

## STATUTORY INSTRUMENT

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### MERCHANT SHIPPING (STANDARDS OF TRAINING, CERTIFICATION AND WATCH KEEPING FOR SEAFARERS) REGULATIONS, 2021

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THE SIERRA LEONE MERCHANT SHIPPING ACT 2003  
(ACT No. 3 OF 2003)

THE MERCHANT SHIPPING (STANDARDS OF TRAINING,  
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS)  
REGULATIONS, 2021

Short title

In exercise of powers conferred on him by section 528 of the Sierra Leone Merchant Shipping Act 2003, the Minister of Transport and Aviation hereby makes the following Regulations—

PART I—PRELIMINARY

1. In these Regulations unless the context otherwise Definitions requires -

"able seafarer deck" means a rating qualified in accordance with regulation II/5;

"able seafarer engine" means a rating qualified in accordance with regulation III/5;

"Administration" means the Sierra Leone Maritime Administration;

"approved" means approved by the Administration in accordance with these Regulations;

"assistant engineer officer" means a person under training to become an engineer officer and designated as such by these Regulations;

"certificate of competency" means a certificate issued and endorsed for master, officers and Global Maritime Distress and Safety System radio operators in accordance with Part II, III, IV or VII and entitling the lawful holder of the certificate to serve in the capacity and perform the functions involved at the level of responsibility required of a holder of that certificate;

"certificate of proficiency" means a certificate, other than a certificate of competency issued to a seafarer, stating that the relevant requirements of training competencies or seagoing service in the Convention have been met;

"chemical tanker" means a ship constructed or adapted and used for the carriage in bulk of a liquid product listed in Chapter 17 of the International Bulk Chemical Code;

"chief engineer officer" means the senior engineer responsible for the mechanical propulsion and the operation and the operation and maintenance of the mechanical and electrical installations of the ship;

"chief mate" means the officer next in rank to the master and upon whom the command of the ship will fall in the event of the incapacity of the master;

"company" means the owner of the ship or any other Organisation or person such as the manager, or the bareboat charterer, who has assumed responsibility for the operation of the ship from the ship owner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by these Regulations;

"Convention" means the International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978;

"deck officer" means an officer qualified in accordance with Regulation II/1;

"documentary evidence" means documentation, other than a certificate of competency or a certificate of proficiency, used to establish that the relevant requirements of these Regulations have been met;

"electro-technical officer" means an officer qualified in accordance with Regulation III/6;

"electro-technical rating" means an officer qualified in accordance with Regulation III/7;

"engineer officer" means an officer qualified in accordance with Regulation III/1;

"engineering watch" means the watch during which the designated duty officer and crew exercise immediate responsibility for the operation of the machinery of the ship;

"fishing vessel" means a vessel used for catching fish, whales, seals, walrus or other living resources of the sea;

"function" means a group of tasks, duties and responsibilities, as specified in the Schedules, necessary for ship operation, safety of life at sea or protection of the marine environment;

"Global Maritime Distress and Safety System radio operator" means a person who is qualified under Part IV;

"ISPS Code" means the International Ship and Port Facility Security (ISPS) Code adopted on 12 December, 2002 by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as may be amended by the Organisation;

"liquefied gas tanker" means a ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product listed in Chapter 19 of the International Gas Carrier Code;

"Maritime Safety Committee" means the International Maritime Organisation Committee that deals with matters relating to maritime safety;

"master" means the person having command of a ship;

"Minister" means the Minister responsible for Transport and Aviation;

"month" means a calendar month of 30 days made up of periods of less than one month;

"navigational watch" means the watch during which the designated duty officer and crew exercise immediate responsibility for navigating the ship;

"near-coastal voyages" means voyages in the vicinity of Sierra Leone as defined in the Third Schedule;

"officer" means a member of the crew, other than the master, designated as such by these Regulations or, in the absence of such designation, by collective agreement;

"oil tanker" means a ship constructed and used for the carriage of petroleum and petroleum products in bulk;

" Organisation" means the International Maritime Organisation;

"passenger ship" means a passenger ship as defined in the International Convention for the Safety of Life at Sea, 1974 (SOLAS);

"propulsion power" means the total maximum continuous rated output power, in kilowatts, of all the ship's main propulsion machinery which appears on the ship's certificate of registry or other official document;

"radio duties" include, as appropriate, watch keeping and technical maintenance and repairs conducted in accordance with the Radio Regulations, the International Convention for the Safety of Life at Sea, 1974 (SOALS), and, at the discretion of the

Administration, the relevant recommendations of the Organisation;

"radio operator" means a person holding an appropriate certificate issued or recognised by the Administration under the Radio Regulations;

"Radio Regulations" means the Radio Regulations annexed to, or regarded as being annexed to the most recent International Telecommunication Convention as amended;

"radio watch" means the watch during which the officer in charge of radio duties exercises immediate responsibility for all radio communications;

"rating" means a member of the ship's crew other than the master or an officer;

"ro-ro passenger ship" a passenger ship with ro-ro spaces or special category spaces as defined in the International Convention for the Safety of Life at Sea, 1974 (SOLAS);

"seagoing service" means service on-board a ship relevant to the issue or revalidation of a certificate or other qualification;

"second engineer officer" means the officer next in rank to the chief engineer officer and upon whom the responsibility of the mechanical and electrical installations of the ship will fall in the event of the capacity of the chief engineer officer;

"security duties" include all security tasks and duties on-board ships as defined by Chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), and the International Ship and Port Facility Security (ISPS) Code;

"ship security officer" means the person on-board the ship, accountable to the master, designated by the company as responsible for the security of the ship including implementation and maintenance of the ship security plan and liaison with the company security officer and port facility security officers;

"STCW Code" means the Seafarer's Training, Certification and Watch Keeping (STCW) Code as adopted by the 1995 Conference resolution 2, as it may be amended by the Organisation; and

"watch" means the officers and crew on duty during a specified period or that period during which the officers and crew are on duty.

2. These Regulations shall apply to seafarers serving on board ships registered in Sierra Leone except those serving on board -

- (a) warships, naval auxiliaries or other ships owned and operated by a state and engaged only on governmental non-commercial service,
- (b) fishing vessels;
- (c) pleasure yachts not engaged in trade;
- (d) wooden ships of traditional build.

#### PART II – CERTIFICATES, PRINCIPLES AND CONTROL PROCEDURES

3. (1) The Administration shall have exclusive authority to issue a certificate of competency and any other certificate required to be issued to a seafarer including a master, officer and a rating under these Regulations. Administration to issue certificates.

(2) An application for certificate of competency or any other certificate under sub-regulation (1) shall be in writing and shall contain information relating to -

- (a) the identity of the applicant;
- (b) the age of the applicant;
- (c) record of seagoing service and any training required by these Regulations; and
- (d) the standards of medical fitness prescribed for the capacity, functions and levels that are to be identified in the endorsement to the certificate of the applicant.

(3) The Administration shall, on receipt of an application under sub-regulation (2), issue a certificate if it-

- (a) is satisfied that the applicant has complied with the requirements for -
  - (i) seagoing service;
  - (ii) age;
  - (iii) medical fitness;
  - (iv) training;
  - (v) qualification; and
  - (vi) examination; and
- (b) has verified the authenticity and validity of the necessary documentary evidence submitted with the application for the certificate.

(4) A certificate issued under sub-regulation (3) shall be in the English Language.

Examination  
for certificate.

4. (1) The Administration may, as a requirement for the issue of a certificate, conduct an examination to test the knowledge, competence, skill or experience of applicants.

(2) Notwithstanding sub-regulation (1), the Administration may, in respect of a certificate for a radio operator, conduct a separate examination to test for the additional knowledge as specified in section A-IV/2 of the First Schedule and issue a separate certificate that indicates that the holder has such additional.

Recognition  
of certificate  
issued in a  
foreign country.

5. (1) For the purpose of these Regulations, where the Administration recognizes a certificate of competency issued by a competent authority of a foreign country to a seafarer in compliance with the Convention, the Administration shall endorse the certificate of competency to attest its recognition.

(2) The Administration shall not endorse a certificate under sub-regulation (1), unless it is satisfied that -

- (a) the certificate is authentic and valid; and
- (b) the requirements of the Convention in respect of the certificate have been complied with.

(3) An endorsement made by the Administration under sub-regulation (1) shall -

- (a) be in the manner prescribed in the Second Schedule;
- (b) state the capacity in which the holder of the certificate is authorised to serve;
- (c) be assigned a unique number but may be assigned the same number as that of the certificate which the endorsement attests if that number is unique, and
- (d) expire -
  - (i) not later than 5 years after it has been issued; or
  - (ii) immediately the certificate to which the endorsement relates is withdrawn, suspended, or cancelled.

(6) A person to whom a certificate is issued under these Regulations shall keep the certificate in its original form on-board the ship on which that person is serving.

Register of certificates and endorsements.

6. (1) The Administration shall keep and maintain a Register of Certificates and Endorsements issued under these Regulations.

(2) The Register under sub-regulation (1) shall contain detailed information relating to Certificates and Endorsements issued under these Regulations including dispensations, issuance, expiration, validation, suspension, misplacement or destruction.

Information to be made available.

7. The Administration shall make information on the status of certificates, endorsements and dispensations, as contained in the Register, available to a company or a competent authority of another country which is a party to the Convention where -

- (a) a certificate or endorsement has been submitted to that competent authority or company by a seafarer who is seeking recognition of the certificate, endorsement or dispensation in that country; and
- (b) that competent authority or company requests verification of the authenticity and validity of the certificate, endorsements or dispensation purported to have been issued or granted by the Administration.

Restrictions on rules for near-coastal voyages.

8. The Administration, in prescribing rules for near-coastal voyages for the purpose of the Convention, shall not impose a more stringent training, experience or a certification requirement on a seafarer serving on-board a ship of another country that is party to the Convention, than is impose on a seafarer serving on-board a ship that flies the Sierra Leone flag.

Near-coastal voyage agreement.

9. Where the Administration extends the benefits of the near-coastal provisions of the Convention to ships of other countries including voyages off the coast of other countries which are parties to the Convention within the limits of the near-coastal rules of those other countries, the Administration shall enter into an undertaking with those other countries, specifying the details of the trading areas involved and other relevant conditions.

10. (1) Where a ship that flies the Sierra Leone flag is regularly engaged on near-coastal voyages off the coast of another country which is a party to the Convention, the Administration shall prescribe the training, experience and certification requirements for the ship. Training and other requirements for near-coastal voyages.

(2) The training, experience and certification requirements to be prescribed by the Administration under sub-regulation (1) shall-

- (a) at a minimum, be equal to the requirements of the other country of the coast of which the ship is engaged; and
- (b) not exceed the requirements of the Convention in respect of a ship engaged on a near-coastal voyage.

(3) A seafarer serving on a ship which extends its voyage off the coast of a country which is a party to the Convention beyond what is defined as near-coastal voyage by that country, shall fulfill the appropriate competency requirements of the Convention.

11. The Administration may extend the benefits of the near-coastal voyage provisions of the Convention to a ship which flies the Sierra Leone near-coastal flag and is regularly engaged on voyages, as defined by the Administration off the coast of another country which is not a party to the Convention. Extension of benefits of near-coastal voyages.

12. The Administration may accept a certificate issued to a seafarer by a competent authority of another country which is a party to the Convention for its defined near-coastal voyages limits, if the Administration has entered into an agreement which specifies the details of the trading areas involved and other relevant conditions, with the competent authority of that other country. Acceptance of certificate issued by another country.

13. The Administration shall, for the purposes of defining near-coastal voyages, fulfil the requirements specified in the Third Schedule and incorporate the near-coastal voyages limits in the endorsements issued under regulation 5. Definition of near-coastal voyage.



Verification  
of control  
measures.

14. (1) A person employed and authorised by the Administration to serve as a control officer shall -

- (a) verify whether a seafarer who is serving on-board a ship and who is required to be certified in accordance with the Convention-
  - (i) holds an appropriate certificate or valid dispensation; or
  - (ii) has provided documentary proof that an application for an endorsement has been submitted to the Administration in accordance with regulation paragraph (c) of sub-regulation (2) of Regulation 21;
- (b) verify whether the numbers and certificates of seafarers serving on-board a ship are in conformity with the applicable safe manning requirements of the Administration;
- (c) in accordance with section A1/4 of the First Schedule, assess the ability of the seafarers on-board a ship to maintain watch keeping and security standards as appropriate and as required by the Convention if there are grounds for believing that the standards are not being maintained because -
  - (i) the ship has been involved in a collision or been grounded or stranded;
  - (ii) there has been a discharge of substances from the ship when under way, at anchor or at berth which is illegal under any international convention;

- (iii) the ship has been maneuvered in an erratic or unsafe manner that contravenes the routing measures of the Organisation or safe navigation practices have not been followed; or
- (iv) the ship is otherwise being operated in a manner that pose a danger to persons, property or the environment, or that compromises security.

(2) For the purposes of paragraph (c) of sub-regulation (1), acts that pose a danger to persons, property or the environment include -

- (a) failure of a seafarer to -
  - (i) obtain a certificate;
  - (ii) have an appropriate certificate;
  - (iii) have a valid dispensation; or
  - (iv) provide documentary proof that an application for an endorsement has been made to the Administration in accordance with paragraph (c) of sub-regulation (5) of Regulation 21;
- (b) failure to comply with the applicable safe manning requirements of the Administration;
- (c) failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the Administration;

- (d) the absence in a watch of a person qualified to operate equipment essential to safe navigation, safety, radio communication or the prevention of marine pollution; and
- (e) the inability to provide persons who are sufficiently rested and otherwise fit for duty for the first watch at the commencement of a voyage and for subsequent relieving watches.

(3) The Administration may detain a ship where a control officer of the Administration determines that any of the conditions specified in sub-regulation (2) exists on that ship.

Investigation and cancellation of certificates.

15. (1) The Administration shall establish processes and procedures for the impartial investigation of a reported incompetency, omission or compromise to security, in connection with the discharge of the duty of the holder of a certificate or endorsement, that is likely to pose a threat to safety of life or property at sea or to the marine environment by a holder of the certificate or endorsement issued by the Administration.

(2) The Administration shall take and enforce measures to prevent fraud and other unlawful practices involving a certificate or an endorsement issued by the Administration.

(3) The Administration may, for the purpose of sub-regulations (1) and (2), withdraw, suspend or cancel a certificate.

(4) A person who engages in fraud or other lawful practice in connection with a certificate or an endorsement commits an offence and is liable on conviction to a fine of not more than 10 million Leones or a term of imprisonment of not more than 2 years.

Training and assessment.

16. The Administration shall ensure that -

- (a) the training and assessment of seafarers as required by the Convention are administered, supervised and monitored in accordance with section A-1/6 of the First Schedule; and
- (b) a person responsible for the training and assessment of the competence of seafarers, as required by the Convention, is appropriately qualified in accordance with section A-1/6 of the First Schedule.

17. (1) The Administration shall ensure that -

Quality Standards.

- (a) in accordance with section I/8 of the STCW Code, all training, assessment of competence, certification, including medical certification, endorsement and revalidation activities carried out by non-governmental agencies or entities under its authority and continuously monitored through a quality standards system to ensure achievement of defined objectives, including those concerning the qualifications and experience of instructors and assessors; and
- (b) where governmental agencies or entities perform such activities, there shall be a quality standards system.

(2) The Administration shall ensure that periodic evaluation and monitoring of activities are undertaken as specified in section A-1/8 of the First Schedule by persons who are qualified and who are not involved in the activities.

(3) For the purpose of sub-regulation (1), the evaluation include changes made to these Regulations to bring them into compliance with amendments to the Convention, where the changes entered into force later than the date the information was communicated to the Secretary-General of the Organisation.

(4) The Administration shall submit a report of the result of the evaluation to the Secretary-General of the Organisation in accordance with the procedure prescribed in section A-1/7 of the First Schedule.

Medical standards.

18. (1) The Administration shall establish -

- (a) standards of medical fitness for seafarers; and
- (b) procedures for the issue of a medical certificate in accordance with this regulation and section A-1/9 of the First Schedule.

(2) The Administration shall ensure that, for the purpose of medical examination of seafarers in accordance with section A-1/9 of the First Schedule, a medical assessment of a seafarer is carried out by a medical practitioner recognised under the laws of the country.

(3) A seafarer who holds a certificate issued under the Convention and who is serving at sea shall, in addition, hold a valid medical certificate issued in accordance with this regulation.

(4) A medical certificate shall be obtained by a seafarer on application to the Administration.

(5) An applicant qualifies for a medical certificate if that applicant -

- (a) is not less than sixteen years old;
- (b) provides satisfactory proof of the applicant's identity; and
- (c) satisfies the applicable medical fitness standards established by the Administration.

(6) The Administration shall issue a medical certificate to the applicant if the Administration is satisfied that the applicant meets the requirements specified in sub-regulation (5) and has after an assessment by a medical practitioner under sub-regulation (2), been determined to be medically fit for the purpose of a medical certificate.

(7) A medical certificate issued under sub-regulation (6) is, subject to sub-regulation (8), valid for a period for not more than two years.

(8) In the case of seafarer who is less than eighteen years of age, the certificate is valid for one year.

(9) Where the validity of a medical certificate expires in the course of a voyage, the medical certificate shall continue to be in force until the next port of call where a medical practitioner recognized by the Administration is available except that the period during which an expired medical certificate remains in force shall not be more than three months.

(10) Without limiting sub-regulation (9), the Administration may, in cases of emergency, permit a seafarer to work without a valid medical certificate until the next port of call where a medical practitioner recognised by the Authority is available.

(11) A permit given to a seafarer to work without a valid medical certificate under sub-regulation (1), shall -

- (a) not be more than 3 months; and
- (b) not be given unless the seafarer is in possession of an expired medical certificate of recent date.

19. (1) As a condition for the recognition by endorsement under Regulation 5 of a certificate issued to a master, radio operator or an officer by the competent authority of another State which is a party to the Convention, the Administration shall -

- (a) ensure through inspection of facilities and examination of procedures of that competent authority that the requirements of the Convention regarding standards of competence, training and certification and quality standards are fully complied with; and
- (b) ensure that there is an undertaking with the competent authority of the country concerned that requires prompt notice to be given of any significant change in the arrangements for training and certification provided in compliance with the Convention.

(2) The Administration shall establish measures to ensure that a seafarer who presents a certificate issued under Regulations 24, 25, 35 or 52 has an appropriate knowledge of the maritime legislation of Sierra Leone, relevant to the functions the seafarer is required to perform.

(3) A notice given under sub-regulation (1) and measures established under sub-regulation (2) shall be promptly communicated by the Administration to the Secretary-General of the International Maritime Organisation.

(4) The Administration shall not recognise a certificate issued by or under the authority of a state which is not a party to the Convention.

(5) Notwithstanding Regulation 5, the Administration may, subject to sub-regulation (1), where there is documentary proof that an application for the endorsement of the certificate has been submitted to the Administration, if the circumstances so require, allow a seafarer to serve for a period of not more than 3 months on-board a ship which flies the flag of Sierra Leone, if that seafarer holds an appropriate valid certificate -

- (a) issued and endorsed in the manner required by the competent authority of another country which is a party to the Convention, for use on-board a ship that flies the flag of that other country, and
- (b) which has not yet been endorsed by the Administration so as to make it appropriate for service on-board a ship which flies the flag of Sierra Leone.

(6) A certificate or endorsement issued by the Administration under this Regulation to attest the recognition of a certificate issued by the competent authority of another country which is a party to the Convention shall not be used as the basis of further recognition by another competent authority.

20. (1) The Administration shall, at intervals of not more than 5 years, require each master, officer or radio operator who holds a certificate issued or recognised under a Chapter other than Chapter VI of the First Schedule and who is serving at sea or intends to return to sea after a period ashore, as a condition for continuing to qualify for seagoing service, to -

- (a) satisfy the standards of medical fitness prescribed in Regulation I/9; and
- (b) establish continued professional competence in accordance with section A-1/11 of the First Schedule.

(2) The Administration shall ensure that each master, officer or radio operator who provides on-board a ship, continuous seagoing service for which there are internationally accepted special training requirements, successfully completes the approved relevant training.

(3) The Administration shall suspend the certificate of a master, officer or radio operator who fails to undergo or fails to complete the approved training programme under sub-regulation (2) and the suspension shall remain in force until the suspended master, officer or radio operator completes the training.

(4) A master, officer or radio operator whose certificate is suspended under sub-regulation (3) shall be deemed not to possess the relevant certificate and in that regard shall not qualify to perform the functions of a master, officer or radio operator on-board a ship that flies the flag of this country.

(5) The Administration shall -

- (a) ensure that each master, officer or radio operator for continuing seagoing service on-board a tanker that flies the flag of this country satisfies the requirements of sub-regulation (1); and
- (b) require each master, officer or radio operator referred to in paragraph (a) to provide proof, at intervals not exceeding 5 years, of continued professional competence for tankers in accordance with section A-1/11 of the First Schedule.

(6) The Administration shall in consultation with the relevant stakeholders, formulate or promote the formulation of a structure of refresher and updating courses as provided in section A-1/11 of the First Schedule.

