



STATUTORY INSTRUMENTS.

S.I. No. 454 of 2021

EUROPEAN UNION (TRAINING, CERTIFICATION AND
WATCHKEEPING FOR SEAFARERS) (AMENDMENT) REGULATIONS
2021

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WATCHKEEPING FOR SEAFARERS) (AMENDMENT) REGULATIONS
2021

I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008¹, as amended by Directive (EU) 2019/1159 of the European Parliament and of the Council of 20 June 2019², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Training, Certification and Watchkeeping for Seafarers) (Amendment) Regulations 2021.

2. In these Regulations “Principal Regulations” means European Union (Training, Certification and Watchkeeping for Seafarers) Regulations 2014 (S.I. No. 242 of 2014).

3. Regulation 2 of the Principal Regulations is amended, in paragraph (1), by substituting for the definition of –

(a) “certificate of equivalent competency” the following:

“ ‘certificate of equivalent competency’ means a document entitled a certificate of equivalent competency issued under Regulation 12 or Regulation 12A, as the case may be;”,

(b) “certificate of equivalent proficiency” the following:

“ ‘certificate of equivalent proficiency’ means a document entitled a certificate of equivalent proficiency issued under Regulation 12 or 12A, as the case may be;”,

(c) “code” the following:

“ ‘code’ means the Seafarers’ Training, Certification and Watchkeeping (STCW) Code and any amendments thereto up to and including those amendments adopted by the Maritime Safety Committee of the International Maritime Organization at its one hundred-second session held between 4 and 11 November 2020;”,

(d) “Convention” the following:

“ ‘Convention’ means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978 and any amendments thereto up to and including

¹ OJ No. L 323, 3.12.2008, p.33

² OJ No. L 188, 12.7.2019, p.94

those amendments adopted by the Maritime Safety Committee of the International Maritime Organization at its ninety-seventh session held between 21 and 25 November 2016;”,

- (e) “Directive” the following:
 “ ‘Directive’, subject to Regulation 31, means Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008¹, as amended by Directive 2012/35/EU of the European Parliament and of the Council of 21 November 2012³ and Directive (EU) 2019/1159 of the European Parliament and of the Council of 20 June 2019²;”,
- (f) “Minister” the following:
 “ ‘Minister’ means Minister for Transport;”,
- (g) “partially smooth waters” the following:
 “ ‘partially smooth waters’ means the areas of water specified in column (3) of the table in Schedule 3;
 ‘Radio Regulations’ means the radio regulations annexed to, or regarded as being annexed to, the International Telecommunications Convention, as amended;”,
- (h) “Regulations of 2005” the following:
 “ ‘Regulations of 2014’ means the Merchant Shipping (Medical Examinations) Regulations 2014 (S.I. No. 246 of 2014);”,
- (i) “Regulations of 2011” the following:
 “ ‘Regulations of 2019’ means the European Union (Passenger Ships) Regulations 2019 (S.I. No. 676 of 2019);”,
- (j) “seagoing” the following:
 “ ‘seagoing’, in relation to a ship, means—
- (a) a ship in respect of which load line certification is required to be in force in accordance with the Merchant Shipping (Load Lines) Act 1968 (No. 17 of 1968),
 - (b) a passenger boat, which proceeds to sea, in respect of which a passenger boat licence is required to be in force in accordance with the Merchant Shipping Act 1992 (No. 2 of 1992) (“1992 Act”), excluding any class of passenger boat exempted from requiring a passenger boat licence in accordance with section 14A of the 1992 Act,

¹ OJ No. L 323, 3.12.2008, p.33

² OJ No. L 188, 12.7.2019, p.94

³ OJ No. L 343, 14.12.2012, p.78

- (c) a passenger ship, which proceeds to sea, in respect of which a passenger ship certificate is required to be in force in accordance with the 1992 Act,
- (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 2019,
- (e) a high-speed passenger craft in respect of which a High Speed Craft Safety Certificate and a Permit to Operate High Speed Craft is required to be in force in accordance with the Regulations of 2019,
- (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 is required to be in force in accordance with the Regulations of 2019, or
- (g) any other Irish ship that proceeds to sea beyond the limits of smooth or partially smooth waters;”,

and

- (k) “smooth waters” the following:

“ ‘smooth waters’ means the areas of water specified in column (2) of the table in Schedule 3;”.

