



## Marine Notice No. 83 of 2022

*Notice to all Fishing Vessel Owners, Skippers, Masters and Fishers*

### **Public Consultation – Draft Regulations on Certificates of Competency for Officers Working on Board Fishing Vessels**

The Department of Transport is currently drafting new regulations entitled “*Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations*”, which will revoke and replace the current regulations, entitled *Fishing Vessels (Certification of Deck Officers and Engineer Officers) Regulations, 1988* ([S.I. No. 289 of 1988](#)) and its amending regulations.

Similar to the 1988 regulations, the new regulations will apply to fishers aboard fishing vessels that are 15m in length overall and over, and government research fishery vessels. This Marine Notice invites interested parties to submit their views on the proposed new regulations, which are summarised below.

#### **1. Certificates of Competency for Deck Officers**

The draft new regulations continue to provide for the issuing of certificates of competency for deck officers in the classes that are currently available, with one proposed change: it is proposed that the department will phase out certificates of competency for the deck officer qualification of “Second Hand (Special)” and, instead, this qualification will be replaced with a certificate of competency called “Skipper (Limited) <24m”.

Current holders of a certificate of competency for Second Hand (Special) will continue to hold that certificate until it is submitted for renewal in accordance with the proposed revalidation requirements described below in paragraph 4 of this Marine Notice.

Once the Regulations come into operation, fishers who hold a Second Hand (Limited) or have commenced a period of training at the National Fishery Colleges to secure a certificate of competency which may lead to a Second Hand (Special), may complete this training, including sea service, in line with the exam directions currently in place. This must be done within 3 years of the regulations coming into force in order to be issued with a certificate of competency as Second Hand (Special). For example, if the regulations come into effect on 1 January 2023, all training, including sea service must be completed before 1 January 2026 to secure a certificate of competency as Second Hand (Special).

For applications made after the regulations come into operation, the applicant shall meet the requirements for Second Hand (Full) before being issued with a Skipper (Limited) <24m certificate of competency.

After the regulations come into operation, holders of a certificate of competency for Second Hand (Limited) who wish to obtain a qualification as Skipper (Limited) <24m shall be required to provide evidence of 12 months sea service and complete the written exam module in ship construction and stability, followed by an oral exam appropriate to Second Hand (Full).

The requirements for Skipper (Limited) shall remain the same. That is, an application may be made upon completion of 12 months sea-service whilst holding a Second Hand (Full) or Skipper (Limited) <24m and completing the required additional ancillary training, which is detailed below in paragraph 4.

Please see the details at **Appendix 1** in relation to the proposed future classes of certificates of competency to be issued and their related limitations.

## **2. Certificates of Service**

It is proposed that the department will no longer issue certificates of service (for both deck and engineer officers), and no reference to the issuing of such certificates shall be included in the new regulations. However, the new regulations will provide that all certificates of service that are currently valid will be treated as equivalent to a certificate of competency in the class deemed to be their equivalent.

Both deck and engineer officers will be able to exchange their certificates of service for an equivalent certificate of competency, in accordance with the proposed revalidation requirements described below in paragraph 4 of this Marine Notice.

## **3. Engineer Officers' qualifications**

There is no change to the issuing of certificates of competency for engineer officers. However, the regulations will be updated to provide that engineer officers will be able to rely on certificates of competency that have been issued under the *European Union (Training, Certification and Watchkeeping for Seafarers) Regulations, 2014* ([S.I. No. 242 of 2014](#)), which has replaced the *Merchant Shipping (Certification of Marine Engineer Officers) Regulations, 1981* (S.I. No. 12 of 1981), as an equivalent certificate. Details of classes of certificates for engineer officers are also set out in **Appendix 1**.

