L.N. 196 of 2001

MERCHANT SHIPPING ACT
(CAP. 234)

Merchant Shipping (A.B. and E.D.H. Certificates) Regulations, 2001

IN exercise of the powers conferred by articles 91 and 374 of the Merchant Shipping Act, the Minister for Transport and Communications has made the following regulations:– Citation.

1. The title of these regulations is the Merchant Shipping (A.B. and E.D.H. Certificates) Regulations, 2001. Interpretation.

2. (1) In these regulations, unless the context otherwise requires – Cap. 234. L.N. 42 of 1975.

"the Act" means the Merchant Shipping Act;

"1975 regulations" means the Merchant Shipping (Certificates of Competency as A.B.) Regulations, 1975;

"A.B." means able bodied seaman;

"approved" means approved by the Registrar-General;

"E.D.H." means efficient deck hand;

"P.S.C. & R.B." means proficiency in survival craft and rescue boats;

"STCW Code" means the Seafarers' Training, Certification and Watchkeeping Code adopted by the 1995 Conference of Parties to the STCW Convention;

"STCW Convention" means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, signed in London on 7th July, 1978;

(2) Unless otherwise defined in the Act, or in these regulations or unless the context otherwise requires, words and expressions used in these regulations shall have the same meaning assigned to them in the STCW Convention.

(3) Any reference in these regulations to an international convention or its related protocol or code shall include reference to any amendments to such convention, protocol or code accepted by the Government of Malta.

Rating as A.B. or E.D.H. on a Maltese ship.

3. No person engaged on a Maltese ship shall be rated as A.B. or E.D.H. unless such person is in possession of a certificate as A.B. or E.D.H., as the case may be, issued or recognised under these or under the 1975 regulations:

Provided that after the 1st February, 2002 no person in possession of a certificate issued or recognised under the 1975 regulations and engaged on a Maltese ship shall be rated as A.B. or E.D.H. unless such person has completed, to the satisfaction of the Registrar-General, an approved course in personal survival techniques.

Conditions for the grant of certificates.

4. The procedure and conditions for the issue of certificates provided for in these regulations shall be as set out in the Schedule to these regulations.

Recognition of foreign certificates.

5. Where it is shown to the satisfaction of the Registrar-General that a person is in possession of a valid certificate not issued under these regulations and the Registar-General is satisfied that the certificate has been issued following examinations so conducted as to be equally efficient with the examinations conducted under these regulations, and that the certificates are issued on such conditions as to show the like qualifications and competence as those granted under these regulations, the Registrar-General may recognise such certificate.

Lost or destroyed certificates.

6. (1) If a certificate issued under these regulations is lost or destroyed, the holder thereof, shall as soon as practicable, notify the Registrar-General, who shall, if satisfied that it has been so lost or destroyed, issue a copy of the certificate, so marked, against payment of the prescribed fee, and such certificate shall have the same effect as the certificate originally issued.

(2) Any certificate notified as aforesaid as lost or destroyed shall, if subsequently recovered, be delivered forthwith to the Registrar-General.

Forgery of certificates.

7. The provisions of article 98 of the Act shall apply in relation to certificates issued or recognised under these regulations, and to any certificate or document referred to in these regulations.

8. The Merchant Shipping (Certificates of Competency as A.B.) Regulations, 1975 are hereby repealed, so however, that any certificate issued under those regulations shall, subject to the provisions of regulation 3 hereof, remain valid as if it has been issued under these regulations. Repeal and saving.

SCHEDULE

Regulation 4

Issue of A.B., E.D.H. and P.S.C. & R.B. Certificates

Interpretation

For the purpose of this Schedule, unless the context otherwise requires –

"major ship" means a ship having, in the case of a sailing ship, a gross tonnage of 40 or more and, in the case of any other ship, a gross tonnage of 100 or more;

"minor ship" means a ship (not being a ship having a gross tonnage of less than 15) having, in the case of a sailing ship, a gross tonnage of less than 40 and, in the case of any other ship, a gross tonnage of less than 100;

"restricted area" means the waters between one island and another of any archipelago or within any territorial waters but outside harbour.