4. Regulation 6 of the Principal Regulations is amended –

- (a) by substituting for paragraph (2) the following:

“(2) A person is qualified for the purposes of these Regulations if such a person holds a certificate of proficiency, a certificate of equivalent proficiency or a certificate to which Regulation 30(2) relates in respect of any function the person is to perform in one of the following capacities:

- (a) master of an oil, chemical or liquefied gas tanker;
- (b) chief engineer officer of an oil, chemical or liquefied gas tanker;
- (c) chief mate of an oil, chemical or liquefied gas tanker;
- (d) second engineer officer of an oil, chemical or liquefied gas tanker;
- (e) officer assigned specific duties and responsibilities related to cargo or cargo equipment on oil, chemical or liquefied gas tankers, as the case may be;
- (f) rating assigned specific duties and responsibilities related to cargo or cargo equipment on oil, chemical or liquefied gas tankers, as the case may be;

- (g) any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on oil, chemical or liquefied gas tankers, as the case may be;
 - (h) any person designated to perform any of the emergency, occupational safety, security, medical care and survival functions as specified in Chapter VI.”, and
- (b) by substituting for paragraph (10) the following:
- “(10) Every master, officer, rating and other person serving on a passenger ship—
- (a) engaged on an international voyage shall –
 - (i) before being assigned shipboard duties meet the requirements of paragraph 1 of Section A-VI/1 of the code, and
 - (ii) be qualified and trained as specified in Regulation V/2 of Chapter V,
 and
 - (b) engaged on a domestic voyage shall –
 - (i) before being assigned shipboard duties meet the requirements of paragraph 1 of Section A-VI/1 of the code, and
 - (ii) be qualified and trained in accordance with those requirements of Regulation V/2 of Chapter V which the Minister specifies in a Marine Notice and the Minister may provide for different standards of qualification and training in respect of different categories of person and different categories of domestic voyage.
- (10A)(a) Every master, officer, rating and other person serving on board a ship that is subject to the IGF Code shall prior to being assigned shipboard duties –
- (i) receive appropriate ship and equipment specific familiarisation as specified in Article 14(1)(d), and
 - (ii) have completed the training required by Regulation V/3 of Chapter V in accordance with their capacity, duties and responsibilities.
- (b) Every seafarer responsible for designated safety duties associated with the care, use or in emergency response to the fuel on board ships subject to the IGF Code shall hold a certificate in basic training for service on ships subject to the IGF Code as specified in Regulation V/3 of Chapter V.

- (c) Every master, engineer officer and all persons with immediate responsibility for the care and use of fuels and fuel systems on a ship that is subject to the IGF Code shall hold a certificate in advanced training for service on ships subject to the IGF Code as specified in Regulation V/3 of Chapter V.
 - (10B)(a) Every master, chief mate and officer in charge of a navigational watch serving on a ship operating in polar waters shall hold a certificate in basic training for ships operating in polar waters, as required by the Polar Code, as specified in Regulation V/4 of Chapter V.
 - (b) Every master and chief mate on a ship operating in polar waters shall hold a certificate in advanced training for ships operating in polar waters, as required by the Polar Code, as specified in Regulation V4 of Chapter V.”.
5. Regulation 10 of the Principal Regulations is amended –
- (a) by substituting for paragraph (10) the following:

“(10) Where, under the procedure laid down in Regulation 12A, the Minister recognises a certificate of competency or a certificate of proficiency issued to a master or officer in accordance with Regulations V/1-1 and V/1-2 of the Annex to the Convention, he or she shall not endorse such certificate to attest its recognition unless he or she is satisfied as to the authenticity and validity of the certificate concerned.”,
 - (b) by substituting for paragraph (16) the following:

