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MERCHANT SHIPPING ACT
(CHAPTER 179)

MERCHANT SHIPPING
(TRAINING, CERTIFICATION AND MANNING)
(AMENDMENT) REGULATIONS 2011

In exercise of the powers conferred by sections 47, 100 and 216 of the Merchant Shipping Act, the Maritime and Port Authority of Singapore, with the approval of the Minister for Transport, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Training, Certification and Manning) (Amendment) Regulations 2011 and shall come into operation on 1st January 2012.

Amendment of regulation 2

2. Regulation 2 of the Merchant Shipping (Training, Certification and Manning) Regulations (Rg 1) (referred to in these Regulations as the principal Regulations) is amended —

(a) by inserting, immediately before the definition of “certificate of competency”, the following definitions:

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

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

(b) by inserting, immediately after the definition of “certificate of competency”, the following definition:

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

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- (c) by inserting, immediately after the definition of “certificate of service”, the following definition:
- “ “chemical tanker” means a ship constructed or adopted and used for the carriage in bulk of any liquid product listed in chapter 17 of the International Bulk Chemical Code as may be amended by IMO and accepted by the Government;”;
- (d) by inserting, immediately after the definition of “DSC Code”, the following definitions:
- “ “electro-technical officer” means an officer qualified in accordance with the provisions of regulation III/6 of the Convention;
- “electro-technical rating” means a rating qualified in accordance with the provisions of regulation III/7 of the Convention;”;
- (e) by inserting, immediately after the definition of “International Convention for the Safety of Life at Sea”, the following definitions:
- “ “ISPS Code” means the International Ship and Port Facility Security (ISPS) Code adopted on 12th December 2002 by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea as may be amended by the IMO and accepted by the Government;
- “liquefied gas tanker” means a ship constructed or adopted and used for the carriage in bulk of any liquefied gas or other product listed in chapter 19 of the International Gas Carrier Code as may be amended by IMO and accepted by the Government;”;
- (f) by deleting the definition of “power” and substituting the following definitions:
- “ “oil tanker” means a ship constructed and used for carriage of petroleum products in bulk;
- “propulsion power” means the total maximum continuous rated output power, in kilowatts, of all the ship’s main propulsion machinery which appears on the ship’s certificate of registry or other official document;”;

(g) by inserting, immediately after the definition of “revoked Regulations”, the following definition:

““ro-ro passenger ship” means a passenger ship with ro-ro spaces or special category spaces as defined in the International Convention for the Safety of Life at Sea as may be amended by the IMO and accepted by the Government;”;

(h) by inserting, immediately after the definition of “second engineer officer”, the following definition:

““security duties” include all security tasks and duties on board ships as defined by chapter XI-2 of the International Convention for the Safety of Life at Sea and the ISPS Code, as may be amended by the IMO and accepted by the Government;”.

Amendment of regulation 5

3. Regulation 5 of the principal Regulations is amended —

(a) by deleting the word “and” at the end of paragraph (1)(e);

(b) by deleting sub-paragraph (f) of paragraph (1) and substituting the following sub-paragraphs:

“(f) Certificate of Competency (Deck Officer) Class 4 (Special Limit);

(g) Certificate of Competency (Deck Officer) Class 5 (Special Limit); and

(h) Certificate of Competency (Deck Officer) Class 6.”;

and

(c) by deleting the words “Class 4 Certificate of Competency” in paragraph (3) and substituting the words “Certificate of Competency (Deck Officer) Class 4 (Home-Trade Master)”.

Amendment of regulation 6

4. Regulation 6(1) of the principal Regulations is amended —

(a) by deleting the word “and” at the end of sub-paragraph (d);

and

(b) by deleting the full-stop at the end of sub-paragraph (e) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraphs:

“(f) Certificate of Competency (Marine Engineer Officer) Class 4 (Special Limit);

(g) Certificate of Competency (Marine Engineer Officer) Class 5 (Special Limit); and

(h) Certificate of Competency (Electro-technical Officer).”.

