



MERCHANT SHIPPING (MANNING AND STCW) REGULATIONS 2014

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Statutory Document No. 2014/0238

*Merchant Shipping Act 1985*

MERCHANT SHIPPING (MANNING AND STCW) REGULATIONS 2014

*Coming into Operation:**1 August 2014*

The Department of Economic Development, after consultation with the Secretary of State, makes the following Regulations under sections 1 and 2 of the Merchant Shipping Act 1985.

1 Title

These Regulations are the Merchant Shipping (Manning and STCW) Regulations 2014.

2 Commencement

These Regulations come into operation on 1 August 2014.

3 Application

- (1) *Subject to paragraph (2), Part 2 (Minimum safe manning) applies to a Manx ship wherever it may be.*
- (2) Part 2 (Minimum safe manning) does not apply to a Manx ship which is a —
 - (a) fishing vessel;
 - (b) pleasure vessel;
 - (c) wooden ship of primitive build;
 - (d) warship, naval auxiliary or other ship owned or operated by a State and engaged only on governmental non-commercial service; or
 - (e) ship not propelled by mechanical means.
- (3) Part 3 (Pleasure vessel manning) applies to a Manx ship which is a pleasure vessel of 24 metres or over in load line length *wherever it may be.*
- (4) Subject to paragraph (6), Part 4 (STCW Convention) applies to a seagoing Manx ship wherever it may be.

- (5) Subject to paragraph (6), Part 5 (STCW Convention foreign ships) applies to a foreign ship calling in the normal course of its business or for operational reasons to a port in the Island.
- (6) Parts 4 and 5 do not apply to a Manx ship or a foreign ship which is a —
- (a) fishing vessel;
 - (b) pleasure vessel;
 - (c) wooden ship of primitive build; or
 - (d) warship, naval auxiliary or other ship owned or operated by a State and engaged only on governmental non-commercial service.
- (7) *To avoid doubt, nothing in these Regulations applies to a vessel registered under Part 3 of the Harbours Act 2010¹ (pleasure craft and certain other vessels).*

4 Interpretation

- (1) In these Regulations —

“Annex to the STCW Convention” *definition omitted by SD2021/0175;*

“certificate of competency” means a certificate issued and endorsed for masters, officers and GMDSS radio operators in accordance with the *requirements of the STCW Convention chapters II, II, IV or VII* and entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level of responsibility specified therein;

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

“Company” means the owner of a Manx ship in accordance with the Merchant Shipping Registration Act 1991 or Part 3 of the Harbours Act 2010 (as the case may be), or any other organisation or person such as the manager, or the bareboat charterer, who has assumed responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the Company by the SOLAS Convention and the STCW Convention;

“Department” means the Department of Economic Development²;

“fishing vessel” means a vessel used for catching fish, whales, seals or walrus or other living resources of the sea;

“foreign ship” means any ship which is not a Manx ship;

¹ AT 9 of 2010

² Functions transferred from the Department of Economic Development to the Department for Enterprise by the Transfer of Functions (Economic Development and Education) Order 2017 (SD2017/0325) with effect from 24 November 2017

- “**gross tonnage**” means the gross tonnage calculated in accordance with the Regulations for Determining Gross and Net Tonnages of Ships contained in Annex I to the International Convention on Tonnage Measurement of Ships 1969;
- “**inspector**” means a person appointed as an inspector under section 3 of the Merchant Shipping Act 1985;
- “**international voyage**” means a voyage from a country to a port outside that country;
- “**length**” has the meaning given by paragraph (2);
- “**Manx ship**” has the meaning given by section 1 of the Merchant Shipping Registration Act 1991 and includes a ship registered under Part IV of that Act (the Demise Charter Register);
- “**master**” means the person having command of a ship;
- “**MSN**” means a Manx Shipping Notice issued by the Department of Economic Development and includes any document amending the same;
- “**passenger**” means every person other than—
- (a) *the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and*
 - (b) *a child under one year of age;*
- “**passenger ship**” means a ship which carries more than 12 passengers;
- “**pleasure vessel**” has the meaning given by regulation 6 of the Merchant Shipping (Pleasure Vessel) Regulations 2003³;
- “**seafarer**” means any person who is employed or engaged or works in any capacity on-board a ship to which these Regulations apply;
- “**seagoing Manx ship**” means a Manx ship other than one which navigates exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply;
- “**SOLAS Convention**” means the International Convention for the Safety of Life at Sea 1974, and its 1988 Protocol, as adopted by the International Maritime Organization;
- “**STCW Code**” means the *Seafarers’ Training, Certification and Watchkeeping Code adopted by resolution 2 of the 2010 STCW Conference (the Manila Amendments) including all amendments made to —*
- (a) *Part A of that Code up to and including those adopted by IMO Resolution MSC.487(103) on 13 May 2021 which came into force on 1 January 2023; and*