(7) The Administration shall for the purpose of updating the knowledge of master, officers and radio operators, ensure that the text of recent changes in national and international regulations concerning the safety of life at sea, security and the protection of the marine environment is made available to ships that fly the flag of this country.

(8) The Administration shall publish in the Gazette in the form of Maritime Circulars, the structure of refresher and updating courses and the text of recent changes in national and international regulations referred to in sub-regulations (6) and (7).

21. The performance standards and other provisions in section A-1/12 of the First Schedule and other requirements prescribed in these Regulations shall be complied with in respect of -

- (a) each mandatory simulator-based training;
- (b) each assessment of competency required by Part A of the First Schedule, which is carried out by means of a simulator; and
- (c) each demonstration, by means of a simulator, of continued proficiency required by Part A of the First Schedule.

22. (1) These Regulations do not prevent the Administration from authorizing a ship that flies the flag of this country to participate in trials.

(2) For the purpose of this regulation, "trial" means an experiment or series of experiments conducted over a limited period which may involve the use of automated or integrated systems for the purpose of evaluation of alternative methods of performing specific duties or satisfying particular arrangements prescribed by the Convention and which will provide the same degree of safety, security and pollution prevention as provided by these Regulations.

(3) Where the Administration permits the participation of a ship in a trial, the Administration shall ensure that -

- (a) the trial is conducted in a manner that provides at least the same degree of safety, security and pollution prevention as prescribed by these Regulations;
- (b) the trial is conducted in accordance with the guidelines adopted by the International Maritime Organisation; and
- (c) the details are reported to the International Maritime Organisation.

(4) Where the Administration determines on the basis of a trial that a particular system provided at least the same degree of safety, security and pollution prevention provided by these Regulations, the Administration may authorise a ship which flies the flag of this country to operate that system indefinitely subject to the following requirements -

- (a) the Administration shall, after the submission of the results of a trial to the International Maritime Organisation, provide details of the authorisation, including identification of the specific ship which is subject to the authorisation and the International Maritime Organisation shall circulate the details to the competent authority of each country which is a party to the convention;
- (b) an operation authorised under this sub-regulation shall be conducted in accordance with the guidelines developed by the International Maritime Organisation to the same extent as they apply during a trial;

(c) the operation shall take into account any objection received from the competent authority of a country which is a party to the Convention where the objection has not been withdrawn;

(d) an authorisation granted by the Administration under this Regulation to a ship to operate with a particular system is subject to the determination by the Maritime Safety Committee on whether-

- (i) an amendment of the Convention is required; and
- (ii) the operation should be suspended or where the Committee determines an amendment is required, permitted to continue before the amendment enters into force.

(5) At the request of the Administration, the Maritime Safety Committee shall set a date for the consideration of the trial results and for the appropriate determinations.

23. The Administration shall hold a company that owns a ship responsible for the assignment of a seafarer for service on the ship in accordance with section A-1/14 of the First Schedule and shall require the company to ensure that -

- (a) each seafarer assigned to the company's ship holds an appropriate certificate in accordance with the Convention and as prescribed in these Regulations;
- (b) the company's ship is manned in compliance with the applicable safe manning requirements of the Administration;

- (c) a seafarer assigned to the company's ship has undergone refresher and updating courses as prescribed by the Convention;
- (d) documentation and data on seafarers employed on the company's ship are readily accessible and that the documentation and data include information on the experience, medical fitness and competency in assigned duties of the seafarers;
- (e) a seafarer, on being assigned to a ship of the company is familiarized with the specified duties of that seafarer and with the ship arrangements, installations, equipment, procedures and characteristics that are relevant to the duties of that seafarer;
- (f) the ship's complement of seafarers can effectively co-ordinate their activities in an emergency situation and in performing functions that are vital to safety, security and the prevention or mitigation of pollution;

### PART III – MASTER AND DECK DEPARTMENT

24. (1) An officer in charge of navigational watch on-board a seagoing ship of five hundred gross tonnage or more shall hold a certificate of competency issued by the Administration for that purpose.

(2) An officer who requires a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An officer qualifies for the certificate of competency if the officer -

- (a) is not less than eighteen years of age;
- (b) has an approved seagoing service of not less than 12 months as part of an approved training programme which includes on-board training which satisfies the requirements of section A-II/1 of the First Schedule and is documented in an approved training record book, or otherwise has an approved seagoing service of not less than 36 months;
- (c) has performed, during the required seagoing exercise, bridge watch keeping duties under the supervision of the master or a qualified officer for a period of not less than 6 months;
- (c) satisfies the applicable requirements of Part IV of these Regulations as appropriate, for performing designated radio duties in accordance with the Radio Regulations;
- (d) has completed approved education and training and satisfies the standard of competence prescribed in section A-II/1 of the First Schedule; and
- (e) satisfies the standards of competence prescribed in paragraph 2 of section A-VI/1, paragraph 1 to 4 of section A-VI/2, paragraph 1 to 4 of section A-VI/3 and paragraph 1 to 3 of section A-VI/4 of the First Schedule.

25. (1) A master and a chief mate on a seagoing ship of 3,000 gross tonnage or more shall hold a certificate of competency issued by the Administration for that purpose.

Master and chief mate on ship of 3,000 gross tonnage or more.

(2) A master or a chief mate who requires a certificate of competency under sub-regulation (1) shall supply in writing to the Administration for that certificate.

(3) A master or chief mate qualifies to be issued the certificate of competency if the master or chief mate -

- (a) satisfies the requirements for the grant of a certificate to an officer in charge of navigational watch on-board a ship of 3, 000 gross tonnage or more and has approved seagoing service in that capacity of not less than -
  - (i) 12 months in the case of an application in respect of a chief mate;
  - (ii) 36 months in the case of an application in respect of a master, but the period may be reduced to not less than twenty-four months if the applicant has rendered at least twelve months seagoing service as a chief mate; and
- (b) has completed approved education and training and satisfies the standard of competence prescribed in section A-II/2 of the First Schedule for master and chief mates on-board a ship of 3, 000 gross tonnage or more.

Master and chief mate on-board ship of between 500 and 3, 000 gross tonnage.

26. (1) A master and chief mate on-board a seagoing ship of 500 gross tonnage and 3, 000 gross tonnage shall hold a certificate of competency issued by the Administration for that purpose.

(2) A master or a chief mate who requires a certificate of competency under sub-regulation (1) shall supply in writing to the Administration for that certificate.

(3) A master or chief mate qualifies to be issued the certificate of competency if in the case of an application for a certificate in respect of -

- (a) a chief mate, the applicant satisfies the requirements for an officer in charge of navigational watch on-board of 500 gross tonnage or more;
- (b) a master, the applicant, -
  - (i) satisfies the requirements of an officer in charge of navigational watch on-board a ship of 500 gross tonnage or more; and
  - (ii) has an approved seagoing service of not less than thirty-six months in that capacity, but this period may be reduced to not less than 24 months if the applicant has rendered at least 12 seagoing service as a chief mate; and
- (c) the applicant has completed approved education and training and satisfies the standard of competence prescribed in section A-II/2 of the First Schedule for a master or a chief mate on-board a ship of between 500 gross tonnage and 3,000 tonnage.

27. An officer in charge of navigational watch on-board a seagoing ship of less than 500 gross tonnage which is not engaged on near coastal ship voyages shall hold a certificate of competency for ships of 500 gross tonnage or more issued by the Administration for that purpose.

Requirement for officer on ship not engaged on near coastal voyages.



Requirement for master on ship not engaged on near coastal voyages.

28. A master who serves on seagoing ship less than 500 gross tonnage which is not engaged on near coastal voyages shall hold a certificate of competency for service as master on a ship of between 500 gross tonnage and 3, 000 gross tonnage issued by the Administration for that purpose.

Requirement for officer on ship engaged on near coastal voyages.

29. (1) An officer in charge of navigational watch on-board a seagoing ship of not less than five hundred gross tonnage engaged on near coastal voyages shall hold a certificate of competency issued by the Administration for that purpose.

(2) An officer who requires a certificate of competence under sub- regulation (1) shall apply in writing to the Administration for that certificate.

(3) An officer who qualifies to be issued the certificate of competency if that officer -

- (a) is not less than 18 years of age;
- (b) has completed -
  - (i) a special training including an adequate period of appropriate seagoing service as specified by the Authority;
  - (ii) an approved seagoing service of not less than 36 months in the deck department of a ship;
- (c) satisfies the applicable requirements of Part IV of these Regulations as appropriate, for performing designated radio duties in accordance with Radio Regulations;

(d) has completed approved education and training and satisfies the standard of competence prescribed in section A-II/3 of the First Schedule for an officer in charge of navigational watch on-board a ship of less than 500 gross tonnage engaged on near coastal voyages; and

(e) satisfies the standards of competence prescribed in paragraph 2 of section A-VI/1, paragraph 1 to 4 of section A-VI/2, paragraph 1 to 4 of section A-VI/3 and paragraph 1 to 3 of section A-VI/4 of the First Schedule.

30. (1) A master who serves on-board a ship of less than 500 gross tonnage engaged on near coastal voyages shall hold a certificate of competency issued by the Administration for that purpose.

(2) A master who requires a certificate of competency under sub- regulation (1) shall apply in writing to the Administration for that certificate.

(3) A master qualifies to be issued a certificate of competency if the master -

- (a) is not less than 20 years of age;
- (b) has done approved seagoing service of not less than 12 months as officer in charge of navigational watch;
- (c) has completed approved education and training and satisfies the standard of competence prescribed in section A-II/3 of the First Schedule for a master on-board a ship of less than 500 gross tonnage engaged on near coastal voyages; and

- (d) satisfies the standards of competence prescribed in paragraph 2 of section A-VI/1, paragraph 1 to 4 of section A-VI/2, paragraph 1 to 4 of section A-VI/3 and paragraph 1 to 3 of section A-VI/4 of the First Schedule.

Exemption from certificate requirements.

31. The Administration may, taking into consideration the safety of other ships operating in the same waters and where it considers that the size of a ship and the conditions of the voyage of that ship are of a nature that renders the application of the full requirements of this part and section A-II/3 of the First Schedule unreasonable or impracticable, exempt the master and the officer in charge of navigational watch on that ship or class of ships from some of the requirements.

Ratings forming part of navigational watch.

32. (1) A rating who forms part of a navigational watch on-board a seagoing ship of five hundred gross tonnage or more, but who is a rating under training or rating whose duties while on watch are of unskilled nature shall hold a certificate issued by the Administration for the purpose of discharging those duties.

(2) A rating who requires a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) A rating qualifies to be issued the certificate of competency if the rating -

- (a) is not less than 16 years of age;
- (b) has completed -
  - (i) an approved seagoing service including not less than 6 months of training experience; or

- (ii) special training either pre-sea or on-board a ship including an approved period of seagoing service of not less than 2 months; and

(c) satisfies the standard of competence prescribed in section A-II/4 of the First Schedule.

(4) The seagoing service training and experience shall involve navigational watch keeping functions and the discharge of duties under the direct supervision of the master, the officer in charge of the navigational watch or a qualified rating.

33. (1) An able seafarer deck who serves on a seagoing ship of 500 gross tonnage or more shall hold a certificate of competency issued by the Administration for that purpose. Certification of rating as able seafarer deck.

(2) An able seafarer deck who qualifies for a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An able seafarer deck qualifies for the issue of the certificate of competency, if the able seafarer deck -

- (a) is not less than eighteen years of age;
- (b) satisfies the requirements for the issue of the certificate to a rating who forms part of a navigational watch;
- (c) while qualified to serve as a rating who forms part of a navigational watch has done approved seagoing service of not less than -

- (i) 18 months, or
- (ii) 12 months and completed approved training in the deck department of a ship; and
- (d) satisfies the standard of competence prescribed by in section A-II/5 of the First Schedule.

(4) The Administration may consider a seafarer to have satisfied the requirement of this regulation if the seafarer has served in a relevant capacity in the deck department of a ship for a period of not less than 12 months within the last 60 months before the entry into force of these Regulations.

PART IV—ENGINE DEPARTMENT

Certificate of competency for officer on engineering watch.

34. (1) An officer in charge of an engineering watch in a manned engine room or a designated duty engineer officer in a periodically unmanned engine room on-board a seagoing ship powered by main propulsion machinery of seven hundred and fifty kilowatts or more propulsion power shall hold a certificate of competency issued by the Administration for that purpose.

(2) An officer who requires a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An officer qualifies to be issued the certificate of competency if the officer -

- (a) is not less than 18 years of age;
- (b) has completed -

- (i) combined workshop training skills;
- (iii) an approved seagoing service of not less than 12 months as part of an approved training programme which includes on-board training that satisfies the requirements of section A-III/1 of the First Schedule and which is documented in an approved training record book; or
- (iv) workshop skills training and an approved seagoing service of not less than thirty-six months of which not less than thirty months was seagoing service in the engine department;
- (c) has performed, during the required seagoing service, engine room watch keeping duties under the supervision of the chief engineer officer or a qualified engineer officer for a period of not less than 6 months;
- (d) has completed approved education and training and satisfies the standard of competence prescribed in section A-III/I of the First Schedule; and
- (e) satisfies the standard of competence prescribed in paragraph 2 of section A-VI/1, paragraph 1 to 4 of section A-VI/2, paragraph 1 to 4 of section A-VI/3 and paragraph 1 to 3 of section A-VI/4 of the First Schedule.

35 .(1) A chief engineer officer or second engineer officer on-board a seagoing ship powered by main propulsion machinery of three thousand kilowatt or more propulsion power shall hold a certificate of competency of chief engineer issued by the Administration for that purpose.

Minimum requirements for certification and second engineer officers.

(2) A chief engineer officer or second engineer officer who requires a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) A chief engineer officer or second engineer officer qualifies to be issued the certificate of competency if the chief engineer officer or second engineer officer -

- (a) satisfies the requirements for certification of an officer in charge of an engineering watch on-board a seagoing ship powered by main propulsion power and has approved seagoing service in that capacity; and has -
  - (i) in the case of a second engineer officer, done not less than 12 months seagoing service as a qualified engineer officer; and
  - (ii) in the case of a chief engineer officer, done not less than 36 months seagoing service, but this period may be reduced to not less than 24 months, if not less than 12 months of that seagoing service has been served as second engineer officer; and
- (b) has completed approved education and training and satisfies the standard of competence prescribed in section A-III/2 of the First Schedule.

Chief engineer officer and second engineer officer on-board a seagoing ship powered by main propulsion machinery of between 750 kilowatts and 3,000 kilowatts propulsion power.

36. (1) A chief engineer officer and second engineer officer on-board a seagoing ship powered by main propulsion machinery of between 750 kilowatts propulsion power shall hold a certificate of competency issued by the Administration for that purpose.

(2) A chief engineer officer or second engineer officer who requires a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An applicant qualifies to be issued the certificate of competency if the applicant -

- (a) satisfies the requirements for certification of an officer in charge of an engineering watch and has, in the case of -
  - (i) a second engineer officer, done not less than 12 months approved seagoing service as an assistant engineer officer, and
  - (ii) a chief engineer officer, done not less than 24 months of approved seagoing service, of which not less than twelve months has served as second engineer officer; and
- (b) has completed approved education and training and satisfies the standard of competence prescribed in section A-III/3 of the First Schedule.

(4) An engineering officer who qualifies to serve as second engineering officer on-board a ship powered by main propulsion machinery of kilowatts or more propulsion power may serve as chief engineer officer on-board a ship powered by main propulsion machinery of less than 3,000 kilowatts propulsion power, if the certificate of that engineer is endorsed by the Administration for that purpose.

Certification of ratings on watch in engine room.

37. (1) A rating who -
- (a) forms part of an engine room watch or has been designated to discharge duties in an engine room which is periodically unmanned on-board a ship powered by main propulsion machinery of 750 kilowatts or more propulsion power; and
  - (b) is not a rating under training or a rating whose duties are of an unskilled nature, shall hold a certificate of competency issued by the Administration of that purpose.

(2) A rating who requires a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) A rating qualifies to be issued the certificate of competency if the rating -

- (a) is not less than 16 years of age;
- (b) has completed -
  - (i) an approved seagoing service that requires not less than 6 months of training and experience; or
  - (ii) special training either pre-sea or on-board a ship which includes an approved period of seagoing service of not less than 2 months; and
- (b) satisfies the standard of competence prescribed in section A-III/4 of the First Schedule.

(4) The seagoing service training shall involve -

- (a) engine room watch keeping functions; and
- (b) discharge of duties carried out under the direct supervision of a qualified engineer officer or a qualified rating.

38. (1) An able seafarer engine who serves on-board a seagoing ship powered by main propulsion machinery of between 750 kilowatts or more propulsion power shall hold a certificate of competency issued by the Administration for that purpose.

Certification of rating as able seafarer engine.

(2) An able seafarer engine who required a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An applicant qualifies to be issued the certificate of competency if the applicant -

- (a) is not less than 18 years of age;
- (b) satisfies the requirements for certification as a rating who forms part of an engine room watch or has been designated to discharge duties in an engine room which is periodically unmanned;
- (c) while qualified to serve as a rating who forms part of an engineering watch has had an approved seagoing service of not less than -
  - (i) 12 months, or
  - (ii) 6 months and completed approved training; and

- (d) satisfies the standard of competence prescribed in section A-III/5 of the First Schedule.

(4) The Administration may consider a seafarer to have satisfied the requirement of this regulation if that seafarer has served in a relevant capacity in the engine department for a period of not less than 12 months within the 60 months that precede the entry into force of these Regulations.

Requirements for certification of electro-technical officer.

39. (1) An electro-technical officer who serves on-board a seagoing ship which is powered by main propulsion machinery of 750 kilowatts or more propulsion power shall hold a certificate issued by the Administration for that purpose.

(2) An electro-technical officer who requires a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An applicant qualifies to be issued the certificate of competency if the applicant -

- (a) is not less than eighteen years of age;
- (b) has completed not less than -
  - (i) 12 months of combined workshop skills training and an approved seagoing service of which not less than 6 months is seagoing service which is part of an approved training programme which satisfies the requirements of section A-III/6 of the First Schedule and is documented in an approved training record book; or

- (ii) 36 months of combined workshop skills training and approved seagoing service of which not less than 30 months is seagoing service in the engine department.

(c) has completed approved education and training and satisfies the standard of competence prescribed in section A-III/6 of the First Schedule; and

(d) satisfies the standard of competence prescribed in paragraph 2 of section A-VI/1, paragraph 1 to 4 of section A-VI/2, paragraph 1 to 4 of section A-VI/3 and paragraph 1 to 3 of section A-VI/4 of the First Schedule.

(4) The Administration may consider a seafarer to have satisfied the requirement of this regulation if that seafarer -

(a) has served in relevant capacity on-board a seagoing ship for a period of not less than 12 months within the 60 months preceding the entry into force of these regulations; and

(b) satisfies the standard of competence prescribed in section A-III/6 of the First Schedule.

(5) Despite the requirement of sub-regulation (1) to (4), the Administration may consider a suitably qualified person as capable of performing certain functions under section A-III/6 of the First Schedule.

40. (1) An electro-technical rating who serves on-board a seagoing ship which is powered by main propulsion machinery of seven hundred and fifty kilowatts or more propulsion power shall hold a certificate of competency issued by the Administration for that purpose.

Requirements for certification of electro-technical

(2) An electro-technical rating who requires a certificate of competency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An applicant qualifies to be issued the certificate of competency if the applicant -

- (a) is not less than 18 years of age;
- (b) has completed -
  - (i) approved seagoing service which includes not less than 12 months training and experience; or
  - (ii) approved seagoing service which includes an approved period of seagoing service of not less than 6 months;
- (c) has qualifications that satisfy the required technical competencies prescribed in section A- III/7 of the First Schedule and an approved period of seagoing service of not less than 3 months; and
- (d) satisfies the standard of competence prescribed in section A-III/7 of the First Schedule.

(4) The Administration may consider a seafarer to have satisfied the requirement of this regulation if that seafarer -

- (a) has served in a relevant capacity on-board a seagoing ship for a period of not less than 12 months within the 60 months preceding the entry into force of these Regulations; and

- (b) satisfies the standard of competence prescribed in section A-III/7 of the First Schedule.

(5) Despite the requirement of sub-regulation (1) to (4), the Administration may consider a suitably qualified person as capable of performing certain functions prescribed in section A-III/7 of the First Schedule.

#### PART V– RADIO COMMUNICATION AND RADIO OPERATORS

41. (1) This part shall apply to a radio operator on-board a ship operating in the Global Maritime Distress and Safety System as prescribed by the International Convention for the Safety of Life at Sea (SOLAS), 1974. Application of this part.

(2) Notwithstanding subsection (1), this part shall not apply to a radio operator on-board a ship which is not required to comply with the Global Maritime Distress and Safety System in Chapter IV of the SOLAS Convention but shall comply with the Radio Regulations.

(3) The Authority shall ensure that appropriate certificates that are prescribed by the Radio Regulations are issued to or recognised in respect of a radio operator referred to in sub-regulation (2).