1. A.B. and E.D.H. Certificates

1.1 An A.B. certificate shall be issued by the Registrar-General on application and on payment of the prescribed fee, to any person who, subject to the provisions set out in this Schedule – Issue of A.B. certificate

1.1.1 has attained the age of 18 years;

1.1.2 is in possession of an E.D.H. certificate;

1.1.3 is in possession of a P.S.C. & R.B. certificate as required by regulation VI/2.1 in the Annex to the STCW Convention;

1.1.4 has performed the appropriate sea service.

Issue of E.D.H. certificate

1.2 An E.D.H. certificate shall be issued by the Registrar-General on payment of the prescribed fee, to any person who, subject to the provisions set out in this Schedule –

1.2.1 has attained the age of 17 years;

1.2.2 has successfully completed the following basic training which meets the requirements of section A-VI/1.2 of the STCW Code –

1.2.2.1 Personal Survival Techniques (STCW Code Table A-VI/1-1)

1.2.2.2 Fire Prevention and Fire Fighting (STCW Code Table A-VI/1-2)

1.2.2.3 Elementary First Aid (STCW Code Table A-VI/1-3)

1.2.2.4 Personal Safety and Social Responsibilities (STCW Code Table A-VI/1-4)

1.2.3 obtained a navigational watch rating certificate after meeting the requirements of section A-II/4 of the STCW Code or holds a steering certificate;

1.2.4 has performed the appropriate sea-service.

2. Qualifying service at sea

Sea service for taking E.D.H. examination

2.1 A 12 month period of sea service in the deck department is a pre- requisite for taking the qualifying examination for the issue of an E.D.H. Certificate. Ratings who have sea-service limited to High Speed Craft (HSC) or Mobile Offshore Units (MOUs) may be issued with an E.D.H. certificate limited for service on HSC or MOUs as appropriate. This limitation will be removed if the holder completes not less than 6 months service on a conventional ship. Application for the removal of this limitation should be made to the Registrar-General.

Sea service for issue of A.B. certficate

2.2 The total sea service required for the issue of an A.B. certificate is 24 months of which at least 18 months should have been in the deck department or 36 months as a General Purpose (GP) rating of which at least 12 months was on deck duties.

Estimating sea service

2.3 Qualifying sea service shall be all periods of service at sea, in ships of not less than 15 gross tonnage.

2.4 In calculating such service the following criteria shall be adopted –

2.4.1 service in a major ship in a restricted area and in a minor ship outside a restricted area shall count as one half of the period so served, while service in a minor ship in a restricted area shall be disregarded;

2.4.2 every period of qualifying service shall include a proportion of service in a major ship, other than a fishing vessel, trading outside a restricted area, amounting to not less than twenty-five per cent;

2.4.3 the length of every period of actual service in a ship shall be calculated separately from the day of its commencement to the day of its termination, both days included;

2.4.4 every day of actual service in a ship shall be treated as one-thirtieth of a month of actual service.

3. P.S.C. & R.B. Certificate

Issue of P.S.C. & R.B. certificate

3.1 A P.S.C. & R.B. certificate shall be issued by the Registrar-General on application and on payment of the prescribed fee, to any person who, subject to the provisions set out in this Schedule –

3.1.1 has attained the age of 18 years or is following an approved course as a navigating officer cadet;

3.1.2 has performed not less than 12 months sea service, subject to 3 months remission which may be granted in respect of completion of a survival craft training course to the satisfaction of the Registrar-General;

3.1.3 has reached the standard of competence for a P.S.C. & R.B. certificate as required by sections A-VI/2.1 and A-VI/2.2 of the STCW Code in an examination/assessment conducted to the satisfaction of the Registrar-General.

4. Application for and Conduct of Examinations

Application for examination

4.1 Applications to take examinations or for the issue of certificates in terms of these regulations shall be made to the Registrar-General on the appropriate form accompanied by such evidence as may be required as proof of the attainment of the relative qualifications set out in this Schedule.