³ SD396/03

- (b) *Part B of that Code up to and including those adopted by IMO Resolution MSC.478(102) on 5 November 2020 which came into force on 1 January 2021;*

“STCW Convention” or “STCW” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, including its Annex adopted by resolution 1 of the 2010 STCW Conference (the Manila Amendments) and all other amendments made to that Convention up to and including those adopted by IMO Resolution MSC.486(103) on 13 May 2021 which came into force on 1 January 2023;

“the 2010 STCW Conference” means the Conference of Parties to the STCW Convention held in Manila on the 21 to 25 June 2010; and

“valid dispensation” means a dispensation issued in accordance with Article 8 of the STCW Convention.

- (2) Subject to paragraph (3), in these Regulations **“length”** means 96% of the total length on a waterline of a ship at 85% of the least moulded depth measured from the top of the keel, or the length from the fore-side of the stem to the axis of the rudder stock on that waterline, if that be greater.
- (3) In ships designed with a rake of keel the waterline on which length is measured shall be parallel to the designed waterline.
- (4) An expression not otherwise defined in these Regulations has the meaning (if any) given by the STCW Convention *or STCW Code*.

5 Company’s responsibility

- (1) A Company must ensure a ship complies with such of the requirements of Parts 2 and 4 as apply in relation to a ship of its description.
- (2) A Company must ensure a pleasure vessel complies with Part 3.
- (3) Paragraphs (1) and (2) apply whether or not these Regulations impose an obligation on another person.
- (4) A Company which fails to comply with paragraphs (1) or (2) commits an offence and is liable on summary conviction to a fine not exceeding **£10,000⁴** or, on conviction on indictment, to imprisonment for a term not exceeding 2 years and a fine.

6 Provisions relating to offences

- (1) It is a defence for a person charged under these Regulations to show that he or she took all reasonable steps to avoid the commission of the offence.

⁴ Increased to a fine not exceeding £10,000 by section 55 of the Interpretation Act 2015 with effect from 1 January 2018

- (2) If the commission by any person of an offence under these Regulations is due to the act or default of some other person, that other person is guilty of the offence and a person may be charged with and convicted of the offence by virtue of this regulation whether or not proceedings are taken against the first-mentioned person.
- (3) If a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he or she, as well as the body corporate, is guilty of that offence and is liable to be proceeded against and punished accordingly.
- (4) If the affairs of a body corporate are managed by its members, paragraph (3) applies in relation to the acts and defaults of a member in connection with his or her functions of management as if the member is a director of the body corporate.
- (5) For the purposes of this regulation, “**body corporate**” includes a limited liability company constituted under the Limited Liability Companies Act 1996 and, in relation to such a company, any reference to a director or other officer of a body corporate is a reference to a member and to the company’s manager and registered agent.

PART 2 — MINIMUM SAFE MANNING

7 Interpretation for this Part

In this Part —

“*minimum safe manning document*” means —

- (a) *for a ship which is a passenger ship or a ship of 500 gross tonnage or over, the minimum safe manning document required by SOLAS Chapter V, regulation 14;*
- (b) *for a ship of less than 500 gross tonnage (other than a passenger ship), a Manx minimum safe manning document;*

“*SOLAS Chapter V*” means *Chapter V of the International Convention for the Safety of Life at Sea 1974, as amended by the 1988 Protocol, including all amendments made to that Chapter up to and including those adopted by IMO Resolution MSC.350(92) on 21 June 2013 which came into force on 1 January 2015.*

8 Minimum safe manning

- (1) A ship must not proceed to sea unless it —
 - (a) carries a valid minimum safe manning document; and

- (b) is manned in accordance with the requirements of the minimum safe manning document.
- (2) A minimum safe manning document is only valid –
 - (a) if it is issued in accordance with regulation 9;
 - (b) for the period stated in it;
 - (c) for the operational area stated in it;
 - (d) if any conditions stated in it are complied with; and
 - (e) if it has not been withdrawn under regulation 11.
- (3) In exceptional circumstances, the Department may exempt a ship from the requirement to be manned in accordance with paragraph 1(b) for a period not exceeding 21 days.
- (4) An exemption issued under paragraph (3) is only valid –
 - (a) if it is in writing;
 - (b) for the period stated in it; and
 - (c) if any conditions stated in it are complied with.
- (5) A master who fails to comply with paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding **£10,000**⁵ or, on conviction on information, to imprisonment for a term not exceeding 2 years and a fine.