42. (1) A person who is in charge of or discharges radio duties on-board a seagoing ship which is required to participate in the Global Maritime Distress and Safety System, shall hold an appropriate certificate related to the Global Maritime Distress and Safety System, issued by the Administration for that purpose under the Radio Regulations. Requirement for certification of Global Maritime Distress and Safety System Radio Operator.

(2) A person who requires a certificate under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An applicant for the certificate for service on-board a ship which is required by SOLAS, 1974, to have a radio installation, qualifies for the certificate if that person -

- (a) is not less than eighteen years of age; and
- (b) has completed approved education and training and satisfies the standard of competence prescribed in section A-IV/2 of the First Schedule.

#### PART VI - SPECIAL TRAINING REQUIREMENT FOR PERSONNEL ON CERTAIN TYPES OF SHIPS

Requirements for training of master, officers and ratings on oil and chemical tankers.

43. (1) An officer or a rating who is assigned a specific duty or responsibility related to cargo or cargo equipment on an oil or chemical tanker shall hold a Certificate in Basic Training for Oil or Chemical Tanker Cargo Operations issued by the Administration for that purpose.

(2) An officer or a rating who requires a Certificate under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An applicant qualifies to be issued the Certificate if the applicant has completed -

- (a) basic training in accordance with section A-VI/1 of the First Schedule;
- (b) at least 3 months of approved seagoing service on-board an oil or chemical tanker and satisfies the standard of competence prescribed in paragraph 1 of section A-V/I-I of the First Schedule;

(c) an approved basic training for oil and chemical tanker cargo operations and satisfies the standard of competence prescribed in paragraph 1 of section A-VI/I of the First Schedule.

(4) A master, chief engineer officer, chief mate, second engineer officer and any other person who has immediate responsibility for loading, discharging, care in transit, handling of cargo, tank clearing or other cargo related operation on-board an oil tanker shall hold a Certificate in Advanced Training for Oil Tanker Cargo Operations issued by the Administration for that purpose.

(5) A master, chief engineer officer, chief mate, second engineer officer or any other person who requires a Certificate under sub-regulation (4) shall apply in writing to the Administration for that certificate.

(6) An applicant qualifies for the issue of the Certificate if the applicant -

(a) satisfies the requirements for the Certificate in Basic Training for Oil and Chemical Tanker Cargo Operations; and

(b) while qualified for the Certificate in Basic Training for Oil and Chemical Tanker Cargo Operations, has completed not less than -

(i) 3 months of approved seagoing service on-board an oil tanker; or

(ii) one month of approved on-board training on an oil tanker, in a supernumerary capacity which training includes at least 3 loading and 3 unloading operations and is documented in approved training record book taking into account the guidance provided in section B-V/1 of the First Schedule; and



- (c) has completed approved advanced training for oil tanker cargo operations and satisfies the standard of competence prescribed in paragraph 2 of section A-V/1-1 of the First Schedule.

(7) A master, chief engineer officer, chief mate, second engineer officer or any other person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank clearing or other cargo related operation on-board a chemical tanker shall hold a Certificate in Advanced Training for Chemical Tanker Cargo Operations issued by the Administration for that purpose.

(8) A master, chief engineer officer, chief mate, second engineer officer or any other person who requires a Certificate under sub-regulation (7) shall apply in writing to the Administration for that Certificate.

(9) An applicant qualifies for the issue of the Certificate if the applicant -

- (a) satisfies the requirements for the Certificate in Basic Training for Oil and Chemical Tanker Operations;
- (b) while qualified for the Certificate in Basic Training for Oil and Chemical Tanker Cargo Operations, has completed not less than -
  - (i) 3 months of approved seagoing service on-board a chemical tanker; or
  - (ii) one month of approved on-board training on a chemical tanker in a supernumerary capacity which training includes at least 3 loading and three unloading operations and is documented in an approved training record book taking into account the guidance provided in section B-V/I of the First Schedule.

- (c) has completed approved advance training for chemical tanker cargo operations and satisfies the standard of competence prescribed by paragraph 3 of section A-V/1-1 of the First Schedule.

(10) The Administration shall ensure that a certificate of proficiency is issued to an applicant who is qualified in accordance with sub-regulation (2), (4) and (6) or where the applicant already has an existing certificate of competency or certificate of proficiency, that existing certificate of competency or certificate of proficiency is duly endorsed.

44. (1) An officer or a rating who is assigned a specific duty or responsibility related to cargo or cargo equipment on-board a liquefied gas tanker shall hold a Certificate in Basic Training for Liquefied Gas Tanker Cargo Operations issued by the Administration for that purpose. Requirements for training of Masters, Officers and Ratings on-board liquefied gas tankers.

(2) An officer or a rating who required a Certificate under sub-regulation (1) shall apply in writing to the Administration for that Certificate.

(3) An applicant qualifies to be issued the Certificate if the applicant -

- (a) has completed basic training in accordance with section A-VI/I of the First Schedule; and
- (b) has completed -
  - (i) not less than 3 months approved seagoing service on-board a liquefied gas tanker and satisfies the standard of competence specified in paragraph 1 of section A-V/1-2 of the First Schedule; and

- (ii) an approved basic training for liquefied gas tanker, cargo operations and satisfies the standard of competence prescribed in paragraph 1 of section A-V/1-2 of the First Schedule.

(4) A master, chief engineer officer, chief mate, second engineer officer or any other person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank clearing or other cargo related operation on-board a liquefied gas tanker shall hold a Certificate in Advanced Training for Liquefied Gas Tanker Cargo Operations issued by the Administration for that purpose.

(5) A master, chief engineer officer, chief mate, second engineer officer of any other person who requires a Certificate under sub-regulation (4) shall apply in writing to the Administration for that Certificate.

(6) An applicant qualifies for the issue of the Certificate if the applicant -

- (a) satisfies the requirements for a Certificate in Basic Training for Liquefied Gas Tanker Cargo Operations; and
- (b) while qualified for a Certificate in Basic Training for Liquefied Gas Tanker Operations, has completed not less than -
  - (i) 3 months of approved seagoing service on-board a liquefied gas tanker; or
  - (ii) one month of approved on-board training on a liquefied gas tanker, in a supernumerary capacity which training includes at least 3 loading and three unloading operations and is documented in an approved training record book taking into account the guidance provided in section B-V/1 of the First Schedule.

- (c) has completed approved advanced training for liquefied gas tanker cargo operations and satisfies the standard of competence prescribed in paragraph 2 of section A-V/1-2 of the First Schedule.

(7) The Administration shall ensure that a certificate of proficiency is issued to an applicant who is qualified in accordance with sub-regulations (2) or (4), or where the applicant has an existing certificate of competency or proficiency, that existing certificate of competency or certificate of proficiency is duly endorsed.

45. (1) This Regulation applies to a master, officer, rating and other personnel serving on-board a passenger ship which is engaged on an international voyage.

Requirements for training and qualification of seafarers on passenger ships.

(2) The Administration shall determine the extent to which this Regulation shall apply to seafarers on-board a passenger ship engaged on a domestic voyage.

(3) The Administration shall ensure that before a seafarer is assigned a ship board duty on-board a passenger ship, that seafarer has completed the training required by sub-regulation (4) to (7) in accordance with the capacity, duty and responsibility of that seafarer.

(4) A seafarer who is required to be trained in accordance with sub-regulation (4),(6),(7), shall at intervals of not more than 5 years undertake appropriate refresher training or shall provide evidence to the Administration of having achieved the required standard of competence within the previous 5 years.

(5) The Administration shall ensure that -

- (a) a master, officer or any other personnel designated on a muster list to assist passengers in emergency situations has completed training in crowd management as prescribed in paragraph 1 of section A-V/2 of the First Schedule;

- (b) personnel who provide direct service to passengers in passenger spaces on-board a passenger ship has completed the safety training prescribed in paragraph 2 of section A-V/2 of the First Schedule;
- (c) a master, chief engineer officer, chief mate, second engineer officer or any other person designated on a muster list as having responsibility for the safety of passengers in emergency situations on-board a passenger ship has completed the approved training in crises management and human behavior as prescribed in paragraph 3 of section A-V/2 of the First Schedule;
- (d) a master, chief engineer officer, chief mate, second engineer officer or any other person assigned immediate responsibility for embarking and disembarking passengers loading, discharging and securing cargo, or closing hull openings on-board a ro-ro passenger ship has completed the approved training in passenger safety, cargo safety and hull integrity as prescribed in paragraph 4 of section A-V/2 of the First Schedule; and
- (e) documentary evidence of the training which has been completed is issued to each person found to be qualified under this regulation.

PART VII-EMERGENCY, OCCUPATIONAL SAFETY, SECURITY,  
MEDICAL CARE AND SURVIVAL FUNCTIONS

Requirements for safety familiarization and basic training for seafarers.

46. (1) A seafarer shall undergo safety familiarization and basic training or instruction in accordance with section A-VI/1 of the First Schedule and satisfy the appropriate standard of competence prescribed in that section.

(2) Where basic training is not included in the qualification for the certificate to be issued to the seafarer, the Administration shall on application by the seafarer issue a certificate of proficiency, indicating that the holder of the certificate has attended the course in basic training.

47. (1) An applicant qualifies to be issued a certificate of proficiency in survival craft and rescue boats, other than fast rescue boats, on application to the Administration, if the applicant.

Requirements for certificate of proficiency in survival craft and others.

- (a) is not less than 18 years of age;
- (b) has completed approved seagoing service of not less than 12 months or has attended an approved training course and has completed approved seagoing service of not less than 6 months; and
- (c) satisfies the standard of competence for a rescue boats as prescribed in paragraph 1 to 4 of section A-VI/2 of the First Schedule.

(2) An applicant qualifies to be issued a certificate of proficiency in fast rescue boats on application to the Administration, if the applicant -

- (a) is a holder of a certificate of proficiency in survival craft and rescue boats other than fast rescue boats;
- (b) has attended an approved training course; and
- (c) satisfies the standard of competence for a certificate of proficiency in fast rescue boats as prescribed in paragraph 7 to 10 of section A-VI/2 of the First Schedule.

Requirements for training in advanced firefighting.

48. (1) A seafarer who is designated to control firefighting operation training in on-board a seagoing ship shall be a person who has successfully completed advanced techniques for fighting fire, with particular emphasis on organisation tactics and command in accordance with paragraph 1 to 4 of section VI/3 of the First Schedule and satisfies the standard of competence prescribed in that paragraph.

(2) Where training in advanced firefighting is not included in the qualification for the certificate to be issued to the seafarer, the Administration shall on application by the seafarer, issue to the seafarer a certificate of proficiency indicating that the holder of that certificate has attended a course of training in advance firefighting.

Requirements relating to medical first aid and medical care.

49. (1) A seafarer who is designated to provide medical first aid on-board a seagoing ship shall satisfy the standard of competence in medical aid as prescribed in paragraph 1 to 3 of section A-VI/4 of the First Schedule.

(2) A seafarer who is designated to take charge of medical care on-board a seagoing ship shall satisfy the standard of competence in medical care on-board ships as prescribed in paragraph 4 to 6 of section A-VI/4 of the First Schedule.

(3) Where training in medical first aid is not included in the qualification for the certificate to be issued to the seafarer, the Administration shall on application by the seafarer, issue to the seafarer a certificate of proficiency indicating that the holder of that certificate has attended a course of training in medical first aid or medical care.

Requirement for certificate of proficiency for ship security officer.

50. (1) A seafarer who serves on-board a seagoing ship as a ship security officer shall hold a certificate of proficiency issued by the Administration for that purpose.

(2) A seafarer who requires a certificate of proficiency under sub-regulation (1) shall apply in writing to the Administration for that certificate.

(3) An applicant qualifies to be issued the certificate if the applicant -

(a) has approved seagoing service of not less than 12 months or appropriate seagoing service and knowledge of ship operations; and

(b) satisfies the standard of competence for a certificate of proficiency as ship security officer as prescribed in paragraph 1 to 4 of section A-VI/5 of the First Schedule.

(4) The Administration shall ensure that each person found qualified under this regulation is issued with a certificate of proficiency.

51. (1) A seafarer shall undergo security-related familiarization and security awareness training or instruction in accordance with paragraph 1 to 4 of section A-VI/6 of the First Schedule.

Requirements for security-related training and instruction for seafarers.

(2) Where security awareness is not included in the qualification for the certificate to be issued to the seafarer, the Administration shall on application by the seafarer, issue to the seafarer a certificate of proficiency indicating that the holder of that certificate has attended a course of training in security awareness training.

52. (1) A seafarer who is assigned designated security duties shall satisfy the standard of competence prescribed in paragraph 6 to 8 of section A-VI/6 of the First Schedule.

Seafarer with designated security duties.

(2) Where training in designated security duties is not included in the qualification for the certificate to be issued to the seafarer, the Administration shall on application by the seafarer, issue to the seafarer a certificate of proficiency indicating that the holder of that certificate has attended a course of training for designated security duties.

## PART VIII - ALTERNATIVE CERTIFICATION

53. Notwithstanding the requirements for the issue of certificates prescribed in Part II and Part III, the Administration may issue or authorize the issue of certificates other than the certificates provided for in Part II and Part III if -

- (a) the associated functions and levels of responsibility to be stated in the certificate and in the endorsements are selected from or are identical to the functions and levels of responsibility prescribed in sections -
  - (i) A-II/1, A-II/2, A-II/3, A-II/4, A-II/5 of the First Schedule;
  - (ii) A-III/1, A-III/2, A-III/3, A-III/4, A-III/5 of the First Schedule; and
  - (iii) A-IV/2 of the First Schedule;
- (b) the applicant for the certificate has completed approved education and training and satisfies the standard of competence prescribed in the relevant sections of the First Schedule and as prescribed in section A-VII/1 of the code for the functions and levels that are to be stated in the certificate and endorsement;
- (c) the applicant for the certificate has completed approved seagoing service appropriate to the performance of the functions and levels of responsibility that are to be stated on the certificate and the minimum duration of seagoing service is equivalent to the duration of seagoing service prescribed in Chapter II and Chapter III and not less than the duration prescribed in section A-VII/2 of the First Schedule;

- (d) the applicant for the certificate who is to perform the function of navigation at the operational level has satisfied the applicable requirements of Chapter IV, as appropriate, for performing designated radio duties in accordance with the Radio Regulations; and
- (e) the certificates are issued in accordance with the requirements of Regulation I/2 and the provisions set forth in Chapter VII of the STCW Code.

54. A seafarer who performs a function specified in sections A-II.1, A-II/2, A-II/3, A-II/4 or A-II/5 of Chapter II or A-III/1, A-III/2, A-III/3, A-III/4, A-III/5 of Chapter III or A-IV/2 of Chapter IV of the STCW Code shall hold a certificate of competency or a certificate of proficiency as applicable.

Certification  
of seafarers.

55. (1) Where the Administration elects to issue or authorise alternative certificates, the Administration shall observe the following - the issue of

Principles  
governing  
the issue of  
alternative  
certificates.

- (a) the alternative certification system shall be implemented unless that system ensures a degree of safety at sea and has a preventive effect as regards pollution at least equivalent to that provided by the other chapters; and
  - (b) an arrangement for alternative certification established in this chapter shall provide for the inter-changeability of certificates with certificates issued under other chapters.
- (2) The principle of inter-changeability in sub-regulation (1) shall ensure that a seafarer -
- (a) who is issued a certificate under Chapter II or Chapter III and those certificated under Chapter VII are able to serve on-board a ship which has either traditional or other forms of shipboard organisation; and

- (b) is not trained for specific shipboard arrangements in a manner that would impair the ability of the seafarer to make use of the skills of the seafarer elsewhere.

(3) The Administration shall, in issuing a certificate under this Part, ensure that -

- (a) the issue of alternative certificates shall not be used in itself -
  - (i) to reduce the number of crew on-board;
  - (ii) to lower the integrity of the profession or 'de-skill' seafarers;
  - (iii) to justify the assignment of the combined duties of the engine and deck watch keeping officers to a single certificate holder during a particular watch; and
- (b) the person in command of the ship is designated as the master, and the legal position and authority of the master and others are not adversely affected by the implementation of an arrangement for the alternative certification.

(4) The principles contained in paragraphs (1) and (2) shall ensure that the competence of both deck and engine officers is maintained.

#### PART IX-WATCH KEEPING

56. (1) The Administration shall, for the purpose of preventing watch keeping personnel from suffering from fatigue -

Fitness  
for duty.

- (a) establish and enforce rest periods for watch keeping personnel and those whose duties involve designated safety, security and prevention of pollution duties in accordance with section A-VIII/I of the STCW Code; and

- (b) require that watch systems are so arranged that the efficiency of all watch keeping personnel is not impaired by fatigue and that duties are so organized that the personnel who undertake the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and otherwise fit for duty.

(2) The Administration shall, for the purpose of preventing drug and alcohol abuse, ensure that adequate measures are established in accordance with section A-VIII/I while taking into account the guidance given in section B-VIII/I of the STCW Code.

57. (1) The Administration shall direct the attention of companies, masters, chief engineer officers and all watch keeping personnel to the requirements, principles and guidance set out in the STCW Code which have to be observed to ensure that a safe continuous watch appropriate to the prevailing circumstances and conditions are maintained on all seagoing ships at all times.

Watch keeping  
arrangements  
and principles.

(2) The Administration shall require the master of each ship to ensure that watch keeping arrangements are adequate for maintaining a safe watch taking into account the prevailing circumstances and condition.

(3) The Administration shall ensure that, under the master's general direction, -

- (a) officers in charge of navigational watch are responsible for navigating the ship safely during their periods of duty, and that they are at all time physically present on the navigating bridge or in a directly associated location including the chartroom and bridge control room;
- (b) radio operators are responsible for maintaining a continuous radio watch on appropriate frequencies during their periods of duty;
- (c) officers in charge of engineering watch under the direction of the chief engineer officer are immediately available and on call to attend the machinery spaces and, when required, are physically present in the machinery space during their periods of responsibility;
- (d) an appropriate and effective watch is maintained for the purpose of safety at all time, while the ship is at anchor or moored and, if the ship is carrying hazardous cargo the organisation of the watch takes full account of the nature, quantity, packing stowage of the hazardous cargo and of any special conditions prevailing on-board the ship, afloat or ashore; and
- (e) an appropriate and effective watch is maintained for the purposes of security.

#### PART X - OFFENCES AND INTERPRETATION

Offences.

58. (1) A person who -
- (a) serves as a seafarer on board a Sierra Leonean ship without being the holder of a valid certificate appropriate to the category in which the seafarer is engaged to serve;

- (b) in the capacity of an agent, engages a person as a seafarer without taking all necessary steps to ascertain whether that person is the holder of an appropriate valid certificate; or
- (c) allows a function or service in capacity required by these Regulations to be performed by a person holding an appropriate certificate to be performed by a person not holding the required certificate, a valid dispensation on having documentary proof required by the First Schedule commits an offence and is liable on conviction to a fine not exceeding 5,000,000 million Leones or to imprisonment for a term not exceeding 2 years or to both.

(2) For the purposes of sub-paragraph (b) of sub-regulation (1), where it is established that a seafarer is engaged to serve in a category without being the holder of a valid certificate appropriate to the category, the onus is on the person who engaged the seafarer to serve in that capacity.

(3) A person who -

- (a) makes or procures or assists in making a false representation for the purpose of obtaining, or obtaining for any other person a certificate or certified copy of the certificate,
- (b) forges, assists in forging or procures the forging of a certificate or copy of the certificate,
- (d) fraudulently alters or assists in the fraudulent alteration of a certificate or copy of the certificate, or procures it to be fraudulently altered;

- (e) fraudulently makes use of a certificate or copy of the certificate that is forged, altered, cancelled, or suspended or which that person is not entitled to;
  - (f) fraudulently lends that person's certificate to, or allows it to be used by, any other person; or
  - (g) makes or has in possession a document resembling a certificate the purpose of which is to deceive, commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or imprisonment for a term not exceeding 2 years, or to both.
- (4) A person who -
- (a) is not the holder of a valid certificate; or
  - (b) during a period when that person's certificate is suspended or approval is withdrawn, takes or uses a title, or description implying or calculated to lead persons to believe that the person is entitled to serve as a seafarer on a Sierra Leonean ship,

commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to a term of imprisonment not exceeding 2 years or to both.

(5) A seafarer who, fails to comply with a directive of the Administration to surrender the seafarer's certificate commits an offence and is liable on conviction to a fine not exceeding 5,000,000 Leones or to a term of imprisonment not exceeding 2 years or to both.

**FIRST SCHEDULE**  
**INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,**  
**CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978**

THE PARTIES TO THIS CONVENTION,

DESIRING to promote safety of life and property at sea and the protection of the marine environment by establishing in common agreement international standards of training, certification and watch keeping for seafarers,

CONSIDERING that this end may best be achieved by the conclusion of an International Convention on Standards of Training, Certification and Watch keeping for Seafarers,

HAVE AGREED as follows:

**Article 1**

General obligations under the convention

- (1) The Parties undertake to give effect to provisions of the Convention and the Annex thereto, which shall constitute an integral part of the Convention every reference to the Convention constitutes at the same time a reference to the Annex.
- (2) The Parties undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the Convention full and complete effect, so as to ensure that, from the point of view of safety of life and property at sea and the protection of the marine environment, seafarers on board ships and qualified and fit for their duties.

