



SUB-COMMITTEE ON STANDARDS OF  
TRAINING AND WATCHKEEPING  
38th session  
Agenda item 17

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## REPORT TO THE MARITIME SAFETY COMMITTEE

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## 1 GENERAL

1.1 The Sub-Committee on Standards of Training and Watchkeeping (STW) held its thirty-eighth session from 22 to 26 January 2007 under the chairmanship of Rear Admiral Peter Brady (Jamaica). The Vice-Chairman, Mr. A.H. Kayssi (Lebanon), was also present.

1.2 The session was attended by representatives from the following countries:

ALGERIA	LIBERIA
ANTIGUA AND BARBUDA	LUXEMBOURG
ARGENTINA	MALAYSIA
AUSTRALIA	MALTA
BAHAMAS	MARSHALL ISLANDS
BELGIUM	MEXICO
BRAZIL	MOROCCO
BULGARIA	MOZAMBIQUE
CANADA	MYANMAR
CHILE	NETHERLANDS
CHINA	NEW ZEALAND
COLOMBIA	NIGERIA
CROATIA	NORWAY
CUBA	PANAMA
CYPRUS	PAPUA NEW GUINEA
CZECH REPUBLIC	PERU
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA	PHILIPPINES
DENMARK	POLAND
DOMINICA	PORTUGAL
DOMINICAN REPUBLIC	REPUBLIC OF KOREA
ECUADOR	ROMANIA
EGYPT	RUSSIAN FEDERATION
ESTONIA	SAINT KITTS AND NEVIS
FINLAND	SAUDI ARABIA
FRANCE	SINGAPORE
GERMANY	SOUTH AFRICA
GREECE	SPAIN
ICELAND	SWEDEN
INDIA	SYRIAN ARAB REPUBLIC
INDONESIA	THAILAND
IRAN (ISLAMIC REPUBLIC OF)	TRINIDAD AND TOBAGO
IRELAND	TURKEY
ISRAEL	TUVALU
ITALY	UKRAINE
JAMAICA	UNITED KINGDOM
JAPAN	UNITED REPUBLIC OF TANZANIA
JORDAN	UNITED STATES
KENYA	URUGUAY
LATVIA	VANUATU
LEBANON	VENEZUELA

and the following Associate Members of IMO:

FAROE ISLANDS  
HONG KONG, CHINA

1.3 The following specialized agencies and intergovernmental and non-governmental organizations were also represented:

INTERNATIONAL LABOUR ORGANIZATION (ILO)  
EUROPEAN COMMISSION (EC)  
MARITIME ORGANIZATION FOR WEST AND CENTRAL AFRICA (MOWCA)  
LEAGUE OF ARAB STATES  
INTERNATIONAL MOBILE SATELLITE ORGANIZATION (IMSO)  
INTERNATIONAL SHIPPING FEDERATION (ISF)  
INTERNATIONAL UNION OF MARINE INSURANCE (IUMI)  
INTERNATIONAL CHAMBER OF SHIPPING (ICS)  
INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU)  
BIMCO  
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)  
OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)  
INTERNATIONAL MARITIME PILOTS' ASSOCIATION (IMPA)  
INTERNATIONAL ASSOCIATION OF INSTITUTES OF NAVIGATION (IAIN)  
INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS (IFSMA)  
INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS  
(INTERTANKO)  
SOCIETY OF INTERNATIONAL GAS TANKER AND TERMINAL OPERATORS  
LIMITED (SIGTTO)  
CRUISE LINES INTERNATIONAL ASSOCIATION (CLIA)  
THE INSTITUTE OF MARINE ENGINEERING, SCIENCE AND TECHNOLOGY  
(IMarEST)  
INTERNATIONAL SHIP MANAGERS' ASSOCIATION (InterManager)  
THE INTERNATIONAL MARINE CONTRACTORS ASSOCIATION (IMCA)  
WORLD NUCLEAR TRANSPORT INSTITUTE (WNTI)

### **Secretary-General's opening address**

1.4 In welcoming the participants, the Secretary-General wished all present and the maritime community at large, a happy, healthy, successful and accident-free New Year and invited all with an interest in the affairs of IMO and the shipping industry to work together to create and sustain a safer, more secure, environmentally friendly and more efficient maritime world.