New regulation 11A

5. The principal Regulations are amended by inserting, immediately after regulation 11, the following regulation:

“Medical standards

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

(a) the standards of medical fitness and conditions to be satisfied by a qualified officer, rating or any other seafarer on board a ship, in accordance with the Convention and STCW Code;

(b) the conditions to be complied with for recognition of medical practitioners for assessing the medical fitness of seafarers and for medical certification;

(c) the information to be provided in the medical certificate issued to a seafarer and its validity; and

(d) recognition of medical certificates issued to a seafarer by a foreign medical practitioner issued in accordance with the requirements of the Convention.

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

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

New regulation 18A

6. The principal Regulations are amended by inserting, immediately after regulation 18, the following regulation:

“Requirements for issue of certificate of proficiency as able seafarer and as electro-technical rating

18A.—(1) In addition to the requirements of regulation 18, the Director may determine the requirements for the standards of competency to be attained and the conditions to be satisfied by a person before he may be issued by the Director with a certificate of proficiency as —

- (a) an able seafarer deck in accordance with the provisions of regulation II/5 of the Convention;
- (b) an able seafarer engine in accordance with the provisions of regulation III/5 of the Convention; and
- (c) an electro-technical rating in accordance with the provisions of regulation III/7 of the Convention.

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

(3) A certificate issued by or under the authority of any other foreign maritime administration for proficiency as an able seafarer deck, able seafarer engine or electro-technical rating may, at the discretion of the Director, be accepted as equivalent to a certificate issued by the Director under paragraph (1).”.

Amendment of regulation 20

7. Regulation 20(1) of the principal Regulations is amended —

- (a) by inserting, immediately after the words “the HSC Code”, the words “, the ISPS Code”;
- (b) by deleting the word “and” at the end of sub-paragraph (d);
- (c) by deleting the words “safety or” in sub-paragraph (e) and substituting the words “safety, to security and”; and
- (d) by deleting the full-stop at the end of sub-paragraph (e) and substituting a semi-colon, and by inserting immediately thereafter the following sub-paragraphs:
 - “(f) seafarers assigned to any of its ships have received refresher and updating training as required by the Convention;

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- (g) arrangements are made to provide rest periods for watchkeeping personnel, and those whose duties involve designated safety, security and prevention of pollution duties, in accordance with the provisions of section A-VIII/1 of the STCW Code;
 - (h) the efficiency of all watchkeeping personnel is not impaired by fatigue, and duties are so organised that the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and otherwise fit for duty;
 - (i) at all times on board its ships, there shall be effective oral communication in accordance with chapter V, regulation 14, paragraphs 3 and 4 of the International Convention for the Safety of Life at Sea, 1974, (SOLAS) as may be amended by the IMO and accepted by the Government;
 - (j) adequate measures are established for the purpose of preventing drug and alcohol abuse; and
 - (k) masters, officers and other personnel assigned specific duties and responsibilities on board its dynamically supported craft, high speed craft, WIG craft, chemical tankers, oil tankers, liquefied gas tankers, passenger ships and ro-ro passenger ships have received appropriate training and instructions to attain the abilities that are appropriate to the capacities in which they are employed and the duties and responsibilities to be undertaken.”.

Amendment of regulation 21

- 8.** Regulation 21 of the principal Regulations is amended —
- (a) by deleting the words “watchkeeping standards” in paragraph (1)(d) and substituting the words “watchkeeping and security standards, as appropriate,”;
 - (b) by deleting the words “property or the environment” in paragraph (1)(d)(iv) and substituting the words “property, the environment or a compromise to security”;
 - (c) by deleting the word “and” at the end of paragraph (2)(d);

- (d) by deleting the full-stop at the end of sub-paragraph (e) of paragraph (2) and substituting the word “; and”, and by inserting immediately thereafter the following sub-paragraph:
“(f) failure to maintain security duties.”; and
- (e) by deleting the words “property or the environment” in paragraph (3) and substituting the words “property, the environment or a compromise to security”.

