an appropriate certificate of competency;
    - (ii) is medically fit; and
    - (iii) has successfully completed an approved course, including at least three practical assessments, covering the disciplines in question.
- (3) Appointment as an assessor remains in force for a period not exceeding three years from the date of appointment, but is renewable subject to subregulation (2).
- (4) The Authority may revoke an appointment under subregulation (2) upon request, or if—
  - (a) after investigation it is found that the assessor—
    - (i) was negligent or incompetent in carrying out his or her duties;
    - (ii) completed an assessment fraudulently; or
    - (iii) raised a fraudulent fee for his or her services;
  - (b) the assessor is unable to complete his or her duties due to ill-health;
  - (c) the assessor is convicted of a criminal offence; or

- (d) the assessor's certificate of competency is cancelled or suspended by a competent authority.
- (5) A list of all appointments in force under subregulation (2), including the particulars thereof, shall be published in a marine notice.

## **20 Deafness and other physical and mental disabilities**

- (1) (a) If in the course of an examination an examiner finds that a candidate is afflicted with deafness, with an impediment in speech or with some other physical or mental infirmity, and upon further investigation is satisfied that the degree of infirmity is such as to render the candidate incapable of discharging the ordinary shipboard or other duties of a holder of the certificate concerned, he or she shall not, even if the candidate passes the examination, issue to the candidate any documentary proof that he or she has passed the examination.
- (b) An examiner shall report all such the cases to the Authority and shall furnish the candidate with a copy of such report. If the candidate is the holder of an existing medical certificate, such certificate shall be forwarded together with the report.
- (2) If a candidate referred to in subregulation (1) subsequently produces a medical certificate stating that his or her hearing, speech, or physical or mental condition has improved or is normal, the Authority shall reconsider the candidate's application for examination together with the examiner's report.

## **21 Use of English in assessment**

Every candidate shall be able to give instructions and understand instructions given in the English language, both written and verbal.

## **22 Examination results**

- (1) (a) A candidate who complies with all the requirements for the issue of a certificate or an endorsement shall receive a certificate of pass signed by the examiner, which shall be valid for a period of six months from date of issue.
- (b) A certificate of pass referred to in paragraph (a) shall—
  - (i) state the date and the title of the relevant certificate or endorsement;
  - (ii) serve as a temporary certificate or endorsement until such time as the original certificate or endorsement is issued by the Registrar; and
  - (iii) be surrendered by the candidate when collecting the original certificate or endorsement.

- (2) (a) A candidate who fails assessment at level 3 shall receive a notice of failure signed by the examiner.
- (b) A notice of failure referred to in paragraph (a) shall—
  - (i) state the examination failed, the date of failure and the conditions (if any) imposed by the examiner; and
  - (ii) be produced to an examiner when the candidate next applies for assessment at level 3.

## **Part 3                      Certification requirements**

### **Division 1                Deck officer certificates**

#### **23                      Skipper (port operations)**

- (1) A candidate for the certificate of competency as skipper (port operations), which includes the endorsement referred to in regulation 2(3)(j)(ii), shall be at least 18 years of age and shall have—
  - (a) completed at least 12 months' sea service or port operations service, as the case may be, in a deck capacity on any of the following ships of 25 GT or more:
    - (i) Trading ships;
    - (ii) fishing vessels;
    - (iii) ships of class V, VI or XII;
    - (iv) port operations vessels; or
    - (v) naval ships;
  - (b) performed bridge watchkeeping duties under the supervision of a deck officer for the last six months of the required service;
  - (c) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (d) been assessed at level 3.
- (2) Where the port operations service contemplated in subregulation (1)(a) has been gained on ships restricted to operating within the confines of the breakwaters of a port, the certificate shall be limited accordingly.

#### **24                      Skipper (unlimited or coastal)**

A candidate for the certificate of competency as skipper (coastal) or skipper (unlimited) shall be at least 18 years of age and shall have—

- (a) completed at least 24 months' sea service in a deck capacity on any of the following ships of 25 GT or more:
  - (i) Trading ships;

- (ii) fishing vessels;
- (iii) ships of class V, VI or XII; or
- (iv) naval ships:

Provided that for the issue of a certificate of competency as skipper (unlimited) the sea service shall have been gained in ships on unlimited voyages;

- (b) performed bridge watchkeeping duties under the supervision of a deck officer for the last six months of the required service;
- (c) passed a theoretical examination at an accredited institution and have successfully completed training; and
- (d) been assessed at level 3.

## **25 Mate (coastal)**

- (1) Subject to subregulation (2), a candidate for the certificate of competency as mate (coastal) shall be at least 18 years of age and shall have—
  - (a) (i) completed at least 36 months' approved sea service on ships of 100 GT or more on unlimited or near-coastal voyages; or
  - (ii) if the candidate has a grade 12 or equivalent pass with mathematics and physics as subjects—
    - (aa) completed at least 12 months' service contemplated in subparagraph (i); and
    - (bb) successfully completed approved on-board accelerated training;
  - (b) performed bridge watchkeeping duties under the supervision of a deck officer for the last six months of the required sea service;
  - (c) passed a theoretical examination at an accredited institution and have successfully completed approved training; and
  - (d) been assessed at levels 1, 2 and 3 or, if the candidate has not undergone on-board accelerated training, at levels 1 and 3.
- (2) A candidate referred to in subregulation (1) who holds a certificate of competency as skipper (unlimited) or skipper (coastal) shall have—
  - (a) completed at least six months' approved sea service on ships of 100 GT or more on unlimited or near-coastal voyages;
  - (b) performed bridge watchkeeping duties under the supervision of a deck officer for at last three months during the required sea service;
  - (c) passed a theoretical examination at an accredited institution and have successfully completed approved training; and

- (d) been assessed at levels 1, 2 and 3.

## **26 Master (port operations)**

- (1) A candidate for the certificate of competency as master (port operations) shall be at least 20 years of age and shall have—
  - (a) completed—
    - (i) at least 12 months' port operations service as officer in charge of a navigational watch on port operations vessels of 100 GT or more while holding, as a minimum, a certificate of competency as skipper (port operations); or
    - (ii) at least 12 months' approved sea service as an officer in charge of a navigational watch on ships of 100 GT or more on unlimited or near-coastal voyages while holding, as a minimum, a certificate of competency as mate (coastal);
  - (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (c) been assessed at level 3.
- (2) Where the port operations service contemplated in subregulation (1)(a)(i) has been gained on ships restricted to operating within the confines of the breakwaters of a port, the certificate shall be limited accordingly.

Subpara (i) substituted by reg 9(a) GNR502 GG23345 26 April 2002

Subreg (2) substituted by reg 9(b) GNR502 GG23345 26 April 2002

## **27 Master (coastal)**

A candidate for the certificate of competency as master (coastal), which includes the endorsement referred to in regulation 2(3)(e)(ii), shall be at least 20 years of age and shall have—

- (a) completed at least 12 months' approved sea service as an officer in charge of a navigational watch on ships of 100 GT or more on unlimited or near-coastal voyages while holding, as a minimum, a certificate of competency as mate (coastal);
- (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
- (c) been assessed at level 3.

