

# STATUTORY INSTRUMENTS.

S.I. No. 374 of 2014

MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) (ACCOMMODATION, RECREATIONAL FACILITIES, FOOD, CATERING AND SHIPS' COOKS) REGULATIONS 2014

# MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) (ACCOMMODATION, RECREATIONAL FACILITIES, FOOD, CATERING AND SHIPS' COOKS) REGULATIONS 2014

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# MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) (ACCOMMODATION, RECREATIONAL FACILITIES, FOOD, CATERING AND SHIPS' COOKS) REGULATIONS 2014

I, PASCHAL DONOHOE, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 87 of the Merchant Shipping Act 2010 (No. 14 of 2010) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)) and section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving effect to Council Directive 2009/13/EC of 16 February 2009<sup>1</sup>, hereby make the following regulations:

# Part 1

#### Preliminary

# Citation and commencement

1. (1) These Regulations may be cited as the Merchant Shipping (Maritime Labour Convention) (Accommodation, Recreational Facilities, Food, Catering and Ships' Cooks) Regulations 2014.

(2) These Regulations come into operation on 20 August 2014.

#### Interpretation

2. (1) In these Regulations—

"accommodation", in relation to a ship, includes such sleeping rooms, mess rooms, catering accommodation (including store rooms and storage spaces), sanitary accommodation, hospital accommodation and recreational accommodation as are provided for the use of seafarers on board a ship;

"Act of 1992" means the Merchant Shipping Act 1992 (No. 2 of 1992);

"Act of 2010" means the Merchant Shipping Act 2010 (No. 14 of 2010);

"approved" means approved by the Minister;

"catering department", in relation to a ship, means the galley, mess room and any other areas on board for the storage or preparation of food for seafarers or the service of meals to seafarers;

"Code" means the Code of the Convention; <sup>1</sup>OJ No. L 124, 20.5.2009, p. 30

> Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 12th August, 2014.

"competent authority" means that part of the Department of Transport, Tourism and Sport which is known as the Marine Survey Office;

"Convention" means the Maritime Labour Convention 2006 adopted at Geneva on 23 February 2006;

"date constructed", in relation to a ship to which these Regulations apply, means the date the keel of which was laid or was at a similar stage of construction;

"existing ship", in relation to a seagoing Irish ship, means a ship the keel of which was laid or was at a similar stage of construction before 21 July 2015;

"international voyage" means a voyage from a port in one country to a port in another country;

"Irish ship" has the meaning assigned to it by section 2 of the Act of 2010;

"Marine Notice" means a notice, described as such, issued by the Minister, and any reference to a particular Marine Notice includes a reference to that notice as amended or replaced from time to time;

"master" has the meaning assigned to it by section 2 of the Act of 2010;

"Minister" means the Minister for Transport, Tourism and Sport;

"officer" means a person other than a master ranked as an officer by agreement between one or more than one organisation of shipowners and seafarers or by custom;

"passenger ship" means a ship which carries more than 12 passengers;

"Regulations of 2011" means the European Communities (Passenger Ships) Regulations 2011 (S.I. No. 322 of 2011);

"seafarer" means any person, including a master, who is employed, engaged or works in any capacity, on board a ship to which these Regulations apply, but does not include a pilot within the meaning of section 2 of the Harbours Act 1996 (No. 11 of 1996);

"seagoing", in relation to a ship, means-

- (a) a ship in respect of which a certificate is required to be in force in accordance with the Merchant Shipping (Load Lines) Act 1968 (No. 17 of 1968),
- (b) a passenger boat that proceeds to sea of Class P3, P4, P5 or P6, in respect of which a passenger boat licence is required to be in force in accordance with the Act of 1992,
- (c) a passenger ship of Class I, II, II(A), III or VI in respect of which a passenger ship certificate is required to be in force in accordance with the Act of 1992,

- (*d*) a passenger ship of Class A, B, C or D in respect of which a passenger ship safety certificate is required to be in force in accordance with the Regulations of 2011,
- (e) a high-speed passenger craft in respect of which a High Speed Craft Safety Certificate and a Permit to Operate High Speed Craft outside waters of Categories A, B, C or D are required to be in force in accordance with the Regulations of 2011,
- (f) a Dynamically Supported Craft (DSC) in respect of which a DSC Construction and Equipment Certificate, and a DSC Permit to Operate High Speed Craft outside waters of Categories A, B, C or D are required to be in force in accordance with the Regulations of 2011, or
- (g) any other ship that proceeds to sea beyond the limits of smooth or partially smooth waters;