## **4. Expiry of Certificates of Competency and revalidation**

Under the new draft regulations, it is proposed to place an expiration date of 5 years on all certificates of competency for fishing vessels, for both deck and engineer officers, that are issued after the regulations come into operation. It is also proposed that a certificate of competency, or a certificate of service, for either a deck or engineer officer, which is currently in force, will remain valid for a period of 5 years from the date when the regulations come into operation. For example, if the regulations were to come into effect on 1 January 2023, any currently valid certificates of competency would remain valid until 1 January 2028. Any certificates of competency issued after the regulations come into effect would have a validity of 5 years.

The new regulations will provide that all certificates of competency can be revalidated up to six months prior to their date of expiry for a further period of five years, and every five years thereafter, subject to the requirement to complete updated training for the following relevant ancillary courses at intervals not exceeding five years: Personal Survival Techniques (PST), Fire Prevention and Firefighting (FPFF), and Advanced Firefighting (AFF).

Revalidation of certificates after the expiry date passes will be allowed, providing the criteria for revalidation are met with respect to sea service (if any) and training.

Where a fisher has lost or misplaced their current certificate of competency, they can make an application to the Mercantile Marine Office for a replacement certificate. Details of the process to follow can be found here: <https://www.seafarers.ie/General-Information/Replacement-Certificates#603116-replacement-certificates>

## **5. Recognition of Certificates of Competency issued by other States**

The new draft regulations provide for the issuing of a certificate of equivalent competency, by the Minister, for fishing-related certificates of competency that are issued by other EU Member States, including those issued in accordance with the STCW-F Convention.

For certificates of competency that are issued by non-EU Member States, including certificates issued in accordance with the STCW-F Convention, a certificate of equivalent competency may also be issued, subject to certain conditions.

## **6. Recognition of United Kingdom (UK) Certificates of Competency**

It is proposed to revoke the Merchant Shipping (Recognition of British Certificates of Competency) Order, 1995 ([S.I. No. 228 of 1995](#)). All holders of UK certificates of competency must apply for a certificate of equivalent competency to work aboard an Irish fishing vessel. There will be a 3-year transition period during which holders may apply and valid UK certificates will continue to be recognised at the current level of equivalency as set out in Appendix 2. After the 3-year period expires, holders of UK certificates of competency will not be permitted to work aboard an Irish fishing vessel until they apply for and secure a certificate of equivalent competency. Applications made after the 3-year transition period will be recognised at the levels as set out in Appendix 3.

## **7. Manning requirements**

Unlike the current regulations, the new proposed regulations do not deal with the manning requirements on board fishing vessels. Those requirements will remain the same but are being set out in separate new regulations, which will come into operation at the same time as the new certification regulations being discussed here in this Marine Notice.

## 8. Invitation to submit comments

The department wishes to keep all stakeholders informed of the proposals in this important area of certification. Therefore, we are now conducting this public consultation on the main proposals detailed above and invite comments on them.

If you are interested in providing comments or observations on the proposed new regulations, please send them by email to the following address, and put “**FV Certification Regs**” in the subject line: [maritimesafetypolicydivision@transport.gov.ie](mailto:maritimesafetypolicydivision@transport.gov.ie).

Please note that details of submissions received may be published on the department's website.

The closing date for receipt of comments or observations is **1pm on Tuesday, 31st January 2023**.

Irish Maritime Administration,  
Department of Transport,  
Leeson Lane, Dublin 2, D02 TR60, Ireland.

07/12/2022

Encl: Appendix 1 – Scope of future certificates of competency qualifications  
Appendix 2 – Recognised equivalency for current UK certificates of competency  
Appendix 3 – Proposed recognised equivalency for future UK certificates

For any technical assistance in relation to this Marine Notice, please contact:  
The Marine Survey Office, email: [MSO@transport.gov.ie](mailto:MSO@transport.gov.ie)  
For general enquiries, please contact the Maritime Safety Policy Division, email:  
[MaritimeSafetyPolicyDivision@transport.gov.ie](mailto:MaritimeSafetyPolicyDivision@transport.gov.ie)  
Written enquiries concerning Marine Notices should be addressed to:  
Dept. of Transport, Maritime Safety Policy Division, Leeson Lane, Dublin 2, D02 TR60, Ireland.  
email: [MarineNotices@transport.gov.ie](mailto:MarineNotices@transport.gov.ie) or visit us at: [www.gov.ie/transport](http://www.gov.ie/transport)