## **28 Deck officer**

- (1) Subject to subregulation (2), a candidate for the certificate of competency as deck officer shall be at least 18 years of age and shall have—

- (a)
    - (i) completed at least 36 months' approved sea service on ships of 500 GT or more on unlimited voyages; or
    - (ii) if the candidate has a grade 12 or equivalent pass with mathematics and physics as subjects—
      - (aa) completed at least 12 months' service contemplated in subparagraph (i); and
      - (bb) successfully completed approved on-board accelerated training;
  - (b) performed bridge watchkeeping duties under the supervision of a deck officer for the last six months of the required sea service;
  - (c) passed a theoretical examination at an accredited institution and have successfully completed approved training; and
  - (d) been assessed at levels 1, 2 and 3 or, if the candidate has not undergone on-board accelerated training, at levels 1 and 3.
- (2) A candidate referred to in subregulation (1) who holds a certificate of competency as master (coastal) or mate (coastal) shall have—
- (a) completed at least six months' approved sea service on ships of 500 GT or more on unlimited voyages;
  - (b) performed bridge watchkeeping duties under the supervision of a deck officer for the last three months of the required sea service;
  - (c) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (d) been assessed at level 3.

**29 Endorsement as chief mate of ship of less than 3 000 GT on unlimited voyages**

A candidate for the endorsement as chief mate of a ship of less than 3 000 GT on unlimited voyages shall have—

- (a) completed at least 12 months' approved sea service as an officer in charge of a navigational watch on ships of 500 GT or more on unlimited voyages while holding, as a minimum, a certificate of competency as deck officer;
- (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
- (c) been assessed at level 3.

**30 Endorsement as master of ship of less than 500 GT on unlimited voyages**

A candidate for the endorsement as master of a ship of less than 500 GT on unlimited voyages shall have—

- (a) completed at least 12 months' approved sea service as chief mate of a ship of 100 GT or more on unlimited voyages while holding, as a minimum, a certificate of competency as deck officer;
- (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
- (c) been assessed at level 3.

**30A Endorsement as master of ship of less than 3 000 GT on unlimited voyages**

A candidate for the endorsement as master of a ship of less than 3 000 GT on unlimited voyages shall have—

- (a) completed—
  - (i) at least 36 months approved sea service as officer in charge of a navigational watch on ships of 500 GT or more on unlimited voyages while holding, as a minimum, a certificate of competency as deck officer; or
  - (ii) at least 12 months approved sea service as chief mate of a ship of 500 GT or more on unlimited voyages while holding, as a minimum, a certificate of competency, or an endorsement, as chief mate;
- (b) passed the theoretical examination contemplated in regulation 32(b) at an accredited institution and have successfully completed training; and
- (c) been assessed at level 3.

Reg 30A inserted by reg 4 GN1196 GG26878 15 October 2004

**31 Chief mate**

A candidate for the certificate of competency as chief mate shall have—

- (a) completed at least 12 months' approved sea service as an officer in charge of a navigational watch on ships of 3 000 GT or more on unlimited voyages while holding, as a minimum, a certificate of competency as deck officer;
- (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
- (c) been assessed at level 3.

Reg 31 amended by reg 5 GN1196 GG26878 15 October 2004

**32 Master**

A candidate for the certificate of competency as master shall have—

- (a) completed—
  - (i) at least 36 months' approved sea service as an officer in charge of a navigational watch on ships of 3 000 GT or more on unlimited voyages while holding, as a minimum, a certificate of competency as deck officer; or
  - (ii) at least 12 months' approved sea service as chief mate of a ship of 3 000 GT or more on unlimited voyages while holding, as a minimum, a certificate of competency as chief mate;
- (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
- (c) been assessed at level 3.

**33 Mining operations limitation**

Where more than half of a candidate's period of qualifying service for a certificate or endorsement referred to in regulation 25, 27, 28, 29, 30, 31 or 32 consists of sea service performed on ships employed in mining operations contemplated in regulation 61(2)(b)(ii), the relevant certificate or endorsement, as the case may be, shall be limited to mining operations; and, for the purpose of this regulation, references in regulations 25, 27, 28, 29, 30, 31 and 32 to approved sea service shall be taken to include sea service performed on ships employed in mining operations.

Reg 33 substituted by reg 10 GNR502 GG23345 26 April 2002

**34 Master (special grade)**

A candidate for the certificate of competency as master (special grade) shall hold an unlimited certificate of competency as master, and shall have successfully completed an approved course in theoretical knowledge and have passed a theoretical examination at an accredited institution.

**Division 2 Engineer officer certificates**

**35 Second engineer officer (port operations)**

- (1) A candidate for the certificate of competency as second engineer officer (port operations), which includes the endorsement referred to in regulation 2(4)(f)(ii), shall be at least 18 years of age and shall have—

- (a) completed at least six months' approved sea service or port operations service as assistant engineer officer on ships of 750 kW propulsion power or more under the supervision of an engineer officer;

Para (a) substituted by reg 11 GNR502 GG23345 26 April 2002

- (b) passed a theoretical examination at an accredited institution and have successfully completed approved training consisting either—
    - (i) of an approved cadetship, of at least 30 months, consisting of—
      - (aa) practical workshop training;
      - (bb) theoretical education; and
      - (cc) at least six months' approved sea service or port operations service; or
    - (ii) of an approved trade as an artisan in an engineering discipline; and
  - (c) been assessed at levels 1, 2 and 3.
- (2) Where the port operations service contemplated in subregulation (1)(a) has been gained on ships restricted to operating within the confines of the breakwaters of a port, the certificate shall be limited accordingly

### **36 Chief engineer officer (port operations)**

- (1) A candidate for the certificate of competency as chief engineer officer (port operations) shall have—
- (a) met the requirements for the certificate of competency as second engineer officer (port operations);
  - (b) completed, while holding, as a minimum, a certificate of competency as second engineer officer (port operations)—
    - (i) at least 12 months' approved sea service as officer in charge of an engineering watch on ships of 750 kW propulsion power or more; or
    - (ii) at least 12 months' port operations service as officer in charge of an engineering watch on ships of 1 500 kW propulsion power or more.
- Para (b) substituted by reg 12 GNR502 GG23345 26 April 2002
- (c) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (d) been assessed at level 3.
- (2) Where the port operations service contemplated in subregulation (1)(b)(ii) has been gained on ships restricted to operating within the

confines of the breakwaters of a port, the certificate shall be limited accordingly

### **37 Engineer officer**

A candidate for the certificate of competency as engineer officer shall be at least 18 years of age and shall have—

- (a) completed at least six months' approved sea service as assistant engineer officer on ships of 750 kW propulsion power or more under the supervision of an engineer officer;

Para (a) substituted by reg 13 GNR502 GG23345 26 April 2002

- (b) passed a theoretical examination at an accredited institution and have successfully completed approved training consisting either—
  - (i) of an approved cadetship, of at least 30 months, consisting of—
    - (aa) practical workshop training;
    - (bb) theoretical education; and
    - (cc) at least six months approved sea service; or
  - (ii) of an approved trade as an artisan in an engineering discipline; and
- (c) been assessed at levels 1, 2 and 3.

### **38 Second engineer officer**

*Ships of 3 000 kW propulsion power or more*

- (1) A candidate for the certificate of competency as second engineer officer of a ship of 3 000 kW propulsion power or more shall—
  - (a) meet the requirements for certification in terms of regulation 37 [Engineer officer];
  - (b) have completed at least 12 months' approved sea service as assistant engineer officer or engineer officer on ships of 3 000 kW propulsion power or more;
  - (c) have passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (d) have been assessed at level 3.

Subreg (1) substituted by reg 14 GNR502 GG23345 26 April 2002

*Ships of less than 3 000 kW propulsion power*

- (2) A candidate for the certificate of competency as second engineer officer of a ship of less than 3 000 kW propulsion power shall—
  - (a) meet the requirements for certification in terms of regulation 37 [Engineer officer];

- (b) have completed at least 12 months' approved sea service as assistant engineer officer or engineer officer on ships of 750 kW propulsion power or more;
- (c) have passed a theoretical examination at an accredited institution and have successfully completed training; and
- (d) have been assessed at level 3.