9 Issue of a minimum safe manning document

A minimum safe manning document may be issued by the Department to a ship if –

- (a) a proposal has been submitted to the Department for the minimum safe manning of a ship; and
- (b) the Department has evaluated and approved the proposal for the minimum safe manning of a ship;

taking into account MSN 052.

10 Changes which affect minimum safe manning

No change may be made to a ship's operational area, construction, machinery, equipment, operation or maintenance which affects a ship's minimum safe manning unless –

- (a) a new proposal for a ship's minimum safe manning has been submitted to the Department in accordance with regulation 9(a);

⁵ Increased to a fine not exceeding £10,000 by section 55 of the Interpretation Act 2015 with effect from 1 January 2018

- (b) the new proposal for a ship's minimum safe manning has been evaluated and approved by the Department in accordance with regulation 9(b); and
- (c) a new minimum safe manning document has been issued by the Department.

11 Minimum safe manning document may be withdrawn

- (1) The Department may withdraw a minimum safe manning document if—
 - (a) a new minimum safe manning document has not been issued in accordance with regulation 10 and a change in operational area, construction, machinery, equipment, operation or maintenance has taken place that affects a ship's minimum safe manning; or
 - (b) the ship persistently fails to be in compliance with the minimum hours of rest requirements prescribed by Part 6 of the Merchant Shipping (Maritime Labour Convention) Regulations 2013⁶.
- (2) For the purposes of paragraph (1), a minimum safe manning document shall be considered to be withdrawn if —
 - (a) an inspector has withdrawn the minimum safe manning document from the ship; or
 - (b) the Department has notified the master and Company in writing that the minimum safe manning document is withdrawn.

PART 3 — PLEASURE VESSEL MANNING

12 Pleasure vessel manning

- (1) A pleasure vessel must not proceed to sea unless it is manned in accordance with the requirements of MSN 033.
- (2) A master who fails to comply with paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding **£10,000**⁷ or, on conviction on information, to imprisonment for a term not exceeding 2 years and a fine.

⁶ SD0234/13

⁷ Increased to a fine not exceeding £10,000 by section 55 of the Interpretation Act 2015 with effect from 1 January 2018

PART 4 – STCW CONVENTION

13 Interpretation for this Part

In this Part –

“**CRA**” means the confirmation of receipt of application referred to in regulation 17(5)(b); and

“**Isle of Man endorsement**” means an endorsement issued by the Department attesting recognition of a certificate of competency in accordance with STCW, regulation I/10.

14 Requirement to comply with the STCW Convention

- (1) A seafarer must be assigned for service on a ship in accordance with the requirements of the STCW Convention.
- (2) *Where these Regulations require compliance with the STCW Convention or for something to be done in accordance with or as required by the STCW Convention that requirement shall be read to include a requirement to comply with the corresponding section of Part A of the STCW Code.*
- (3) Without limiting paragraph (1), a seafarer assigned to a ship must –
 - (a) hold a certificate of competency in accordance with the requirements of *the STCW Convention chapters II, III, IV or VII*;
 - (b) hold a certificate of proficiency in accordance with the requirements of the STCW Convention;
 - (c) receive refresher and updating training as required by the STCW Convention; and
 - (d) be familiarised with their specific duties and with all ship arrangements, installations, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties in accordance with the requirements of the STCW Code, section A-1/14 and taking into account section B-1/14.

15 Master's responsibility

- (1) In addition to the responsibility of the Company to ensure compliance with the requirements of this Part, it is the responsibility of the master to ensure that –
 - (a) he or she does not engage any person not holding an appropriate certificate required by the STCW Convention;
 - (b) he or she does not allow any function or service in any capacity required by the STCW Convention to be performed by a person not

holding an appropriate certificate, valid dispensation, Isle of Man endorsement or CRA; and