**Article II**

**Definitions**

For the purpose of the Convention, unless expressly provided otherwise:



- (a) "Party" means a State for which the Government of the Party whose flag the ship the ship is entitled to fly;
- (b) "Administration" means the Government of the Party whose flag the ship is entitled to fly;
- (c) "Certificate" means a valid document, by whatever name it may be known, issued by or under the authority of the Administration or recognized by the Administration authorizing the holder to serve as stated in this document or as authorised by national regulations;
- (d) "certificated" means properly holding a certificate;
- (e) "Organisation" means the Inter-Governmental Maritime Consultative Organisation (IMCO);
- (f) "Secretary-General" means the Secretary-General of the International Maritime Organisation;
- (g) "Sea-going ship" means a ship other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply;
- (h) "Fishing vessel" means a vessel used for catching fish, whales, seals, walrus or other living resources of the sea;
- (i) "Radio Regulations" means the Radio Regulations annexed to, or regarded as being annexed to, the most recent International Telecommunication Convention which may be in force at any time.

### **Article III**

#### **Application**

The Convention shall apply to seafarers serving on board sea-going ships entitled to fly the flag of a Party except to those serving on board;

- (a) warships, naval auxiliaries or other ships owned or operated by a State and engaged only on governmental non-commercial service; however, each Party shall ensure by the adoption of appropriate measures not impairing the operations or operational capabilities of such ships owned or operated by it, that the persons serving on board such ships meet the requirements of the Convention so far as is reasonable and practicable;
- (b) fishing vessels;
- (c) pleasure yachts not engaged in trade; or
- (d) wooden ships of primitive build.

### **Article IV**

#### **Communication of information**

(1) The Parties shall communicate as soon as practicable to the Secretary-General:

- (a) the text of laws, decrees, orders, regulations and instruments promulgated on the various matters within the scope of the Convention;
- (b) full details, where appropriate, of contents and duration of study courses, together with their national examination and other requirements for each certificate issued in compliance with the Convention:

(c) a sufficient number of specimen certificates issued in compliance with the Convention.

- (2) The Secretary-General shall notify all Parties of the receipt of any communication under paragraph (1) (a) and, inter alia, for the purposes of Articles IX and X, shall, on request, provide them with any information communicated to him under paragraphs (1) (b) and (c).

## Article V

### Other treaties and interpretation

- (1) All prior treaties, conventions and arrangements relating to standards of training, certification and watch keeping for seafarers in force between the Parties, shall continue to have full and complete effect during the terms thereof as regards:
- (a) seafarers to whom this Convention does not apply;
  - (b) seafarers to whom this Convention applies, in respect of matters for which it has not expressly provided.
- (2) To extent, however, that such treaties, conventions or arrangements conflict with the provisions of the Convention, the Parties shall review their commitments under such treaties, conventions and arrangements with a view to ensuring that there is no conflict between these commitments and their obligations under the Convention.
- (3) All matters which are not expressly provided for in the Convention remain subject to the legislation of Parties.
- (4) Nothing in the Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to resolution 2750C (XXV) of the General Assembly of the United Nations, nor the present or future claims and legal views of the State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

## Article VI

### Certificates

- (1) Certificates for masters, officers or ratings shall be issued to those candidates who, to the satisfaction of the Administration, meet the requirements for service, age, medical fitness, training, qualification and examinations in accordance with the appropriate provisions of the Annex to the Convention.
- (2) Certificates for master and officers, issued in compliance with this Article, shall be endorsed by the issuing Administration in the form as prescribed in Regulation 1/2 of the Annex. If the language used is not English, the endorsement shall include a translation into that language.

## Article VII

### Transitional provisions

- (1) A certificate of competency or of service in a capacity for which the Convention requires a certificate and which before entry into force of the Convention for a Party is issued in accordance with the laws of that Party or the Radio Regulations, shall be recognized as valid for service after entry into force of the Convention for that Party.
- (2) After the entry into force of the Convention for a Party, its Administration may continue to issue certificates of competency in accordance with its previous practices for a period not exceeding five years. Such certificates shall be recognized as valid for the purpose of the Convention. During the transitional period such certificates shall be issued only to seafarers who had commenced their sea service before entry into force of the Convention for that Party within the specific ship department to which those certificates relate. The Administration shall ensure that all other candidates for certification shall be examined and certificated in accordance with the Convention.
- (3) A Party may, within two years after entry into force of the Convention for that Party, issue a certificate of service to seafarers who hold neither an appropriate certificate under the Convention nor a certificate of competency issued under its laws before entry into force of the Convention for that Party but who have:

- (a) served in the capacity for which they seek a certificate of service for not less than three years at sea within the last seven years preceding entry into force of the Convention for that Party;
- (b) produced evidence that they have performed that service satisfactorily;
- (c) satisfied the Administration as to medical fitness, including eyesight and hearing, taking into account their age at the time of application.

For the purpose of the Convention, a certificate of service issued under this paragraph shall be regarded as the equivalent of a certificate issued under the Convention.

### **Article VIII**

#### **Dispensation**

- (1) In circumstances of exceptional necessity, Administrations, if in their opinion this does not cause danger to persons, property or the environment, may issue a dispensation permitting a specified seafarer to serve in a specified ship for a specified period not exceeding six months in a capacity, other than that of the radio officer or radiotelephone operator, except as provided by the relevant Radio Regulations, for which he does not hold the appropriate certificate, provided that the person to whom the dispensation is issued shall be adequately qualified to fill the vacant post in a safe manner, to the satisfaction of the Administration. However, dispensations shall not be granted to a master or chief engineer officer, except in circumstances of force majeure and then only for the shortest possible period.
- (2) Any dispensation granted for a post shall be granted to a person properly certificated to fill the post immediately below. Where certification of the post below is not required by the Convention, a dispensation may be issued to a person whose qualification and experience are, in the opinion of the Administration, of a clear equivalence to the requirements for the post to be filled, provided that, if such a person holds no appropriate certificate, he shall be required to pass a test accepted by the Administration as

demonstrating that such a dispensation may safely be issued. In addition, the Administrations shall ensure that the post in question is filled by the holder of an appropriate certificate as soon as possible.

- (3) Parties shall, as soon as possible after 1 January of each year, send a report to the Secretary-General giving information of the total number of dispensations in respect of each capacity for which a certificate is required that have been issued during the year to sea-going ships, together with information as to the numbers of those ships above and below 1,600 gross register tons respectively.

### **Article IX**

- (1) The Convention shall not prevent an Administration from retaining or adopting other educational and training arrangements, including those involving sea-going service and shipboard organisation especially adapted to technical developments and to special types of ships and trades, provided that the level of sea-going service, knowledge and efficiency as regards navigational and technical handling of ship and cargo ensures a degree of safety at sea and has a preventive effect as regards pollution at least equivalent to the requirements of the Convention.
- (2) Details of such arrangements shall be reported as early as practicable to the Secretary-General who shall circulate such particulars to all Parties.

### **Article X**

#### **Control**

- (1) Ships, except those excluded by Article III, are subject, while in the ports of a Party, to control by officers duly authorised by that Party to verify that all seafarers serving on board who are required to be certificated by the Convention are so certificated or hold an appropriate dispensation. Such certificates shall be accepted unless there are clear grounds for believing that a certificate has been fraudulently obtained or that the holder of a certificate is not the person to whom that certificate was originally issued.

- (2) In the event that any deficiencies are found under paragraph (1) or under the procedures specified in Regulation 1/4 - "Control Procedures", the officer carrying out the control shall forthwith inform, in writing, the master of the ship and the Consul or, in his absence, the nearest diplomatic representative or the maritime authority of the State whose flag the ship is entitled to fly, so that appropriate action may be taken. Such notification shall specify the details of the deficiencies found and the grounds on which the Party determines that these deficiencies pose a danger to persons, property or the environment.
- (3) In exercising the control under paragraph (1) if, taking into account the size and type of the ship and the length and nature of the voyage, the deficiencies referred to in paragraph (3) of Regulation 1/4 are not corrected and it is determined that this fact poses a danger to persons, property or the environment, the Party carrying out the control shall take steps to ensure that the ship will not sail unless and until these requirements are met to the extent that the danger has been removed. The facts concerning the action taken shall be reported promptly to the Secretary-General.
- (4) When exercising control under this Article, all possible efforts shall be made to avoid a ship being unduly detained or delayed. If a ship is so detained or delayed it shall be entitled to compensation for any loss or damage resulting therefrom.
- (5) This Article shall be applied as may be necessary to ensure that no more favourable treatment is given to ships entitled to fly the flag of a non-Party than is given to ships entitled to fly the flag of a Party.

## Article XI

### Promotion of technical co-operation

- (1) Parties to the Convention shall promote, in consultation with, and with the assistance of, the International Maritime Organisation, support for those Parties which request technical assistance for:

- (a) training of administrative and technical personnel;
- (b) establishment of institutions for the training of seafarers;
- (c) supply of equipment and facilities for training institutions;
- (d) development of adequate training programmes, including practical training on sea-going ships; and
- (e) facilitation of other measures and arrangements to enhance the qualifications of seafarers; preferably on a national, sub-regional or regional basis, to further the aims and purposes of the Convention, taking into account the special needs of developing countries in this regard.

- (2) On this part, the International Maritime Organisation shall pursue the aforesaid efforts, as appropriate in consultation or association with other international organisations, particularly the International Labour Organisation.

## Article XII

### Amendments

- (1) The Convention may be amended by either of the following procedures:
- (a) amendments after consideration within the International Maritime Organisation;

- (i) any amendment proposed by a Party shall be submitted to the Secretary-General, who shall then circulate it to all members of the International Maritime Organisation, all Parties and the Director-General of the International Labour Office at least 6 months prior to its consideration;
- (ii) any amendment so proposed and circulated shall be referred to the Maritime Safety Committee of the Organisation for consideration;
- (iii) Parties, whether or not Members of the International Maritime Organisation, shall be entitled to participate in the proceedings of the Maritime Safety Committee for consideration and adopting of amendments;
- (iv) amendments shall be adopted by a two-thirds majority of the Parties present and voting in the Maritime Safety Committee expanded as provided for in sub-paragraph a (iii) (hereinafter referred to as the "expanded Maritime Safety Committee") on condition that at least one third of the Parties shall be present at the time of voting;
- (v) amendments so adopted shall be communicated by the Secretary-General to all Parties for acceptance;
- (vi) an amendment to an Article shall be deemed to have been accepted on the date on which it is accepted by two thirds of the Parties;
- (vii) an amendment to the Annex shall be deemed to have been accepted:

(5) This Article shall be applied as may be necessary to ensure that no more favourable treatment is given to ships entitled to fly the flag of a non-Party than is given to ships entitled to fly the flag of a Party.

1. at the end of two years from the date on which it is communicated to Parties for acceptance; or
2. at the end of a different period, which shall not be less than one year, if so determined at the time of its adoption by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee;

however, the amendments shall be deemed not to have been accepted if within the specified period either more than one third of Parties, or Parties the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping of ships of 100 gross register tons or more, notify the Secretary-General that they object to the amendment

- (viii) an amendment to an Article shall enter into force with respect to those Parties which have accepted it six months after the date on which it is deemed to have been accepted, and with respect to each Party which accepts it after that date, six months after the date of the Party'
- (ix) an amendment to the annex shall enter into force with respect to all Parties, except those which have objected to the amendment under sub-paragraph (a) (vii) and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. Before the date determined for entry into force, any Party may give notice to the Secretary - General that it exempts itself from giving effect to that amendment for a period as may be determined by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee at the time of the adoption of the amendment or

(b) amendment by a conference;

- (i) upon the request of a Party concurred in by at least one third of the Parties, the International Maritime Organisation shall convene, in association or consultation with the Director-General of the International Labour Office, a conference of Parties to consider amendments to the Convention;
- (ii) every amendment adopted by such a conference by two-thirds majority of the Parties present and voting shall be communicated by the Secretary-General to all Parties for acceptance;
- (iii) unless the conference decided otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified to subparagraph (a) (vi) and (a) (viii) or subparagraphs (a) (vii) and (a) (viii);
- (ix) respectively, provided that references in these subparagraphs to the expanded Maritime Safety Committee shall be taken to mean references to the conference.

- (2) Any declaration of acceptance of, or objection to, an amendment or any notice given under paragraph (1) (a) (ix) shall be submitted in writing to the Secretary-General, who shall inform all Parties of any such submission and the date of its receipt.
- (3) The Secretary-General shall inform all Parties of any amendments which enter into force, together with the date on which each such amendment enters into force.

### Article XIII

#### Signature, ratification, acceptance, approval and succession.

- (1) The Convention shall remain open for signature at the Headquarters of the International Maritime Organisation from 1 December 1978 until 30 November 1979 and shall thereafter remain open for succession. A State may become a Party by:

- (a) signature without reservation as to ratification, acceptance or approval; or
  - (b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
  - (c) accession.
- (2) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.
  - (3) The Secretary-General shall inform all States that have signed the Convention or acceded to it and the Director-General of the International Labour Office of any signature or of the deposit of any instrument of ratification, acceptance, approval or accession and the date of its deposit.

### Article XIV

#### Entry into force

- (1) The Convention shall enter into force twelve months after the date of which not less than twenty-five States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping of ships of 100 gross register tons or more, have either signed it without reservation as to ratification, acceptance or approval or deposited the requisite instruments of ratification, acceptance, approval or accession in accordance with Article XIII.
- (2) The Secretary-General shall inform all States that have signed the Convention or acceded to it of the date on which it enters into force.
- (3) Any instrument of ratification, acceptance, approval or accession deposited during the twelve months referred to in paragraph (1) shall take effect on the coming into force of the Convention or three months after the deposit of such instrument, whichever is the later date.
- (4) Any instrument of ratification, acceptance, approval or accession deposited after the date on which the Convention enters into force shall take effect three months after the date of deposit.

- (5) After the date on which an amendment is deemed to have been accepted under Article XII, any instrument of ratification, approval or accession deposited shall apply to the Convention as amended.

#### **Article XV**

##### Denunciation

- (1) The Convention may be denounced by any Party at any time after five years from the date on which the Convention into force for that Party.
- (2) Denunciation shall be effected by notification in writing to the Secretary-General who shall inform all other Parties and the Director-General of the International Labour Office of any such notification received and of the date of its receipt as well as the date on which such denunciation takes effect.
- (3) A denunciation shall take twelve months after receipt of the notification of denunciation by the Secretary-General or after any longer period which may be indicated in the notification.

#### **Article XVI**

##### Deposit and registration

- (1) The Convention shall be deposited with the Secretary-General who shall transmit certified true copies thereof to all States that have signed the Convention or acceded to it.
- (2) As soon as the Convention enters into force, the Secretary-General shall transmit the text to the Secretary-General of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

#### **Article XVII**

##### Languages

The Convention is established in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the Arabic and German languages shall be prepared and deposited with the signed original.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments for that purpose, have signed the Convention.

DONE AT LONDON this seventh day of July, one thousand nine hundred and seventy-eight.

#### **ATTACHMENT 1**

#### **RESOLUTION 1**

#### **THE MANILA AMENDMENTS TO THE ANNEX TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978**

#### **THE 2010 MANILA CONFERENCE,**

RECALLING Article XII (1) (b) of the International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978 (hereinafter referred to as "the Convention"), concerning the procedure for amendment by a Conference of Parties,

HAVING CONSIDERED the Manila amendments to the annex to the Convention proposed and circulated to the Members of the Organisation and to all Parties to the Convention,

1. ADOPTS, in accordance with article XII(1)(b)(ii) of the Convention, amendments to the annex to the Convention, the text of which is set out in the annex to the present resolution;

2. DETERMINES, in accordance with article XII(1)(a)(vii) of the Convention, that the amendments annexed hereto shall be deemed to have been accepted on 1 July 2011, unless, prior to that date, more than one third of Parties to the Convention or Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant shipping of ships of 100 gross register tons or more have notified the Secretary-General that they object to the amendments;
3. INVITES Parties to note that, in accordance with article XII(1)(a)(ix) of the Convention, the amendments annexed hereto shall enter into force on 1 January 2012 upon being deemed to have been accepted in accordance with paragraph 2 above;
4. REQUESTS the Secretary-General of the Organisation to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Parties to the Convention;
5. FURTHER REQUESTS the Secretary-General to transmit copies of this resolution and its annex to all Members of the Organisation which are not Parties to the Convention.

#### ANNEX

#### THE MANILA AMENDMENTS TO THE ANNEX TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978

The annex to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, is replaced by the following:

#### ANNEX

#### CHAPTER 1

#### General provisions

#### Regulation I/1

##### Definitions and clarifications

- 1 For the purpose of the Convention, unless expressly provided otherwise:
  1. "Regulations" means regulations contained in the annex to the Convention;
  2. "Approved" means approved by the Party in accordance with these regulation;
  3. "Master" means the person having command of a ship;
  4. "Officer" means a member of the crew, other than the master, designated as such by national law or regulations or, in the absence of such designation, by collective agreement or custom;
  5. "Deck officer" means an officer qualified in accordance with chapter II of the Convention;
  6. "Chief mate" means the officer next in rank to the master and upon whom the command of the ship will fall in the event of the incapacity of the master;
  7. "Engineer officer" means an officer qualified in accordance with Regulation III/1, III/2, III/3 of the Convention;
  8. "Chief engineer officer" means the senior engineer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;



9. "Second engineer officer" means the officer next in rank to the chief engineer officer and upon whom the responsibility of the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the capacity of the chief engineer officer;
10. "Assistant engineer officer" means a person under training to become an engineer officer and designated as such by national law or regulations;
11. "Radio operator" means a person holding an appropriate certificate issued or recognised by the Administration under the provisions of the Radio Regulations;
12. "GMDSS radio operator" means a person who is qualified under the Chapter IV of the Convention;
13. "Rating" means a member of the ship's crew other than the master or an officer;
14. "Near-coastal voyages" means voyages in the vicinity of a Party as defined by that Party;
15. "Propulsion power" means the total maximum continuous rated output power, in kilowatts, of all the ship's main propulsion machinery which appears on the ship's certificate of registry or other official document;
16. "Radio duties" include, as appropriate, watch keeping and technical maintenance and repairs conducted in accordance with the Radio Regulations, the International Convention for the Safety of Life at Sea, 1974 (SOALS), as amended, and, at the discretion of each Administration, the relevant recommendations of the Organisation;
17. "Oil tanker" means a ship constructed and used for the carriage of petroleum and petroleum products in bulk;
18. "Chemical tanker" means a ship constructed or adapted and used for the carriage in bulk of any liquid product listed in Chapter 17 of the International Bulk Chemical Code;

19. "Liquefied gas tanker" means a ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product listed in Chapter 19 of the International Gas Carrier Code;
20. "Passenger ship" means a passenger ship as defined in the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended;
21. "Ro-ro passenger" ship a passenger ship with ro-ro spaces or special category spaces as defined in the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended;
22. "Month" means a calendar month of 30 days made up of periods of less than one month;
23. "STCW Code" means the Seafarer's Training, Certification and Watch Keeping (STCW) Code as adopted by the 1995 Conference resolution 2, as it may be amended by the Organisation;
24. "Function" means a group of tasks, duties and responsibilities, as specified in the STCW Code, necessary for ship operation, safety of life at sea or protection of the marine environment;
25. "Company" means the owner of the ship or any other organisation or person such as the manager, or the bareboat charterer, who has assumed responsibility for the operation of the ship from the ship owner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by these Regulations;
26. "Seagoing service" means service on-board a ship relevant to the issue or revalidation of a certificate or other qualification;
27. "ISPS Code" means the International Ship and Port Facility Security (ISPS) Code adopted on 12 December 2002, by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as may be amended by the Organisation;

28. "Ship security officer" means the person on-board the ship, accountable to the master, designated by the company as responsible for the security of the ship including implementation and maintenance of the ship security plan and liaison with the company security officer and port facility security officers;
29. "Security duties" include all security tasks and duties on-board ships as defined by Chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended, and the International Ship and Port Facility Security (ISPS) Code;
30. "Certificate of competency" means a certificate issued and endorsed for master, officers and Global Maritime Distress and Safety System radio operators in accordance with chapters II, III, IV or VII of this annex and entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level of responsibility specified therein;
31. "Certificate of proficiency" means a certificate, other than a certificate of competency issued to a seafarer, stating that the relevant requirements of training, competencies or seagoing service in the Convention have been met;
32. "Documentary evidence" means documentation, other than a certificate of competency or a certificate of proficiency, used to establish that the relevant requirements of these Regulations have been met;
33. "Electro-technical Officer" means an officer qualified in accordance with Regulation III/6 of the Convention;
34. "Able seafarer deck" means a rating qualified in accordance with Regulation II/5 of the Convention;
35. "Able seafarer engine" means a rating qualified in accordance with Regulation III/5 of the Convention; and
36. "Electro-technical rating" means a rating qualified in accordance with Regulation III/7 of the Convention.