Subreg (2) substituted by reg 14 GNR502 GG23345 26 April 2002

### **39 Chief engineer officer**

#### *Ships of 3 000 kW propulsion power or more*

- (1) A candidate for the certificate of competency as chief engineer officer of a ship of 3 000 kW propulsion power or more shall have—
  - (a) completed at least 36 months' approved sea service as assistant engineer officer or engineer officer on ships of 3 000 kW propulsion power or more, of which at least 12 months shall have been served as officer in charge of an engineering watch while holding, as a minimum, a certificate of competency as second engineer officer of a ship of 3 000 kW propulsion power or more;
  - (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (c) been assessed at level 3.

Subreg (1) substituted by reg 15 GNR502 GG23345 26 April 2002

#### *Ships of less than 3 000 kW propulsion power*

- (2) A candidate for the certificate of competency as chief engineer officer of a ship of less than 3 000 kW propulsion power shall have—
  - (a) completed at least 36 months' approved sea service as assistant engineer officer or engineer officer on ships of 750 kW propulsion power or more, of which at least 12 months shall have been served as officer in charge of an engineering watch while holding, as a minimum, a certificate of competency as second engineer officer of a ship of less than 3 000 kW propulsion power;
  - (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (c) been assessed at level 3.

Subreg (2) substituted by reg 15 GNR502 GG23345 26 April 2002

## **40 Endorsements**

- (1) A candidate for the endorsement as chief engineer officer of a ship of less than 3 000 kW propulsion power shall have—
  - (a) completed at least 12 months' approved sea service as officer in charge of an engineering watch while holding, as a minimum, a certificate of competency as second engineer officer of a ship of 3 000 kW propulsion power or more;  
Para (a) substituted by reg 16(a) GNR502 GG23345 26 April 2002
  - (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (c) been assessed at level 3.
  
- (2) A candidate for the endorsement as chief engineer officer of a ship of less than 750 kW propulsion power shall have—
  - (a) completed at least six months' approved sea service as officer in charge of an engineering watch on ships of 750 kW propulsion power or more while holding, as a minimum, a certificate of competency as second engineer officer of a ship of less than 3 000 kW propulsion power;  
Para (a) substituted by reg 16(b) GNR502 GG23345 26 April 2002
  - (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (c) been assessed at level 3.
  
- (3) A candidate for the endorsement as chief engineer officer of a ship of any kilowatt propulsion power operating within a port operations area shall have—
  - (a) completed at least 12 months' approved sea service as officer in charge of an engineering watch on ships of 750 kW propulsion power or more while holding, as a minimum, a certificate of competency as engineer officer;  
Para (a) substituted by reg 16(c) GNR502 GG23345 26 April 2002
  - (b) passed a theoretical examination at an accredited institution and have successfully completed training; and
  - (c) been assessed at level 3.

## **41 Chief engineer officer (special grade)**

A candidate for the certificate of competency as chief engineer officer (special grade) shall hold a certificate of competency as chief engineer officer of a ship of 3 000 kW propulsion power or more, and shall have successfully completed an approved course and have passed a theoretical examination at an accredited institution.

## **Division 3                      Rating certificates**

### **42                      Ordinary seaman**

- (1) A candidate for the certificate of qualification as ordinary seaman shall be at least 16 years of age and shall have—
  - (a) completed—
    - (i) at least six months' approved sea service on ships of 100 GT or more on unlimited or near-coastal voyages and have successfully completed approved on-board training; or
    - (ii) at least two months' approved sea service contemplated in subparagraph (i) and have successfully completed approved on-board accelerated training;
  - (b) been assessed at level 1; and
  - (c) been issued with a provisional certificate of qualification as ordinary seaman by the master of the ship on which the satisfactory assessment was completed.
- (2)
  - (a) Where a candidate has gained the period of service contemplated in subregulation (1)(a) on port operations vessels only and has been satisfactorily assessed at level 1, the candidate may be issued with a provisional certificate of qualification as ordinary seaman (port operations) by the master of the ship on which the satisfactory assessment has been completed.
  - (b) The provisional certificate referred to in paragraph (a) shall be valid for a period of six months from date of issue and may be exchanged for the certificate of qualification as ordinary seaman (port operations) on application in accordance with regulation 11(1).

### **43                      Able seaman**

- (1) A candidate for the certificate of qualification as able seaman shall, while holding a certificate or provisional certificate of qualification as ordinary seaman, have—
  - (a) completed—
    - (i) at least 12 months' approved sea service on ships of 100 GT or more on unlimited or near-coastal voyages and have successfully completed approved on-board training; or
    - (ii) at least six months' approved sea service contemplated in subparagraph (i) and have successfully completed approved on-board accelerated training;

- (b) successfully completed an approved shore-based training course; and
  - (c) been assessed at level 1 or 2.
- (2) Where a candidate complies with subregulation (1)(b) and (c), but has gained the period of service contemplated in subregulation (1)(a) on port operations vessels only, the candidate shall qualify for the certificate of qualification as able seaman (port operations) and may, in lieu of holding—
- (a) the certificate or provisional certificate of qualification as ordinary seaman, hold the certificate or provisional certificate of qualification as ordinary seaman (port operations); and
  - (b) the certificate of qualification as proficient in survival craft, hold the certificate of qualification as proficient in liferafts.

#### **44 Wiper**

- (1) A candidate for the certificate of qualification as wiper shall be at least 16 years of age and shall have—
- (a) completed—
    - (i) at least six months' approved sea service on ships of 100 GT or more on unlimited or near-coastal voyages and have successfully completed approved on-board training ; or
    - (ii) at least two months' approved sea service contemplated in subparagraph (i) and have successfully completed approved on-board accelerated training;
  - (b) been assessed at level 1; and
  - (c) been issued with a provisional certificate of qualification as wiper by the chief engineer officer of the ship on which the satisfactory assessment was completed.
- (2) (a) Where a candidate has gained the period of service contemplated in subregulation (1)(a) on port operations vessels only and has been satisfactorily assessed at level 1, the candidate may be issued with a provisional certificate of qualification as wiper (port operations) by the chief engineer officer of the ship on which the satisfactory assessment has been completed.
- (b) The provisional certificate referred to in paragraph (a) shall be valid for a period of six months from date of issue and may be exchanged for the certificate of qualification as wiper (port operations) on application in accordance with regulation 11(1).

**45 Oiler**

- (1) A candidate for the certificate of qualification as oiler shall, while holding a certificate or provisional certificate of qualification as wiper, have—
  - (a) completed—
    - (i) at least 12 months' approved sea service on ships of 100 GT or more on unlimited or near-coastal voyages and have successfully completed approved on-board training; or
    - (ii) at least six months' approved sea service contemplated in subparagraph (i) and have successfully completed approved on-board accelerated training;
  - (b) successfully completed an approved shore-based training course; and
  - (c) been assessed at level 1 or 2.
- (2) Where a candidate complies with subregulation (1)(b) and (c), but has gained the period of service contemplated in subregulation (1)(a) on port operations vessels only, the candidate shall qualify for the certificate of qualification as oiler (port operations) and may, in lieu of holding—
  - (a) the certificate or provisional certificate of qualification as wiper, hold the certificate or provisional certificate of qualification as wiper (port operations); and
  - (b) the certificate of qualification as proficient in survival craft, hold the certificate of qualification as proficient in liferafts.