“(16) An endorsement of a certificate by the Minister under paragraph (1) or Regulation 12(4) or 12A(1) shall expire –

 - (a) as soon as the certificate is withdrawn, suspended or cancelled –
 - (i) if issued under paragraph (1) by the Minister, by the Minister, or
 - (ii) if issued by another Member State or third country, by that Member State or third country, or
 - (b) within 5 years of the date of the endorsement, whichever is the earliest.”,
 - (c) by substituting for paragraph (18) the following:

“(18) Subject to Regulation 12(9) and Regulation 12A(4), a holder of a certificate shall keep the certificate available in its original form on board the ship on which the holder is serving either in a hard copy or in a digital format.”, and

- (d) in paragraph (19)(c), by substituting “Regulations of 2014” for “Regulations of 2005”.

6. Regulation 11 of the Principal Regulations is amended –

- (a) by substituting for paragraph (2) the following:

“(2) A person, referred to in Regulation 6(1), who holds a certificate issued or recognised by the Minister under any part of Annex I other than Regulation V/3 of Chapter V or Chapter VI, who is serving at sea or intends to return to sea after a period ashore shall, at intervals not exceeding 5 years, in order to continue to qualify for seagoing service and revalidation of such certificate—

(a) meet the standard of medical fitness prescribed by the Regulations of 2014, and

(b) establish continued professional competence in accordance with section A-I/11 of the code.”,

- (b) in paragraph (4), by substituting “Regulation 6(2)(a) to (g)” for “Regulation 6(2)(a) to (d)”, and

- (c) by inserting after paragraph (4) the following:

“(5) Seafarers holding a certificate of proficiency in accordance with Regulation V/3 of Chapter V shall, at intervals not exceeding 5 years, undertake appropriate refresher training as may be specified by the Minister in a Marine Notice or be required to provide to the Minister evidence of having achieved the required standard of competence within the preceding 5 years.

(6) Every master or officer who holds a certificate of proficiency for seagoing service on board a ship operating in polar waters, who is serving at sea or intends to return to sea after a period ashore shall, at intervals not exceeding 5 years, in order to continue to qualify for such seagoing service and revalidation of such certificate—

(a) meet the requirements of paragraph (2), and

(b) establish continued professional competence for ships operating in polar waters in accordance with paragraph 4 of section A-I/11 of the code.”.

7. The following is substituted for Regulation 12 of the Principal Regulations:

“Mutual recognition of seafarers’ certificates issued by another Member State

12. (1) The Minister shall accept a certificate of proficiency and documentary evidence issued by or under the authority of another Member State,

either in hard copy or in digital format, for the purpose of allowing a seafarer to serve on an Irish ship.

(2) The Minister shall recognise certificates of competency issued by another Member State.

(3) The Minister shall recognise certificates of proficiency issued by another Member State in accordance with Regulations V/1-1 and V/1-2 of Annex I to masters or officers serving on board oil, chemical or liquefied gas tankers.

(4) Where a certificate is recognised under paragraph (2) or (3) the Minister shall issue an endorsement attesting its recognition in accordance with Article 5b(2).

(5) An endorsement issued under paragraph (4) shall be limited to the capacities, functions and levels of competency or proficiency prescribed therein and shall only be issued if all requirements of the Convention have been complied with, in accordance with paragraph 7 of Regulation I/2 of the Convention.

(6) Without prejudice to Regulation 10, recognition under paragraph (2) or (3) shall be in the form of an endorsement in a separate document entitled a certificate of equivalent competency or a certificate of equivalent proficiency.

(7) Without prejudice to paragraphs (2), (3), (4) and (5) the Minister may impose further limitations on capacities, functions and levels of competence or proficiency relating to near-coastal voyages, as referred to in Article 7, or alternative certificates issued under Regulation VII/1 of Annex I.

