

REPUBLIC OF KIRIBATI
(No. 13 of 1984)

I assent,

J. Tabai
Beretitenti.

8/12/1984

AN ACT TO AMEND THE SHIPPING (CERTIFICATION OF SEAMEN)
ORDINANCE (CAP 94)

Commencement:

10 December 1984


MADE by the Maneaba ni Maungatabu and assented to by the Beretitenti.

- Short title. 1. This Act may be cited as the Shipping (Certification of Seamen) (Amendment) Act 1984.
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- Amendment of Long title. 2. The long title of the Shipping (Certification of Seamen) Ordinance (Cap 94) (in this Act referred to as the principal Ordinance) is amended by repealing the word "Able" and substituting the word "Qualified".
- Amendment of short title. 3. Section 1 of the principal Ordinance is amended by inserting between the words "of" and "seamen" the word "qualified".
- Amendment of section 2. 4. Section 2 of the principal Ordinance is amended by --
- (a) inserting between the definition of the word "master" and "seamen" the following definition:
"qualified" means qualified under section 3;
 - (b) repealing the definition of "seamen" and substituting the following definition:
"seamen" includes able seamen, greaser (motormen), steward and every person (except masters, pilots and apprentices, duly contracted or indentured and registered) employed and engaged in any capacity on board any ship.

Amendment of
section 3.

5. Section 3 of the principal Ordinance is amended in --
- (a) section 3(1) by repealing the word "Able" wherever it occurs and substituting the word "Qualified"; and
 - (b) section 3(2) by repealing the word "Able" occurring between the words "as" and "scamen" in line 2 and substituting the word "Qualified".

This printed impression has been carefully examined by me with the Bill which passed the Maneaba ni Maungatabu on 27th November, 1984, and is found by me to be a true and correctly printed copy of the said Bill.



Clerk to the Maneaba
ni Maungatabu

I certify that the above Bill was on 27th November, 1984, passed by the Maneaba ni Maungatabu on a certificate of urgency under section 68(3)(a) of the Constitution.



Speaker

Published by exhibition --

- (a) at the Public Office of the Beretitenti on the



Secretary to the Cabinet

- (b) at the Maneaba ni Maungatabu on 10th Dec, 1984



Clerk to the Maneaba
ni Maungatabu

THE SHIPPING (CERTIFICATION OF SEAMEN)
(AMENDMENT) 1984

EXPLANATORY MEMORANDUM

This Act amends the Shipping (Certification of Seamen) Ordinance (Cap 94) by repealing the word "Able" wherever it occurs throughout the Ordinance and substituting the word "Qualified".

Such amendment is necessary in order to clarify and widen in scope the meaning of a "certificated seaman" in the Ordinance. Ordinarily the word "able seaman" means an experienced seaman competent to perform the usual and customary duties on deck of a ship. The manner in which the words "able seaman" is used in the Ordinance would appear to have this meaning. Thus it is misleading and confusing. Additionally it fails to recognise the nature of the training and qualification now being required and offered to our seamen at the Marine Training School that apart from those seaman qualified for deck duties other seamen are also qualified as motormen and stewards.

Essentially therefore the Act seeks to remove doubt as to the meaning of the word "seamen" not to mean and apply to seaman qualified for deck duties only but also to mean and apply to other seamen like motormen and stewards.

Michael Neaua Takabwebwe
The Attorney General

LEGAL REPORT

I hereby certify my opinion that none of the provisions of the above Act conflict with the Constitution and that the Beretitenti may properly assent to the Act.

Michael Neaua Takabwebwe
The Attorney General
24 September 1984