

**ISSUES OF CERTIFICATES OF SERVICE UNDER THE TERMS OF
REGULATION 8(2) OF THE FISHING VESSELS (CERTIFICATION
OF DECK OFFICERS AND ENGINEER OFFICERS) REGULATIONS
1984 (SI 1984 No. 1115)**

**Notice to Owners, Managers, Skippers and Deck and Engineer officers of
Fishing Vessels**

General Information

1. Regulation 8(2) of the Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations 1984 came into operation on 1 September 1984 to enable the Department of Transport to issue Certificates of Service to eligible Deck and Marine Engineer Officers listed in regulations 7(2) and (3) of the Regulations, namely:

- (a) Skippers in fishing vessels of less than 25 tons but of 16.5 metres in length or more operating in the limited area;
- (b) Third Hands in vessels of 40 metres in length or more;
- (c) Second Hands in vessels of less than 50 tons but of 25 tons or more or of 16.5 metres in length or more operating in the limited area;
- (d) Chief and Second Engineers on fishing vessels of 750 kw propulsion power or more.

2. The purpose of the Certificate of Service scheme is to protect the employment prospects of those experienced but uncertificated fishermen who have been serving in capacities which, under present law, do not require them to be certificated, but who may need to be certificated when the new Regulations come fully into operation on 1 January 1987.

3. The Regulations require that applicants should

- (a) have fulfilled the service requirements set out in regulation 8(2), [see extract from the Regulation at Appendix 1];
- (b) provide evidence in support of their particulars of qualifying sea service, and;
- (c) provide testimonials as to their satisfactory conduct.

Proof of Identity, Nationality and Sea Service

4. An applicant's passport, birth certificate or, if appropriate, certificate of naturalisation are acceptable evidence of identity and nationality. A British Seaman's Card, if held, is also acceptable for this purpose. The supporting evidence of sea service should be in documentary form and should consist of evidence such as paper Discharge Forms FSG 1/72, Fishing

Vessel Owner Association Record Cards or Discharge Books, or certified extracts from Owners/Manager's Company records, Fish salesmen/Agents records, Fishermen Registration scheme records and similar independent sources. Any other relevant documentary evidence such as Insurance Company Certificates issued to Engineers, if held, should also be produced. Testimonials as to an applicant's satisfactory conduct during his last 12 months of service in the capacity for which the certificate of service is claimed (and if appropriate, the last 12 months of sea service in a watchkeeping capacity), may be given by the owners of the vessels concerned or by the skipper (or chief engineer, where applicable) under whom the applicant served during the relevant period.

How to Apply

5. Applications should be made to the nearest Department of Transport Marine Office on Form EXN 98. Any successful applicant who holds an existing Merchant Shipping Act Certificate of Competency or Service (Fishing or Merchant Navy) will be asked to surrender this certificate to the Department to enable the appropriate service endorsement to be added. To cover the short period the certificate is held for endorsement purposes a suitable letter of acknowledgement will be issued.

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Marine Directorate
London EC1Y 1BB
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Extract of Regulation 8(2) of the Regulations

- (2) Subject to the proviso to this paragraph and to paragraph (3) below;
- (a) a person applying to be issued with a deck officer's certificate of service shall produce such evidence as the Secretary of State may require that—
 - (i) he has served at sea as a skipper or officer in charge of a navigational watch in a vessel specified in regulation 3 of these Regulations prior to 23 July 1984 and for a period of at least 3 years during the period of 10 years immediately preceding 1 January 1987;
 - (ii) he has served for 12 months of such service in the capacity appropriate for the certificate for which application is made; and
 - (iii) his conduct during the said 12 months and during the last 12 months of sea service in a watchkeeping capacity if that was not the same period was satisfactory;
 - (b) a person applying to be issued with an engineer officer certificate of service shall provide such evidence as the Secretary of State may require that—
 - (i) he has served at sea in an engineering capacity in a vessel specified in regulation 4 for a period of at least 3 years during the period of 10 years immediately preceding 1 January 1987;
 - (ii) he has served for 12 months of such service in the capacity appropriate for the certificate for which application is made; and
 - (iii) his conduct during the said 12 months and during the last 12 months of sea service in a watchkeeping capacity if that was not the same period was satisfactory.

Provided that, notwithstanding that the conditions set out in sub-paragraphs (a) or (b) above have not been complied with, the Secretary of State, taking into account the circumstances in a particular case, may where he is satisfied that those conditions have been substantially complied with, issue a certificate of service subject to any limitation as to operating area which may be endorsed on that certificate in the particular case.

(3) Notwithstanding that an applicant for a certificate of competency or a certificate of service complies with the standards or fulfils the conditions specified by, or by virtue of, the foregoing provisions of this regulation, the Secretary of State shall not issue the certificate applied for unless he is satisfied, having regard to all the relevant circumstances that the applicant is a

fit person to be the holder of the certificate and to act competently in the capacity to which it relates. If the Secretary of State intends to refuse the issue of a certificate to any such applicant on either of these grounds he shall give notice in writing to the applicant who shall have the right to make representation to the Secretary of State.