- (c) watchkeeping arrangements are adequate for maintaining a safe watch or watches, taking into account the prevailing circumstances and conditions and that, under the master's general direction —
 - (i) officers in charge of the navigational watch are responsible for navigating the ship safely during their periods of duty, when they must be physically present on the navigating bridge or in a directly associated location such as the chartroom or bridge control room at all times;
 - (ii) radio operators are responsible for maintaining a continuous radio watch on appropriate frequencies during their periods of duty;
 - (iii) officers in charge of an engineering watch, as defined in the STCW Code, under the direction of the chief engineer officer, must be immediately available and on call to attend the machinery spaces and, when required, must be physically present in the machinery space during their periods of responsibility;
 - (iv) an appropriate and effective watch or watches are maintained for the purpose of safety at all times, while the ship is at anchor or moored and, if the ship is carrying hazardous cargo, the organisation of such watch or watches takes full account of the nature, quantity, packing and stowage of the hazardous cargo and of any special conditions prevailing on board, afloat or ashore; and
 - (v) an appropriate and effective watch or watches are maintained for the purpose of security.
- (2) A master who fails to comply with paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding **£10,000**⁸ or, on conviction on indictment, to imprisonment for a term not exceeding 2 years and a fine.

16 Fraud or forged documents

A person who obtains by fraud or by forged documents an engagement to perform any function or to serve in any capacity required by the STCW Convention to be performed or filled by a person holding a certificate or dispensation, commits an offence and is liable on summary conviction to a fine

⁸ Increased to a fine not exceeding £10,000 by section 55 of the Interpretation Act 2015 with effect from 1 January 2018

not exceeding **£10,000**⁹ or, on conviction on information, to imprisonment for a term not exceeding 2 years and a fine.

17 Isle of Man endorsement

- (1) Subject to paragraph (2), in accordance with STCW regulation I/10, a master, officer or radio operator serving on a ship must have an Isle of Man endorsement issued by the Department.
- (2) The requirement to have an Isle of Man endorsement does not apply to a master, officer or radio operator who holds a certificate of competency issued by the United Kingdom.
- (3) An Isle of Man endorsement may be issued by the Department to a seafarer if he or she holds a certificate of competency issued by a country specified in MSN 051.
- (4) In addition to the requirement in paragraph (3) to hold a certificate of competency issued by a country specified in MSN 051, the Department may issue an Isle of Man endorsement to –
 - (a) a seafarer who presents for endorsement, certificates issued under the provisions of STCW regulations II/2, III,2 or III/3, or issued under regulation VII/1 at the management level, only if the seafarer has appropriate knowledge of maritime legislation in accordance with MSN 051 relevant to the functions they are permitted to perform; and
 - (b) a master or officer serving on an oil, gas or chemical tanker only if the seafarer holds a certificate of proficiency issued, *or an existing certificate of competency or certificate of proficiency which has been duly endorsed* in accordance with STCW regulations V/1-1 or V/1-2 (as appropriate) by a country specified in MSN 051.
- (5) A master, officer or radio operator may serve on board a ship without an Isle of Man endorsement for a period not exceeding 3 months if –
 - (a) an application for an Isle of Man endorsement has been made to the Department;
 - (b) the Department has issued a confirmation of receipt of application (CRA) which must be made available on board; and
 - (c) the seafarer holds an appropriate certificate issued and endorsed as required by the STCW Convention by a country specified in MSN 051.
- (6) An Isle of Man endorsement expires as soon as the certificate endorsed expires or is withdrawn, suspended or cancelled by the Party which issued it.

⁹ Increased to a fine not exceeding £10,000 by section 55 of the Interpretation Act 2015 with effect from 1 January 2018

- (7) *The Department may, in accordance with the provisions of STCW regulation I/5, withdraw, suspend or cancel an Isle of Man endorsement issued to a seafarer under this regulation.*

18 Documentation to be maintained by the Company

Documentation and data relevant to a seafarer employed on a ship must be maintained and readily accessible and include documentation and data on a seafarer's experience, training, medical fitness and competency in assigned duties.

19 Emergency situations

The ship's complement must be able to effectively coordinate their activities in an emergency situation and perform functions vital to safety, security and to the prevention or mitigation of pollution.

20 Safety familiarisation training, basic training or instruction

Before being assigned to any shipboard duties, a seafarer must receive safety familiarisation and basic training and instruction in accordance with the STCW Code, section A-VI/1 and meet the standard of competence specified in the STCW Code, Tables A-VI/1-1 to A-VI/1-4.