"ship" means any vessel, whether publicly or privately owned, which is ordinarily engaged in commercial operations, being a vessel other than a fishing vessel, warship or naval auxiliary;

"shipowner", in relation to a ship, has the meaning assigned to it in the Convention and includes an owner within the meaning of section 2 of the Act of 2010;

"similar stage of construction" means the stage at which construction identifiable with a specific ship begins, and assembly of that ship has commenced and has reached a stage of completion comprising at least 50 tonnes or 1 per cent of the estimated mass of all structural material, whichever is the lesser.

(2) For the purposes of these Regulations, when reference is made to "adequate" or "adequately", in relation to accommodation requirements set out in Part 2, the accommodation, equipment or fitting shall be deemed to be adequate if it is in compliance with relevant standards or specifications specified in a Marine Notice that is in force.

#### Part 2

#### Accommodation and Recreational Facilities

#### Application-Part 2

3. Unless expressly provided otherwise, this Part applies to all seagoing Irish ships constructed on or after 21 July 2015, wherever they may be.

#### Existing ships

4. (1) Subject to paragraph (2), the requirements of the Merchant Shipping (Crew Accommodation on Board Ship) Regulations 1951 (S.I. No. 95 of 1951) shall continue to apply to existing ships.

(2) Where any substantial structural alterations or major repairs, or outfitting related to such alterations or repairs are intended to be made to an existing ship on or after 21 July 2015, the shipowner shall notify the competent authority and

those alterations, repairs or related outfitting shall meet the requirements of these Regulations, insofar as may be directed by the competent authority.

#### General accommodation requirements

5. (1) External bulkheads of sleeping rooms and mess rooms shall be adequately insulated.

(2) All machinery casings and all boundary bulkheads of galleys and other spaces in which heat is produced shall be adequately insulated where the possibility exists of adjoining accommodation or passageways being affected by the heat.

(3) All service pipes, whether hot water or steam pipes, shall be adequately covered so as to protect seafarers from the heat effects of such pipes.

(4) Sleeping rooms, mess rooms, recreation rooms, the galley and passageways in the accommodation shall be adequately insulated to prevent condensation or overheating.

- (5) (*a*) Bulkhead surfaces and deckheads shall be of a material which is easily kept clean and shall be constructed so as not to harbour vermin.
  - (b) Bulkhead surfaces and deckheads in sleeping rooms and mess rooms shall be of a material easily kept clean and be light in colour with a durable, non-toxic finish.
  - (c) The decks in all accommodation shall be of approved material and construction and shall be of a non-slip type surface which is impervious to damp and easily kept clean.
  - (*d*) Where flooring is made of composite materials, the joints of the floor and walls shall be profiled to avoid crevices.

(6) The clear headroom in accommodation on board a ship shall be not less than 203 centimetres (6ft 6.5 ins).

- (7) (a) Sleeping rooms in seagoing Irish ships, other than passenger ships, shall be situated above the load line amidships or aft. In exceptional cases, subject to the prior approval of the competent authority having been obtained, where the size, type or intended service of the ship renders any other location impracticable, sleeping accommodation may be located in the fore part of the ship so long as the sleeping accommodation provided is not situated forward of the collision bulkhead.
  - (b) The competent authority may permit the sleeping rooms in passenger ships to be located below the load line so long as they are not located immediately beneath working alleyways and so long as there is an effective means of ventilation provided and that adequate lighting is provided.

(8) There shall be no direct openings into sleeping rooms from cargo and machinery spaces or from galleys, storerooms, drying rooms or communal sanitary areas. That part of the bulkhead separating such places from sleeping rooms and external bulkheads shall be constructed of steel or another approved substance and should be watertight and gas-tight.

(9) The material used to construct internal bulkheads, panelling and sheeting, floors and joinings shall be adequate for the purpose and conducive to ensuring a healthy environment.