**46 Efficient general purpose rating (port operations)**

A candidate for the certificate of qualification as efficient general purpose rating (port operations) shall have—

- (a) completed—
  - (i) at least 18 months' approved sea service on ships of 100 GT or more on unlimited or near-coastal voyages and have successfully completed approved on-board training; or
  - (ii) at least 18 months port operations service and have successfully completed approved on-board training; the 18 months' qualifying service shall consist of at least six months served on deck, at least six months served in the engine-room and the remaining six months served either on deck or in the engine-room, and during that period the candidate shall have held the certificates of qualification as wiper and ordinary seaman (with or

without the port operations limitation) or have gained the combined sea service required by regulations 42 and 44;

- (b) successfully completed an approved shore-based training course; and
- (c) been assessed at levels 1 or 2.

**47 Proficiency in liferafts**

A candidate for the certificate of qualification as proficient in liferafts shall be at least 18 years of age and shall have—

- (a) completed at least six months' sea service or port operations service on ships of any tonnage; and
- (b) documentary proof of having successfully completed an approved shore-based training course.

**48 Proficiency in survival craft**

A candidate for the certificate of qualification as proficient in survival craft shall be at least 18 years of age and shall have—

- (a) completed—
  - (i) at least 12 months' sea service on ships of 100 GT or more on unlimited or near-coastal voyages; or
  - (ii) at least six months' sea service contemplated in subparagraph (i) and have documentary proof of having successfully completed an approved shore-based training course; and
- (b) been assessed at levels 1 or 2.

**49 Proficiency in fast rescue boats**

A candidate for the certificate of qualification as proficient in fast rescue boats shall have successfully completed an approved training course while holding a certificate of qualification as proficient in survival craft.

**50 Efficient cook**

A candidate for the certificate of qualification as efficient cook shall be at least 18 years of age and shall have—

- (a) documentary proof of having successfully completed a training course as cook or chef; and

- (b) completed at least six months' sea service in the catering department on ships of 100 GT or more on unlimited or near-coastal voyages.

## **Division 4                      Personnel on tankers and ro-ro passenger ships**

### **51                      Special requirements for personnel on tankers**

Heading substituted by reg 18 GNR502 GG23345 26 April 2002

- (1) Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on tankers shall have successfully completed, in addition to the other training required by these regulations, an approved shore-based tanker fire-fighting course as specified in the Code, and shall have—
  - (a) completed at least three months' approved sea service on tankers in order to acquire adequate knowledge of safe operational practices; or
  - (b) successfully completed an approved tanker familiarization course as specified in the Code.
- (2) (a) Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging and care in transit or handling of cargo on tankers shall, in addition to meeting the requirements of subregulation (1), have—
  - (i) completed at least three months' approved sea service in a watchkeeping capacity acquiring the experience appropriate to their duties in the type of tanker in which they wish to serve; and
  - (ii) successfully completed an approved specialized course, appropriate to the type of tanker for which the endorsement is required, as specified in the Code:

Provided that the Authority may dispense with the requirement in subparagraph (ii) if it is shown to the satisfaction of the Authority that the person has served in a senior capacity on the type of tanker concerned for at least one year in the preceding five years.

Para (a) substituted by reg 17(a) GNR502 GG23345 26 April 2002

- (b) Masters, officers and other persons referred to in paragraph (a) who have served the three months' approved sea service in a watchkeeping capacity on an oil/chemical tanker (ship-type 2 or 3) engaged in carrying products listed in chapter 17 of the IBC Code shall, in addition to meeting the requirements of paragraph (a), have successfully completed an approved shore-based practical training course.

Para (b) substituted by reg 17(a) GNR502 GG23345 26 April 2002

- (c) The course referred to in paragraph (b) shall be conducted by a person with experience in the loading, discharging and handling of products listed in chapter 17 of the IBC Code and shall be of at least 14 days duration, during which period at least four chemical tankers (ship-type 1, 2 or 3) shall be loaded or discharged.

Para (c) substituted by reg 17(a) GNR502 GG23345 26 April 2002

- (d) Documentary proof in the form of a logbook detailing the practical work performed during the course and signed by the person in charge of the training shall, in the absence of evidence to the contrary, be accepted as proof of a person having successfully completed the course.

- (3) An appropriate certificate shall be issued to masters and officers who are qualified in accordance with subregulation (1) or (2), or their existing certificate shall be endorsed, and every rating who is so qualified shall be certificated.

Subreg (3) substituted by reg 17(b) GNR502 GG23345 26 April 2002

- (4) Masters, officers and ratings who are qualified in accordance with this regulation shall be required at intervals not exceeding five years to show continued professional competence on tankers, in accordance with regulation 3(2)(b).

Subreg (4) substituted by reg 17(c) GNR502 GG23345 26 April 2002

## **52 Special requirements for personnel on ro-ro passenger ships**

Heading substituted by reg 20 GNR502 GG23345 26 April 2002

- (1) This regulation applies to masters, officers, ratings and other personnel serving on ro-ro passenger ships.
- (2) Prior to being assigned shipboard duties on ro-ro passenger ships, seafarers referred to in subregulation (1) shall have successfully completed the training required by subregulations (4) to (8) in accordance with their capacity, duties and responsibilities.
- (3) Seafarers who are required to be trained in accordance with subregulations (4), (7) and (8) shall, at intervals not exceeding five years, undertake approved refresher training as specified in the Code.

Subreg (3) substituted by reg 19(a) GNR502 GG23345 26 April 2002

- (4) Masters, officers and other personnel designated on muster lists to assist passengers in emergency situations on ro-ro passenger ships shall have completed approved training in crowd management as specified in the Code.

- (5) Masters, officers and other personnel assigned specific duties and responsibilities on ro-ro passenger ships shall have completed approved familiarization training as specified in the Code.
- (6) Personnel providing direct service to passengers in passenger spaces shall have completed approved ro-ro passenger ship safety training as specified in the Code.
- (7) Masters, chief mates, chief engineer officers, second engineer officers and every person assigned immediate responsibility for embarking and disembarking passengers, loading, discharging or securing cargo, or closing hull openings on ro-ro passenger ships shall have completed approved training in passenger safety, cargo safety and hull integrity as specified in the Code.
- (8) Masters, chief mates, chief engineer officers, second engineer officers and any other person having responsibility for the safety of passengers in emergency situations on ro-ro passenger ships shall have completed approved training in crisis management and human behaviour as specified in the Code.
- (9) It shall be the duty of any person providing training referred to in this regulation to issue documentary evidence to every person successfully completing such training.
- (10) An appropriate certificate shall be issued to masters and officers who are qualified in accordance with this regulation, or their existing certificate shall be endorsed, and every rating so qualified shall be certificated.

Subreg (10) substituted by reg 19(b) GNR502 GG23345 26 April 2002

## **52A Special requirements for personnel on passenger ships other than ro-ro passenger ships**

- (1) This regulation applies to masters, officers, ratings and other personnel serving on passenger ships, other than ro-ro passenger ships, engaged on unlimited voyages.
- (2) Prior to being assigned shipboard duties on passenger ships, seafarers referred to in subregulation (1) shall have successfully completed the training required by subregulations (4) to (8), in accordance with their capacity, duties and responsibilities.
- (3) Seafarers who are required to be trained in accordance with subregulations (4), (7) and (8) shall, at intervals not exceeding five years, undertake approved refresher training as specified in the Code.
- (4) Masters, officers and other personnel designated on muster lists to assist passengers in emergency situations on passenger ships shall

have completed approved training in crowd management, as specified in the Code.