2. These regulations are supplements by the mandatory provisions contained in part A of the STCW Code and;
  1. any reference to a requirement in a regulation also constitutes a reference to the corresponding section of part A of the STCW Code;
  2. in applying these regulations, the related guidance and explanatory material contained in part B of the STCW Code should be taken into account to the greatest degree possible in order to achieve a more uniform implementation of the Convention provisions on a global basis;
  3. amendments to part A of the STCW Code shall be adopted, brought into force and take effect in accordance with article XII of the Convention concerning the amendment procedure applicable to the annex; and
  4. part B of the STCW Code shall be amended by the Maritime Safety Committee in accordance with its rules of procedure.
3. The references made in article VI of the Convention to "the Administration" and "the issuing Administration" shall not be construed as preventing any Party from issuing and endorsing certificates under these Regulations.

### **Regulation I/2**

#### Certificates and endorsements

1. Certificates of competency shall be issued only by the Administration, following verification of the authenticity and validity of any necessary documentary evidence.
2. Certificates issued in accordance with Regulations V/1-1 and V/1-2 to masters and officers shall only be issued by the Administration.
3. Certificates shall be in the official language or languages of the issuing country. If the language used is not in English, the text shall include a translation into that language.
4. In respect of radio operators, Parties may:

- 1 include the additional knowledge required by the relevant regulations in the examination for the issue of a certificate complying with the Radio Regulations; or
  - 2 issue a separate certificate indicating that the holder has the additional knowledge required by the relevant regulations.
5. The endorsement required by article VI of the Convention to attest the issue of a certificate shall only be issued if all the requirements of the Convention have been complied with.
  6. At the discretion of a Party, endorsements may be incorporated in the format of the certificates being issued as provided for in section A-I/2 of the STCW Code. If so incorporated, the form used shall be that set forth in section A-I/2, paragraph 1. If issued otherwise, the form of endorsements used shall be that set forth in paragraph 2 of that section.
  7. An Administration which recognizes under regulation I/10:
    1. a certificate of competency; or
    - 2 a certificate of proficiency issued to masters and officers in accordance with Regulations V/1-1 and V/1-2 shall endorse such certificate to attest its recognition only after ensuring the authenticity and validity of the certificate.
  8. The endorsements referred to in paragraphs 5, 6 and 7:
    1. may be issued as separate documents;
    2. shall be issued by the Administration only;
    3. shall each be assigned a unique number, except that endorsements attesting the issue of a certificate may be assigned the same number as the certificate concerned, provided that number is unique; and

4. shall expire as soon as the certificate endorsed expires or is withdrawn, suspended or cancelled by the Party which issued it and, in any case, not more than five years after their date of issue.
9. The capacity in which the holder of a certificate is authorised to serve shall be identified in the form of endorsements in terms identical to those used in the applicable safe manning requirements of the Administration.
10. Administrations may use a format different from the format given in section A-I/2 of the STCW Code, provided that, as a minimum, the required information is provided in Roman characters and Arabic figures, taking into account the variations permitted under section A-I/2.
11. Subject to Regulation I/10, paragraph 5, any certificate required by the Convention must be kept available in its original form on board the ship on which the holder is serving.
12. Each party shall ensure that certificates are issued only to candidates who comply with the requirements of this regulation.
13. Candidates for certification shall provide satisfactory proof:
  - 1 of their identity;
  - 2 that their age is not less than that prescribed in the regulation relevant to the certificate applied for;
  - 3 that they meet the standards of medical fitness specified in section A-I/9 of the STCW Code;
  - 4 of having completed the seagoing service and any related compulsory training required by these regulations for the certificate applied for; and
  - 5 that they meet the standards of competence prescribed by these regulations for the capacities, functions and levels that are to be identified in the endorsement to the certificate.

14. Each Party undertakes to maintain a register or registers of all certificates and endorsements for masters, officers, and, as applicable, ratings which are issued, have expired or have been revalidated, suspended, cancelled or reported lost or destroyed and of dispensations issued.
15. Each Party undertakes to make available information on the status of such certificates of competency, endorsements and dispensations to other Parties and companies which request verification of the authenticity and validity of certificates produced to them by seafarers seeking recognition of their certificates under regulation I/10 or employment on board ship.
16. As of 1 January 2017, the information on status of information required to be available in accordance with paragraph 15 of this regulation shall be made available, in English language, through electronic means.

### **Regulation I/3**

#### Principles governing near-coastal voyages

7. An Administration which recognizes under regulation I/10:
  - 1 Any Party defining near-coastal voyages for the purpose of the Convention shall not impose training, experience or certification requirements on the seafarers serving on board the ships entitled to fly the flag of another Party and engaged on such voyages in a manner resulting in more stringent requirements for such seafarers than seafarers serving on board ships entitled to fly its own flag. In no case shall any such Party impose requirements in respect of seafarers serving on board ships entitled to fly the flag of another Party in excess of those of the Convention in respect of ships not engaged on near-coastal voyages.
  - 2 A Party that, for ships afforded the benefits of the near-coastal voyage provisions of the Convention, which includes voyages off the coast of

- other Parties within the limits of their near-coastal definitions, shall enter into an undertaking with the Parties concerned specifying the details of both involved trading areas and other relevant conditions.
- 3 With respect to ships entitled to fly the flag of a Party regularly engaged on near-coastal voyages off the coast of another Party, the Party whose flag the ship is entitled to fly shall prescribe training, experience and certification requirements for seafarers serving on such ships at least equal to those of the Party off whose coast the ship is engaged, provided that they do not exceed the requirements of the Convention in respect of ships not engaged on near-coastal voyages. Seafarers serving on a ship which extends its voyage beyond what is defined as a near-coastal voyage by a Party and enters waters not covered by that definition shall fulfil the appropriate competency requirements of the Convention.
  - 4 A Party may afford a ship which is entitled to fly its flag the benefits of the near-coastal voyage provisions of the Convention when it is regularly engaged off the coast of a non-Party on near-coastal voyages defined by the Party.
  - 5 The certificates of seafarers issued by a Party for its defined near-coastal voyages limits may be accepted by other Parties for service in their defined near-coastal voyages limits, provided the Parties concerned enter into an undertaking specifying the details of involved trading areas as other relevant conditions thereof.
  - 6 Parties defining near-coastal voyages, in accordance with the requirements of this regulation, shall:
    1. meet the principles governing near-coastal voyages specified in section A-I/3;
    2. communicate to the Secretary-General, in conformity with the requirements of regulation I/7, the details of the provisions adopted; and
    3. incorporate the near-coastal voyages limits in the endorsements issued pursuant to regulation I/2, paragraphs 5, 6 or 7.

7 Nothing in this regulation shall, in any way, limit the jurisdiction of any State, whether or not a Party to the Convention.

#### **Regulation I/4**

##### Control procedures

1. Control exercised by a duly authorised control officer under article X shall be limited to the following:
  1. verification in accordance with article X(1) that all seafarers serving on board who are required to be certificated in accordance with the Convention hold an appropriate certificate or a valid dispensation, or provide documentary proof that an application for an endorsement has been submitted to the Administration in accordance with regulation I/10, paragraph 5;
  2. verification that the numbers and certificates of the seafarers serving on board are in conformity with the applicable safe manning requirements of the Administration; and
  3. assessment, in accordance with section A-I/4 of the STCW Code, of the ability of the seafarers of the ship to maintain watch keeping and security standards, as appropriate, as required by the Convention, if there are clear grounds for believing that such standards are not being maintained because any of the following have occurred:
    - 3.1 the ship has been involved in a collision, grounding or stranding, or
    - 3.2 there has been a discharge of substances from the ship when under way, at anchor or at berth which is illegal under any international convention, or

3.3 the ship has been manoeuvred in an erratic or unsafe manner whereby routing measures adopted by the Organisation or safe navigation practices and procedures have not been followed, or

3.4 the ship is otherwise being operated in such a manner as to pose a danger to persons, property, the environment, or a compromise to security.

2. Deficiencies may be deemed to pose a danger to persons, property or the environment include the following:
  - 1 failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the Administration in accordance with regulation I/10, paragraph 5;
  - 2 failure to comply with the applicable safe manning requirements of the Administration;
  - 3 failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the Administration;
  - 4 absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radio-communications or the prevention of marine pollution; and
  - 5 inability to provide, for the first watch at the commencement of a voyage and for subsequent relieving watches, persons who are sufficiently rested and otherwise fit for duty.
- 3 Failure to correct any of the deficiencies referred to in paragraph 2, so far as it has been determined by the Party carrying out the control that they pose a danger to persons, property or the environment, shall be only grounds under article X on which a Party may detain a ship.

**Regulation I/5**

## National provisions

- 1 Each Party shall establish processes and procedures for the impartial investigation of any reported incompetency, act, omission or compromise to security that may pose a direct threat to safety of life or property at sea or to the marine environment by the holders of certificates or endorsements issued by that Party in connection with their performance of duties related to their certificates and for the withdrawal, suspension and cancellation of such certificates for such cause and for the prevention of fraud.
- 2 Each Party shall take and enforce appropriate measures to prevent fraud and other lawful practices involving certificates and endorsements issued.
- 3 Each Party shall prescribe penalties or disciplinary measure for cases in which the provisions of its national legislation giving effect to the Convention are not complied with in respect of ships entitled to fly its flag or of seafarers duly certificated by that Party.
- 4 In particular, such penalties or disciplinary measures shall be prescribed and enforced in cases in which:
  - 1 a company or a master has engaged a person not holding a certificate as required by the Convention;
  - 2 a master has allowed any function or service in any capacity required by these regulations to be performed by a person holding an appropriate certificate to be performed by a person not holding the required certificate, a valid dispensation or having the documentary proof required by regulation I/10. paragraph 5; or
  - 3 a person has obtained by fraud or forged documents an engagement to perform any function or serve in any capacity required by these regulations to be performed or filled by a person holding a certificate or dispensation.

- 5 A Party within whose jurisdiction there is located any company which, or any person who, is believed on clear grounds to have been responsible for, or to have knowledge of, any apparent non-compliance with the Convention specified in paragraph 4, shall extend all co-operation possible to any Party which advises it of its intention to initiate proceedings under its jurisdiction.

**Regulation I/6**

## Training and assessment

Each Party shall ensure that:

1. the training and assessment of seafarers, as required under the Convention, are administered, supervised and monitored in accordance with section A-I/6 of the STCW Code; and
2. those responsible for the training and assessment of competence of seafarers, as required under the Convention, are appropriately qualified in accordance with section A-I/6 of the STCW Code for the type and level of training or assessment involved.

**Regulation I/7**

## Communication of information

1. In addition to the information required to be communicated by article IV, each Party shall provide to the Secretary-General within the time periods prescribed and in the format specified in section A-I/7 of the STCW Code, such other information as may be required by the Code n other steps taken by the Party to give the Convention full and complete effect.
2. When complete information as prescribed in article IV and section A-I/7 of the STCW Code has been received and such information confirms that full ad completed effect is given to this effect to the Maritime Safety Committee.

3. Following subsequent confirmation by the Maritime Safety Committee, in accordance with procedures adopted by the Committee, that the information which has been provided demonstrates that full and complete effect is given to the provisions of the Convention:
  - 1 the Maritime Safety Committee shall identify the Parties so concerned;
  - 2 shall review the list of Parties which communicated information that demonstrated that they give full and complete effect to the relevant provisions of the Convention, to retain in this list only the Parties so concerned; and
  - 3 other Parties shall be entitled, subject to the provisions of regulations I/4 and I/10, to accept, in principle, that certificates issued by or on behalf of the Parties identified in paragraph 3, 1 are in compliance with the Convention.
  4. Amendments to the Convention and STCW Code, with dates of entry into force later than the date information has been, or will be, communicated to the Secretary-General in accordance with the provisions of paragraph 1, are not subject to the provisions of section A-I/7, paragraphs 1 and 2.

### **Regulation I/8**

#### **Quality Standards**

- 1 Each Party shall ensure that:
  - 1 in accordance with section A-I/8 of the STCW Code, all training, assessment of competence, certification, including medical certification, endorsement and revalidation activities carried out by non-governmental agencies or entities under its authority are continuously monitored through a quality standard system to ensure achievement of defined objectives, including those concerning the qualifications and experience of instructors and assessors; and

- 2 where governmental agencies or entities perform such activities, there shall be quality standards system.
- 2 Each Party shall also ensure that an evaluation is periodically undertaken, in accordance with section A-I/8 of the STCW Code, by qualified persons who are not themselves involved in the activities concerned. This evaluation shall include all changes to national regulations and procedures in compliance with the amendments to the Convention and STCW Code, with dates or entry into force later than the date information was communicated to the Secretary-General.
- 3 A report containing the results of the evaluation required by paragraph 2 shall be communicated to the Secretary-General in accordance with the format specified in section A-I/7 of the STCW Code.

### **Regulation I/9**

#### **Medical standards**

- 1 Each Party shall establish standards of medical fitness for seafarers and procedures for the issue of a medical certificate in accordance with this regulation and of the section A-I/9 and of the STCW Code.
- 2 Each Party shall ensure that those responsible for assessing the medical fitness of seafarers are medical practitioners recognized by the Party for the purpose of seafarer medical examinations, in accordance with section A-I/9 of the STCW Code.
- 3 Every seafarer holding a certificate issued under the Convention, who is serving at sea, shall hold a valid medical certificate issued in accordance with this Regulation and of section A-I/9 of the STCW Code.
- 4 Every candidate for certification shall:
  - 1 be not less than 16 years of age;
  - 2 provide satisfactory proof of his/her identity; and
  - 3 meet the applicable medical fitness standards established by the Party.

5. Medical certificates shall remain valid for a maximum period of two years unless the seafarer is under the age of 18, in which case the maximum period of validity shall be one year.
6. If the period of validity of a medical certificate expires in the course of a voyage, then the medical certificate shall continue in force until the next port of call where a medical practitioner recognized by the Party is available, provided that the period shall not exceed three months.
7. In urgent cases, the Administration may permit a seafarer to work without a valid medical certificate until the next port of call where a medical practitioner recognized by the Party is available, provided that:
  - 1 the period if such permission does not exceed three months; and
  - 2 the seafarer concerned is in possession of an expired medical certificate of recent date.

### **Regulation I/10**

#### Recognition of certificates

- 1 Each Administration shall ensure that these Regulation are complied with, in order to recognize, by endorsement in accordance with regulation I/2, paragraph 7, a certificate issued by or under the authority of another Party to the master, officer or radio operator and that:
  1. the Administration has confirmed, through an evaluation of that Party, which may include inspection of facilities and procedure, that the requirements of the Convention regarding standards of competence, training and certification and quality standards are fully complied with; and
  2. an undertaking is agreed with the Party concerned that prompt notification will be given of any significant change in the arrangements for training and certification provided in compliance with the Convention.

2. Measures shall be established to ensure that seafarer who present, for recognition, certificates issued under Regulations II/2, III/2 or III/3, or issued under regulation VII/1 at the management level, as defined in the STCW Code, have an appropriate knowledge of the maritime legislation of the Administration relevant to the functions they are permitted to perform.
3. Information provided and measures agreed upon under this regulation shall be communicated to the Secretary-General in conformity with the requirements of regulation I/7.
4. Certificates issued by or under the authority of a non-Party shall not be recognized.
5. Notwithstanding the requirement of regulation I/2, paragraph 7, an Administration may, if circumstances require, subject to paragraph 1, allow a seafarer to serve for a period not exceeding three months on board a ship entitled to fly its flag, while holding an appropriate and valid certificate issued and endorsed as required by another Party for use on board that Party's ships but which has not yet been endorsed so as to render it appropriate for service on board ships entitled to fly the flag of the Administration. Documentary proof shall be readily available that application for an endorsement has been submitted to the Administration.
6. Certificates and endorsements issued by an Administration under this Regulation in recognition of, or attesting the recognition of, a certificate issued by another Party shall not be used as the basis for further recognition by another Administration.

### **Regulation I/11**

#### Revalidation of certificates

- 1 Every master, officer and radio operator holding a certificate issued or recognized under any chapter of the Convention other than chapter VI, who is serving at sea or intends to return to sea after a period ashore, shall, in order to continue to qualify for seagoing service, be required, at intervals not exceeding five years, to:



1. meet the standards of medical fitness prescribed by regulation I/9; and
  2. establish continued professional competence in accordance with section A-I/11 of the STCW Code.
2. Every master, officer and radio operator shall, for continuing seagoing service on board ships for which special training and requirements have been intentionally agreed upon, successfully complete approved relevant training.
  3. Every master and officer shall, for continuing seagoing service on board tankers, meet the requirements in paragraph 1 of this regulation and be required, at intervals not exceeding five years, to establish continued professional competence for tankers in accordance with section A-I/11, paragraph 3 of the STCW Code.
  4. Each Party shall compare the standards of competence which it required of candidates for certificates issued before 1 January 2017 with those specified for the appropriate certificate in part A of the STCW Code, and shall determine the need for requiring the holders of such certificates to undergo appropriate refresher and updating training or assessment.
  5. The Party shall, in consultation with those concerned, formulate or promote the formulation of a structure of refresher and updating courses as provided for in section A-I/11 of the STCW Code.
  6. For the purpose of updating the knowledge of master, officers and radio operators, each Administration shall ensure that the texts of recent changes in national and international regulations concerning the safety of life at sea, security and the protection of the marine environment are made available to ships entitled to fly its flag.

### **Regulation I/12**

#### Use of simulators

1. The performance of standards and other provisions set forth in section A-I/12 and such other requirements as are prescribed in part A of the STCW Code for any certificate concerned shall be complied with in respect of:
  1. all mandatory simulator-based training;
  2. any assessment of competency required by part A of the STCW Code which is carried out by means of a simulator; and
  3. any demonstration, by means of a simulator, of continued proficiency required by part A of the STCW Code.

### **Regulation I/13**

#### Conduct of trials

1. These regulations shall not prevent an Administration from authorizing ships entitled to fly its flag to participate in trials.
2. For the purpose of this regulation, the term trial means an experiment or series of experiments, conducted over a limited period, which may involve the use of automated or integrated systems in order to evaluate alternative methods of performing specific duties or satisfying particular arrangements prescribed by the Convention, which would provide at least the same degree of safety, security and pollution prevention as provided by these regulations.
3. The Administration authorizing ships to participate in trials shall be satisfied that such trials are conducted in a manner that provides at least the same degree of safety, security and pollution prevention as provided by these regulations. Such trials shall be conducted in accordance with guidelines adopted by the Organisation.
4. Details of such trials shall be reported to the Organisation as early as practicable but not less than six months before the date on which the trials are scheduled to commence. The Organisation shall circulate such particulars to all Parties.

- 5 The results of trials authorised under paragraph 1, and any recommendations the Administration may have regarding those results, shall be reported to the Organisation, which shall circulate such results and recommendations to all Parties.
- 6 Any Party having any objection to particular trials authorised in accordance with this regulation should communicate such objection to the Organisation as early as practicable. The Organisation shall circulate details of the obligation to all Parties.
- 7 An Administration which has authorised a trial shall respect objections received from other Parties relation to such trial by directing ships entitled to fly its flag not to engage in a trial while navigating in the waters of a coastal State which has communicated its objection to the Organisation.
- 8 An Administration which concludes, on the basis of a trial, that a particular system will provide at least the same degree of safety, security and pollution prevention as provided by these regulations may authorize ships entitled to fly its flag to continue to operate with such a system indefinitely, subject to the following requirements:
  1. the Administration shall, after results of the trial have been submitted in accordance with paragraph 5, provide details of any such authorization, including identification of the specific ships which may be subject to the authorization, to the Organisation, which will circulate this information to all Parties;
  2. any operations authorised under this paragraph shall be conducted in accordance with any guidelines developed by the Organisation, to the same extent as they apply during a trial;
  3. such operations shall respect any objections received from other Parties in accordance with paragraph 7, to the extent such objections have not been withdrawn; and

4. an operation authorised under this paragraph shall only be permitted pending a determination by the Maritime Safety Committee as to whether an amendment to the Convention would be appropriate, and if so, whether the operation should be suspended or permitted to continue before the amendment enters into force.
- 9 At the request of any Party, the Maritime Safety Committee shall establish a date for the consideration of the trial results and for the appropriate determinations.

### **Regulation I/14**

#### Responsibilities of companies

1. Each Administration shall, in accordance with section A-I/14, hold companies responsible for the assignment of seafarers for service on their ships in accordance with the provisions of the present Convention, and shall require every such company to ensure that:
  1. each seafarer assigned to any of its ships holds an appropriate certificate in accordance with the Convention and as established by the Administration;
  2. its ships are manned in compliance with the applicable safe manning requirements of the Administration;
  3. seafarers assigned to any of its ships have received refresher and updating training as required by the Convention;
  4. documentation and data relevant to all seafarers employed on its ships are maintained and readily accessible, and include, without being limited to, documentation and data on their experience, training, medical fitness and competency in assigned duties;
  5. seafarers, on being assigned to any of its ships, are familiarized with their specific duties and with all ship arrangements, installations, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties;

6. the ship's complement can effectively coordinate their activities in an emergency situation and in performing functional vital to safety, security and to the prevention or mitigation of pollution; and
7. at all times on board its ships there shall be effective oral communication in accordance with chapter V, regulation 14, paragraphs 3 and 4 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended.