He referred to the tragic and heavy loss of life resulting from the foundering of two ferries, the **Senopati Nusantara** and **Tristar 1**, off the coast of Indonesia late last year and expressed his condolences to the Government of Indonesia. He stressed that the enormity of the losses suffered should act as a catalyst for all concerned to strengthen their resolve to ensure ships were only allowed to sail after all the measures for a safe passage were met and that commercial considerations were never given precedence over safety.

The Secretary-General drew attention to the theme for this year's World Maritime Day "IMO's response to current environmental challenges". He pointed out that this theme provided an opportunity to show that the maritime sector did care about the environment and, was indeed in

the forefront of this challenge. He emphasized that IMO had adopted a wide range of measures to prevent and control any pollution caused by ships which were all positive proof of the firm determination of Governments and the industry to reduce to the barest minimum the impact that shipping might have on our fragile environment. Conversely, the public's image of shipping and negative views of the industry and its regulators, following accidents that cause pollution was unfair. He urged all concerned to work together on several fronts to counter-balance such views through a determined proactive approach to environmental issues.

Turning to the issue of Comprehensive review of the STCW Convention and the STCW Code which MSC 81 had included in the Sub-Committee's work programme aiming at ensuring that the Convention meet the new challenges facing the shipping industry today and in the foreseeable future, the Secretary-General hoped that the Sub-Committee would respond to the Committee's expectations and, among other things, would take into account new and innovative training methodologies, including the use of simulators in training and e-learning to ensure that properly trained and competent seafarers were available to man and operate the ships in the service of seaborne trade. In this context, he also urged Member Governments to ratify the ILO's consolidated Maritime Labour Convention, which had been adopted by ILO in February of last year and was commonly referred to as the "fourth pillar" of the international regulatory regime (together with the SOLAS, STCW and MARPOL Conventions) aiming at quality shipping.

In the field of maritime security, the Secretary-General appreciated the Sub-Committee's contribution to the Organization's efforts to protect shipping from acts of terrorism, in particular the development of model training courses for ship, company and port facility security officers, mandatory training and certification requirements for ship security officers and guidance for training of company security officers. He observed that the Sub-Committee's further contributions to include appropriate security-related provisions, in the STCW Convention and the STCW Code were expected to greatly enhance maritime security.

In referring to the issue of the supply of seafarers, the Secretary-General expressed the view that while the BIMCO/ISF manpower 2005 update, provided a more encouraging picture than that projected in the 2000, it was imperative that adequate levels of training were available to ensure that seafarers were appropriately trained to man and operate increasingly sophisticated ships in a safe and efficient manner.

He drew attention to the outcome of recent analyses of accidents which indicated that, due to reportedly inappropriate levels of manning and watchkeeping arrangements, particularly in short sea voyages, fatigue had emerged as a significant contributory factor in accidents. In this context, the inclusion of the review of resolution A.890 on principles of safe manning in the Sub-Committee's work programme was, indeed, timely. He expressed the view that by debating as to whether to supplement these principles, possibly by some examples or norms against which maritime Administrations could evaluate watchkeeping arrangements for issuance of safe manning documents to ships, would certainly assist to take the matter forward.

The Secretary-General recalled that the 94<sup>th</sup> (Maritime) Session of the International Labour Conference endorsed the decision of the ILO Preparatory Maritime Technical Conference to transfer the ILO provisions related to the training and certification requirements for able seamen to the STCW Convention. He welcomed this development as it would group all training and certification requirements for seafarers within a single international treaty instrument.

In addressing issues relating to unlawful practices associated with certificates of competency and the means to prevent them, he noted that the Sub-Committee would be considering the outcome

of investigations, carried out by the United Kingdom before deciding on the proposal to revise the relevant reporting format and hoped that further progress could be made on this critical issue.