- (5) Masters, officers and other personnel assigned specific duties and responsibilities on passenger ships shall have completed approved familiarization training as specified in the Code.
- (6) Personnel providing direct service to passengers in passenger spaces shall have completed approved passenger ship safety training as specified in the Code.
- (7) Masters, chief mates, and every person assigned immediate responsibility for the embarking and disembarking passengers shall have completed approved training in passenger safety, as specified in the Code.
- (8) Masters, chief mates, chief engineer officers, second engineer officers and any other person having responsibility for the safety of passengers in emergency situations on passenger ships shall have completed approved training in crisis management and human behaviour, as specified in the Code.
- (9) It shall be the duty of any person providing training referred to in this regulation to issue documentary evidence to every person successfully completing such training.
- (10) An appropriate certificate shall be issued to masters and officers who are qualified in accordance with this regulation, or their existing certificate shall be endorsed, and every rating so qualified shall be certificated.

Reg 52A inserted by reg 21 GNR502 GG23345 26 April 2002

## **Division 5                      Qualifying service and removal of limitations, etc**

### **53                      Insufficient qualifying service**

A certificate shall not be issued to a candidate who, after the final assessment, is found to have insufficient qualifying service: Provided that the Authority shall issue the certificate if it is satisfied that any error in calculating the qualifying service was not due to the candidate's own fault or deliberate misrepresentation and the candidate has made good the deficiency in qualifying service. If it is found that the candidate made the error deliberately, the certificate of pass shall be withheld until the candidate has completed an additional 12 months' qualifying service, such service to count only when completed after the date of final assessment and not to count as qualifying service for any other certificate.

**54 Qualifying service as rating**

Sea service or port operations service as a rating shall count in full towards the qualifying service required for a first certificate of competency, provided such service is appropriate to the certificate and the candidate has successfully completed approved training.

**55 Validity of qualifying service**

The qualifying service for a particular certificate or endorsement shall be performed within a period not exceeding 10 years after the date of completion of final assessment, or within such further period as a senior examiner may allow in special cases.

**56 Non-trading service**

- (1) Sea service performed exclusively on deck on trawlers or other deep-sea fishing vessels of 100 GT or more shall count in full towards the qualifying service for a certificate of competency as mate (coastal) or deck officer, but a candidate shall, in addition, be required to complete at least 12 months' approved sea service on ships on unlimited or near-coastal voyages, as appropriate to the certificate desired, and to produce a duly completed training record book covering that period.
- (2) Sea service performed on deck on naval or other ships that regularly proceed to sea shall count in full towards the qualifying service for a certificate of competency as mate (coastal) or deck officer: Provided that a candidate shall, in addition, be required to complete at least 12 months approved sea service on ships on unlimited or near-coastal voyages, as appropriate to the certificate desired, and to produce a duly completed training record book covering that period, unless the candidate can show, to the satisfaction of an examiner, that the functions and duties carried out on such naval or other ships are the same as those set out in the training record book required for the approved sea service component referred to in regulations 25 and 28.  
Subreg (2) substituted by reg 22(a) GNR502 GG23345 26 April 2002
- (2A) Sea service performed in the engine room on naval or other ships that regularly proceed to sea shall count in full towards the qualifying service for a certificate of competency as engineer officer: Provided that a candidate shall, in addition, be required to complete at least six months approved sea service on ships on unlimited or near-coastal voyages, as appropriate to the certificate desired, and to produce a duly completed training record book covering that period, unless the candidate can show, to the satisfaction of an examiner, that the functions and duties carried out on such naval or other ships

are the same as those set out in the training record book required for the approved sea service component referred to in regulation 37.

Subreg (2A) inserted by reg 22(b) GNR502 GG23345 26 April 2002

- (3) Subject to any applicable tonnage or voyage limitation, sea service in cable ships, fishery protection vessels, research vessels, coastal patrol vessels, salvage vessels and other non-trading ships that regularly proceed to sea shall count in full towards qualifying service.

## **57 Calculating qualifying service**

Qualifying service shall be calculated from the date of engagement on a ship to the date of discharge from the ship, and is calculated by taking the actual days between the days of engagement and discharge, both inclusive, and reckoning 30 days to a month, 12 months to a year.

## **58 Recognition of naval officer's certificate**

- (1) A South African naval officer who holds a naval bridge watchkeeping board examination certificate and who has completed at least one year's sea service as a watchkeeping officer on South African naval ships of 30 metres or more in overall length may apply for the issue of a certificate of competency as deck officer, provided he or she produces documentary proof of having—
  - (a) completed the one year's sea service within the 10 years preceding the date of application;
  - (b) completed six months' approved sea service on ships of 500 GT or more on unlimited voyages;
  - (c) performed, during the period referred to in paragraph (b), at least one month's bridge watchkeeping duties under the supervision of a deck officer;
  - (d) passed, at an accredited institution, the theoretical examinations in the subjects naval architecture, cargo handling and stowage, and business law and personnel management at the level of deck officer;
  - (e) successfully completed the ARPA section of the Electronic Navigation Systems syllabus in the Code;
  - (f) been assessed, at levels 1 and 2 in a training record book, at the operational level in cargo handling and stowage, ensuring compliance with pollution prevention requirements, monitoring compliance with legal requirements and operating life-saving appliances; and
  - (g) been assessed at level 3 for the issue of a certificate of competency as deck officer.

- (2) An application contemplated in subregulation (1) shall be accompanied by the relevant supplementary documents specified in the annex: Provided that, where the candidate produces documentary proof of having successfully completed a naval course that has been certified by an examiner as equivalent to the course contemplated in the annex, the Registrar shall accept such documentary proof in lieu of the relevant document specified in the annex.

## **59 Recognition of radio officer's certificate**

- (1) A person who holds a certificate as radio operator (class 1 or 2) issued or recognized by or on behalf of the Independent Communications Authority of South Africa and who has completed at least three years' sea service as a radio officer on trading ships of 500 GT or more on unlimited voyages may apply for the issue of a certificate of competency as deck officer, provided he or she produces documentary proof of having—
- (a) completed the three years' sea service within the 10 years preceding the date of application;
  - (b) completed six months' approved sea service on ships of 500 GT or more on unlimited voyages and of having successfully completed approved on board training;
  - (c) performed, during the period referred to in paragraph (b), four months' bridge watchkeeping duties under the supervision of a deck officer;
  - (d) passed, at an accredited institution, the theoretical examinations in the subjects listed in the deck officer syllabus in the Code;
  - (e) been assessed, at levels 1 and 2 in a training record book, at the operational level; and
  - (f) been assessed at level 3 for the issue of a certificate of competency as deck officer.
- (2) An application contemplated in subregulation (1) shall be accompanied by the relevant supplementary documents specified in the annex.

## **60 Endorsements to certificate of competency as fisherman**

- (1) (a) A person who holds a certificate of competency as fisherman grade 2, 3, or 4 (skipper) may apply for an endorsement entitling him or her to serve in the capacity specified in paragraph (b) on the ships of less than 500 GT on near-coastal voyages, specified in paragraph (c).
- (b) The capacity in which the holder of a certificate referred to in paragraph (a) is entitled to serve is as follows:

- (i) Fisherman Grade 2—master (coastal);
  - (ii) Fisherman Grade 3—mate (coastal);
  - (ii) Fisherman Grade 4 (Skipper)—skipper (coastal) on ships of less than 100 GT, or skipper (port operations) on ships of less than 200 GT.
- (c) The ships referred to in paragraph (a) are—
- (i) diamond mining vessels;
  - (ii) fishery research and patrol vessels;
  - (iii) pollution patrol and combating vessel;
  - (iv) tugs, dredgers, hoppers and self-propelled floating cranes; and
  - (v) seismic and oceanographic survey vessels.
- (2) An application contemplated in subregulation (1)(a) shall be accompanied by—
- (a) documentary proof of the applicant having—
    - (i) passed, at an accredited institution, the theoretical examinations in the subjects naval architecture, business law and personnel management at the levels of master (coastal) for the fisherman grade 2, mate (coastal) for the fisherman grade 3, and skipper (coastal) for the fisherman grade 4 (skipper), respectively; and
    - (ii) been assessed at level 3 in the practical knowledge applicable to the subjects referred to in subparagraph (i) at the relative level appropriate to the endorsement concerned; and
  - (b) the relevant supplementary documents specified in the annex: Provided that, where the candidate produces documentary proof of having successfully completed a fishing course that has been certified by an examiner as equivalent to the course contemplated in the annex, the Registrar shall accept such documentary proof in lieu of the relevant document specified in the annex.