21 Mandatory minimum requirements for personnel on passenger ships

- (1) For the purposes of STCW regulation V/2, paragraph 1 which permits the Department to determine the applicability of STCW regulation V/2 to personnel serving on a passenger ship engaged on domestic voyages, the requirements of STCW regulation V/2 apply to personnel serving on a passenger ship engaged on domestic voyages.
- (2) In this regulation “**domestic voyage**” means a voyage from a country which does not go to a port outside of that country.

22 Certificate of proficiency for ship security officers

- (1) A ship security officer serving on a ship to which the *Merchant Shipping (ISPS Code) Regulations 2018*¹⁰ applies must hold a certificate of proficiency issued in accordance with STCW regulation VI/5.
- (2) In this regulation “**ship security officer**” means the person on board the ship, accountable to the master, designated by the Company as responsible for the security of the ship including implementation and maintenance of the ship security plan and liaison with the Company security officer and port facility security officers.

¹⁰ SD2018/0278

23 Certificate to be kept on board

In accordance with STCW regulation I/2, paragraph 11 any certificate required by the STCW Convention must be kept available in its original form on board the ship on which the holder is serving.

24 Prevention of drug and alcohol abuse

- (1) Adequate measures must be established for the purpose of preventing drug and alcohol abuse on board a ship taking into account MSN 050.
- (2) The adequate measures referred to in paragraph (1), must include a clearly written policy of drug and alcohol prevention and must —
 - (a) be made available to all seafarers on board; and
 - (b) contain procedures to ensure a seafarer does not exceed the alcohol limits stated in MSN 050 while they are performing designated safety, security or marine environmental duties.

25 Dispensation

- (1) In accordance with STCW Article 8, in circumstances of exceptional necessity the Department may issue a dispensation permitting a specified seafarer to serve on a specified ship for a specified period not exceeding 6 months in a capacity, other than that of radio officer or radiotelephone operator, for which he or she does not hold the appropriate certificate.
- (2) A dispensation under paragraph (1) may be issued by the Department only in accordance with the provisions of STCW Article 8.

26 Equivalents

- (1) In accordance with STCW Article 9, the Department may retain or adopt equivalent educational and training arrangements including those involving seagoing service and shipboard organisation especially adapted to technical developments and to special types of ships and trades.
- (2) The equivalent arrangements in paragraph (1) may only be permitted if the level of seagoing service, knowledge and efficiency as regards navigational and technical handling of ship and cargo ensures a degree of safety at sea and has a preventative effect as regards pollution that is equivalent to the requirements of the STCW Convention.

27 Exemption

- (1) In accordance with the STCW Convention regulation II/3, paragraph 7 the Department may exempt the master and the officer in charge of a

navigational watch on a ship or class of ships from some of the requirements of STCW regulation II/3 and STCW Code, section A-II/3.

- (2) An exemption under paragraph (1) may be issued by the Department only in accordance with the provisions of STCW regulations II/3, paragraph 7.
- (3) *In accordance with the STCW Code, section A-V/3.3 the Department may, in respect of ships of less than 500 gross tonnage, except for passenger ships, exempt the seafarers on such a ship or class of ships from some of the requirements of the STCW Code, section A-V/3.*
- (4) *An exemption under paragraph (3) may only be issued by the Department in accordance with the provisions of the STCW Code, Section A-V/3.3.*

28 Conduct of trials

- (1) In accordance with STCW regulation I/13, the Department may authorise a ship to participate in trials.
- (2) An authorisation under paragraph (1) may be issued by the Department only in accordance with the provisions of STCW regulation I/13.

29 Transitional arrangements

- (1) In accordance with STCW regulation I/15, paragraph 1 until 1 January 2017 the Department may continue to recognise and endorse certificates in accordance with the provisions of the STCW Convention which applied immediately prior to 1 January 2012 in respect of those seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course before 1 July 2013.
- (2) Until 1 January 2017, the Department may continue to accept certificates of proficiency issued prior to 31 January 2000 by a Maritime and Coastguard Agency (MCA) approved training centre as an equivalent to the certificates of proficiency required by the STCW Convention in accordance with the Table set out in Schedule 1 to these Regulations.