## Appendix 1: Scope of the proposed future certificate of competency qualifications

### 1. Deck Officers

CERTIFICATE	SCOPE
Skipper (Full)	Skipper in all Waters
Skipper (Limited)	Skipper in Limited Area only of vessels less than 100 metres in registered length
Skipper (Limited) <24m	Skipper in vessels not exceeding 24 Metres in length in the Limited Area only
Second Hand (Full)	Deck Officer in all Waters
Second Hand (Special)	Skipper in vessels not exceeding 24 Metres in length in the Limited Area only  Deck Officer in Limited Area only
Second Hand (Limited)	Deck Officer in Limited Area only

For further details, please see the [‘Exam Directions’ for FV Deck Officers](#).

### 2. Engineer Officers

Description of registered power of vessel (kilowatts)	Required Classes of Certification		
	Chief Engineer Officer	Second Engineer Officer	Third Engineer Officer
Vessels powered by main propulsion machinery of 3,000 kW propulsion power or more	Class 1 FV or STCW Reg III/2 Chief Engineer	Class 2 FV or STCW Reg III/2 Second Engineer	Class 3 FV or STCW Reg III/1 Officer in charge of an engineering watch
Vessels powered by main propulsion machinery of between 750 kW and 3,000 kW propulsion power	Class 2 FV or STCW Reg III/3 Chief Engineer	Class 3 FV or STCW Reg III/1 Officer in charge of an engineering watch	n/a

For further details, please see the [‘Exam Directions’ for FV Engineer Officers](#).

## **Appendix 2**

Current equivalency between UK certificates of competency and Irish certificates of competency which will remain in place for applications for certificates of equivalent competency received in the 3-year period after the regulations come into operation

<b>UK Certificate of Competency</b>	<b>Equivalent class of Irish Certificate</b>
Deck Officer Certificate of Competency (Fishing Vessel) Class 1	Skipper (Full)
Deck Officer Certificate of Competency (Fishing Vessel) Class 2	Second Hand (Full)
Deck Officer Certificate of Competency (Fishing Vessel) Class 2 (Skipper <30m Limited Area)	Second Hand (Special)
Deck Officer Certificate of Competency (Fishing Vessel) Class 2, or Deck Officer Certificate of Competency (Fishing Vessel) Class 3, limited to vessels of less than 30m	Second Hand (Limited)
Engineer Officer Certificate of Competency (Fishing Vessel) Class 1	Engineer Officer CoC (FV) Class 1
Second Engineer holding an Engineer Officer Certificate of Competency (Fishing Vessel) Class 2	Engineer Officer CoC (FV) Class 2
No equivalent	Engineer Officer CoC (FV) Class 3

### **Appendix 3**

Proposed equivalency between UK certificates of competency and Irish certificates of competency for applications for certificates of equivalent competency received 3 years or more after the new regulations come into operation:

<b>UK Certificate of Competency</b>	<b>Irish Cert. of equivalent Competency</b>
Deck Officer Certificate of Competency (Fishing Vessel) Class 1	Skipper (Full)
Deck Officer Certificate of Competency (Fishing Vessel) Class 2 (Skipper)	Skipper (Limited) <24m
Deck Officer Certificate of Competency (Fishing Vessel) Class 2	Second Hand (Full)
Deck Officer Certificate of Competency (Fishing Vessel) Class 2, or Deck Officer Certificate of Competency (Fishing Vessel) Class 3, limited to vessels of less than 30m	Second Hand (Limited)
No equivalent	Engineer Officer CoC (FV) Class 1
Engineer Officer Certificate of Competency (Fishing Vessel) Class 1	Engineer Officer CoC (FV) Class 2
Second Engineer holding an Engineer Officer Certificate of Competency (Fishing Vessel) Class 2	Engineer Officer CoC (FV) Class 3