### **Regulation I/15**

#### **Transitional provisions**

- 1 Until 1 January 2017, a Party may continue to issue, recognize and endorse certificates in accordance with the Convention which applied immediately prior to 1 January 2012 in respect of those seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course before 1 July 2013.
- 2 Until 1 January 2017, a Party may continue to renew and revalidate certificates and endorsements in accordance with the Convention which applied immediately prior to 1 January 2012.

## **CHAPTER II**

### **Master and deck department**

#### **Regulation II/1**

Mandatory minimum requirements for certification of officers in charge of a navigational watch on ships of 500 gross tonnage or more

- 1 Every officer in charge of a navigational watch serving on a seagoing ship of 500 gross tonnage or more shall hold a certificate of competency.
- 2 Every candidate for certification shall:
  1. be not less than 18 years of age;

2. have approved seagoing service of not less than 12 months as part of an approved training programme which included onboard training that meets the requirements of section A-II/1 of the STCW Code and is documented in an approved training record book, or otherwise have approved seagoing service of not less than 36 months;
3. have performed, during the required seagoing service, bridge watchkeeping duties under the supervision of the master or a qualified officer for a period of not less than six months;
4. meet the requirements of the regulations in chapter IV, as appropriate, for performing designated radio duties in accordance with the Radio Regulations;
5. have completed approved education and training and meet the standard of competence specified in section A-II/1 of the STCW Code; and
6. meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

#### **Regulation II/2**

Mandatory minimum requirements for certification of masters and chief mates on ships of 500 gross tonnage or more

#### **Master and chief mate on ships of 3,000 gross tonnage or more.**

- 1 Every master and chief mate on a seagoing ship of 3,000 gross tonnage or more shall hold a certificate of competency.
- 2 Every candidate for certification shall:
  1. meet the requirements for certification as an officer in charge of a navigational watch on ships of 500 gross tonnage or more and have approved seagoing service in that capacity;

- 1.1 for certification as chief mate, not less than 12 months, and
- 1.2 for certification as master, not less than 36 months; however, this period may be reduced to not less than 24 months if not less than 12 months of such seagoing service has been served as chief mate; and

- 1 Every master and chief mate on a seagoing ship of 3,000 gross tonnage or more shall hold a certificate of competency.
- 2 have completed approved education and training and meet the standard of competence specified in section A-II/2 of the STCW Code for masters and chief mates on ships of 3,000 gross tonnage or more.

**Master and chief mate on ships of between 500 and 3,000 gross tonnage**

- 3 Every master and chief mate on a seagoing ship of between 500 and 3,000 gross tonnage shall hold a certificate of competency.
- 4 Every candidate for certification shall:
  1. for certification as chief mate, meet the requirements of an officer in charge of a navigational watch on ships of 500 gross tonnage or more;
  2. for certification as master, meet the requirements of an officer, in charge of a navigational watch on ships of 500 gross tonnage or more and have approved seagoing service of not less than 36 months in that capacity; however, this period may be reduced to not less than 24 months if not less than 12 months of such seagoing service has been served as chief mate; and
  3. have completed approved training and meet the standard of competence specified in section A-II/2 of the STCW Code for masters and chief mates on ships of between 500 and 3,000 gross tonnage.

**Regulation II/3**

Mandatory minimum requirements for certification of officers in charge of a navigational watch and of masters on ships of less than 500 gross tonnage

**Ships not engaged on near-coastal voyages**

- 1 Every officer in charge of a navigational watch serving on a seagoing ship of less than 500 gross tonnage not engaged on near-coastal voyages shall hold a certificate of competency for ships of 500 gross tonnage or more.
- 2 Every master serving on a seagoing ship of less than 500 gross tonnage not engaged on near-coastal voyages shall hold a certificate of competency for service as master on ships of between 500 and 3,000 gross tonnage.

**Ships engaged on near-coastal voyages**

Officer in charge of a navigational watch

- 3 Every officer in charge of a navigational watch serving on a seagoing ship of less than 500 gross tonnage engaged on near-coastal voyages shall hold a certificate of competency.
- 4 Every candidate for certification as officer in charge of a navigational watch on a seagoing ship of less than 500 gross tonnage engaged on near-coastal voyages shall:
  1. be not less than 18 years of age;
  2. have completed:
    - 1.1 special training, including an adequate period of appropriate seagoing service as required by the Administration, or
    - 1.2 approved seagoing service in the deck department of not less than 36 months;

3. meet the applicable requirements of the regulations in chapter IV, as appropriate, for performing designated radio duties in accordance with the Radio Regulations;
4. have completed approved education and training and meet the standard of competence specified in section A-II/3 of the STCW Code for officers in charge of a navigational watch on ships of less than 500 gross tonnage engaged on near-coastal voyages; and
5. meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

#### Master

5. Every master serving on a seagoing ship of less than 500 gross tonnage engaged on near-coastal voyages shall hold a certificate of competency.
6. Every candidate for certification as master on a seagoing ship of less than 500 gross tonnage engaged on near-coastal voyages shall:
  1. be not less than 20 years of age;
  2. have approved seagoing service of not less than 12 months as officer in charge of a navigational watch;
  3. have completed approved education and training and meet the standard of competence specified in section A-II/3 of the STCW Code for masters on ships of less than 500 gross tonnage engaged on near-coastal voyages; and
  4. meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

#### Exemptions

- 7 The Administration, if it considers that a ship's size and the conditions of its voyage are such as to render the application of the full requirements of this regulation and section A-II/3 of the STCW Code unreasonable or impracticable, may to that extent exempt the master and the officer in charge of a navigational watch on such a ship or class of ships from some of the requirements, bearing in mind the safety of all ships which may be operating in the same waters.

#### Regulation II/4

Mandatory minimum requirements for certification of ratings forming part of a navigational watch

- 1 Every rating forming part of a navigational watch on a seagoing ship of 500 gross tonnage or more, other than ratings under training whose duties while on watch are of unskilled nature, shall be fully certificated to perform such duties.
- 2 Every candidate for certification shall:
  1. be not less than 16 years of age;
  2. have not completed:
    - 2.1 approved seagoing service including not less than six months of training and experience, or
    - 2.2 special training, either pre-sea or on board ship, including an approved period seagoing service shall not be less than two months; and
  3. meet the standard of competence specified in section A-II/4 of the STCW Code.

- 3 The seagoing service, training and experience required by subparagraphs 2.2.1 and 2.2.2 shall be associated with navigational watch keeping functions and involve the performance of duties carried out under the direct supervision of the master, the officer in charge of the navigational watch or a qualified rating.

### **Regulation II/5**

Mandatory minimum requirements for certification of ratings as able seafarer deck

- 1 Every able seafarer deck serving on a seagoing ship of 500 gross tonnage or more shall be duly certificated.
- 2 Every candidate for certification shall:
  1. be not less than 18 years of age;
  2. meet the requirements for certification as a rating forming part of a navigational watch;
  3. while qualified to serve as a rating forming part of a navigational watch, have approved seagoing service in the deck department of:
    - 3.1 not less than 18 months, or
    - 3.2 not less than 12 months and have completed approved training; and
  4. meet the standard of competence specified in section A-II/5 of the STCW Code.
- 3 Every Party shall compare the standards of competence which it required to Able Seamen for certificates issued before 1 January 2012 with those specified for the certificate in section A-II/5 of the STCW Code, and shall determine the need, if any, for requiring these personnel to update their qualifications.

- 4 Until 1 January 2012, a Party which is also a Party to the International Labour Organisation Certification of Able Seamen Convention, 1946 (No. 74) may continue to issue, recognize and endorse certificates in accordance with the convention.
- 5 Until 1 January 2017, a Party which is also a Party to the International Labour Organisation Certification of Able Seamen Convention, 1946 (No. 74) may continue renew and revalidate certificates endorsements in accordance with the convention.
- 6 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity in the deck department for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party.

## **CHAPTER III**

### **Engine department**

#### **Regulation III/1**

Mandatory minimum requirements for certification of officers in charge of an engineering watch in manned engine-room or designated duty engineers in a periodically unmanned engine-room.

- 1 Every officer in charge of an engineering watch in a manned engine-room or designated duty engineer officer in a periodically unmanned engine-room or designated duty engineers in a periodically unmanned engine-room on a seagoing ship powered by main propulsion machinery of 750 kw propulsion power or more shall hold a certificate of competency.
- 2 Every candidate for certification shall:
  1. be not less than 18 years of age;

2. have completed combined workshop skills training and an approved seagoing service of not less than 12 months as part of an approved training programme which includes onboard training that meets the requirements of section A-III/1 of the STCW Code and is documented in an approved training record book, or otherwise have completed combined workshop skills training and an approved seagoing service of not less than 36 months of which not less than 30 months shall be seagoing service in the engine department;
3. have performed, during the required seagoing service, engine-room watchkeeping duties under the supervision of the chief engineer officer or a qualified engineer officer for a period of not less than six months;
4. have completed approved education and training and meet the standard of competence specified in section A-III/1 of the STCW Code; and
5. meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraph 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

#### **Regulation III/2**

Mandatory minimum requirements for certification of chief engineer officers and second engineer officers on ships powered by main propulsion machinery of 3,000 KW propulsion power or more.

- 1 Every chief engineer officer and second engineer officer on a seagoing ship powered by main propulsion machinery of 3,000 KW propulsion power or more shall hold a certificate of competency.
- 2 Every candidate for certification shall:
  1. meet the requirements for certification as an officer in charge of an engineering watch on seagoing ships powered by main propulsion machinery of 750 KW propulsion power or more and have approved seagoing service in that capacity:

- 1.1 for certification as second engineer officer, have not less than 12 months as qualified engineer officer, and
- 1.2 for certification as chief engineer officer, have not less than 36 months: however, this period may be reduced to not less than 24 months if not less than 12 months of such seagoing service has been served as second engineer officer; and

2. have completed approved education and training and meet the standard of competence specified in section A-III/2 of the STCW Code.

#### **Regulation III/3**

Mandatory minimum requirements for certification of chief engineer officers and second engineer officers on ships powered by main propulsion machinery of between 750 KW and 3,000 propulsion power.

- 1 Every chief engineer officer and second engineer officer on a seagoing ship powered by main propulsion machinery of between 750 KW and 3,000 KW propulsion power shall hold a certificate of competency.
- 2 Every candidate for certification shall:
  - 1 meet the requirements for certification as an officer in charge of an engineering watch and:
    - 1.1 for certification as second engineer officer, have not less than 12 months of approved seagoing service as assistant engineer officer or engineer officer; and
    - 1.2 for certification as chief engineer officer, have not less than 24 months of approved seagoing service of which not less than 12 months shall be served while qualified to serve as second engineer officer; and

2. have completed approved education and training and meet the standard of competence specified in section A-III/3 of the STCW Code.
3. Every engineer officer who is qualified to serve as second engineer officer on ships powered by main propulsion machinery of 3000 KW propulsion power or more, may serve as chief engineer officer on ships powered by main propulsion machinery of less than 3,000 KW propulsion power, provided the certificate is so endorsed.

#### **Regulation III/4**

Mandatory minimum requirements for certification of ratings forming part of a watch in a manned engine-room or designated to perform duties in a periodically unmanned engine-room

- 1 Every rating forming part of an engine-room watch or designated to perform duties in a periodically unmanned engine-room on a seagoing ship powered by main propulsion machinery of 750 KW propulsion power or more, other than ratings under training and ratings whose duties are of an unskilled nature, shall be duly certificated to perform such duties.
- 2 Every candidate for certification shall:
  1. not less than 16 years of age;
  - 2 have completed:
    - 2.1 approved seagoing service including not less than six months of training and experience, or
    - 2.2 special training, either pre-sea or on board ship, including an approved period of seagoing service which shall not be less than two months; and

3. meet the standard of competence, training and experience required by subparagraphs 2.2.1 and 2.2.2 shall be associated with engine-room watch keeping functions and involve the performance of duties carried out under the direct supervision of a qualified engineer officer or a qualified rating.

#### **Regulation III/5**

Mandatory minimum requirements for certification of ratings as able seafarer engine in a manned engine-room or designated to perform duties in a periodically unmanned engine-room.

- 1 Every able seafarer engine serving on a seagoing ship powered by main propulsion machinery of 750 KW propulsion power or more shall be duly certificated.
- 2 Every candidate for certification shall:
  - 1 be not less than 18 years of age;
  - 2 meet the requirements for certification as a rating forming part of a watch in a manned engine-room or designated to perform duties in a periodically unmanned engine-room;
- 3 while qualified to serve as a rating forming part of an engineering watch, have approved seagoing service in the engine department of:
  - 3.1 not less than 12 months, or
  - 3.2 not less than 6 months and have completed approved training; and
  - 4 meet the standard of competence specified in section A-III/5 of the STCW Code.
- 3 Every Party shall compare the standard of competence which it required of ratings in the engine department for certificates issued before 1 January 2012 with those specified for the certificate in section A-III/5 of the STCW Code, and shall determine the need, if any, for requiring these personnel to update their qualifications.



- 4 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity in the engine department for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party.

### **Regulation III/6**

Mandatory minimum requirements for certification of electro-technical officers.

- 1 Every electro-technical officer serving on a seagoing ship powered by main propulsion machinery of 750 KW propulsion power or more shall hold a certificate of competency.
- 2 Every candidate for certification shall:
  - 1 be not less than 18 years of age;
  - 2 have completed not less than 12 months of combined workshop skills training and approved seagoing service of which not less than 6 months shall be seagoing service as part of an approved training programme which meets the requirements of section A-III/6 of the STCW Code and is documented in an approved training record book, or otherwise not less than 36 months of combined workshop skills training and approved seagoing service of which not less than 30 months shall be seagoing service in the engine department;
  - 3 have completed approved education and training and meet the standard of competence specified in section A-III/6 of the STCW Code; and
  - 4 meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

3. Every Party shall compare the standard of competence which it required of electro-technical officers for certificates issued before 1 January 2012 with those specified for the certificate in section A-III/6 of the STCW Code, and shall determine the need for requiring those personnel to update their qualifications.
4. Seafarers may be considered by the Party to have met the requirements of this regulation if they have served on board a ship for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party and meet the standard of competence specified in section A-III/6 of the STCW Code.
5. Notwithstanding the above requirements of paragraph 1 to 4, a suitable qualified person may be considered by a Party to be able to perform certain functions of section A-III/6.

### **Regulation III/7**

Mandatory minimum requirements for certification of electro-technical ratings

- 1 Every electro-technical rating serving on a seagoing ship powered by main propulsion machinery of 750KW propulsion or more shall be duly certificated.
- 2 Every candidate for certification shall:
  1. be not less than 18 years of age;
  2. have:
    - 2.1 completed approved seagoing service including not less than 12 months training and experience, or
    - 2.2 completed approved training, including an approved period of seagoing service which shall not be less than 6 months, or

- 2.3 qualifications that meet the technical competences in table A-III/7 and an approved period of seagoing service, which shall not be less than 3 months; and
3. meet the standard of competence specified in section A-III/7 of the STCW Code.
- 3 Every Party shall compare the standard of competence which it required of electro-technical ratings for certificates issued before 1 January 2012 with those specified for the certificate in section A-III/7 of the STCW Code, and shall determine the need for requiring these personnel to update their qualifications.
- 4 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity on board a ship for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party and meet the standard of competence specified in section A-III/7 of the STCW Code.
- 5 Notwithstanding the above requirements of paragraphs 1 to 4, a suitably qualified person may be considered by a Party to be able to perform certain functions of section A-III/7.

## CHAPTER IV

### Radio communication and radio operators

#### Explanatory note

Mandatory provisions relating to radio watch keeping are set forth in the Radio Regulations and in the International Convention for the Safety of Life at Sea, 1974, as amended. Provisions for radio maintenance are set forth in the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended, and the guidelines adopted by the Organisation.

### Regulation IV/1

#### Application

1. Except as provided in paragraph 2, this chapter apply to radio operators on ships operation in the global maritime distress and safety system (GMDSS) as prescribed by the International Convention for the Safety of Life at Sea, 1974, as amended.
2. Radio operators on ships not required to comply with the GMDSS in chapter IV of the SOLAS Convention are not required to meet this chapter. Radio operators on these ships are, nevertheless, required to comply with the Radio Regulations. The Administration shall ensure that the appropriate certificates as prescribed by the Radio Regulations are issued to or recognized in respect of such radio operators.

### Regulation IV/2

#### Mandatory minimum requirements for certification of GMDSS radio operators

- 1 Every person in charge of or performing radio duties on a ship required to participate in the GMDSS shall hold an appropriate certificate related to the GMDSS, issued or recognized by the Administration under the Radio Regulations.
- 2 In addition, every candidate for certification of competency under this regulation for service on a ship which is required by the International Convention for the Safety of Life at Sea, 1974, as amended, to have a radio installation, shall:
  - 1 be not less than 18 years of age; and
  - 2 have completed approved education and training and meet the standard of competence specified in section A-IV/2 of the STCW Code.

## CHAPTER V

### Special training requirements for personnel on certain types of ships

#### Regulation V/1-1

Mandatory minimum requirements for the training and qualifications of masters, officers and ratings on oil and chemical tankers.

- 1 Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on oil or chemical tankers shall hold a certificate in basic training for oil and chemical tanker cargo operations.
- 2 Every candidate for a certificate in basic training for oil and chemical tanker cargo operations shall have completed basic training in accordance with section A-VI/1 of the STCW Code and shall have completed:
  - 1 at least three months of approved seagoing service on oil or chemical tankers and meet the standard of competence specified in section A-V/1-1, paragraph 1 of the STCW Code; or
  - 2 an approved basic training for oil and chemical tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 1 of the STCW Code.
- 3 Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on oil tankers shall hold a certificate in advanced training for oil tanker cargo operations.
- 4 Every candidate for a certificate in advanced training for oil tanker cargo operations shall:

- 1 meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and
- 2 while qualified for certification in basic training for oil and chemical tanker cargo operations, have:
  - 2.1 at least three months of approved seagoing service on oil tankers, or
  - 2.2 at least one month of approved onboard training on oil tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and
- 3 have completed approved advanced training for oil tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 2 of the STCW Code.
- 5 Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on chemical tankers shall hold a certificate in advanced training for chemical tanker cargo operations.
- 6 Every candidate for a certificate in advance training for chemical tanker cargo operations shall:
  - 1 meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and
  - 2 while qualified for certification in basic training for oil and chemical tanker cargo operations, have:
    - 2.1 at least three months of approved seagoing service on chemical tankers, or

- 2.2 at least one month of approved onboard training on chemical tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and
  - 3 have completed approved advanced training for chemical tanker cargo operations and meet the standard of competence specified on section A-V/1-1, paragraph 3 of the STCW Code.
7. Administrations shall ensure that a certificate of proficiency is issued to seafarers, who are qualified in accordance with paragraphs 2, 4 or 6 as appropriate, or that an existing certificate of competency or certificate of proficiency is duly endorsed.

#### **Regulation V/1-2**

Mandatory minimum requirements for the training and qualifications of master, officers and ratings on liquefied gas tankers.

- 1 Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on liquefied gas tankers shall hold a certificate in basic training for liquefied gas tanker cargo operations.
- 2 Every candidate for a certificate in basic training for liquefied gas tanker cargo operations shall have completed basic training in accordance with section A-VI/1 of the STCW Code and shall have completed:
  - 1 three months of approved seagoing service on liquefied gas tankers and meet the standard of competence specified in section A-V/1-2, paragraph 1 of the STCW Code; or
  - 2 an approved basic training for liquefied gas tanker cargo operations and meet the standard of competence specified in section A-V/1-2, paragraph 1 of the STCW Code.

- 3 Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on liquefied gas tankers shall hold a certificate in advanced training for liquefied gas tanker cargo operations.
- 4 Every candidate for a certificate in advanced training for liquefied gas tanker cargo operations shall:
  - 1 meet the requirements for certification in basic training for liquefied gas tanker cargo operations; and
  - 2 while qualified for certification in basic training for liquefied gas tanker cargo operations; and
    - 2.1 at least three months of approved seagoing service on liquefied gas tankers, or
    - 2.2 at least one month of approved onboard training on liquefied gas tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and
  - 3 have completed approved advanced training for liquefied gas tanker cargo operations and meet the standard of competence specified in section A-V/1-2, paragraph 2 of the STCW Code.
- 5 Administrations shall ensure that a certificate of proficiency is issued to seafarers, who are qualified in accordance with paragraphs 2 or 4 as appropriate, or that an existing certificate of competency or certificate of proficiency is duly endorsed.