**61 Sea service performed on ships not regularly proceeding to sea, or employed in mining operations**

Heading substituted by reg 24 GNR502 GG23345 26 April 2002

- (1) (a) Service performed on ships not regularly proceeding to sea shall count in full towards qualifying service if the time actually spent at sea equals or exceeds two-thirds of the total period of a candidate's service on the ship. If the time actually spent at sea is less, then one and a half times the time actually spent at sea shall count towards qualifying service.

- (b) The time spent by a candidate standing by a ship under construction or refit, but not exceeding six months, shall count in full towards qualifying service.
- (2) Notwithstanding anything to the contrary in these regulations, sea service performed on ships employed in mining operations counts towards the qualifying service for a deck officer certificate, as follows:
- (a) in the case of a certificate limited to mining operations, the sea service counts in full towards the qualifying service; and
  - (b) in all other cases—
    - (i) if mining operations were conducted for less than two thirds of the period of sea service, the sea service counts in full towards the qualifying service; or
    - (ii) if mining operations were conducted for two thirds or more of the period of sea service, the sea service is not to count for more than one-half of the qualifying service.
- Subreg (2) substituted by reg 23 GNR502 GG23345 26 April 2002
- (3) A candidate claiming qualifying service in accordance with subregulation (1) or (2) shall produce a statement from the master or owner of each ship on which the service was performed, giving particulars of the dates when—
- (a) the ship was at sea on passage and at anchor and of the work that the ship was engaged in and of the area of operation; or (as the case may be)
  - (b) the ship was under construction or refit.
- (4) Qualifying service claimed in accordance with this regulation shall count as service on ships on unlimited or near-coastal voyages, as the case may be.

## **62 Proof of service on foreign ships**

Service performed on a ship not belonging to the Republic shall not count as qualifying service unless the service can be verified by the Authority or, in a case where it cannot be so verified, by or on behalf of the government of the country to which the ship belongs.

## **63 Novel craft**

Documentary evidence of service on dynamically supported craft or other novel craft shall be submitted to a senior examiner for consideration.

**64 Removal of coastal limitation to certificate of competency as skipper**

The holder of a certificate of competency as skipper (coastal) who desires the issue of a certificate of competency as skipper (unlimited) shall have—

- (a) completed half the qualifying service required for the certificate desired;
- (b) completed an assessment at level 3; and
- (c) passed a bridging examination, conducted by an accredited institution, covering the units of competency not covered in the examination for the certificate held.

**65 Removal of port operations limitation**

The holder of a certificate limited to port operations who desires the removal of that limitation shall—

- (a) have completed the qualifying service required for each certificate leading up to the certificate desired;
- (b) have successfully completed the units of competency not required for the certificate held but required for the certificate desired;
- (c) have successfully completed any training courses not required for the certificate held but required for the certificate desired;
- (d) at the conclusion of the required qualifying service, have been assessed at level 3; and
- (e) submit to the examiner—
  - (i) satisfactory proof of having gained the qualifying service contemplated in paragraph (a);
  - (ii) a certificate of pass from an accredited institution for the additional units of competency contemplated in paragraph (b);
  - (iii) a duly completed training record book covering the period of service and the training contemplated in paragraphs (a) and (c), respectively; and
  - (iv) valid eyesight test and medical certificates.

**66 Removal of mining operations limitation**

The holder of a certificate limited to mining operations who desires the removal of that limitation shall have completed—

- (a) the qualifying service required for each certificate leading up to the certificate desired; and
- (b) an assessment at level 3.

**66A Removal of tonnage limitation**

The holder of a certificate limited to a certain tonnage who desires the removal of that limitation shall have completed—

- (a) the qualifying service required for each certificate leading up to the certificate desired; and
- (b) an assessment at level 3.

Reg 66A inserted by reg 6 GN1196 GG26878 15 October 2004

**Part 4 Training institutions and training programmes**

**67 Accreditation of training institutions**

- (1) The Authority may, on application by a training institution, accredit the institution—
  - (a) to conduct the courses specified in the instrument of accreditation;
  - (b) to act as an approved examination centre for examination of the subjects so specified; and
  - (c) to issue certificates to candidates who successfully complete the courses so specified.
- (2) An application contemplated in subregulation (1) shall be made in writing and shall be accompanied by the following particulars:
  - (a) Name and physical address of the training institution;
  - (b) description of each course, and of its content, referenced in the Code, together with lecturers' study plans;
  - (c) name of each course lecturer with a brief description of his or her qualifications and experience;
  - (d) name of each course examiner with a brief description of his or her qualifications and experience;
  - (e) examination and assessment procedure in respect of each course;
  - (f) training and assessment facilities in respect of each course;
  - (g) details of any quality assurance system applicable to the training activities of the institution; and
  - (h) specimens of all certificates to be issued in respect of each course;
- (3) For the purposes of accreditation, a training institution shall, on receipt of reasonable notice, make available—
  - (a) for inspection by an examiner, classrooms, simulators, simulator approvals, libraries, laboratories, workshops,

- lecturers' study programmes, test scripts, past examination papers and scripts; and
- (b) for interview by an examiner, heads of departments, lecturers, internal examiners, and students.
- (4) Every accredited institution shall—
- (a) make available annually to the Authority the course commencement and completion dates, and the examination dates; and
- (b) inform the Authority, without delay, of any change in the person of any lecturer or examiner, or of any change in a lecturer's study plan.
- (5) Every accredited institution that is accredited to conduct examinations or assessments on behalf of the Authority shall—
- (a) make available, in reasonable time, examination question papers and memoranda for moderation by an examiner;
- (b) make available, without delay, examination scripts for moderation by an examiner;
- (c) upon receipt of at least two working days' notice, make available to an examiner, a candidate's course examination scripts and results, records of progress, completed projects, and reports by his or her tutors; and
- (d) for audit purposes, keep the documents referred to in paragraphs (a) to (c) for a period of at least five years.
- (6) An examiner may visit an accredited institution at any reasonable time for the purpose of auditing the conduct of any accredited activity.
- (7) The Authority may vary or revoke accreditation granted under subregulation (1) if—
- (a) the institution concerned fails to comply with these regulations or any of the conditions of accreditation; or
- (b) the Authority otherwise has reasonable grounds to vary or revoke such accreditation.
- (8) Where the Authority intends to vary or revoke accreditation under subregulation (7), it shall inform the institution concerned accordingly, giving it at least 30 days to correct any deficiencies or to furnish reasons why accreditation should not be varied or revoked.
- (9) A list of all accreditations in force under subregulation (1), including the particulars thereof, shall be published in a marine notice.

