

## **MERCHANT SHIPPING ACT, 2013**

### **MERCHANT SHIPPING (CERTIFICATION OF SHIPS' COOKS) REGULATIONS 2014**

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## **MERCHANT SHIPPING ACT, 2013**

### **MERCHANT SHIPPING (CERTIFICATION OF SHIPS' COOKS) REGULATIONS, 2014**

**IN EXERCISE** of the powers conferred on the Minister under section 113 of the Merchant Shipping Act, 2013, these Regulations are made.

#### **1. Citation**

These Regulations may be cited as the Merchant Shipping (Certification of Ships' Cooks) Regulations 2014.

#### **2. Interpretation**

In these Regulations-

"Act" means the Merchant Shipping Act 2013;

"Administration" means the Gambia Maritime Administration;

"appropriate fee" means the relevant fee specified in regulation 11;

"Class A certificate" means a certificate issued pursuant to regulation 6(1) and described as such;

"Class B certificate" means a certificate issued pursuant to regulation 6(1) and described as such;

"crew" means all persons employed or engaged in any capacity on board the ship on the business of the ship;

"equivalent certificate" means a certificate recognised as equivalent to either a Class A or Class B certificate under regulation 10 or 11;

"pleasure craft" has the meaning given in section 3 of the Act;

"qualified cook" means a person qualified in accordance with regulation 4 as a ships' cook;

"sea-going ship" means a ship which goes beyond port limits and internal waters.

#### **3. Application**

Unless exempted by the Administration, these Regulations shall apply

to every Gambian sea-going ship other than a fishing vessel or a pleasure craft.

#### **4. Qualification to be certified as a ships' cook**

A person in The Gambia shall not be granted a certificate of competency as a ship's cook for the purposes of these Regulations unless he or she-

- (a) has attained a qualification appropriate for either a Class A or Class B certificate set out in the First Schedule or hold an equivalent certificate;
- (b) has completed basic safety training as required by the Merchant Shipping, Training, Certification and Watch keeping Regulation 2014;
- (c) has served not less than two months at sea in any capacity;
- (d) is at least eighteen years of age; and
- (e) is medically fit.

#### **5. Requirements for ship's cooks**

(1) A ship which has a crew of less than twenty persons shall carry as a minimum –

- (a) subject to sub-regulation (2), where the ship has twelve crew members or less, one qualified cook who holds at least a valid Class B certificate; or
- (b) where the ship has more than twelve crew members, one qualified cook who holds a valid Class A certificate.

(2) A ship which has a crew of twelve persons or less shall not comply with sub-regulation (1)(a) where -

- (a) less than fifty percent of the working time of any crew member on board is taken up with cooking duties for other members of the crew; and
- (b) any crew member on board involved in cooking duties for other members of the crew, including the handling of food intended to be consumed by other members of the crew, has received instruction in food storage, preparation and cooking hygiene to the standard specified in the First

#### Schedule.

- (3) A ship which has a crew of twenty persons or more shall carry-
- (a) at least one qualified cook who holds a valid Class A certificate; and
  - (b) additional qualified cooks as required in accordance with sub-regulation (4) who hold at least valid Class B certificates.
- (4) The number of additional cooks referred to in sub-regulation (3)(b) shall not be less than two.

#### **6. Issue of Certificate**

- (1) A person who complies with the requirements of regulation 4 may apply to the Administration for the issue of a certificate of competency as a ship's cook Class A or B in line with the First Schedule.
- (2) Before the issue of any such certificate, the Administration may require the applicant to produce to any certificate or document attesting to his or her qualification which shall meet with the requirements of regulation 4.

#### **7. Form and record of certificate**

- (1) A certificate of competency issued pursuant to regulation 6(1) shall be in the form set out in the Second Schedule, and issued in duplicate, on payment of the appropriate fee.
- (2) The original shall be delivered to the person entitled to the certificate, and the duplicate shall be retained by the Administration.
- (3) A record of all certificates of competency issued under these Regulations, the suspension, cancellation or alteration thereof and any other matters affecting any such certificate shall be kept in such manner as required by the Registrar of Shipping and Seafarers.

#### **8. Loss of Certificate**

- (1) Where a person who holds a certificate of competency proves to the satisfaction of the Administration that he or she has, without fault on his or her part, lost or been deprived of a certificate issued to him or her, the Administration may if satisfied with the cause for the loss or deprivation of the certificate, on payment of the appropriate fee, cause a copy of the said certificate to be issued to the person.

(2) The copy of the certificate shall before it is so issued, be certified as such by the Registrar of Shipping and Seafarers.

## **9. Equivalent certificate**

The Administration may recognise a certificate of competency for a ship's cook issued outside The Gambia if it is satisfied that the level of competence attained by that ship's cook is equivalent to the level of competence in respect of a certificate issued in The Gambia.

## **10. Penalties**

The owner, master or agent of a ship who contravenes regulation 5 commits an offence and is liable on summary conviction to a fine not exceeding one million Dalasis.