- (10) Adequate lighting and adequate drainage shall be provided.
- (11) (a) Accommodation, recreational and catering facilities shall meet the requirements set out in Regulation 4.3 of the Convention and the related provisions in Part A of the Code on health and safety protection and accident prevention so as to ensure that seafarers are provided with an acceptable occupational and on-board living environment.
  - (b) Reasonable precautions shall be taken to prevent the risk of exposure to harmful levels arising from ambient factors and chemicals including the risk of injury or harm that may arise from exposure to noise and vibration from the use of machinery and equipment on board ships.

(12) Accommodation on board ships shall be maintained in a clean and habitable condition and shall be kept free of goods and stores that are not the personal property of the occupants.

# Ventilation and heating

- 6. (1) (*a*) Sleeping rooms and mess rooms on ships to which these Regulations apply shall be adequately ventilated.
  - (b) Air-conditioning shall be provided on all accommodation on ships to which these Regulations apply which are of 200 gross tonnage or over which engage in long international voyages or operate in tropical waters.
  - (c) In spaces where sanitary facilities are provided there should be ventilation that draws from the accommodation and extracts to the open air independent of the other parts of the accommodation.

(2) Accommodation on a ship shall be adequately heated, taking into account the climatic conditions in which the ship operates.

# Lighting

7. Subject to such special arrangements as may be approved by the competent authority in respect of passenger ships, sleeping rooms and mess rooms in all other ships to which these Regulations apply shall be lit by natural light and also be provided with adequate artificial light.

## Sleeping accommodation

8. (1) Where there is sleeping accommodation on a ship to which these Regulations apply, the sleeping accommodation shall meet the following requirements:

- (a) in a ship of 500 gross tonnage or over (other than a passenger ship) an individual sleeping room shall be provided for each seafarer (other than trainees);
- (b) separate sleeping rooms shall be provided for men and for women;
- (c) a sleeping room shall be of the size set out in this Regulation and shall be equipped in such a manner as to ensure reasonable comfort and to facilitate tidiness;
- (d) a separate berth for each seafarer shall in all circumstances be provided;
- (e) the minimum inside dimensions of a berth shall be at least 198 centimetres by 80 centimetres;
- (f) on ships of less than 3,000 gross tonnage, other than passenger ships, a sleeping room may be occupied by a maximum of 2 seafarers only if the seafarers are trainees; the floor area of such a sleeping room shall not be less than 7 square metres;
- (g) on passenger ships the floor area of a sleeping room for seafarers who do not perform the duties of ships' officers shall not be less than—
  - (i) 7.5 square metres, if the room accommodates 2 persons,
  - (ii) 11.5 square metres, if the room accommodates 3 persons,
  - (iii) 14.5 square metres, if the room accommodates 4 persons;
- (h) on ships, other than passenger ships, the floor area per person of a sleeping room for seafarers who perform the duties of ships' officers, where no private sitting room or day room is provided, shall not be less than—
  - (i) 7.5 square metres, in ships of less than 3,000 gross tonnage,
  - (ii) 8.5 square metres, in ships of 3,000 gross tonnage or over but less than 10,000 gross tonnage,
  - (iii) 10 square metres, in ships of 10,000 gross tonnage or over;
- (*i*) on passenger ships the floor area per person of a sleeping room for seafarers who perform the duties of ships' officers where no private sitting room or day room is provided shall not be less than—
  - (i) 7.5 square metres, for junior officers, or

(ii) 8.5 square metres, for senior officers,

where junior officers are understood to be at an operational level and senior officers at a management level;

- (*j*) on ships of 500 gross tonnage or over, each of the master, chief engineer and chief navigating officer shall have, in addition to their sleeping room, an adjoining sitting room, day room or equivalent additional space;
- (*k*) the furniture in a sleeping room shall include, for each occupant of the room, a clothes locker that is fitted with a shelf and may be locked by the occupant so as to ensure privacy and—
  - (i) that has ample space (a minimum of 475 litres) and has a drawer or equivalent space of not less than 56 litres, or
  - (ii) if the drawer is incorporated in the locker, for which the combined minimum volume is 500 litres;
- (*l*) each sleeping room shall be provided with a table or desk, which may be of the fixed, drop-leaf or slide-out type, and with comfortable seating accommodation.

#### Mess rooms

9. (1) On ships of 500 gross tonnage or over, mess rooms shall be located apart from the sleeping rooms and as close as practicable to the galley.

(2) Taking account of the number of seafarers likely to use a mess room at any one time, a mess room shall be of adequate size and comfort and properly furnished and equipped (including 24 hour facilities for refreshments). Mess rooms for seafarers who are officers and other seafarers may be separate or common, as appropriate.