(8) The Minister shall accept, for the purposes of allowing a seafarer to serve on board an Irish ship, a medical certificate issued under the authority of another Member State in accordance with Article 11.

(9) Without prejudice to paragraphs (2), (3), (4) and (5) the Minister may allow a seafarer to serve, for a period not exceeding 3 months, on board an Irish ship while holding an appropriate and valid certificate issued and endorsed as required by another Member State but not yet endorsed for recognition by the Minister so as to render it appropriate for service on board an Irish ship. The Minister shall issue a document for this purpose.

(10) A seafarer referred to in paragraph (9) shall keep any document issued by the Minister under that paragraph, allowing the seafarer to serve under that paragraph on board an Irish ship, readily available on board such a ship on which he or she is serving.

(11) Where a seafarer is applying for recognition of a certificate for functions at management level on an Irish ship, the Minister shall ensure the seafarer has an appropriate knowledge of the maritime legislation of the State relevant to the functions he or she is permitted to perform.

Recognition of certificates issued by third country

12A(1). The Minister may recognise, by endorsement, a certificate of competency issued by a third country or a certificate of proficiency issued by a third country in accordance with Regulations V/1-1 and V/1-2 of the Annex to

the Convention to a master or officer for service on board an oil, chemical or liquefied gas tanker, where he or she is satisfied that—

- (a) a decision has been adopted in accordance with paragraphs (2) to (6) of Article 19,
- (b) prompt notification will be given to the Minister of any significant change in the arrangements for training and certification in that third country, and
- (c) measures are in place to ensure that where the seafarer is applying for recognition of a certificate for functions at management level that he or she has an appropriate knowledge of the maritime legislation of the State relevant to the functions he or she is permitted to perform.

(2) Notwithstanding paragraph (1), where the Minister has submitted a request to the European Commission in accordance with Article 19(2), he or she may decide to recognise the third country unilaterally until an implementing act regarding recognition of that third country is adopted by the European Commission.

(3) Without prejudice to Regulation 10, recognition under paragraph (1) or (2) shall be in the form of an endorsement in a separate document entitled a certificate of equivalent competency or a certificate of equivalent proficiency.

(4) The Minister may allow a seafarer to serve in a capacity, other than as radio officer or radio operator (except as provided by the Radio Regulations) for a period not exceeding 3 months on board an Irish ship, while holding an appropriate and valid certificate issued and endorsed as required by another state but not yet endorsed for recognition by the Minister so as to render it appropriate for service on board an Irish ship. The Minister shall issue a document for this purpose.

(5) A seafarer referred to in paragraph (4) shall keep any document issued by the Minister under that paragraph, allowing the seafarer serve in a specified capacity under that paragraph on board an Irish ship, readily available on board such a ship on which he or she is serving.

(6) In this Regulation “third country” means a country (other than the State or another Member State) that is a party to the Convention and is a country in which the Convention has entered into force.”.

8. Regulation 15 of the Principal Regulations is amended, in paragraph (4)(g), by substituting “Regulation 12 or 12A” for “Regulation 12”.

9. Regulation 17 of the Principal Regulations is amended, in paragraph (2)(b), by substituting “Regulation 12(9) or 12A(4)” for “Regulation 12(4)”.

10. The following is substituted for Regulation 25 of the Principal Regulations:

“25. A person who commits an offence under –

- (a) Regulation 5(2), 16(6), 17(3) or 24(4) is liable on summary conviction to a class A fine, or
- (b) Regulation 10(23) or 20(2) is liable on summary conviction to a class C fine.”.

11. Regulation 26(1) of the Principal Regulations is amended by substituting “Regulation 5(2), 10(23), 16(6), 17(3) or 20(2)” for “Regulation 5(2), 10(23), 16(6), 17(3), 20(2), 23(5) or 24(4) and is liable to summary prosecution in respect thereof”.