The Secretary-General, referring to the reported unacceptably high global loss of fishing vessel personnel every year, urged Governments to ratify the Torremolinos Protocol and the STCW-F Convention at the earliest possible opportunity in order to significantly enhance the safety of ship and personnel engaged in the fishing industry worldwide.

In his concluding remarks, the Secretary-General stressed that there should be no complacency about security at any of the various venues where IMO meetings were scheduled to be held during the refurbishment period and appealed to all to abide by the security rules in place and, in particular Circular letter No.2692 and any other *ad-hoc* measures that may be necessary. In referring to the implementation of the Voluntary IMO Member State Audit Scheme in accordance with resolution A.974(24), he updated the Sub-Committee on the audits conducted so far and requested Member Governments to offer themselves for audit to facilitate the planning of audits for the next biennium and to nominate individuals as auditors from whom to choose audit teams.

### **Chairman's remarks**

1.5 In response, the Chairman thanked the Secretary-General for his words of guidance and encouragement and assured the Secretary-General that his advice and requests would be given every consideration in the deliberations of the Sub-Committee and its working groups.

He stressed that the Sub-Committee had before it a demanding and challenging session meeting. In spite of that and given the successful history of the Sub-Committee in producing sound and robust international legislation and guidance pertinent to training, certification and watchkeeping, in an efficient way, he was confident that the same spirit would prevail at this session.

### **Statement by the United Kingdom**

1.6 The United Kingdom drew the attention of the Sub-Committee that, on 18 January 2007 under strong winds and heavy seas, the United Kingdom registered container ship, **MSC Napoli**, in a position 40 miles from the South West coast of the United Kingdom, suffered serious structural failure and as a result large cracks appeared on both sides of the ship leading to flooding of the engine room. Fortunately, the 26 crew were able to abandon the ship in life boats. The subsequent rescue, co-ordinated by the French MRCC, took place in the French SAR region of Corsen. French and the United Kingdom rescue resources were deployed which resulted in the successful rescue of the 26 crew without any injury. The United Kingdom appreciated the efforts of the French Administration for their professionalism and co-operation and was pleased at the success of collaborative efforts during this rescue.

### **Adoption of the agenda and related matters**

1.7 The Sub-Committee adopted the agenda (STW 38/1) and agreed, in general, that the work of the Sub-Committee should be guided by the annotations to the provisional agenda and the timetable (STW 38/1/1), as amended. The agenda of the session, including a list of documents submitted under each agenda item, is given in annex 1.

## **2 DECISIONS OF OTHER IMO BODIES**

### **OUTCOME OF THE EIGHTY-FIRST AND EIGHTY-SECOND SESSIONS OF THE MARITIME SAFETY COMMITTEE**

2.1 The Sub-Committee was informed (STW 38/2 and Add.1) of the decisions and comments pertaining to its work of the eighty-first and eighty-second sessions of the Maritime Safety Committee. The actions taken by the Sub-Committee, with respect to the decisions and comments of MSC 81 and MSC 82 on items related to its work are reported under the relevant agenda items.

#### **Communication of information**

2.2 The Sub-Committee noted that the Committee had received the Secretary-General's report on three STCW Parties pursuant to STCW regulation I/7; had confirmed that the procedures for assessment of information had been followed correctly in respect of those Parties, and had issued MSC/Circ.1163/Rev.1 on Parties to the STCW Convention confirmed by the Committee, at its eighty-second session, as having demonstrated to be giving 'full and complete effect' to the relevant provisions of the STCW Convention, as amended.

2.3 The Sub-Committee noted that the Committee had received the Secretary-General's reports on 29 STCW Parties pursuant to STCW regulation I/8; had confirmed that the procedures for assessment of information had been followed correctly and had issued MSC/Circ.1164/Rev.2 on Promulgation of information related to reports of independent evaluation submitted by Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, confirmed by the Maritime Safety Committee to have communicated information which demonstrated that Parties are giving full and complete effect to the relevant provisions of the Convention.