**Regulation V/2**

Mandatory minimum requirements for the training and qualifications of masters, officers, ratings and other personnel on passenger ships

1. This regulation applies to masters, officers, ratings and other personnel serving on board passenger ships engaged on international voyages. Administrations shall determine the applicability of these requirements to personnel serving on passenger ships engaged on domestic voyages.
2. Prior to being assigned shipboard duties on board passenger ships, seafarers shall have completed the training required by paragraphs 4 to 7 below in accordance with their capacity, duties and responsibilities.
3. Seafarers who are required to be trained in accordance with paragraphs 4, 6 and 7 below shall, at intervals not exceeding five years, undertake appropriate refresher training or be required to provide evidence of having achieved the required standard of competence within the previous five years.
4. Masters, officers and other personnel designated on muster lists to assist passengers in emergency situations on board passenger ships shall have completed training in crowd management as specified in section A-V/2, paragraph 1 of the STCW Code.
5. Personnel providing direct service to passengers in passenger spaces on board passenger ships shall have completed the safety training specified in section A-V/2, paragraph 2 of the STCW Code.
6. Masters, chief engineer officers, chief mates, second engineer officers and any person designated on muster lists of having responsibility for the safety of passengers in emergency situations on board passenger ships shall have completed approved training in crisis management and human behavior as specified in section A-V/2, paragraph 3 of the STCW Code.

7. Masters, chief engineer officers, chief mates, second engineer officers and every person assigned immediate responsibility for embarking and disembarking passengers, loading, discharging or securing cargo, or closing hull openings on board ro-ro passenger ships shall have completed approved training in passenger safety, cargo safety and hull integrity as specified in section A-V/2, paragraph 4 of the STCW Code.
8. Administrations shall ensure that documentary evidence of the training which has been completed is issued to every person found qualified under this Regulation.````

**CHAPTER VI****Emergency, occupational safety, security, medical care and survival functions****Regulation VI/1**

Mandatory minimum requirements for safety familiarization, basic training and instruction for all seafarers

1. Seafarers shall receive safety familiarization and basic training or instruction in accordance with section A-VI/1 of the STCW Code and shall meet the appropriate standard of competence specified therein.
2. Where basic training is not included in the qualification for the certificate to be issued, a certificate of proficiency shall be issued, indicating that the holder has attended the course in basic training.

**Regulation VI/2**

Mandatory minimum requirements for the issue of certificates of proficiency in survival craft, rescue boats and fast rescue boats.

1. Every candidate for a certificate of proficiency in survival craft and rescue boats other than fast rescue boats shall:
  1. be not less than 18 years of age:

2. have approved seagoing service of not less than 12 months or have attended an approved training course and have approved seagoing service of not less than six months; and
  3. meet the standard of competence of certificates of proficiency in survival craft and rescue boats, set out in section A-VI/2, paragraphs 1 to 4 of the STCW Code.
1. Every candidate for a certificate of proficiency in fast rescue boats shall:
    1. be the holder of a certificate of proficiency in survival craft and rescue boats other than fast rescue boats;
    2. have attended an approved training course; and
    3. meet the standard of competence for certificates of proficiency in fast rescue boats, set out in section A-VI/2, paragraphs 7 to 10 of the STCW Code.

### **Regulation VI/3**

Mandatory minimum requirements for training in advanced fire fighting.

1. Seafarers designated to control fire-fighting operations shall have successfully completed advanced training in techniques for fighting fire, with particular emphasis on Organisation, tactics and command, in accordance with section A-VI/3, paragraphs 1 to 4 of the STCW Code and shall meet the standard of competence specified therein.
2. Where training in advanced firefighting is not included in the qualifications for the certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course of training in advanced firefighting.

### **Regulation VI/4**

Mandatory minimum requirements relating to medical first aid and medical care.

1. Seafarers designated to provide medical first aid on board ship shall meet the standard of competence in medical first aid specified in section A-VI/4, paragraphs 1 to 3 of the STCW Code.
2. Seafarers designated to take charge of medical care on board ship shall meet the standard of competence in medical care on board ships specified in section A-VI/4, paragraphs 4 to 6 of the STCW Code.
3. Where training in medical first aid or medical care is not included in the qualifications for the certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course of training in medical first aid or in medical care.

### **Regulation VI/5**

Mandatory Minimum requirements for the issue of certificates of proficiency for ship security officers.

1. Every candidate for a certificate of proficiency as ship security officer shall:
  1. have approved seagoing service of not less than 12 months or appropriate seagoing service and knowledge of ship operations; and
  2. meet the standard of competence for certification of proficiency as ship security officer, set out in section A-VI/5, paragraphs 1 to 4 of the STCW Code.
2. Administrations shall ensure that every person found qualified under this Regulation is issued with a certificate of proficiency.

### Regulation VI/6

Mandatory minimum requirements for security-related training and instruction for all seafarers.

- 1 Seafarers shall receive security-related familiarization and security-awareness training or instruction in accordance with section A-VI/6, paragraphs 1 to 4 of the STCW Code and shall meet the appropriate standard of competence specified therein.
- 2 Where security awareness is not included in the qualification for the certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course in security awareness training.
- 3 Every Party shall compare the security-related training or instruction it requires of seafarers who hold or can document qualifications before the entry into force of this regulation with those specified in section A-VI/6, paragraph 4 of the STCW Code, shall determine the need for requiring these seafarers to update their qualifications;

#### Seafarers with designated security duties

4. Seafarers with designated security duties shall meet the standard of competence specified in section A-VI/6, paragraphs 6 to 8 of the STCW Code.
- 5 Where training in designated security duties is not included in the qualifications for the certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course of training for designated security duties.
6. Every Party shall compare the security training standards required of seafarers with designated security duties who hold or can document qualifications before the entry into force of this regulation with those specified in section A-VI/6, paragraph 8 of the STCW Code, and shall determine the need for requiring these seafarers to update their qualifications.

### CHAPTER VII

#### Alternative certification

##### Regulation VII/1

Issue of alternative certificates

- 1 Notwithstanding the requirements for certification laid down in chapters II and III of this annex, Parties may elect to issue or authorize the issue of certificates other than those mentioned in the regulations of those chapters, provided that:
  1. the associated functions and levels of responsibility to be stated on the certificates and in the endorsements are selected from and identical to those appearing in sections A-II/1, A-II/2, A-II/3, A-II/4, A-II/5, A-III/1, A-III/2, A-III/3, A-III/4, A-III/5 and A-IV/2 of the STCW Code;
  2. the candidates have completed approved education and training and meet the requirements for standards of competence, prescribed in the relevant sections of the STCW Code and as set forth in section A-VII/1 of this Code, for the functions and levels that are to be stated in the certificates and in the endorsements;
  3. the candidates have completed approved seagoing service appropriate to the performance of the functions and levels that are to be stated on the certificate.

The minimum duration of seagoing service shall be equivalent to the duration of seagoing service prescribed in chapters II and III of this annex. However, the minimum duration of seagoing service shall not be less than as prescribed in section A-VII/2 of the STCW Code;

4. the candidates for certification who are to perform the function of navigation at the operational level shall meet the applicable requirements of the regulations in chapter IV, as appropriate, for performing designated radio duties in accordance with the Radio Regulations; and

5. the certificates are issued in accordance with the requirements of regulation I/2 and the provisions set forth in chapter VII of the STCW Code.
  - 2 No certificate shall be issued under this chapter unless the Party has communicated information to the Organisation in accordance with article IV and regulation I/7.

### **Regulation VII/2**

#### **Certification of seafarers**

1. Every seafarer who performs any function or group of functions specified in tables A-II/1, A-II/2, A-II/3, A-II/4 or A-II/5 of chapter II or in tables A-III/1, A-III/2, A-III/3, A-III/4 or A-III/5 of chapter III or A-IV/2 of chapter IV of the STCW Code shall hold a certificate of competency or certificate of proficiency, as applicable.

### **Regulation VII/3**

#### **Principles governing the issue of alternative certificates**

- 1 Any Party which elects to issue or authorize the issue of alternative certificates shall ensure that the following principles are observed:
  1. no alternative certification system shall be implemented unless it ensures a degree of safety at sea and has a preventive effect as regards pollution at least equivalent to that provided by the other chapters; and
  2. any arrangement for alternative certification issued under this chapter shall provide for the interchangeability of certificates with those issued under the other chapters.
- 2 The principle of interchangeability in paragraph 1 shall ensure that:

1. seafarers certificated under the arrangements of chapters II and/or III and those certificated under chapter VII are able to serve on ships which have either traditional or other forms of shipboard Organisation; and
  2. seafarers are not trained for specific shipboard arrangements in such a way as would impair their ability to take their skills elsewhere.
- 3 In issuing any certificate under this chapter, the following principles shall be taken into account:
    1. the issue of alternative certificates shall not be used in itself:
      - 1.1 to reduce the number of crew on board,
      - 1.2 to lower the integrity of the profession of "de-skill" seafarers, or
      - 1.3 to justify the assignment of the combined duties of the engine and deck watchkeeping officers to a single certificate holder during any particular watch; and
    2. the person in command shall be designated as the master; and the legal position and authority of the master and others shall not be adversely affected by the implementation of any arrangement for alternative certification.
  - 4 The principles contained in paragraphs 1 and 2 of this regulation shall ensure that the competency of both deck and engineer officers is maintained.



## CHAPTER VIII

### Watch keeping

#### Regulation VIII/1

##### Fitness for duty

1. Each Administration shall, for the purpose of preventing fatigue:
  1. establish and enforce rest periods for watch keeping personnel and those whose duties involve designated safety, security and prevention of pollution of duties in accordance with section A-VIII/1 of the STCW Code; and
  2. require that watch systems are so arranged that the efficiency of all watch keeping personnel is not impaired by fatigue and that duties are so organized that the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and otherwise fit for duty.
2. Each Administration shall, for the purpose of preventing drug and alcohol abuse, ensure that adequate measures are established in accordance with section A-VIII/1 while taking into account the guidance given in section B-VIII/1 of the STCW Code.

#### Regulation VIII/2

##### Watch keeping arrangements and principles to be observed

1. Administrations shall direct the attention of companies, masters, chief engineer officers and all watchkeeping personnel to the requirements, principles and guidance set out in the STCW Code which shall be observed to ensure that a safe continuous watch or watches appropriate to the prevailing circumstances and conditions are maintained on all seagoing ships at all times.

2. Administrations shall require the master of every ship to ensure that watchkeeping arrangements are adequate for maintain a safe watch or watches, taking into account the prevailing circumstances and conditions and that, under the master's general direction:
  1. officers in charge of the navigational watch are responsible for navigating the ship safely during their periods of duty, when they shall be physically present on the navigating bridge or in a directly associated location such as the chartroom or bridge control room at all times;
  2. radio operators are responsible for maintaining a continuous radio watch on appropriate frequencies during their periods of duty;
  3. officers in charge of an engineering watch, as defined in the STCW Code, under the direction of the chief engineer officer, shall be immediately available and on call to attend the machinery spaces and, when required, shall be physically present in the machinery space during their periods of responsibility;
  4. an appropriate and effective watch or watches are maintained for the purpose of safety at all times, while the ship is at anchor or moored and, if the ship is carrying hazardous cargo, the Organisation of such watch or watches takes full account of the nature, quantity, packing and stowage of the hazardous cargo and of any special conditions prevailing on board, afloat or ashore; and
  5. as applicable, an appropriate and effective watch or watches are maintained for the purposes of security.

**ATTACHMENT 2****RESOLUTION 2****THE MANILA AMENDMENTS TO THE SEAFARERS' TRAINING,  
CERTIFICATION AND WATCHKEEPING (STCW) CODE**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED resolution 1 on Adoption of the Manila amendments to the annex to the International Convention on Standards of Training, Certification and Watch keeping for Seafarers (STCW), 1978,

RECOGNIZING the importance of establishing detailed mandatory standards of competence and other mandatory provisions necessary to ensure that all seafarers shall be properly educated and trained, adequately experienced, skilled and competent to perform their duties in a manner which provides for the safety of life, property and security at sea and the protection of the marine environment,

ALSO RECOGNIZING the need to allow for the timely amendment of such mandatory standards and provisions in order to effectively respond to changes in technology, operations, practices and procedures used on board ships,

RECALLING that a large percentage of maritime casualties and pollution incidents are caused by human error,

APPRECIATING that one effective means of reducing the risks associated with human error in the operation of seagoing ships is to ensure that the highest practicable standards of training, certification and competence are maintained in respect of the seafarers who are or will be employed on such ships,

DESIRING to achieve and maintain the highest practicable standards for the safety of life, property and security at sea and in port and for the protection of the environment,

HAVING CONSIDERED amendments to the Seafarers' Training, Certification and Watch keeping (STCW) Code, comprised in part A - Mandatory standards regarding provisions of the annex to the 1978 STCW Convention, as amended, and part B -

Recommended guidance regarding provisions of the 1978 STCW Convention, as amended, proposed and circulated to all Members of the Organisation and all Parties to the Convention,

NOTING that regulation I/1, paragraph 2, of the annex to the 1978 STCW Convention provides that amendments to part A of the STCW Code shall be adopted, brought into force and take effect in accordance with the provisions of article XII of the Convention concerning the amendment procedure applicable to the annex,

HAVING CONSIDERED amendments to the STCW Code proposed and circulated to the Members of the Organisation and to all Parties to the Convention,

1. ADOPTS amendments to the Seafarers' Training, Certification and Watch keeping (STCW) Code, set out in annex to the present resolution;
2. DETERMINES, in accordance with article XII (1)(a)(vii) of the Convention, that the amendments to part A of the STCW Code shall be deemed to have been accepted on 1 July 2011, unless, prior to that date, more than one third of Parties or Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant shipping of ships of 100 gross register tons or more have notified the Secretary-General that they object to the amendments;
3. INVITES Parties to note that, in accordance with article XII(1)(a)(ix) of the Convention, the amendments to part A of the STCW Code annexed hereto shall enter into force on 1 January 2012 upon being deemed to have been accepted in accordance with paragraph 2 above;
4. RECOMMENDS that the guidance contained in part B of the STCW Code, as amended, should be taken into account by all Parties to the 1978 STCW Convention as from the date of entry into force of the amendments to part A of the STCW Code;
5. REQUEST the Maritime Safety Committee to keep the STCW Code under review and amend it, as appropriate;

6. ALSO REQUESTS the Secretary-General of the Organisation to transmit certified copies of the present resolution and the text of amendments to the STCW Code contained in the annex to all Parties to the Convention;
7. FURTHER REQUESTS the Secretary-General to transmit copies of this resolution and its annex to all Members of the Organisation which are not Parties to the Convention.

#### ANNEX

#### THE MANILA AMENDMENTS TO THE SEAFARERS'

#### TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE

1. The part A of the Seafarers' Training, Certification and Watch keeping (STCW) Code is replaced by the following:

#### "PART A"

#### Mandatory standards regarding provisions of the annex to the STCW Convention

#### Introduction

- 1 This part of the STCW Code contains mandatory provisions to which specific reference is made in the annex to the International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978, as amended, hereinafter referred to as the STCW Convention.

These provisions give detail the minimum standards required to be maintained by Parties in order to give full and complete effect to the Convention.

- 2 Also contained in this part are standards of competence required to be demonstrated by candidates for the issue and revalidation of certificates of competency under the provisions of the STCW Convention. To clarify the linkage between the alternative

certification provisions of chapter VII and the certification provisions of chapters II, III and IV, the abilities specified in the standards of competence are grouped, as appropriate, under the following seven functions:

1. Navigation
2. Cargo handling and stowage
3. Controlling the operation of the ship and care for persons on board
4. Marine engineering
5. Electrical, electronic and control engineering
6. Maintenance and repair
7. Radio communications

at the following levels of responsibility:

1. Management level
2. Operational level
3. Support level

Functions and levels of responsibility are identified by subtitle in the tables of standards of competence given in chapters II, III and IV of this part. The scope of the function at the level of responsibility stated in a subtitle is defined by the abilities listed under it in column 1 of the table. The meaning of "function" and "level of responsibility" is defined in general terms in section A-I/1 below.

- 3 The numbering of the sections of this part corresponds with the numbering of the regulations contained in the annex to the STCW Convention. The text of the sections may be divided into numbered parts and paragraphs, but such numbering is unique to that text alone.

## CHAPTER I

### Standards regarding general provisions

#### Section A-I/1

##### Definitions and clarifications

- 1 The definitions and clarifications contained in article II and regulation I/1 apply equally to the terms used in parts A and B of this Code. In addition, the following supplementary definitions apply only to this Code:
  1. Standard of competence means the level of proficiency to be achieved for the proper performance of functions on board ship in accordance with the internationally agreed criteria as set forth herein and incorporating prescribed standards or levels of knowledge, understanding and demonstrated skill;
  2. Management level means the level of responsibility associated with:
    - 2.1 serving as master, chief mate, chief engineer officer or second engineer officer on board a seagoing ship, and
    - 2.2 ensuring that all functions within the designated area of responsibility are properly performed;
  3. Operational level means the level of responsibility associated with:
    - 3.1 serving as officer in charge of a navigational or engineering watch or as designated duty engineer for periodically unmanned machinery spaces or as radio operator on board a seagoing ship; and

- 3.2 maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction of an individual serving in the management level for that area of responsibility;

4. Support level means the level of responsibility associated with performing assigned tasks, duties or responsibilities on board a seagoing ship under the direction of an individual serving in the operational or management level;
5. Evaluation criteria are the entries appearing in column 4 of the "Specification of Minimum Standard of Competence" tables in part A and provide the means for an assessor to judge whether or not a candidate can perform the related tasks, duties and responsibilities; and
6. Independent evaluation means an evaluation by suitably qualified persons, independent of, or external to, the unit of activity being evaluated, to verify that the administrative and operational procedures at all levels are managed, organized, undertaken and monitored internally in order to ensure their fitness for purpose and achievement of stated objectives.

#### Regulation A-I/2

##### Certificates and endorsements

1. Where, as provided in regulation I/2, paragraph 6, the endorsement required by article VI of the Convention is incorporated in the wording of the certificate itself, the certificate shall be issued in the format shown hereunder, provided that the words "or until the date of expiry of any extension of the validity of this certificate as may be shown overleaf" appearing on the front of the form and the provisions for recording extension of the validity appearing on the back of the form shall be omitted where the certificate is required to be replaced upon its expiry. Guidance on completion of the form is contained in section B-I/2 of this Code.

(Official seal)

**SIERRA LEONE  
 CERTIFICATE ISSUED UNDER THE PROVISIONS OF THE  
 INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,  
 CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978, AS  
 AMENDED**

The Government of SIERRA LEONE certifies that ..... has been found duly qualified in accordance with the provisions of regulation ..... of the above Convention, as amended, and has been found competent to perform the following functions, at the levels specified, subject to any limitations indicated until ..... or until the date of expiry of any extension of the validity of this certificate as may be shown overleaf:

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

The lawful holder of this certificate may serve in the following capacity or capacities specified in the applicable safe manning requirements of the Administration:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Certificate No. .... issued on

.....  
 (Official seal)  
 .....

Signature of duly authorised official

.....  
 Name of duly authorised official

The original of this certificate must be kept available in accordance with regulation I/2, paragraph 11 of the Convention while its holder is serving on a ship.

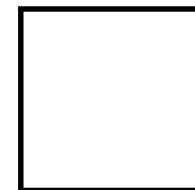
Date of birth of the holder of the certificate

.....

Signature of the holder of the certificate

.....

Photograph of the holder of the certificate



The validity of this certificate is hereby extended until.....

(Official seal) .....  
*Signature of the holder of the certificate*

Date of revalidation.....  
*Name of duty authorized official*

Validity of this certificate is hereby extended until.....

(Official seal) .....  
 Signature of duly authorized official

Date of revalidation.....

- 2 Except as provided in paragraph 1, the form used to attest the issue of a certificate shall be as shown hereunder, provided that the words "or until the date of expiry of any extension of the validity of this endorsement as may be show overleaf" appearing on the front of the form and the provisions for recording extension of the validity appearing on the back of the form shall be omitted where the endorsement is required to be replaced upon its expiry. Guidance on completion of the form is contained in section B-1/2 of this Code.

(Official seal)

**SIERRA LEONE  
 ENDORSEMENT ATTESTING ISSUE OF A CERTIFICATE  
 UNDER THE PROVISIONS OF THE INTERNATIONAL  
 CONVENTION ON STANDARDS OF TRAINING,  
 CERTIFICATION AND WATCHKEEPING FOR SEAFARERS,  
 1978, AS AMENDED**

The Government of SIERRA LEONE certifies that Certificate Number ..... has been issued to .....who has been found duly qualified in accordance with the provisions of regulation ..... of the above Convention, as amended, and has been found competent to perform the following functions, at the levels specified, subject to any limitations indicated until ..... or until the date of expiry of any extension of the validity of this certificate as may be shown overleaf:

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

The lawful holder of this endorsement may serve in the following capacity or capacities specified in the applicable safe manning requirements of the Administration:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Endorsement No. .... issued on

.....

(Official seal)

.....

Signature of duly authorised official

.....

Name of duly authorised official

The original of this endorsement must be kept available in accordance with regulation I/2, paragraph 11 of the Convention while its holder is serving on a ship.