### **FIRST SCHEDULE** (regulations 4, 5 and 6)

#### **REQUIREMENTS FOR SHIP'S COOKS**

### **1. Cooks and Food Handlers**

1.1 A crewmember who spends more than 50% of his or her time engaged in cooking duties or the handling of food for other crewmembers, is deemed to be a ship's cook and shall hold at least a Class B certificate of competency. Being a cook does not preclude any crewmember from carrying out other duties.

1.2 A crew member, other than a certificated cook who by virtue of his or her activities on board a ship, comes into direct contact with foodstuffs for consumption by the ship's crew, and is engaged on cooking duties or the handling of food for other crew members is deemed to be a food handler and must hold one of the following-

- (a) Basic Food Hygiene Certificate; or
- (b) an equivalent qualification issued by an accredited training provider, based on current Gambian legislation applicable to all food handlers operating in commercial premises.

### **2. Vessels required to carry a Certificated Ships' Cook**

2.1 A Gambian ship which proceed to sea, aboard which food for the crew is handled must carry cooks according to the following table-

<b>Number of Crew</b>	<b>Number and Qualifications of ships' cooks</b>
12 crew or less	No certificated cook, unless a qualified cook is deemed necessary (para 1.1 refers).
13 -19 crew	A minimum of 1 certificated cook with at least a Class B certificate of competency.
20 crew or more	<p>A minimum of 1 cook with at least a Class A certificate of competency plus x number of cooks who hold at least a Class B certificate of competency.</p> <p><i>Notes:</i></p> <ul style="list-style-type: none"> <li>i) x is the number agreed between the ship owner and crew members or their representatives.</li> <li>ii) The total number of cooks shall not be less than 1 cook per 50 crew.</li> </ul>

### **3 Recognition of Ship's Cook Certificate issued outside The Gambia**

3.1 The Administration may recognise cooking qualifications not specified in this Schedule, as equivalent to the stated requirements at paragraph 3.5. Such equivalencies may include ships' cooks qualifications issued by any country which has ratified or acceded to the International Labour Organization Convention No. 69 (ILO 69).

3.2 In other cases, applicants holding catering qualifications issued by another Administration will be required to provide evidence showing that the qualification held is at least equivalent to that required by the Administration.

### QUALIFICATION UNIT

Unit Description	Class B	Class A
Clean Food Production Area Equipment and Utensils	X	x
Develop Effective Working Relationships	X	
Maintain Hygiene in Food Storage, Preparation and Cooking	X	
Maintain a Safe and Secure Working Environment	X	x
Maintain and Handle Knives	X	x
Receive, Handle and Store Food Deliveries	X	x
Prepare Cold and Hot Sandwiches and Rolls	O	
Prepare Vegetables and Fruit	O	
Prepare and Bake Food	O	
Prepare and Finish Reconstituted Food	O	
Prepare and Fry Food	O	
Prepare and Griddle Food	O	
Prepare and Grill Food	O	
Prepare and Microwave Food	O	
Prepare, Boil, Poach and Steam Food	O	
Prepare, Cook and Assemble Food for Service	O	
Create and Maintain Effective Working Relationships		x
Maintain and Promote Hygiene in Food Storage, Preparation and Cooking		x
Prepare and Cook Basic Fish Dishes		x
Prepare and Cook Basic Meat, Poultry and Offal Dishes		x
Prepare and Cook Basic Sauces and Soups		x
Prepare and Cook Vegetables for Basic Hot Dishes and Salads		x
Prepare and Cook Basic Cold and Hot Desserts		x
Prepare and Cook Basic Dough Products		x
Prepare and Cook Basic Egg Dishes		o
Prepare and Cook Basic Pasta Dishes		o
Prepare and Cook Basic Pulse Dishes		o
Prepare and Cook Basic Rice Dishes		o
Prepare and Cook Basic Vegetable Protein Dishes		o
Prepare, Cook and Finish Basic Cakes, Sponges and Scones		o

x - Mandatory Unit  
o - Optional Unit

**NB** For a Ships' Cook Class B Certificate all mandatory units plus 7 optional units are required.

For a Ship's Cook Class A Certificate all mandatory units plus 2 optional units are required.

## **SECOND SCHEDULE** (regulation 7)

### **FORM OF CERTIFICATE OF COMPETENCY AS SHIPS' COOK**

COAT OF ARMS	<b>CERTIFICATE OF COMPETENCY</b> as <b>SHIPS' COOK CLASS *A / B</b> Issued by the Administration under the authority of the Merchant Shipping (Certification of Ships' Cooks) Regulations 2014 No.....	PHOTOGRAPH
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This is to certify that .....  
is entitled to serve in a capacity requiring a Ships' Cook Class \*A / B in  
ships required to carry such Cook.

*The holder fulfills the requirements of these Regulations*

Dated this ..... day of .....

.....OFFICIAL STAMP .....

**Signature of Holder**

**Authorised Officer of the  
Administration**

DATED THIS ..... DAY OF ..... 2014

.....  
**HON. BALLA GARBA JAHUMPA**  
**MINISTER OF WORKS, CONSTRUCTION AND**  
**INFRASTRUCTURE**