#### **Approval of competent persons**

2.4 The Sub-Committee noted that the Committee had approved additional competent persons nominated by Governments, as listed in the annex to MSC/Circ.797/Rev.14.

#### **Improving the efficiency of meetings**

2.5 The Sub-Committee noted that MSC 81 had reaffirmed that the commencement of working groups on Monday morning was an option that should be decided at the relevant meeting with caution. However, it should be encouraged that, whenever possible, terms of reference of working groups should be agreed at the previous sessions of the parent committee(s) or sub-committee(s). Another option would be to issue the draft terms of reference of working and drafting groups at the beginning of the session, provided clear instructions are given to the tasks groups on whether or not to begin work on Monday morning, without prior consideration of the related agenda items in plenary.

2.6 The Sub-Committee further noted that MSC 81 had also agreed that there should generally be no official splinter groups of working or drafting groups. However, where the establishment of a splinter group was necessary for the facilitation and efficiency of the work, there should be a unanimous agreement on its establishment and the outcome of the group's work should be considered and agreed by members of the respective working or drafting groups and incorporated in the report, as appropriate.



## **Review of the guidelines on the organization and method of work of the MSC, MEPC and their subsidiary bodies**

2.7 The Sub-Committee noted that MSC 82 had approved the Committee's revised Guidelines disseminated by means of MSC-MEPC.1/Circ.1.

### **OUTCOME OF OTHER SUB-COMMITTEES**

2.8 The Sub-Committee was also informed (STW 38/2/1) of the decisions and comments pertaining to its work of the the tenth session of the Sub-Committee on Radio Communications and Search and Rescue and the fourteenth session of the Sub-Committee on Flag State Implementation. The actions taken by the Sub-Committee with respect to these decisions and comments thereon are reported in the relevant sections of this report.

## **3 VALIDATION OF MODEL TRAINING COURSES**

3.1 The Sub-Committee noted the information provided by the Secretariat (STW 38/3) on the status of production of model courses and the progress made with their translation into French and Spanish. According to updated information provided by the Secretariat, the Sub-Committee also noted that the following model courses had been developed:

- .1 Skipper of fishing vessel;
- .2 Chief and 2nd Engineer officer of fishing vessel; and
- .3 Officer in Charge of a Navigational Watch of fishing vessel,

and 29 model courses had been translated into French and 34 model courses had been translated into Spanish. Of these translated model courses, 16 had been published in French and 27 in Spanish. The rest were in the process of production and would be available shortly. The translation of the other courses was being undertaken in a phased manner as reported earlier.

### **Validation of model courses**

3.2 The Sub-Committee gave preliminary consideration to the draft model course on:

- .1 Liquefied petroleum gas tanker (LPG) cargo and ballast handling simulator;
- .2 Liquefied natural gas tanker (LNG) cargo and ballast handling simulator; and
- .3 Chemical tanker cargo and ballast handling simulator,

contained in documents STW 38/3/1, STW 38/3/2 and STW 38/3/3 respectively and referred them to the drafting group to be established to consider and comment on the text.

3.3 In this context, the Sub-Committee, noting that the proposed model courses were add-on modules and were not mandatory, agreed that the drafting group should take into account the comments made in the plenary relating to type of vessels, entry standards, industry guidelines and operational aspects.

## **Amendments to MARPOL Annexes I and II and the IBC Code**

3.4 The Sub-Committee recalled that:

- .1 STW 30 had agreed that the Secretariat should publish the existing model courses which had been revised or updated, after seeking, and taking into account, the views of the IMO/ILO validation panel, before validation by the Sub-Committee;
- .2 STW 36 had instructed the Secretariat to update model courses 1.02 and 1.04 before the amendments to Annexes I and II of MARPOL 73/78 and the IBC Code came into force on 1 January 2007 (STW 36/17, paragraph 3.3).

3.5 In this context, the Secretariat advised the Sub-Committee that the revised model courses 1.02 and 1.04 had been published after taking into account comments received from the validation panel and that the courses were also being translated into French and Spanish. Accordingly, the Sub-Committee validated the model courses 1.02 and 1.04.