# Sanitary facilities

10. (1) All seafarers shall have convenient access on the ship to sanitary facilities in accordance with Guideline B3.1.7 of the Code.

(2) Separate sanitary facilities shall be provided for men and women.

(3) On ships of 500 gross tonnage or over, sanitary facilities shall be provided within easy access of the navigating bridge and machinery space or near the engine room control centre.

(4) A minimum of one toilet, one washbasin, and one bath tub or shower shall be provided at a convenient location for every six seafarers who do not have en-suite facilities provided. In these facilities hot and cold running fresh water shall be provided.

(5) On a ship (other than a passenger ship or a ship of less than 200 gross tonnage), each sleeping room shall have a washbasin with hot and cold running

fresh water unless the sleeping room has a private bathroom which has such a washbasin.

(6) Where passenger ships are normally engaged in voyages of not more than 4 hours' duration, the competent authority may approve special arrangements or permit a reduction in the number of sanitary facilities required on those ships.

#### Hospital accommodation

11. Ships carrying 15 or more seafarers and engaged in a voyage of more than 3 days' duration shall provide separate hospital accommodation on board the ship to be used exclusively for medical purposes.

#### Laundry facilities

12. On all ships of 200 gross tonnage or over appropriately situated and furnished laundry facilities shall be provided to seafarers.

#### Other facilities

13. (1) All ships shall have a space or spaces on open deck to which seafarers can have access when off duty.

(2) All ships of 3,000 gross tonnage or over shall have separate offices or a common ship's office for use by deck and engine departments.

(3) Ships regularly trading to and within mosquito-infested ports shall be fitted with appropriate devices to minimise the effect of mosquitoes and, if such devices are specified in a Marine Notice, the ship shall be fitted with the devices so specified.

#### **On-board recreational facilities**

14. Recreational facilities, amenities and services, appropriate to the special needs of seafarers who must live and work on ships, shall be provided on board ships for the benefit of all seafarers, taking into account Regulation 4.3 of the Convention and the associated provisions in Part A of the Code on health and safety protection and accident prevention.

#### Inspections

- 15. (a) The master of a ship, or a person authorised by the master, accompanied by one or more members of the crew, shall inspect at least once a week all accommodation on board the ship.
  - (b) When an inspection is being carried out of spaces and equipment used for the storage and handling of food and water, including the galley and other equipment for the preparation and service of meals, the inspection shall be carried out in the presence of the person responsible for the catering department.
  - (c) The master of the ship shall ensure that the results of the inspections are recorded in such a manner as to be readily available for inspection by an authorised person.

# Saver for more favourable conditions

16. Nothing in this Part shall affect any law, award, custom or agreement between shipowners and seafarers which ensures more favourable conditions than those provided for in this Part.

#### Part 3

# FOOD AND CATERING

# Application-Part 3

17. This Part applies to all seagoing Irish ships wherever they may be.

## Food to be provided free of charge

18. Notwithstanding any order made under section 11 of the National Minimum Wage Act 2000 (No. 5 of 2000) in relation to allowances in respect of board and lodgings, board only or lodgings only, a seafarer on board a ship to which this Part applies shall be provided with food free of charge during the period of his or her engagement.

#### Provision of food and drinking water

19. The shipowner and the master of a seagoing Irish ship shall ensure that food and drinking water provided on the ship—

- (a) are suitable in respect of quality, quantity, nutritional value and variety having regard to—
  - (i) the number of seafarers on board and the character, nature and duration of the voyage, and
  - (ii) the different religious requirements and cultural practices in relation to dietary needs of the seafarers on board,
- (b) do not contain anything which is likely to cause sickness or injury to the health of seafarers, and
- (c) are otherwise fit for human consumption.

#### Catering

20. (1) The shipowner and the master of a seagoing Irish ship shall ensure that—

- (a) the facilities on board the ship for refrigeration, storage, preparation, and handling of food and drinking water and disposal of leftover food and the storage and disposal of related food waste are of a standard that ensures that there is no risk to the health and safety of seafarers on board the ship,
- (b) the catering department is organised and equipped to a standard that will ensure the provision of food and drinking water that meets the requirements of Regulation 19, and

(c) the working practices in the catering department adhere to basic principles of personal hygiene and food safety.