PART 5 – STCW CONVENTION FOREIGN SHIPS

30 Inspection of a foreign ship

- (1) An inspector may inspect a foreign ship calling in the normal course of its business or for operational reasons to a port in the Island to do one or more of the following –
 - (a) verify that a seafarer serving on board who is required to be certificated in accordance with the STCW Convention –

- (i) holds an appropriate certificate or a valid dispensation; and
 - (ii) has an endorsement or provides documentary proof that an application for an endorsement has been submitted to the ship's flag State in accordance with STCW regulation I/10, paragraph (5);
 - (b) verify that the numbers and certificates of the seafarers serving on board are in conformity with the applicable safe manning requirements of the ship's flag State;
 - (c) assess, in accordance with the STCW Code, section A-I/4 the ability of seafarers on the ship to maintain watchkeeping and security standards, as required by the STCW Convention if there are clear grounds for believing that the standards are not being maintained.
- (2) The clear grounds referred to in paragraph (1)(c) are if any of the following have occurred —
- (a) the ship has been involved in a collision, grounding or stranding;
 - (b) there has been discharge of substances from the ship when underway, at anchor or at berth which is illegal under any international convention;
 - (c) the ship has been manoeuvred in an erratic or unsafe manner whereby routing measures adopted by the International Maritime Organization or safe navigation practices and procedures have not been followed; or
 - (d) the ship is otherwise being operated in such a manner as to pose a danger to persons, property, the environment, or a compromise to security.
- (3) Deficiencies which may be deemed to pose a danger to persons, property or the environment include the following —
- (a) failure of a seafarer to —
 - (i) hold an appropriate certificate or a valid dispensation; or
 - (ii) to have an endorsement or provide documentary proof that an application for an endorsement has been submitted to the ship's flag State in accordance with STCW regulation I/10, paragraph 5;
 - (b) failure to comply with the applicable safe manning requirements of the ship's flag State;
 - (c) failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the ship's flag State;

- (d) absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radiocommunications or the prevention of marine pollution; and
 - (e) inability to provide, for the first watch at the commencement of the voyage and for subsequent relieving watches, persons who are sufficiently rested and otherwise fit for duty.
- (4) In this regulation “**flag State**” means the Government of the Party to the STCW Convention whose flag the ship is entitled to fly.

31 Provisions relating to detention of a foreign ship and offences

- (1) If a ship fails to correct any of the deficiencies referred to in regulation 30(3) and an inspector determines that they pose a danger to persons, property or the environment, the ship may be detained.
- (2) In determining whether or not a deficiency poses a danger to persons, property or the environment, the inspector must take into account the size and type of the ship and the length and nature of the voyage.
- (3) If an inspection is conducted or when measures are taken in accordance with paragraph (1), all reasonable efforts must be made to avoid the ship being unreasonably detained or delayed.
- (4) If a ship is detained in accordance with this regulation, section 74 of the Merchant Shipping Registration Act 1991 (which relates to the detention of a ship) has effect, subject to the following modifications —
 - (a) in sub-sections (1) and (2), after “any officer of the Department,” insert **“any inspector, ”**;
 - (b) in sub-section (3), for “this Act” (wherever occurring) substitute **“the STCW Regulations”**; and
 - (c) at the end of the section, add —
 - “(4) In this section —**
 - “inspector”** has the meaning given by regulation 4 of the STCW Regulations; and
 - “STCW Regulations”** means the Merchant Shipping (Manning and STCW) Regulations 2014. **”**

PART 6 — CONSEQUENTIAL AMENDMENTS

32 Consequential amendments

Schedule 2 Consequential Amendments has effect.

MADE 30 JUNE 2014

ALLAN BELL

Minister for Economic Development



SCHEDULE 1

EQUIVALENT CERTIFICATES OF PROFICIENCY

REGULATION 29(2)

STCW certificate of proficiency	Certificate of proficiency issued by an Maritime and Coastguard Agency (MCA) approved training centre
Proficiency in personal survival techniques (STCW Code Table A-VI/1-1)	Basic sea survival
Proficiency in survival craft and rescue boats other than fast rescue boats (STCW Code Table A-VI/2-1)	Proficiency in survival craft or Lifeboatman certificate
Proficiency in fire prevention and fire fighting (STCW Code Table A-VI/1-2)	Merchant Navy Training Board 3 Day fire fighting course
Proficiency in advanced fire fighting (STCW Code Table A-VI/3)	Merchant Navy Training Board 4 Day fire fighting course

SCHEDULE 2

CONSEQUENTIAL AMENDMENTS

REGULATION 32

1. The following are revoked –
 - (1) the Merchant Shipping (Manning and Training) (Amendment) Regulations (SD260/03);
 - (2) the Merchant Shipping (Manning and Training) (Amendment) Regulations 2002 (SD757/02);
 - (3) the Merchant Shipping (Manning and Training) (Amendment) Regulations 1998 (SD401/98);
 - (4) the Merchant Shipping (Pleasure Vessel) (Manning) Regulations 1989 (GC121/89); and
 - (5) the Merchant Shipping (Certificates of Competency as A.B.) (Application) Order 1986 (GC218/86) which applies the Merchant Shipping (Certificates of Competency as A.B.) Regulations 1970 (SI 1970 No. 294).