### **Establishment of a drafting group**

3.6 The Sub-Committee established a drafting group and instructed it, taking into account the comments made in plenary, to:

- .1 consider and comment, as appropriate, on the text of the draft model courses set out in the annexes to documents STW 38/3/1, STW 38/3/2 and STW 38/3/3; and
- .2 report to plenary on Thursday, 25 January 2007.

### **Report of the drafting group**

3.7 On receipt of the report of the drafting group (STW 38/WP.6), the Sub-Committee validated the model courses, as set out in the annexes to documents STW 38/3/1, STW 38/3/2 and STW 38/3/3 and amended by the group, and instructed the Secretariat to publish them as soon as possible.

3.8 The Sub-Committee recalled that validation of model courses by the Sub-Committee in this context meant that it found no grounds to object to their contents. In doing so, the Sub-Committee did not **approve** the document and it could, therefore, not be regarded as an official interpretation of the Convention.

3.9 The Sub-Committee expressed thanks to members of the IMO/ILO validating group for their work in reviewing the draft model courses.

## **4 UNLAWFUL PRACTICES ASSOCIATED WITH CERTIFICATES OF COMPETENCY**

### **Outcome of MSC 81**

4.1 The Sub-Committee noted that MSC 81:

- .1 on receipt of further advice from the Legal Division of the Secretariat, had agreed that there was no need to include the nationality of the individual identified as the

holder of a fraudulent certificate in reports issued by the Secretariat, nor was there a need to refer the matter to the Council; and

- .2 having considered the information provided by the United Kingdom (MSC 81/14/2) on the investigations conducted by the United Kingdom into the types of fraud associated with certificates of competency and how they might effectively be identified and prevented, including a proposed revised IMO reporting format to assist in focusing the effort on the prevalent types of fraud, had referred the document to STW 38 for detailed consideration with a view to updating the reporting format to enable Administrations with a more proactive approach to target fraud prevention.

4.2 The United Kingdom (MSC 81/14/2) provided information on the report on the investigations conducted by them into the types of fraud associated with certificates of competency and how they might effectively be identified and prevented. They also proposed a revised IMO reporting format to assist in focusing the efforts on the prevalent types of fraud.

4.3 Cyprus supported by others, appreciated the efforts of the United Kingdom and expressed the opinion that verification of certificates would go a long way towards reducing the possibility of fraud. In this context, they urged that Administrations should promptly respond to requests for verification of certificates. Furthermore, shipowners and managers should ensure that seafarers' are placed on board only after verification of the authenticity of their certificates.

4.4 The Sub-Committee agreed that there was a need to revise the reporting format and instructed the Secretariat together with some interested delegations to prepare a draft revised reporting format for consideration by the Sub-Committee.

4.5 Having considered the draft revised format (STW 38/WP.9) relating to reporting of fraudulent certificates detected, the Sub-Committee endorsed it, as amended and set out in annex 1, and invited the Committee to approve it and urge Member Governments, intergovernmental and non-governmental organizations in consultative status to use the revised reporting format when reporting detection of fraudulent certificates to the Secretariat.

#### **Reports on fraudulent certificates reported to the Secretariat**

4.6 The Sub-Committee noted the information provided by the Secretariat, detailing fraudulent certificates found on board ships during inspections or reportedly being used, as reported to the Secretariat for the year 2006.

4.7 The Sub-Committee also noted the oral information provided by the Secretariat that the certification verification facility through the IMO website had been used 6,300 times during the year 2006.

#### **Research project addressing awareness of the problems of fraudulent certificates and developing anti-fraud measures and an anti-fraud tool package**

4.8 The Sub-Committee noted with appreciation the information provided by Latvia (STW 38/INF.2) on the research project addressing awareness of the problems of fraudulent certificates and developing anti-fraud measures and an anti-fraud tool package.