(2) The competent authority may from time to time make recommendations and provide guidance with regard to health and safety standards and best practice in catering on board ships to which this Part applies.

(3) Where the competent authority makes recommendations or provides guidance in accordance with paragraph (2), the recommendations and guidelines concerned shall be set out in a Marine Notice.

#### Food and catering inspection

21. (1) The master of a seagoing Irish ship, or a person authorised by the master, shall inspect at least once a week—

- (*a*) the supplies of food and drinking water on board to check that they are in compliance with Regulation 19, and
- (b) the catering department, its equipment and other facilities in order to check that they are in compliance with Regulation 19.

(2) The master of the ship shall ensure that the results of any inspection under paragraph (1) are recorded in such a manner as to be readily available for inspection by an authorised person.

**Offences-Part 3** 

22. (1) A shipowner or master who fails to comply with Regulation 19 or 20 commits an offence.

(2) A master who fails to comply with Regulation 21 commits an offence.

#### Part 4

## Ships' cooks

# *Interpretation-Part 4* 23. In this Part—

"qualified ship's cook" means a person who-

- (a) is the holder of a ship's cook certificate, or
- (b) is the holder of a certificate of equivalent qualification recognised under Regulation 31;

"ship's cook certificate" means a certificate—

- (a) issued under Regulation 28, or
- (b) deemed under Regulation 32 to have been issued under this Part.

# Application-Part 4

24. This Part applies to all seagoing Irish ships wherever they may be.

#### Ships' cooks

25. (1) Subject to paragraph (2), the shipowner and the master of a seagoing Irish ship which ordinarily operates with a crew complement of 10 or more seafarers shall ensure that the ship does not proceed to sea or, if already at sea, remain at sea, unless a qualified ship's cook is on board.

(2) In circumstances of exceptional necessity, the Minister may exempt a ship from the requirement in paragraph (1) to have a qualified ship's cook on board—

- (a) until the ship arrives at the next port of call, or
- (b) for a period not exceeding one month,

but only if there is a person on board the ship who has completed training in or has received instruction in personal hygiene, food safety and the handling and storage of food on board a ship.

(3) The shipowner and the master of a seagoing Irish ship which ordinarily operates with a crew complement of fewer than 10 persons shall ensure that, if the person who is responsible for preparing the food on board is not a fully qualified ship's cook, the person has completed training in or has received instruction in each of the following matters:

- (a) practical cookery,
- (b) personal hygiene,
- (c) food safety, food storage, stock control and environmental protection, and
- (d) catering health and safety.

(4) The standard of training course or instruction required for the purposes of paragraph (3) shall be specified in a Marine Notice.

Approval of institutions, training courses and certificates 26. The Minister shall specify in a Marine Notice—

- (a) cookery schools or other like institutions,
- (b) training courses and examinations held by such schools or institutions, and
- (c) certificates or other documents evidencing attendance at such courses or the passing of such examinations,

to be approved cookery schools, approved institutions, approved training courses, approved examinations or approved certificates or documents, as the case may be, for the purposes of this Part.

# Qualification for issue of ship's cook certificate

27. In order to apply for a ship's cook certificate referred to in Regulation 23, a seafarer shall—

- (a) be 18 years of age or older,
- (b) have completed an approved training course for cooks at an approved cookery school or other approved institution or an approved training course in trade cookery or cookery and have been issued an approved certificate or other approved document in respect of the training course undertaken,
- (c) have passed an approved examination as a cook at an approved cookery school or other approved institution, and
- (d) have served for not less than one month at sea.

# Application for issue of ship's cook certificate

28. (1) A person who satisfies the requirements of Regulation 27 may apply to the Minister for the issue of a ship's cook certificate and the application shall be accompanied by—

- (*a*) approved certificates or documents, as the case may be, in respect of an approved training course and an approved examination,
- (b) all certificates of discharge and other certificates signed by the masters or owners of ships in which the applicant has served that may be necessary to establish to the satisfaction of the Minister that the applicant for a ship's cook certificate has completed the appropriate qualifying sea service required under Regulation 27(d).

(2) The Minister shall issue a ship's cook certificate to an applicant if the Minister is satisfied that the person meets the requirements of Regulation 27.