**68 Training programmes and training record books**

- (1) (a) Every candidate who follows an accelerated training programme in order to claim reduced qualifying service for certification as mate (coastal), deck officer or engineer officer, or as wiper, ordinary seaman, oiler or able seaman, with or without the port operations limitation, shall produce to an examiner satisfactory proof—
    - (i) of having followed an approved on-board accelerated training programme throughout the required minimum period of qualifying service;
    - (ii) that all such service, while on board, was performed in a satisfactory manner; and
    - (iii) in the case of a candidate for the certificate of competency as deck officer, that not more than two months of such service were spent on ships in port standing-by, in dry-dock, undergoing engine repairs or otherwise laid-up.
  - (b) The structure of the programme of training shall be set out in a training plan containing a clear statement of the objectives of each stage of training, both aboard ship and ashore. The plan shall set out clearly the competencies to be attained by the end of the programme and how they are to be attained through a combination of education, training and practical experience aboard ship and ashore.
  - (c) Every candidate shall be provided with a training record book to enable him or her to keep a comprehensive record of all practical training undertaken and of experience gained at sea. The training record book, duly completed, shall be submitted to an examiner before assessment at level 3 as proof of having completed a structured programme of on-board training.
  - (d) Every accelerated training programme shall be approved by the Authority before it is put into operation, which approval shall be published in a marine notice.
- (2) Every candidate who has not followed an accelerated training programme for a certificate referred to in subregulation (1)(a) shall have completed, for presentation to an examiner when applying for the certificate, a training record book with the relevant units of competency completed at assessment level 1.
  - (3) A training record book—
    - (a) shall be completed in full and shall not be submitted to an examiner until all relevant units of competency have been duly signed off in accordance with regulation 18(3);

- (b) shall be laid out in such a way that it provides detailed information about the tasks and duties that should be undertaken, and about the progress towards their completion;
- (c) found to have been completed fraudulently shall result in it's holder (the candidate) having to complete an additional 12 months' qualifying service;
- (d) shall adhere to the principles set out in the STCW Convention; and
- (e) shall be approved by the Authority before use.

## **69 In-service training**

- (1) Every person who, whether aboard ship or ashore, conducts in-service training of a seafarer for the purposes of certification in terms of these regulations shall—
  - (a) have an appreciation of the training programme and a thorough understanding of the specific training objectives for the particular type of training being conducted;
  - (b) have proof of being qualified in the activities for which training is being conducted; and
  - (c) if conducting training by means of a simulator, have proof of having—
    - (i) received appropriate guidance in instruction techniques involving the use of simulators; and
    - (ii) gained practical operational experience on the particular type of simulator being used.
- (2) Every person who supervises in-service training shall have a thorough knowledge and understanding of the training programme and of the specific objectives for each type of training being conducted.

## **70 Duties of instructors and candidates**

- (1) Every person conducting in-service training shall ensure that—
  - (a) appropriate periods are set aside for completion of the programme of on-board training within the normal operational requirements of the ship;
  - (b) at the beginning of the programme and at the start of each voyage on a different ship, candidates are given comprehensive information and guidance as to what is expected of them and how the training programme is to be conducted;
  - (c) a training officer is designated to administer the programme;

- (d) ship's officers who are responsible for training and assessment know and understand their duties and responsibilities regarding training;
  - (e) ship's officers receive appropriate training in assessment methods;
  - (f) during the required period of qualifying service, a candidate receives systematic practical training and experience in the tasks, duties and responsibilities relevant to the certificate desired, with due regard to the competencies specified in the Code;
  - (g) assessments of a candidate are conducted, without undue delay, when a candidate is considered ready for assessment;
  - (h) the on-board training forms an integral part of the overall training plan;
  - (i) the programme of on-board training is managed and co-ordinated by the person managing the ship on which the qualifying service is to be performed; and
  - (j) a comprehensive record is kept of all training conducted.
- (2) Every person designated as a training officer pursuant to subregulation (1)(c) shall be responsible for—
- (a) the overall administration of the training programme;
  - (b) monitoring candidates' progress throughout such programme; and
  - (c) giving guidance, when necessary, and ensuring that the training programme is conducted properly.
- (3) A master's responsibilities shall be—
- (a) to provide the link between the ship's officers responsible for training and the training officer ashore;
  - (b) to designate, in writing, the ship's officers who are to be responsible for organizing and supervising on-board training for each voyage;
  - (c) to ensure continuity in the case of any change of ship's officers during voyages; and
  - (d) to ensure that all personnel concerned carry out effectively the on-board training programme.
- (4) Unless the master directs otherwise in the interests of the safe operation of the ship, every ship's officer designated pursuant to subregulation (3)(b) shall be responsible for—
- (a) organizing the programme of practical training at sea;

- (b) ensuring, in a supervisory capacity, that training record books are properly maintained and that all other requirements are met; and
  - (c) ensuring, so far as practicable, that the time the candidate spends on board is as useful as possible in terms of training and experience, and is consistent with the objectives of the training programme and the progress of training.
- (5) Every candidate shall—
- (a) follow diligently the programme of training;
  - (b) utilize fully the opportunities presented, both during and outside working hours; and
  - (c) keep his or her training record book up-to-date and available for inspection at all reasonable times.

## **Part 5**

# **Repeal of regulations and savings, transitional arrangements, and title and commencement**

### **71 Repeal of regulations, and savings**

- (1) Subject to subregulation (2) and regulation 72, the following regulations are repealed:
- (a) The *Examination Regulations for Certificates of Competency for Deck Officers, 1994*, published by Government Notice No. R. 738 of 20 April 1994, as amended by Government Notice No. R. 1002 of 27 May 1994;
  - (b) the *Examination Regulations for Engineer-Officers, 1985*, published by Government Notice No. R. 2655 of 29 November 1985, as amended by Government Notices Nos. R. 38 of 10 January 1989, R. 2438 of 19 October 1990 and R. 2715 of 2 October 1992;
  - (c) the *Certificates of Qualification Regulations, 1985*, published by Government Notice No. R. 2654 of 29 November 1985, as amended by Government Notices Nos. R. 39 of 10 January 1989, R. 2438 of 19 October 1990, R. 2315 of 1 December 1993 and R. 1469 of 29 September 1995; and
  - (d) the *Eyesight and Medical Examination Regulations, 1977*, published by Government Notice No. 1 of 7 January 1977, as amended by Government Notices Nos. R. 2534 of 12 December 1980, R. 1588 of 15 July 1983, R. 2438 of 19 October 1990 and R. 282 of 15 February 1991.

- (2) The regulations referred to in subregulation (1)(a), (b) and (c) shall continue to have effect for the purposes of—
- (a) the *Examination Regulations for Certificates of Competency for Fishermen, 1993*, published by Government Notice No. R. 2317 of 1 December 1993, as amended by Government Notice No. R. 1468 of 29 September 1995; and
  - (b) the *Examination Regulations for Certificates of Competency for Marine Motormen, 1993*, published by Government Notice No. R. 2314 of 1 December 1993.
- Subreg (2) amended by reg 26(b) GN1197 GG26878 15 October 2004
- (3) Subject to regulation 72, the *Ship's Officers' Medical Training Regulations, 1992*, published by Government Notice No. R 2666 of 25 September 1992, as amended by Government Notice No. R. 533 of 25 March 1994, shall cease to have effect in their application, by virtue of regulation 2(a) and (b) thereof, to certificated deck and engineer officers.

## **72 Transitional arrangements**

The requirements for the issue, recognition and endorsement of certificates of competency and of qualification prescribed by the regulations referred to in regulation 71(1)(a) to (c) shall continue to have effect until 1 February 2002 in relation to persons who commenced qualifying service or an approved education and training programme or an approved training course before 1 January 1999.