## 5 PASSENGER SHIP SAFETY

5.1 The Sub-Committee noted that MSC 81 had approved the revised work plan and forwarded it to the Sub-Committee for action, as appropriate, and instructed the Sub-Committee to:

- .1 review the relevant training requirements, taking into account the Guide to recovery techniques (MSC.1/Circ.1182);
- .2 review the relevant requirements for first aid training for seafarers to ensure that the main provisions of the Guide for cold water survival (MSC.1/Circ.1185) relating to the prevention and treatment of hypothermia are included; and
- .3 develop the relevant training standards after the DE Sub-Committee had developed performance standards for recovery systems for all types of ships.

5.2 The Sub-Committee further noted that in addition to the matters referred to it by MSC 81, COMSAR 10, pursuant to the proposed draft amendments to SOLAS regulation III/17-1, had also requested the Sub-Committee to prepare relevant training criteria and model courses as appropriate. However, MSC 81 did not approve the draft SOLAS regulation III/17-1, but instead decided that the DE Sub-Committee should develop performance standards for recovery systems for all types of ships with a view to preparing mandatory requirements for implementation by 2012 and that the Sub-Committee should develop the relevant training standards thereafter (MSC 81/25, paragraph 4.38).

5.3 In light of the instructions of MSC 82, the Sub-Committee agreed that:

- .1 review of training requirements relating to recovery techniques could be undertaken along with the proposed comprehensive review of the STCW Convention; and
- .2 model training courses on Medical First Aid and Medical Care already have modules relating to the prevention and treatment of hypothermia.

5.4 The Sub-Committee noted that MSC 81 had included a new item "Development of training standards for recovery systems" in the Sub-Committee's work programme, and that training standards for recovery systems would be developed only after the DE Sub-Committee had developed the performance standards.

5.5 CLIA (STW 38/5/1) informed the Sub-Committee that it has completed the review of the model courses and determined that the courses overall were adequate and appropriate to meet the needs for training of personnel in both Crowd and Crisis Management with the addition of the safe area concept to these courses. The areas where this concept should be included had been set out in the annexes to their document.

5.6 Cyprus supported by others, expressed the opinion that the functional requirements should be expanded to cover all areas and not be limited to those detailed in document MSC 81/WP.6 as proposed by CLIA. Accordingly, the Sub-Committee instructed the Secretariat to update the model courses based on the information provided by CLIA and the proposal by Cyprus.

5.7 Venezuela expressed the opinion that the concept of 'safe areas' should also be incorporated in other model courses.

5.8 The Sub-Committee agreed, as the work thereon had been completed, to invite the Committee to delete this item from its work programme (see agenda item 14).

## **6 MEASURES TO ENHANCE MARITIME SECURITY**

### **OUTCOME OF MSC 81**

#### **Training, certification and dispensations for Ship security officer**

6.1 The Sub-Committee noted that MSC 81, through resolutions MSC.203(81) and MSC.209(81) and STCW.6/Circ.9, had adopted amendments to the STCW Convention and the STCW Code relating to certificate of proficiency for ship security officer which will enter into force on 1 January 2008. These amendments also provided that until 1 July 2009, a Party to the STCW Convention may continue to recognize personnel who hold or can document qualifications as ship security officers obtained before the entry into force of the amendments.

6.2 The Sub-Committee noted further that MSC 81 had considered the discussions, at STW 37, on the approach to be taken in relation to the granting of dispensations to ship security officers and had agreed that granting of permits to perform the duties and responsibilities of a ship security officer would on occasion be necessary. However, such permission should be restricted to the shortest possible period of time and Administrations should provide documentary evidence to prove that such a permit was granted. Accordingly, MSC 81 had included in the amendments to part B of the STCW Code in relation to the certificate of proficiency for ship security officer, guidance in connection with the granting of dispensations for ship security officers which had been circulated by means of STCW.6/Circ.9.

#### **Training and certification of port facility security officers**

6.3 The Sub-Committee noted that MSC 81 had approved MSC.1/Circ.1188 on Guidelines on the training and certification of port facility security officers.

