

1955/64



THE SHIPPING (CERTIFICATES OF COMPETENCY AS A.B.)
REGULATIONS 1954, AMENDMENT NO. 1

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 10th day of May 1955

Present:

THE RIGHT HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Shipping and Seamen Act 1952, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Shipping (Certificates of Competency as A.B.) Regulations 1954, Amendment No. 1, and shall be read together with and deemed part of the Shipping (Certificates of Competency as A.B.) Regulations 1954* (hereinafter referred to as the principal regulations).

2. (1) The principal regulations are hereby amended by inserting, after regulation 5, the following regulation:

“5A. The following provisions shall apply with respect to every person who, on or before the commencement of these regulations, was serving as an A.B. or in an equivalent or superior deck rating in a home trade ship for which an agreement with the crew was required under Part II of the Shipping and Seamen Act 1952, but who was not on or before the commencement of these regulations serving as or entitled to be rated as an A.B. or in an equivalent or superior deck rating in a foreign going ship, namely:

“(a) Except as provided in paragraph (b) of this regulation, he shall not be entitled to a certificate of competency under regulation 5 of these regulations, unless not later than the 30th day of April 1957 he has fulfilled the qualifications required for the rating of A.B. which would have been required under subsection (1) of section 51 of the Shipping and Seamen Act 1908, as amended by section 9 of the Shipping and Seamen Amendment Act 1909, if that subsection had still been in force:

“(b) Until he becomes entitled to a certificate of competency in accordance with paragraph (a) of this regulation, any certificate of competency issued to him under regulation 5 of these regulations shall have effect only for the purpose of service on home trade ships, and shall cease to be valid after the 30th day of April 1957:

“(c) Any certificate of competency to which paragraph (b) of this regulation applies shall be deemed to be a qualified certificate, and there shall be written thereon a statement that it is qualified in the manner specified in paragraph (b) of this regulation:

“(d) On the issue to a person of a certificate of competency as A.B. which is not qualified as provided in paragraph (c) of this regulation, he shall surrender any qualified certificate of competency issued to him.”

(2) Regulation 4 of the principal regulations is hereby amended by omitting from subclause (1) the words “regulation 5”, and substituting the words “regulations 5 and 5A”.

(3) Regulation 5 of the principal regulations is hereby amended by inserting before the word “Notwithstanding”, the words “Subject to the provisions of regulation 5A of these regulations, and”.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

The principal regulations, which provide for only one class of certificate of competency as A.B. available for both home trade and foreign going ships, recognize qualifications obtained before the commencement of those regulations. The former legislation contained different provisions relating to the qualifications necessary for the rating of A.B. for service on home trade ships only (for which two years' qualifying service was necessary) and those required for service on foreign going ships (for which three years' qualifying service was necessary).

The effect of these regulations is that, where a seaman obtains a certificate of competency as A.B. under the principal regulations by virtue of the fact that under the former legislation he was entitled to the rating of A.B. for service on home trade ships only, that certificate will be a qualified one available for home trade ships only, and will not be available for foreign going ships, but the holder within a further two years may obtain the further qualifying service necessary under that legislation to qualify him for the rating of A.B. for the purpose of serving on foreign going ships.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 May 1955.

These regulations are administered in the Marine Department.