2. The Merchant Shipping (Fees) Regulations 2014 (SD2014/0005) are amended as follows.

- (1) In regulation 3 in the definition of “safe manning certificate” for “Part 1 of the Merchant Shipping (Manning and Training) Regulations 1996” substitute ~~the~~ regulation 9 of the Merchant Shipping (Manning and STCW) Regulations 2014 ~~the~~.

(2) In Schedule 13, in Table 11 omit –

AB certificate of competency	£23
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3. The Merchant Shipping (Maritime Labour Convention) Regulations 2013 (SD0234/13) are amended as follows.

- (1) In regulation 9(3) after “the Merchant Shipping (Manning and Training) Regulations 1996” insert ~~the~~, the Merchant Shipping (Manning and STCW) Regulations 2014 ~~the~~.
- (2) In regulation 60(3) for “Merchant Shipping (Manning and Training) Regulations 1996” substitute ~~the~~ Merchant Shipping (Manning and STCW) Regulations 2014 ~~the~~.
- (3) Regulation 60(4) is omitted.

4. The Merchant Shipping (Pleasure Vessel) Regulations 2003 (SD396/03) are amended as follows.



In Schedule 1 (from the table entitled “Regulations made under sections 1, 2 and 5 of the Merchant Shipping Act 1985 in which the definition of “pleasure vessel” is amended”) omit—

Merchant Shipping (Pleasure Craft) (Manning) Regulations 1989	121/89	2
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In Schedule 1 (from the table entitled “Regulations made under section 34A of the Masters and Seamen Act 1979 in which the definition of “pleasure vessel” is amended”) omit —

Merchant Shipping (Manning and Training) (Amendment) Regulations 2002	757/02	3
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5. The Merchant Shipping (Demise Charter Register) (Amendment) Regulations 1999 (SD552/99) are amended as follows.

In regulation 2(g) (from the table entitled “Application of subordinate legislation”) omit—

218/86	Merchant Shipping (Certificates of Competency As A.B.) (Application) Order 1986	The whole Order
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401/98	Merchant Shipping (Manning and Training (Amendment) Regulations 1998	The whole Order
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6. The Merchant Shipping (Life-Saving Appliances) Regulations 1999 (SD431/99) are amended as follows.

(1) In regulation 2, the definition of “certificated person” is omitted.

(2) In regulation 24, after paragraph (5) add—

☐ (6) In this regulation—

“**certificated person**” means a member of the crew who holds a certificate of proficiency in survival craft and rescue boats (other than fast rescue boats) issued in accordance with STCW regulation VI/2.1; and

“**STCW**” has the meaning given by regulation 4 of the Merchant Shipping (Manning and STCW) Regulations 2014 (SD2014/0238). ☐

- (3) In regulation 35(1), omit “This training shall be additional to the initial familiarisation training required by Regulation 43(f) of the Merchant Shipping (Manning and Training) Regulations 1996¹¹”.

7. The Merchant Shipping (Radio Installations) Regulations 1999 (SD50/99) are amended as follows.

In regulation 2, the definition of “GMDSS general operator’s certificate” and “GMDSS restricted operator’s certificate” is omitted.

8. *Omitted by SD2014/0415 Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 2014*

9. The Merchant Shipping (Safety Provisions) (Amendment and Revocation) Regulations 1997 (SD037/97) are amended as follows.

The following are revoked –

- (1) regulation 2; and
- (2) Schedule 1.

10. The Merchant Shipping (Manning and Training) Regulations 1996 (SD723/96) are amended as follows.

(1) The following are revoked –

- (a) Part 1;
- (b) Part 2;
- (c) Part 4;
- (d) Part 5;
- (e) Part 7;
- (f) Part 8;
- (g) Part 11; and
- (h) Schedules 1 to 3.