12. Regulation 29 of the Principal Regulations is amended by deleting paragraph (2).

13. Schedule 2 to the Principal Regulations is amended by deleting the matter at reference numbers 6 and 7.

14. The Principal Regulations are amended by inserting Schedule 3 set out in the Schedule to these Regulations.

Schedule

Regulation 14

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*Regulation 2**Schedule 3*

PORT AREAS (SMOOTH WATERS AND PARTIALLY SMOOTH WATERS)

Place	Areas of smooth waters	Areas of partially smooth waters
Carlingford Lough	Within a line from Greencastle Point to Greenore	In summer: Inside of a line joining Cranfeld Point and Ballagan Point In winter: In favourable weather only, within a line drawn from Greenore and Greencastle points to a boundary line drawn from Soldiers Point at 245° to charted ruins at Ballytrasna
Dundalk	Westward of Longitude 006°21W within Castletown Estuary	In summer and in favourable weather only, within a line joining Cooley Point and Dunany Point
Drogheda	Within a line from Crook Point to Burrow Point	In summer: In favourable weather only, within a radius of 2.6 nautical miles from the eastern tip of the north breakwater and terminating at the northern and southern foreshores respectively In winter: No partially smooth waters
Skerries	No smooth waters	To St. Patrick's Island in fine weather and daylight only

Rogerstown Inlet	West of Longitude 006°06.5'W	No partially smooth waters
Malahide Inlet	West of Longitude 006°08'W	No partially smooth waters
Howth Sound	No smooth waters	Within a line from the North end of Eastern Breakwater to Thulla and south of a line joining Westwood to Steer Rock
Dublin	Inside the Pier Heads	In summer: Within a line from Dalkey Island to Bailey Point In winter: (a) for tenders to ocean liners only; within a line from Dalkey Island to Bailey Point, in fine weather. (b) for all other ships; no partially smooth waters
Dun Laoghaire	Inside Pier Heads	As Dublin
Wicklow	Inside the Pier Heads	In summer and in favourable weather only, within 2 nautical miles of the pier heads
Arklow	Inside the Pier Heads	In summer and in favourable weather only, within 2 nautical miles of the pier heads
Wexford	Inside Wexford Bridge	Within a line from Raven Point to Rosslare Point
Saltee Islands	No smooth waters	In summer: In favourable weather only; licenced passenger boats operating as tenders and with an approved tender safety plan and no more than 50m from the designated landing point specified in the tender safety plan

		In winter: No partially smooth waters
Bannow Estuary	Bannow Bay. Within a line drawn East to West at the entrance to Bannow Bay at 052°12.9' N	In summer: In favourable weather only within a line between Ingard Point and Clammers Point
Waterford	Within a line from Passage to Ballyhack	In summer: Within a line from Dunmore to Hook Point In winter: Within a line from Geneva Barrack to Duncannon Light
Dungarvan	West of Cunnigar Point	In summer: Inside a line joining Ballynacourty Point Lighthouse to the western most point of the mainland of Helvick Head In winter: No partially smooth waters
Youghal	Within a line from Ferry Point to Green Park	No partially smooth waters
Cork	Within a line from Ram's Head to Dognose Quay	Within a radius of 3 miles from Roche's Point, in favourable weather
Oysterhaven	North of Ferry Point	In summer: North of Kinure Point In Winter: No partially smooth waters
Kinsale Harbour	Within a line from Blockhouse Point and Summer Cove	Within a line from Moneypoint and Carrigarone

