

engineers, on board ships, and the Board of Trade report to His Majesty that they are satisfied that the examinations are so conducted as to be equally efficient with the examinations for the same purpose in the United Kingdom under that Act, and that the certificates are granted on such principles as to show the like qualifications and competency as those granted under that Act, and are liable to be forfeited for the like reasons and in the like manner, His Majesty may by Order in Council—

(i) declare that the said certificates shall be of the same force as if they had been granted under that Act; and

(ii) declare that all or any of the provisions of that Act which relate to certificates of competency granted under that Act, shall apply to the certificates referred to in the Order; and

(iii) impose such conditions and make such regulations with respect to the certificates, and to the use, issue, delivery, cancellation, and suspension thereof, as His Majesty may think fit, and impose fines not exceeding fifty pounds for the breach of those conditions and regulations:

And whereas by the Merchant Shipping (Certificates) Act, 1914 (4-5 G. 5, c. 42), the law relating to examinations in the United Kingdom for certificates of competency was amended, and it was enacted that the provisions of that Act should be construed as if they were contained in Part II of the principal Act:

And whereas by the Merchant Shipping (Certificates of Competency) Act, 1925 (No. 45 of 1925) (hereinafter referred to as the South African Act), the Legislature of the Union of South Africa provided for the examination of, and grant of certificates of competency to, persons intending to act as masters, mates or engineers on board ships:

And whereas the Board of Trade have reported to His Majesty that they are satisfied that the examinations held under the South African Act are so conducted as to be equally efficient with the examinations for the same purpose in the United Kingdom under the principal Act, and that the certificates granted under the South African Act are granted on such principles as to show the like qualifications and competency as those granted under the principal Act and are liable to be forfeited for the like reasons and in the like manner:

And whereas the provisions of Section 1 of the Rules Publication Act 1893 have been complied with:

Now, therefore, His Majesty, in exercise of the powers vested in Him by the principal Act, and by and with the advice of His Privy Council, is pleased to declare as follows, that is to say:—

1. Certificates of competency as master, first mate, only mate, or second mate of a foreign-going ship, as first-class or second-class engineer, or as first-class or second-class motor engineer, granted on and after the first day of July 1928 under the South African Act by the proper authority, shall be of the same force as if they had been granted in the United Kingdom under the principal Act.

2. The provisions of the principal Act which relate to certificates of competency granted under that Act, except those relating to certificates for a home-trade passenger ship, and

also except so much of Section 470 as requires a Court cancelling or suspending a certificate to send the certificate cancelled or suspended to the Board of Trade, shall apply to such certificates of competency as are referred to in Article 1 of this Order: provided that in the application of Section 101 of the principal Act to such certificates, references in that Section to the Board of Trade, or to the Registrar-General of Shipping and Seamen, shall be construed as references to the proper authority.

3. The Regulations set out in the Schedule hereto shall have effect with respect to such certificates of competency as are referred to in Article 1 of this Order and to the use, issue, delivery, cancellation and suspension thereof.

4. In this Order the expression the "proper authority" shall mean the authority for the time being empowered by the Legislature of the Union of South Africa to grant certificates of competency under the South African Act.

5. This Order may be cited as the Merchant Shipping (South African Certificates of Competency) Order, 1931.

*M. P. A. Hankey.*

#### SCHEDULE.

##### REGULATIONS WITH RESPECT TO THE USE, ISSUE, DELIVERY, CANCELLATION AND SUSPENSION OF SOUTH AFRICAN CERTIFICATES OF COMPETENCY.

1. In these Regulations the following expressions shall have the meanings hereby assigned to them, that is to say:—

"Certificate of Imperial validity" means any certificate of competency (other than a certificate for a home-trade passenger ship) granted under the principal Act, or any such certificate of competency granted under provisions made by the legislature of a British possession, as is declared by Order in Council to be of the same force as if granted under that Act.

"South African certificate" means any such certificate of competency granted under the South African Act as is declared by this Order to be of the same force as if granted under the principal Act.

2. Every South African certificate of any grade shall be as like as possible in form and size to a certificate of the same grade issued in the United Kingdom, save that on the face and cover the words "Union of South Africa" shall appear conspicuously.

3. No South African certificate shall be granted to a person who has been the holder of any certificate of competency which, having been granted under the principal Act or under any provision made by the legislature of a British Dominion, Colony or possession has been cancelled or suspended by any authority, court or tribunal in His Majesty's dominions, except:—

(i) as provided by the next following Regulation; or

(ii) in accordance with a recommendation made by the court or authority by whom the certificate was cancelled or suspended, that a certificate of a lower grade should be granted; or