## Form and record of ship's cook certificate

29. (1) A ship's cook certificate shall be issued in duplicate on payment of the appropriate fee (if any). The original of the certificate shall be furnished to the person to whom it is issued and the competent authority shall maintain a record of the issuing of the certificate which may be kept in electronic form.

(2) The Minister may cancel a ship's cook certificate if he or she is satisfied that the certificate has been issued on false or erroneous information.

### Loss of ship's cook certificate

30. The Minister, on payment of an appropriate fee (if any)—

- (*a*) shall, if a person to whom a ship's cook certificate has been issued proves to the Minister's satisfaction that the person has, without fault on his or her part, lost or been deprived of the certificate, and
- (b) may, even if not so satisfied,

cause a copy of the certificate to which the person appears to be entitled to be issued to him or her.

#### Recognition of certificates of qualification as ship's cook issued by other states

31. (1) The Minister may recognise a certificate of qualification as a ship's cook issued by or under the authority of the government of another state that is a party to the Convention or to the Certification of Ships' Cooks Convention 1946 (No. 69), where the Minister is satisfied that the level of qualification attained and the standard of training are—

- (a) in compliance with the requirements of the Convention or the Certification of Ships' Cooks Convention 1946 (No. 69), as the case may be, and
- (b) equivalent to those required for the issue of a ship's cook certificate under this Part.

(2) Where the Minister recognises a certificate of qualification under paragraph (1), he or she shall endorse that certificate, on a separate document entitled "certificate of equivalent qualification", to attest its recognition.

# Recognition of existing certificates of competency

32. Notwithstanding the revocation of the Merchant Shipping (Certification of Ships' Cooks) Regulations 1987 (S.I. No. 276 of 1987), a certificate of competency issued under Regulation 5 of those Regulations shall be deemed to be a ship's cook certificate issued under this Part.

# **Offences-Part 4**

33. A shipowner or master who fails to comply with Regulation 25(1) or (3) commits an offence.

#### Part 5

#### REPEALS AND REVOCATIONS

#### Repeals

34. The following are repealed:

- (a) section 199 of the Merchant Shipping Act 1894 (57 & 58 Vict.) c.60, and
- (b) section 25 and the First Schedule to the Merchant Shipping Act 1906 (6 Edw. 7) c.48.

Revocations

35. The following are revoked:

- (a) Merchant Shipping Act 1906 (Variation of Seamen's Provisions) Order 1941 (S.I. No. 432 of 1941), and
- (b) Merchant Shipping (Certification of Ships' Cooks) Regulations 1987 (S.I. No. 276 of 1987).



GIVEN under my Official Seal, 7 August 2014.

> PASCHAL DONOHOE, Minister for Transport, Tourism and Sport.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations:

- (a) implement the provisions of the Maritime Labour Convention 2006 relating to accommodation, recreational facilities, food, catering and ships' cooks; and
- (b) implement provisions of Council Directive 2009/13/EC of 16 February 2009 implementing the Agreement concluded by the European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC.

These Regulations set out the requirements of the Maritime Labour Convention regarding the provision of accommodation and recreational facilities on all seagoing Irish ships constructed on or after 21 July 2015. The requirements of the Merchant Shipping (Crew Accommodation on Board Ship) Regulations 1951 (S.I. No. 95 of 1951) continue to apply to existing ships.

The Regulations also set out the food and catering requirements of the Convention and the provisions regarding ships' cooks. Shipowners and masters of seagoing Irish ships which ordinarily operate with a crew complement of 10 or more seafarers must ensure that a ship does not proceed to sea unless a qualified ship's cook is on board.

The Regulations revoke the Merchant Shipping (Certification of Ships' Cooks) Regulations 1987 (S.I. No. 276 of 1987) and the Merchant Shipping Act 1906 (Variation of Seamen's Provisions) Order 1941 (S.I. No. 432 of 1941). The Regulations also provide, for the purposes of statute revision, for the repeal of some provisions in the Merchant Shipping Act 1894 and the Merchant Shipping Act 1906 regarding food provisions for seafarers.

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DUBLIN PUBLISHED BY THE STATIONERY OFFICE To be purchased from GOVERNMENT PUBLICATIONS, 52 ST. STEPHEN'S GREEN, DUBLIN 2. (Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843) or through any bookseller.



€4.06

Wt. (B30723). 315. 8/14. Clondalkin. Gr 30-15.