Date of birth of the holder of the certificate

.....

Signature of the holder of the certificate

.....

Photograph of the holder of the certificate



The validity of this certificate is hereby extended until.....

(Official seal)

.....

*Signature of the holder of the certificate*

Date of revalidation.....

.....

*Name of duty authorized official*

Validity of this certificate is hereby extended until.....

(Official seal)

*Signature of duly authorized official*

Date of revalidation.....

.....

- 3 The form used to attest the recognition of a certificate shall be as shown hereunder, provided that the words "or until the date of expiry of any extension of the validity of this endorsement as may be show overleaf" appearing on the front of the form and the provisions for recording extension of the validity appearing on the back of the form shall be omitted where the endorsement is required to be replaced upon its expiry. Guidance on completion of the form is contained in section B-I/2 of this Code.

*(Official seal)*

SIERRA LEONE

**ENDORSEMENT ATTESTING THE RECOGNITION OF A CERTIFICATE  
UNDER THE PROVISIONS OF THE INTERNATIONAL CONVENTION ON  
STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR  
SEAFARERS, 1978, AS AMENDED**

The Government of SIERRA LEONE certifies that Certificate Number ..... issued to ..... by or on behalf of the Government of ..... is duly recognized in accordance with the provisions of regulation ..... I/10 ..... of the above Convention, as amended, and the lawful holder is authorised to perform the following functions, at the levels specified, subject to any limitations indicated until ..... or until the date of expiry of any extension of the validity of this certificate as may be shown overleaf:

FUNCTION	LEVEL	LIMITATIONS APPLYING (IF ANY)

The lawful holder of this endorsement may serve in the following capacity or capacities specified in the applicable safe manning requirements of the Administration:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

Endorsement No. .... issued on

.....

*(Official seal)*

.....

Signature of duly authorised official

.....  
Name of duly authorised official

The original of this endorsement must be kept available in accordance with regulation I/2, paragraph 11 of the Convention while its holder is serving on a ship.  
Date of birth of the holder of the certificate.

.....  
Signature of the holder of the certificate

.....  
Photograph of the holder of the certificate

The validity of this certificate is hereby extended until.....

*(Official seal)* .....  
*Signature of the holder of the certificate*

Date of revalidation.....  
*Name of duly authorized official*

Validity of this certificate is hereby extended until.....

*(Official seal)* .....  
*Signature of duly authorized official*

Date of revalidation.....



- 4 In using formats which may be different from those set forth in this section, pursuant to regulation I/2, paragraph 10, Parties shall ensure that in all cases:
1. all information relating to the identity and personal description of the holder, including name, date of birth, photograph and signature, along with the date on which the document was issued, shall be displayed on the same side of the documents; and
  2. all information relating to the capacity or capacities in which the holder is entitled to serve, in accordance with the applicable safe manning requirements of the Administration, as well as any limitations, shall be prominently displayed and easily identified.

#### **Issue and Registration of certificates**

##### **Approval of seagoing service**

- 5 In approving seagoing service required by the Convention, Parties should ensure that the service concerned is relevant to the qualification being applied for, bearing in mind that, apart from the initial familiarization with service in seagoing ships, the purpose of such service is to allow the seafarer to be instructed in and to practice, under appropriate supervision, those safe and proper seagoing practices, procedures and routines which are relevant to the qualification applied for.

##### **Approval of training courses**

- 6 In approving training courses and programmes, Parties should take into account that the relevant IMO Model Courses can assist in the preparation of such courses and programmes and ensure that the detailed learning objectives recommended therein are suitably covered.

#### **Electronic access to registers**

7. In the maintenance of the electronic register in accordance with paragraph 15 of regulation I/2, provisions shall be made to allow controlled electronic access to such register or registers to allow Parties and companies to confirm:
1. the name of the seafarer to whom such certificate, endorsement or other qualification was issued, its relevant number, date of issue and date of expiry;
  2. the capacity in which the holder may serve and any limitations attaching thereto; and
  3. the functions the holder may perform, the levels authorised and any limitations attached thereto.

#### **Development of a database for certificate registration**

- 8 In implementing the requirement in paragraph 14 of regulation I/2, for the maintenance of a register of certificates and endorsements, a standard database is not necessary provided that all the relevant information is recorded and available in accordance with regulation I/2.
9. The following items of information should be recorded and available, either on paper or electronically, in accordance with regulation I/2:
1. **Status of certificate**  
Valid  
Suspended  
Cancelled  
Reported lost  
Destroyed  
with a record of changes to status to be kept, including dates of changes.

**2. Certificate of details**

Seafarer's name  
 Date of birth  
 Nationality  
 Gender  
 Preferably a photograph  
 Relevant document number  
 Date of issue  
 Date of expiry  
 Last revalidation date  
 Details of dispensation(s)

**3. Competency of details**

STCW standard of competence (eg. regulation II/1)  
 Capacity  
 Function  
 Level of responsibility  
 Endorsements  
 Limitations

**4. Medical details**

Date of issue of latest medical certificate relating to the issue or revalidation of the certificate of competency.

**Section A-I/3****Principles governing near-coastal voyages**

- 1 When a Party defines near-coastal voyages, inter alia, for the purpose of applying variations to the subjects listed in column 2 of the standard of competence tables contained in chapters II and III of part A of the Code, for the issue of certificates valid for service on ships entitled to fly the flag of that Party and engaged on such voyages, account shall be taken to the following factors, bearing in mind the effect on the safety and security of all ships and on the marine environment:

1. type of ship and the trade in which it is engaged;
  2. gross tonnage of the ship and the propulsion power in kilowatts of the main machinery;
  3. nature and length of the voyages;
  4. maximum distance from a port of refuge;
  5. adequacy of the coverage and accuracy of navigational position-fixing devices;
  6. weather conditions normally prevailing in the near-coastal voyages area;
  7. provision of shipboard and coastal communication facilities for search and rescue; and
  8. the availability of shore-based support, regarding especially technical maintenance on board.
- 2 It is not intended that ships engaged on near-coastal voyages extend their voyages worldwide, under the excuse that they are navigating constantly within the limits of designated near-coastal voyages of neighbouring Parties.

**Section A-I/4****Control procedures**

- 1 The assessment procedure provided for in regulation I/4, paragraph 1.3, resulting from any of the occurrences mentioned therein shall take the form of a verification that members of the crew who are required to be competent do in fact possess the necessary skills related to the occurrence.
- 2 It shall be borne in mind when making this assessment that onboard procedures are relevant to the International Safety Management (ISM) Code and that the provisions of this Convention are confined to the competence to safely execute those procedures.
- 3 Control procedures under this Convention shall be confined to the standards of competence of the individual seafarers on board and their skills related to watchkeeping as defined in part A of this Code, Onboard assessment of competency shall commence with verification of the certificates of the seafarers.

- 4 Notwithstanding verification of the certificate, the assessment under regulation I/4, paragraph 1.3 can require the seafarer to demonstrate the related competency at the place of duty. Such demonstration may include verification that operational requirements in respect of watch keeping standards have been met and that there is a proper response to emergency situations within the seafarer's level of competence.
- 5 In the assessment, only the methods for demonstrating competence together with the criteria for its evaluation and the scope of the standards given in part A of this Code shall be used.
- 6 Assessment of competency related to security shall be conducted for those seafarers with specific security duties only in case of clear grounds, as provided for in chapter XI/2 of the International Convention for the Safety of Life at Sea (SOLAS). In all other cases, it shall be confined to the verification of the certificates and / or endorsements of the seafarers.

#### **Section A-I/5**

##### National provisions

The provisions of regulation I/5 shall not be interpreted as preventing the allocation of tasks for training under supervision or in cases of force majeure.

#### **Section A-I/6**

##### Training and assessment

1. Each Party shall ensure that all training and assessment of seafarers for certification under the Convention is:
  1. structured in accordance with written programmes, including such methods and media of delivery, procedures, and course material as are necessary to achieve the prescribed standard of competence; and

2. conducted, monitored, evaluated and supported by persons qualified in accordance with paragraphs 4, 5 and 6.
- 2 Persons conducting in-service training or assessment on board ship shall only do so when such training or assessment will not adversely affect the normal operation of the ship and they can dedicate their time and attention to training or assessment.

#### **Qualifications of instructors, supervisors and assessors**

- 3 Each Party shall ensure that instructors, supervisors and assessors are appropriately qualified for the particular types and levels of training or assessment of competence of seafarers either on board or ashore, as required under the Convention, in accordance with the provisions of this section.

#### **In-service training**

- 4 Any person conducting in-service training of a seafarer, either on board or ashore, which is intended to be used in qualifying for certification under the Convention, shall:
  1. have an appreciation of the training programme and an understanding of the specific training objectives for the particular type of training being conducted;
  2. be qualified in the task for which training is being conducted; and
  3. if conducting training using a simulator:
    - 3.1 have received appropriate guidance in instructional techniques involving the use of simulators; and
    - 3.2 have gained practical operational experience on the particular type of simulator being used.

- 5 Any person responsible for the supervision of in-service training of a seafarer intended to be used in qualifying for certification under the Convention shall have a full understanding of the training programme and the specific objectives for each type of training being conducted.

#### **Assessment of competence**

- 6 Any person conducting in-service assessment of competence of a seafarer, either on board or ashore, which is intended to be used in qualifying for certification under the Convention, shall:
  1. have an appropriate level of knowledge and understanding of the competence to be assessed;
  2. be qualified in the task for which the assessment is being made;
  3. have received appropriate guidance in assessment methods and practice;
  4. have gained practical assessment experience; and
  5. if conducting assessment involving the use of simulators, have gained practical assessment experience on the particular type of simulator under the supervision and to the satisfaction of an experienced assessor.

#### **Training and assessment within an institution**

- 7 Each Party which recognizes a course of training, a training institution, or a qualification granted by a training institution, as part of its requirements for the issue of a certificate required under the Convention, shall ensure that the qualifications and experience of instructors and assessors are covered in the application of the quality standard provisions of section A-I/8. Such qualification, experience and application of quality standards shall incorporate appropriate training in instructional techniques, and training and assessment methods and practice, and shall comply with all applicable requirements of paragraphs 4 to 6.

#### **Section A-I/7**

##### Communication of information

- 1 The information required by regulation I/7, paragraph 1 shall be communicated to the Secretary-General in the formats prescribed in the paragraphs hereunder.

##### PART 1- INITIAL COMMUNICATION OF INFORMATION

- 2 Within one calendar year of entry into force of regulation I/7, each Party shall report on the steps it has taken to give the Convention full and complete effect, which report shall include the following:
  1. contact details and Organisation chart of the ministry, department or governmental agency responsible for administering the Convention;
  2. a concise explanation of the legal and administrative measures provided and taken to ensure compliance, particularly with regulations I/2, I/6 and I/9;
  3. a clear statement of the education, training, examination, competency assessment and certification policies adopted;
  4. a concise summary of the courses, training programmes, examinations and assessments provided for each certificate issued pursuant to the Convention;
  5. a concise outline of the procedures followed to authorize, accredit or approve training and examinations, medical fitness and competency assessments required by the Convention, the conditions attached thereto, and a list of the authorizations, accreditations and approvals granted;
  6. a concise summary of the procedures followed in granting any dispensation under article VIII of the Convention; and

7. the results of the comparison carried out pursuant to regulation I/11 and a concise outline of the refresher and upgrading training mandated.

#### **PART 2 - SUBSEQUENT REPORTS**

1. retaining or adopting any equivalent education or training arrangements pursuant to article IX, provide a full description of such arrangements;
  2. recognizing certificates issued by another Party, provide a report summarizing the measures taken to ensure compliance with regulation I/10; and
  3. authorizing the employment of seafarers holding alternative certificates issued under regulation VII/1 on ships entitled to fly its flag, provide the Secretary-General with a specimen copy of the type of safe manning documents issued to such ships.
- 4 Each Party shall report the results of each evaluation carried out pursuant to regulation I/8, paragraph 2 within six months of its completion. The report of the evaluation shall include the following information:
1. the qualifications and experience of those who conducted the evaluation; (eg. certificates of competency held, experience as a seafarer and independent evaluator, experience in the field of maritime training and assessment, experience in the administration of certification systems, or any other relevant qualifications/experience);
  2. the terms of reference for the independent evaluation and those of the evaluators;
  3. a list of training institutions/centres covered by the independent evaluation; and
  4. the results of the independent evaluation, including:

1. verification that:

- 1.1 all applicable provisions of the Convention and STCW Code, including their amendments, are covered by the Party's quality standards system in accordance with section A-I/8, paragraph 3.1; and
- 1.2 all internal management control and monitoring measures and follow-up actions comply with planned arrangements and documented procedures and are effective in ensuring achievement of defined objectives in accordance with section A-I/8, paragraph 3.2;

2. a brief description of:

- 2.1 the non-conformities found, if any, during the independent evaluation,
- 2.2 the corrective measures recommended to address the identified non-conformities, and
- 2.3 the corrective measures carried out to address the identified non-conformities.

- 5 Parties shall report the steps taken to implement any subsequent mandatory amendments to the Convention and STCW Code, not previously included in the report on the initial communication of information pursuant to regulation I/7 or any previous report to regulation I/8. The information shall be included in the next report pursuant to regulation I/8, paragraph 3, following the entry into force of the amendment.
- 6 The information on the steps taken to implement mandatory amendments to the Convention and STCW Code shall include the following, where applicable:

1. a concise explanation of the legal and administrative measures provided and taken to ensure compliance with the amendment;
2. a concise summary of any courses, training programmes, examinations and assessments provided to comply with the amendment;
3. a concise outline of the procedures followed to authorize, accredit or approve training and examinations, medical fitness and competency assessments required under the amendment;
4. a concise outline of any refresher training and upgrading training required to meet the amendments; and
5. a comparison between the measures to implement the amendment and existing measures contained in previous reports pursuant to regulation I/7, paragraph 1 and/or regulation I/8, paragraph 2 where applicable.

### **PART 3 - PANEL OF COMPETENT PERSONS**

- 7 The Secretary-General shall maintain a list of competent persons approved by the Maritime Safety Committee, including competent persons made available or recommended by the Parties, who may be called upon to evaluate the reports submitted pursuant to regulation I/7, and regulation I/8 and may be called to assist in the preparation of the report required by regulation I/7, paragraph 2. These persons shall ordinarily be available during relevant sessions of the Maritime Safety Committee or its subsidiary bodies, but need not conduct their work solely during such sessions.
8. In relation to regulation I/7, paragraph 2, the competent persons shall be knowledgeable of the requirements of the Convention and at least one of them shall have knowledge of the system of training and certification of the Party concerned.

9. When a report is received from any Party under regulation I/8, paragraph 3, the Secretary-General will designate competent persons from the list maintained in accordance with paragraph 7 above, to consider the report and provide their views on whether:
  1. the report is complete and demonstrates that the Party has carried out an independent evaluation of the knowledge, understanding, skills and competence acquisition and assessment activities, and of the administration of the certification system (including endorsement and revalidation), in accordance with section A-I/8, paragraph 3;
  2. the report is sufficient to demonstrate that:
    - 2.1 the evaluators were qualified,
    - 2.2 the terms of reference were clear enough to ensure that:
      - 2.2.1 all applicable provisions of the Convention and STCW Code, including their amendments, are covered by the Party's quality standards system; and
      - 2.2.2 the implementation of clearly defined objectives in accordance with regulation I/8, paragraph 1 could be verified over the full range of relevant activities,
  1. the report is complete and demonstrates that the Party has carried out an independent evaluation of the knowledge,
  - 2.3 the procedures followed during the independent evaluation were appropriate to identify any significant non-conformities in the Party's system of training, assessment of competence, and certification of seafarers, and may be applicable to the Party concerned, and
  - 2.4 the actions being taken to correct any noted non-conformities are timely and appropriate.

- 10 Any meeting of the competent persons shall:
1. be held at the discretion of the Secretary-General;
  2. be comprised of an odd number of members, ordinarily not to exceed five persons;
  3. appoint its own chairman; and
  4. provide the Secretary-General with the agreed opinion of its members, or if no agreement is reached, with both the majority and minority views.
11. The competent persons shall, on a confidential basis, express their views in writing on:
1. a comparison of the facts reported in the information communicated to the Secretary-General by the Party with all relevant requirements of the Convention;
  2. the report of any relevant evaluation submitted under regulation I/8, paragraph 3;
  3. the report of any steps taken to implement the amendments to the STCW Convention and Code submitted under paragraph 5; and
  4. any additional information provided by the Party.

#### **PART 4- REPORT OF THE MARITIME SAFETY COMMITTEE**

12. In preparing the report to the Maritime Safety Committee required by regulation I/7, paragraph 2, the Secretary-General shall:
1. solicit and take into account the views expressed by competent persons selected from the list established pursuant to paragraph 7;
  2. seek clarification, when necessary, from the Party of any matter related to the information provided under regulation I/7, paragraph 1; and
  3. identify any area in which the Party may have requested assistance to implement the Convention.

- 13 The Party concerned shall be informed of the arrangements for the meetings of competent persons, and its representatives shall be entitled to be present to clarify any matter related to the information provided pursuant to regulation I/7, paragraph 1.
- 14 If the Secretary-General is not in a position to submit the report called for by paragraph 2 of regulation I/7, the Party concerned may request the Maritime Safety Committee to take the action contemplated by paragraph 3 of regulation I/7, taking into account the information submitted pursuant to this section and the views expressed in accordance with paragraphs 10 and 11.

#### **Section A-I/8**

##### Quality standards

##### **National objectives and quality standards**

- 1 Each Party shall ensure that the education and training objectives and related standards of competence to be achieved are clearly defined and that the levels of knowledge, understanding and skills appropriate to the examinations and assessments required under the Convention are identified. The objectives and related quality standards may be specified separately for different courses and training programmes and shall cover the administration of the certification system.
- 2 The field of application of the quality standards shall cover the administration of the certification system, all training courses and programmes, examinations and assessments carried out by or under the authority of a Party and the qualifications and experience required of instructors and assessors, having regard to politics, systems, controls and internal quality assurance revises established to ensure achievement of the defined objectives.
- 3 Each Party shall ensure that an independent evaluation of the knowledge, understanding, skills and competence acquisition and assessment activities, and of the administration of the certification system, is conducted at intervals of not more than five years in order to verify that:
  1. all applicable provisions of the Convention and STCW Code, including their amendments, are covered by the quality standards system;

2. all internal management control can monitoring measures and follow-up actions comply with planned arrangements and documented procedures and are effective in ensuring achievement of the defined objectives;
3. the results of each independent evaluation are documented and brought to the attention of those responsible for the areas evaluated; and
4. timely action is taken to correct deficiencies.

### Section A-I/9

#### Medical standards

- 1 Parties, when establishing standards of medical fitness for seafarers are required by regulation I/9, shall adhere to the minimum in-service eyesight standards set out in table A-I/9 and take into account the criteria for physical and medical fitness set out in paragraph 2. They should also take into account the guidance given in section B-I/9 of this Code and table B-I/9 of this Code and table B-I/9 regarding assessment of minimum physical abilities.

These standards may, to the extent determined by the Party without prejudice to the safety of the seafarers or the ship, differentiate between those persons seeking to start a career at sea and those seafarers already serving at sea and between different functions on board, bearing in mind the different duties of seafarers. They shall also take into account any impairment or disease that will limit the ability of the seafarer to effectively perform his/her duties during the validity period of the medical certificate.

- 2 The standards of physical and medical fitness established by the Party shall ensure that seafarers satisfy the following criteria:
  1. have the physical capability, taking into account paragraph 5 below, to fulfil all the requirements of the basic training as required by section A-VI/1, paragraph 2;
  2. demonstrate adequate hearing and speech to communicate effectively and detect any audible alarms;

3. have no medical condition, disorder or impairment that will prevent the effective and safe conduct of their routine and emergency duties on board during the validity period of the medical certificate;
  4. are not suffering from any medical condition likely to be aggravated by service at sea or to render the seafarer unfit for such service or to endanger the health and safety of other persons on board; and
  5. are not taking any medication that has side effects that will impair judgment, balance, or any other requirements for effective and safe performance or routine and emergency duties on board.
- 3 Medical fitness examinations of seafarers shall be conducted by appropriately qualified experienced medical practitioners recognized by the Party.
  - 4 Each Party shall establish provisions for recognizing medical practitioners. A register of recognized medical practitioners shall be maintained by the Party and made available to other Parties, companies and seafarers on request.
  - 5 Each Party shall provide guidance for the conduct of medical fitness examinations and issuing of medical certificates, taking into account provisions set out in section B-I/9 of this Code. Each party shall determine the amount of discretion given to recognized medical practitioners on the application of the medical standards, bearing in mind the different duties of seafarers, except that there shall not be discretion with respect to the minimum eyesight standards for distance vision aided, near/immediate vision and colour vision in table A-I/9 for seafarers in the deck department required to undertake look-out duties. A Party may allow discretion on the application of these standards with regard to seafarers in the engine department, on the condition that seafarer's combined vision fulfils the requirements set out in table A-I/9.