(2) In Part 6 –

- (a) regulations 43 to 49 and regulation 51 are omitted; and
- (b) for regulation 50(1) and (2) substitute –

☐ (1) Every Manx passenger ship must carry the following number of qualified persons –

Means of evacuation	Number of qualified persons
For every lifeboat boarded at the stowed position and capable	2 per lifeboat

¹¹ SD 723/96



of release and lowering from inside the boat	
For every lifeboat boarded at the stowed position and capable of being lowered from inside the boat after release externally	2 per lifeboat, plus 1 additional person for every 2 boats
For every lifeboat both released and lowered from the ship	3 per lifeboat
For each davit launched liferaft	1 per liferaft plus 1 additional person for each davit
For each Marine Escape System	4 per system plus 1 additional person for each raft associated with the system.

(2) In this regulation —

“**qualified person**” means a member of the crew who holds a certificate of proficiency in survival craft and rescue boats (other than fast rescue boats) issued in accordance with the STCW regulation VI/2.1; and

“**STCW**” has the meaning given by regulation 4 of the Merchant Shipping (Manning and STCW) Regulations 2014 (SD2014/0238). 

11. The Merchant Shipping (Official Log Books) Regulations 1992 (GC363/92) are amended as follows.

- (1) In regulation 1(2), the definition of “the Safe Manning Document Regulations” is omitted.
- (2) In Schedule 1, Part 1, from the table entitled “Entries relating to every ship” in entry 8 —
 - (a) the “(a)” after “A record of” is omitted; and
 - (b) omit—

(b) any exemption granted under regulation 7 of the Safe Manning Document Regulations.	The master	None
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12. The Merchant Shipping (Life-Saving Appliances) (Ships built before 1st July 1986) Regulations 1991 (GC273/91) are amended as follows.

- (1) In regulation 1(2), the definition of “certificated person” is omitted.
- (2) Regulation 46(2) is omitted.

(3) At the end of regulation 46 add —

(12) In this regulation —

“**certificated person**” means a member of the crew who holds a certificate of proficiency in survival craft and rescue boats (other than fast rescue boats) issued in accordance with STCW regulation VI/2.1; and

“**STCW**” has the meaning given by regulation 4 of the Merchant Shipping (Manning and STCW) Regulations 2014 (SD2014/0238). **(12)**

13. The Merchant Shipping (Demise Charter Register) Regulations 1991 (GC394/91) are amended as follows.

In Schedule 2, Part II, omit —

218/86	Merchant Shipping (Certificates of Competency As A.B.) (Application) Order 1986.	The whole Order
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14. The Merchant Shipping (Masters and Seamen) Act 1979 (c.14) is amended as follows.

- (1) In section 36(1) omit “sections 1 and 2 of the Merchant Shipping Act 1985,”.
- (2) In section 37 omit “sections 1 and 2 of the Merchant Shipping Act 1985,”.
- (3) In section 38(2) omit “sections 1 and 2 of the Merchant Shipping Act 1985,”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Parts 2 and 3 of these Regulations give effect to SOLAS Chapter V regulation 14, paragraphs (1) and (2) which requires ships to be sufficiently and efficiently manned.

Part 2 (amongst other things) prohibits a ship from proceeding to sea unless it has a safe manning document issued by the Department and is manned in accordance with that safe manning document.

Part 3 applies to pleasure vessels and prohibits a pleasure vessel from proceeding to sea unless it is manned in accordance with MSN 033.

Parts 4 of these Regulations gives effect to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, including its Annex and the STCW Code (the STCW Convention) up to and including those amendments made to the STCW Convention by the Manila Amendments, adopted in June 2010.

Part 4 (amongst other things) requires companies to assign seafarers to ships in accordance with the requirements of the STCW Convention.

Part 5 provides for the inspection of a foreign ship which calls in the normal course of its business or for operational reasons to a port in the Island in accordance with the requirements of the STCW Convention.

The SOLAS Convention and the STCW Convention can be obtained from the International Maritime Organization, 4 Albert Embankment, London SE1 7SR.
<http://www.imo.org>

This text is marked with amendments made to these Regulations by:

SD2014/0415 Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 2014;

SD2018/0187 Merchant Shipping (SOLAS Chapter V)(Safety of Navigation) Regulations 2018;

SD2018/0278 Merchant Shipping (ISPS Code) Regulations 2018;

SD2021/0175 Merchant Shipping (Manning and STCW)(Amendment) Regulations 2021;

SD2022/0307 Merchant Shipping (Manning and STCW)(Amendment) Regulations 2022.

Section 55 of the Interpretation Act 2015 which increase the fines with effect from 1 January 2018. The functions in these Regulations have been transferred from the Department of Economic Development to the Department for Enterprise by the Transfer of Functions (Economic Development and Education) Order 2017 (SD2017/0325) with effect from 24 November 2017.