Deletion and substitution of Second Schedule

9. The Second Schedule to the principal Regulations is deleted and the following Schedule substituted therefor:

“SECOND SCHEDULE

Regulations 13 and 14

MINIMUM MANNING SCALE

PART A — DECK OFFICERS

| COLUMN 1 | COLUMN 2 | COLUMN 3 ¹ | | | | | | | |
|---------------|-------------------------------|---|---------|----------------|----------------------|-----------------------------------|-------------------------|-------------------------|------------------|
| | | Minimum number of qualified Deck Officers to be carried | | | | | | | |
| TRADING AREA | DESCRIPTION OF SHIPS IN TONS | Class 1 | Class 2 | Class 3 | Class 4 (Home-Trade) | Class 5 | Class 4 (Special Limit) | Class 5 (Special Limit) | Class 6 |
| SPECIAL LIMIT | Below 100 | | | | | | | | 1 ^{2 3} |
| | 100 and above but below 500 | | | | | | | 1 ² | 1 ³ |
| | 500 and above but below 3,000 | | | | | | 1 | 1 ³ | |
| | 3,000 and above | | | | 1 ⁴ | | 1 ³ | | |
| HOME-TRADE | Below 3,000 | | | | 1 | 1 ³ | | | |
| | 3,000 and above | | | | 1 ⁴ | 1 ⁴ and 1 ³ | | | |
| FOREIGN-GOING | Below 3,000 | 1 | 1 | | | 1 ^{4 3} | | | |
| | 3,000 and above | 1 | 1 | 1 ³ | | | | | |

¹ In lieu of any certificate listed in Column 3, a certificate considered equivalent under regulation 8, or recognised by the Director under regulation 9, of the principal Regulations may be provided.

² For passenger ship, at least 12 months seagoing service is required.

³ If the number of officers is insufficient to ensure adequate rest periods for watchkeepers, additional officers must be provided.

⁴ With no tonnage limitations.

SECOND SCHEDULE — *continued*

PART B — MARINE ENGINEER OFFICERS

| COLUMN 1 | COLUMN 2 | COLUMN 3 ¹ | | | | |
|---------------|--|--|---------|---------|----------------|------------------|
| TRADING AREA | Registered Propulsion Power (Kilowatts) of Ships | Minimum number of qualified Marine Engineer Officers to be carried | | | | |
| SPECIAL LIMIT | | Class 1 | Class 2 | Class 3 | Class 4 | Class 5 |
| | Below 750 | | | | | 1 ^{2 3} |
| | 750 and above | | | | 1 ⁴ | 1 ^{2 3} |
| UNLIMITED | Below 750 | | | | 1 | 1 ³ |
| | 750 and above but below 1,500 | | | | 1 | 2 ⁵ |
| | 1,500 and above but below 3,000 | | | 1 | 1 | 1 ³ |
| | Above 3,000 | 1 | 1 | | | 1 ³ |

¹In lieu of any certificate listed in Column 3, a certificate considered equivalent under regulation 8, or recognised by the Director under regulation 9, of the principal Regulations may be provided.

²Alternatively, a holder of a Class 5 (Special Limit) Certificate of Competency may be provided.

³If the number of officers is insufficient to ensure adequate rest periods for watchkeepers, additional officers must be provided.

⁴Alternatively, a holder of a Class 4 (Special Limit) Certificate of Competency may be provided.

⁵Not less than 2 officers must be provided but —

(a) additional officers must be provided if 2 is insufficient to ensure adequate rest periods for watchkeepers; and

(b) at least one of the officers must have an endorsement on his Class 5 Certificate of Competency which qualifies the holder to serve as Second Engineer on ships below 1500 kW propulsion power; or, in substitution of such an officer, an officer holding a Class 4 Certificate of Competency must be provided, in addition to the officer or (where appropriate) officers holding a Class 5 Certificate of Competency.”.

Miscellaneous amendments

10. The principal Regulations are amended by deleting the word “power” wherever it appears in regulations 8(2)(b), 14 and 18(5)(b) and substituting in each case the words “propulsion power”.

[G.N. Nos. S 388/2005; S 201/2010]

Made this 22nd day of December 2011.

LUCIEN WONG

Chairman,

Maritime and Port Authority of Singapore.