## **73 Title and commencement**

These regulations are called the *Merchant Shipping (Training and Certification) Regulations, 1999*, and come into operation on 31 December 1999.

## Annex Documents to accompany application for examination

<b>ENGINEER OFFICERS</b>					
<b>Documents to accompany application</b>	<b>Class of certificate</b>				
	<b>Chief engineer officer</b>	<b>Second engineer officer</b>	<b>Engineer officer</b>	<b>Second engineer officer (port operations)</b>	<b>Chief engineer officer (port operations)</b>
Proof of identity	X	X	X	X	X
Testimonials (certificate of apprenticeship)	X	X	X	X	X
Previous certificate of competency	X	X	X(A)	X	X
Engineer watchkeeping training certificate	—	—	X	—	—
Medical certificate	X	X	X	X	X
Proof of sea service	X	X	X	X	X
First aid at sea certificate	X	X	X	X	X
Fire fighting course certificate	X	X	X	X	X
Advanced fire fighting course certificate	X	X	X	X	X
Certificate of proficiency in survival craft	—	—	X	—	—
Certificate of proficiency in liferafts	—	—	—	X	X

**Note:**

(A) Or training record book.

<b>DECK OFFICERS</b>										
<b>Documents to accompany application</b>	<b>Class of certificate and endorsements</b>									
	<b>Master</b>	<b>Chief mate</b>	<b>Deck officer</b>	<b>Master &lt; 500 GT endorsement</b>	<b>Chief mate &lt; 3 000 GT endorsement</b>	<b>Master (coastal)</b>	<b>Mate (coastal)</b>	<b>Master (port operations)</b>	<b>Skipper (unlimited)</b>	<b>Skipper (near-coastal or port operations)</b>
Proof of identity	X	X	X	X	X	X	X	X	X	X
Testimonials	X	X	X	X	X	X	X	X	X	X
Previous certificate of competency/training record book	X	X	X	X	X	X	X	X	—	—
Bridge watchkeeping training certificate	—	—	X	—	—	—	X	—	X	X
Watchkeeping certificates	X	X	—	X	X	X	—	X	—	—
Sight test certificate	X	X	X	X	X	X	X	X	X	X
Medical certificate	X	X	X	X	X	X	X	X	X	X
Proof of sea service	X	X	X	X	X	X	X	X	X	X
First aid at sea certificate	—	—	X	—	—	—	X	X	X	X
Ship captain's medical training certificate	—	X	—	X	X	X	—	—	—	—
Fire fighting course (small vessels) certificate	—	—	—	—	—	—	—	—	X	X
Fire fighting course certificate	X	X	X	X	X	X	X	X	—	—
Advanced fire fighting course certificate	X	X	X	X	X	X	X	X	—	—
Able seaman certificate	—	—	X	—	—	—	X	—	—	—

<b>DECK OFFICERS</b>										
<b>Documents to accompany application</b>	<b>Class of certificate and endorsements</b>									
	<b>Master</b>	<b>Chief mate</b>	<b>Deck officer</b>	<b>Master &lt; 500 GT endorsement</b>	<b>Chief mate &lt; 3 000 GT endorsement</b>	<b>Master (coastal)</b>	<b>Mate (coastal)</b>	<b>Master (port operations)</b>	<b>Skipper (unlimited)</b>	<b>Skipper (near-coastal or port operations)</b>
Documentary proof of pass at an accredited institution	X	X	X	X	X	X	X	X	X	X
Certificate of proficiency in survival craft	—	—	X	—	—	—	X	—	—	—
Certificate of proficiency in liferafts	—	—	—	—	—	—	—	—	X	X
Restricted radio operator's certificate (Marine)	—	—	—	—	—	—	X	—	—	X
GMDSS restricted operator's certificate	X	X	X	—	X	X(A)	—	—	X	—

**Note:**

(A) For the endorsement as deck officer.

<b>RATINGS</b>									
<b>Documents to accompany application</b>	<b>Certificate of qualification</b>								
	<b>Wiper</b>	<b>Ordinary seaman</b>	<b>Oiler</b>	<b>Able seaman</b>	<b>Efficient general purpose rating (port operations)</b>	<b>Proficiency in survival craft</b>	<b>Proficiency in liferafts</b>	<b>Proficiency in fast rescue boats</b>	<b>Efficient cook</b>
Proof of identity	X	X	X	X	X	X	X	X	X
Proof of sea service	X	X	X	X	X	X	X	—	—
Approved training record book	X	X	X	X	X	—	—	—	—
Sight test certificate	—	X	—	X	X	—	—	—	—
Medical certificate	X	X	X	X	X	X	—	—	—
Fire fighting course certificate	—	—	X	X	X	—	—	—	X
First aid at sea certificate	—	—	X	X	X	—	—	—	X
Documentary proof of pass at an accredited institution	—	—	X	X	X	X (Where applicable)	X	X	X
Certificate of proficiency in survival craft	—	—	X	X	—	—	—	X	—
Provisional certificate as ordinary seaman	—	X	—	—	—	—	—	—	—
Certificate as ordinary seaman	—	—	—	X	X(A)	—	—	—	—
Provisional certificate as wiper	X	—	—	—	—	—	—	—	—
Certificate as wiper	—	—	X	—	X(B)	—	—	—	—
Certificate of proficiency in liferafts	—	—	—	—	X	—	—	—	—

**Notes:**

- (A) Or certificate as ordinary seaman (port operations)
- (B) Or certificate as wiper (port operations)

### Provisions applicable to tables

The following provisions shall have effect in relation to the tables above:

- (a) A sight test certificate is an eyesight certificate issued in accordance with the requirements of the *Merchant Shipping (Eyesight and Medical Examination) Regulations, 2004*.

Para (a) substituted by reg 26(c) GN1197 GG26878 15 October 2004

- (b) The First Aid at Sea Certificate is valid for a period of five years from the date of passing the examination at an accredited institution.
- (c) The Ship Captain's Medical Training Certificate is valid for a period of five years from the date of passing the examination at an accredited institution. For admission to the ship captain's medical training course, a candidate shall hold a valid First Aid at Sea Certificate or an expired Ship Captain's Medical Training Certificate.
- (d) Fire-fighting and advanced fire-fighting course certificates are valid for a period of five years from the date of successful completion of the course at an accredited institution.
- (e) A restricted certificate of competence in radiotelephony or a GMDSS restricted operator's certificate, as the case may be, will be issued by the Independent Communications Authority of South Africa to a candidate who passes the qualifying examination.
- (f) A medical certificate is a certificate issued in accordance with Part 2 of the *Merchant Shipping (Eyesight and Medical Examination) Regulations, 2004*, and is valid from the date of issue for a period, not exceeding 12 months, stated in the certificate.

Para (f) substituted by reg 26(d) GN1197 GG26878 15 October 2004

- (g) A training record book is an approved book wherein a record is kept of a trainee's practical training and of the assessments of such training at levels 1 and 2.
- (h) Watchkeeping certificates, signed by the master(s), serve as proof of a candidate's having acted as a watchkeeping officer. The certificate shall be in the form set out in the Code.
- (i) Bridge watchkeeping training certificates, signed by the master(s), attest to the candidate's having spent at least the specified number of months of qualifying service on duties associated with bridge watchkeeping under the supervision of a deck officer. The certificate shall be in the form set out in the Code.
- (j) Proof of sea service shall be submitted in the form of a Seaman's Record Book (discharge book) or Certificates of Discharge, signed by the master(s).
- (k) Documentary proof of pass at an accredited institution is a document issued by an accredited institution declaring that the candidate has passed a written theoretical examination or has successfully completed an approved course.