4.2 If not satisfied of the eligibility of the applicant, the Registrar-General shall inform the applicant accordingly stating the grounds on which the application is refused.

Conduct of examinations

4.3 The conduct of examinations and the appointment of examiners shall be the responsibility of the Registrar-General.

4.4 The examiners shall be appointed from among holders of a Master Certificate of Competence.

4.5 The syllabus of the qualifying examinations is set out in the Appendix to this Schedule.

Appendix

Syllabus for the Qualifying Examinations

1. E.D.H. Certificate

Nautical terms

1.1 The meaning of common nautical terms.

Navigational watchkeeping duties

1.2 duties of a bridge lookout and the reporting of lights and objects;

1.3 knowledge of the compass card in 360° notation
(holders of Watchrating and Steering Certificates will not be examined on this section)

1.4 understand helm orders
(holders of steering certificates will not be examined on this section)

Life saving appliances and firefighting appliances

1.5 understand the importance of musters and drills and know what action to take on hearing alarm signals;

1.6 understand the general agreement and the dangers of fixed smothering systems;

1.7 understand correct operation, precautions and dangers of lifeboat release gear;

1.8 understand the procedures for boat preparation and launching;

1.9 understand the precautions to be observed when maintaining lifeboats and davits;

1.10 understand the importance of fire and watertight doors.

1.11 common knots, bends and hitches including: Practical work

reef knot, timber hitch, clove hitch, bowline, bowline on the bight, sheet bend, double sheet bend, sheepshank, rolling hitch, round hitch, round turn and two half hitches, figure of eight knot, fisherman's bend, monkey's fist, wall and crown knot;

1.12 common splices including:

eye splice in eight strand plaited rope; eye, back and short splice in three strand rope; eye splice with locking tuck in wire rope;

1.13 parcel and serve a splice;

1.14 whippings and seizings;

1.15 care, use and storage of ropes and wire;

1.16 the correct fitting of wire grips (e.g. 'bulldog' grips);

1.17 use and selection of stoppers for wires and ropes;

1.18 slinging of stages and bosun's chair;

1.19 rigging of pilot ladders, gangways and accommodation ladders;

1.20 rigging of a hydrostatic release unit;

1.21 rigging a derrick;

1.22 securing the deck for severe weather;

1.23 opening and closing of hatches and watertight doors including bow, stern and other shell doors;

1.24 marking of anchor cables.

1.25 Good working knowledge of safe working practices relevant to a seaman's duties and responsibilities. Reference in the sections below to the *Code of Safe Working Practices for Merchant Seamen (COSWP)* published in 1988 in the United Kingdom serves as a guideline. Safe working practices

	Duty and Responsibility	Relevant Section of COSWP
1.25.1	protective clothing and equipment	chapter 4
1.25.2	safety signs and to include standard signs and colours for dangerous goods, pipe lines, fire extinguishers and gas cylinders	chapter 5
1.25.3	safety introduction	chapter 8
1.25.4	fire precautions	chapter 9
1.25.5	emergency procedure	chapter 10, sections 1-6
1.25.6	safe movement on board ship	chapter 13
1.25.7	working aloft and outboard	chapter 15, sections 1-6
1.25.8	work in machinery spaces	chapter 15, sections 7-10
1.25.9	permit of work	chapter 16, sections 1-2
1.25.10	enclosed spaces	chapter 17, sections 1-5 & 8-11
1.25.11	boarding arrangements	chapter 18
1.25.12	manual lifting and carrying	chapter 19
1.25.13	use of work equipment	chapter 20, sections 1-4 & 7-10
1.25.14	lifting plant	chapter 21, sections 1-7 & annex 21.1
1.25.15	hydraulic & pneumatic equipment	chapter 22, section 10
1.25.16	batteries	chapter 22, section 16
1.25.17	anchoring and mooring	chapter 25
1.25.18	hatches	chapter 26.

2. P.S.C. & R.B. Certificate

Standard of competence

Candidates will be required to satisfy the examiner that they have acquired the required knowledge and understanding to reach the standard of competence set out in Table A-VI/2-1 of the STCW Code.