

CAYMAN ISLANDS



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**THE MERCHANT SHIPPING LAW
(2004 REVISION)**

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REGULATIONS, 2004**

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The Governor, in exercise of the powers conferred on him by sections 111 and 459 of the Merchant Shipping Law (2004 Revision) makes the following Regulations:

1. These Regulations may be cited as the Merchant Shipping (Certification of Ships' Cooks) Regulations, 2004. Citation

2. In these Regulations unless the context otherwise requires – Interpretation

“approved” means approved by the Director in accordance with regulation 4; and
“GRT” in relation to a ship, means its gross register tonnage; and the gross tonnage of a ship having alternative gross tonnages shall be taken to be the larger of these tonnages.

3. (1) Subject to paragraph (2), every Cayman Islands ship of one thousand GRT or over (other than a fishing vessel or pleasure vessel) which goes to sea shall carry a cook who is qualified in accordance with regulation 4 and who is the holder of a certificate of competency issued under regulation 6 or is recognised under regulation 9 or 10. Application and exemptions

(2) The Director may grant exemptions from all or any of these regulations (as may be specified in the exemption) for the cases or individual cases on such terms (if any) as he may so specify and may, subject to giving reasonable notice, alter or cancel any such exemption.

4. The Director may specify - Approval of institutions and certificates

- (a) schools of cookery or other such institutions, courses of training and examinations in cookery or catering or bread making held by such schools or institutions; and
- (b) certificates other than documents which show attendance at such courses or the passing of such examinations,

which shall be approved institutions, courses of training, examinations and certificates for the purpose of these regulations.

Qualifications for issue of certificate of competency

5. Subject to regulations 9 and 10, in order to be qualified as a ship's cook for the purpose of regulation 3, a person shall have attained the age of twenty years and have passed an approved examination for the ship's cook at an approved school of cookery or other approved like institution and

- (a) have attended an approved course of training for ships' cooks at an approved school of cookery or other approved institution and have served for not less than one year at the sea in the rating of second cook or cook assistant;
- (b) have served for not less than five years at sea, of which at least four years have been in the rating of second cook or cook assistant; or
- (c) have served for not less than five years at sea in the catering department in the rating of steward or stewardess or in higher rating and have completed an approved course of training for ships' cooks.

Requirements for issue of certificate of competency

6. (1) A person who complies with the requirements of regulation 5 may apply to an approved institution for a certificate of competency as a ship's cook.

(2) Before the issue of any such certificate, the Director may require the applicant to produce to an approved institution-

- (a) such certificates of discharge and such other certificates signed by the masters or owners of ships in which the applicant has served as may be necessary to establish to the satisfaction of the approved institution that the applicant has completed the appropriate qualifying sea service under regulation 5; and
- (b) any other certificate or document required to have been issued to the applicant under regulation 5.

Certificate equivalent to a certificate of competency

7. (1) The Director may specify that-

- (a) the standard of competence to be attained by ships' cooks may be the standard of competence required for the issue of a certificate of competency by an authority empowered in that behalf by the laws of a country outside the Islands; and
- (b) a certificate issued by any such authority shall be treated as evidence of the attainment of a standard of competence equivalent to the standard of competence required for the issue of a certificate of competency under these regulations.

(2) A certificate issued by an authority referred to in paragraph (1) to a ship's cook which is expressed to remain in force for a definite period shall remain in force, unless renewed, only until the expiration of that period.

8. An existing certificate of competency granted in accordance with the Merchant Shipping (Certificate of Ships' Cooks) Regulations 1981 of the United Kingdom shall be deemed for the purposes of section 111 of the Merchant Shipping Law (2004 Revision) to be a certificate of competency issued in pursuance of that section and to confer on the person to whom it was issued the qualifications of a ship's cook for the purpose of that section.

Recognition of existing
certificates of
competency

Made in Cabinet the 30th day of November, 2004.

Carmena H. Watler

Clerk of the Cabinet.