Courtmacsherry	West of 008°41.5' W	In summer : North of a line joining wood Point and Coolmain Point In winter: No partially smooth waters
Glandore	North of Long Point	In summer: North of a line joining Sheila Point and Goats Head In Winter: No partially smooth waters
Castle Haven	East of Reen Point	In summer: North of Reen Point In Winter: No partially smooth waters
Crookhaven	West of longitude 009°42'	No partially smooth Waters
Baltimore	In Baltimore Harbour and inside lines drawn between the following points; from Beacon Point to Barrack Point, from Long Point to Deelish Rock and from Deelish Rock to Frolic Point	No partially smooth waters
Schull	North of a line joining Skull Point and Coosheen Pt.	Gun Point to the West end of Long Island, North of Long Island and inside a line joining Copper Pt. to Coosheen Pt.
Dunbeacon Harbour, Dunmanus Bay	No smooth waters	Within a line joining Rossmore Point and Dunbeacon Point, in favourable weather only
Bantry Bay	From Bantry or Glengariff:	Castletownbere to within a line from Lonehort Point to White Horse Point, in favourable weather and in daylight only

	<p>Within a line joining Four Heads Point East and inside Whiddy Island</p> <p>From Castletownbere: Inside Bere Island</p>	
<p>Kenmare (including Ardgroom and Kilmakilloge Harbours)</p>	<p>North of 51°50.0'N</p>	<p>In summer and in favourable weather and daylight only: East of Longitude 9°54.7'W.</p> <p>In Winter: inside a line joining Dog's Pt and Laughaun Point and North of Rossmorebullig Pt.</p>
<p>Blasket Islands and Dunquin</p>	<p>No smooth waters</p>	<p>Great Blasket Island – within a 500 metre radius of the pier.</p> <p>Dunquin Harbour – within a 500 metre radius of the pier</p>
<p>Valentia</p>	<p>Between lines joining Knightstown and Renards Point and Portmagee Swing Bridge</p>	<p>In favourable weather only, within a line joining Ringcaheragh Point and Scughaport Reef and within a line joining Fort Point to Beginish Island and inside Doulus Bar</p>
<p>Ventry Harbour</p>	<p>No smooth waters</p>	<p>In summer and in favourable weather only, within a line joining Parkmore Point and Paddock Point</p>
<p>Smerwick Harbour</p>	<p>No smooth waters</p>	<p>In summer: Inside of a line joining Carrigbrean to Dunacapple Island</p> <p>In winter time: No partially Smooth Waters</p>
<p>Brandon Bay</p>	<p>No smooth waters</p>	<p>In summer: Inside of lines joining Brandon Point to Illaunboe to Rough Point</p>
<p>Tralee Bay</p>	<p>In summer and in favourable weather and daylight only:</p>	<p>In Tralee Bay south of a line running east through Rough Point</p>

	Inside a line joining Fenit Breakwater Light to Derrymore Point	
Castlemaine Harbour	No smooth waters	East of a line joining Rossbehy Point to Inch Point
Dingle Harbour	Within a line joining Flaherty Point and Black Point	No partially smooth waters
The Shannon	East of Rinalan Point	East of a straight line joining Carrig Island, Scatterry Island Lighthouse and the Clare Coast
Doolin Point	No smooth waters	No partially smooth waters
Kilronan	No smooth waters	In summer: Within 0.6' from Kilronan Pier In winter: No partially smooth waters
Galway	Lough Corrib	(a) for ships when serving as tenders to ocean liners only; within a line from Black Head to Carraghouna Point (b) for all other ships: within a line from Black Rock Beacon to Kilcolgan Point
Cashla Bay, Greatmans Bay Kilkieran Bay	Area of smooth waters, <u>in favourable weather only</u> , is considered to be to all waters inside Cashla Bay north of Tonacrick Point, all waters inside of Greatmans Bay north of Rin Point and all waters inside of Kilkieran Bay (and Casheen Bay) east of Kilkieran Point	No partially smooth waters
Roundstone Bay	No smooth waters	In summer time:

		North of an east west line through Inishnee Pt. In winter time: No partially Smooth Waters
Cleggan /Inishbofin	Within a line from Cleggan Point to Roeillaun	Within the area bounded by lines joining Cleggan Point to Lyon Point and Roeillaun to Shark Head and inside Bofin Harbour, in favourable weather and daylight only
Clifden Bay	No smooth waters	In favourable weather and daylight only, within a line due North from Fishing Point
Ballynakill Harbour	Inside Ross Point	In summer, favourable weather and daylight only, inside Freaghillaun Island
Killary Harbour	Inside Inishbarna Islands	Within a line from Tonakeera Point to Culfin Point, in favourable weather and daylight only
Clew Bay	Area of smooth waters, <u>in favourable weather only</u> , is considered to be to all waters to the east of a line joining Curraghmore Point to Inishgort Light House to Rosturk Castle	No partially smooth waters
Westport	Within a line from Murrisk Pier to Inishgort Light.	No partially smooth waters
Achill Sound	North of Darby's Point to 54°00'N (In way of Bull's Mouth)	No partially smooth waters
Blacksod Bay	Inside Dooniver Point	In favourable weather only, within a line from Blacksod Point to Kinfinalta Point
Broadhaven Bay	Within a line from Shanaghy Point to Fox Point	In favourable weather only, from Gubacashel to Brandy Point

Sruwaddacon Bay	No smooth waters	East of 009° 50' West
Clare Island		Within a line from Roonagh Head to Clare Island East Harbour and Achillbeg Island to Clare Island
Killala Bay	Inside Rinnaun Point	Within 3 miles from Ross Point in favourable weather and daylight only
Sligo Harbour	Inside Metal Man Rocks. On Lough Gill	Within a line from Raghly Point to Black Rock Point
Ballyshannon	Inside the bar	Within a line from Aughrus Point to Kildone Point in favourable weather and daylight only
Donegal	Inside the bar	Within a line from Doorin Point to Kildone Point in favourable weather and daylight only
Killybegs	No smooth waters	Inside a line joining Rotton Island to Port Roshin
Teelin		Within a distance of 3 miles from Dundawoona Point in favourable weather and daylight only
Burtonport	No smooth waters	Within an area bounded by lines from Ranagh Point to Wyon Point and Rinnagey to Rough Island
Sheephaven Bay	No smooth waters	In summer: South of 55°12'N In winter: No partially smooth waters
Mulroy Bay	Within a line from Dundooan Point and Inbeverbeg Bay	In favourable weather only, within a line from Melmore Head and Ballyhoorisky Point

Lough Swilly	Within a line from Buncrana to Muckarnish Point	Within a line from Dunree Head to Portsalon
Lough Foyle	Inside a line joining Greencastle and Magilligan Point	No partially smooth waters

The outer limits of the smooth water areas specified in column (2) of Schedule 3 shall be taken to be the corresponding inner limits of the partially smooth water areas specified in column (3) of Schedule 3.

Unless otherwise indicated these limits apply at all times of the year.

In this Schedule—

‘favourable weather’ means fine, clear settled weather with a sea state such as to cause only moderate rolling or pitching;

‘summer’ means the months of April to October, inclusive;

‘winter’ means the months of November to March, inclusive.’.



GIVEN under my Official Seal,
7 September, 2021.

EAMON RYAN,
Minister for Transport.

EXPLANATORY NOTE

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

These Regulations transpose requirements of Directive (EU) 2019/1159 of the European Parliament and of the Council of 20 June 2019 amending Directive 2008/106/EC on the minimum level of training of seafarers and repealing Directive 2005/45/EC on the mutual recognition of seafarers' certificates issued by the Member States. Directive (EU) 2019/1159 introduces into European law certain amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW).

The purpose of these Regulations is to amend the European Union (Training, Certification and Watchkeeping for Seafarers) Regulations 2014 (S.I. No. 242 of 2014) to give effect to the amendments introduced by Directive (EU) 2019/1159, including on the revised requirements on the mutual recognition of seafarers' certificates issued by Member States; updated minimum requirements for the training and qualifications of masters, officers, ratings and other personnel on passenger ships; and new minimum requirements for the training and qualification of seafarers on ships subject to the IGF and Polar Codes.

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