#### **Revision of the Principles of safe manning with a view to reflecting the security-related workload**

6.4 The Sub-Committee recalled that, as STW 37 had received no submissions in relation to the further revision of resolution A.890(21) on Principles of safe manning, as amended, with a view to reflecting the additional workload generated as a result of the entry into force of SOLAS chapter XI-2 and the ISPS Code, and noted that MSC 81 had decided to include, in the Sub-Committee's work programme and the provisional agenda for STW 38, a high priority item on "Review of the principles for establishing the safe manning levels of ships", with a target completion date of 2008, in co-operation with the NAV Sub-Committee, as necessary. The Sub-Committee consequently agreed to consider matters concerning the revision of the Principles of safe manning in the context of the security-related workload under agenda item 13.

**DEVELOPMENT OF AMENDMENTS TO THE STCW CONVENTION AND THE STCW CODE SO AS TO INCLUDE THEREIN SECURITY-RELATED PROVISIONS**

6.5 The Sub-Committee noted that MSC 81 had authorized it to start developing appropriate amendments to the STCW Convention and the STCW Code so as to include therein security-related provisions. This was on the understanding that the Sub-Committee would have the flexibility to include in the list of issues which needed to be examined, any other related issues which transpired as a result of discussions, at any stage, subject to informing the Committee.

6.6 The Sub-Committee noted further that MSC 81 had agreed that all shipboard personnel should receive appropriate security-related training relevant to their shipboard duties and adequate security shipboard familiarization, and had instructed the Sub-Committee to observe the following principles when developing provisions relating to the security-related training for shipboard personnel (other than the ship security officer) for eventual inclusion in the STCW Convention and the STCW Code:

- .1 all persons employed or engaged on a ship should receive approved familiarization training related to security awareness and prevention of security-related incidents before being assigned to shipboard duties. Such familiarization should be provided by the ship security officer or an equally qualified person;
- .2 all persons with designated security-related duties should receive appropriate specific security-related training before assuming such duties;
- .3 all persons employed or engaged on a ship with security-related duties should, in addition, receive familiarization training with their security-related duties in accordance with the ship security plan before assuming such duties. Such familiarization training should be provided by the ship security officer or an equally qualified person;
- .4 shipboard personnel were not security experts and seafarers should not be converted into security specialists;
- .5 shipboard personnel should receive adequate security-related training so as to acquire the required knowledge and understanding to perform their assigned duties and to collectively contribute to the enhancement of maritime security; and
- .6 the proposed amendments to STCW Convention and the STCW Code should address all types and sizes of ships to which SOLAS chapter XI-2 and the ISPS Code apply. For ships which are subject to the provisions of the STCW Convention but which are not subject to the provisions of SOLAS chapter XI-2 and the ISPS Code, the Sub-Committee should consider the matter with a view to advising MSC 83 of the recommended approach, taking into account the need to ensure career development for seafarers.

6.7 The Sub-Committee noted also that MSC 81 had instructed the Sub-Committee to prepare and submit for consideration with a view to adoption at the appropriate time, any consequential amendments to the ISPS Code which might need to come into force when the eventual amendments to the STCW Convention and the STCW Code became effective, so as to avoid any

potential conflicts between the salient provisions of the various instruments regulating the training and certification of shipboard personnel in connection with security-related matters.

6.8 The United States (STW 38/6/1) proposed amendments to chapter VI of the STCW Convention and STCW Code, applicable to seagoing ships of 500 gross tonnage and upwards to which SOLAS chapter XI-2 and the ISPS Code apply. The proposed amendments included security familiarization for all seafarers engaged or employed on board ship, and security familiarization and training for seafarers with designated security-related duties and consequential amendments to the ISPS Code.

6.9 Whereas there was general support for the proposals of the United States, it was pointed out that there were differences in application between the STCW Convention, which applied to seafarers, and SOLAS chapter XI-2 and the ISPS Code, which apply to specified types of ship engaged on international voyages. Furthermore, some delegations opposed the proposals of the United States to delete paragraphs B/13.1 to B/13.4 of the ISPS Code.

6.10 Germany *et al* (STW 38/12/4) proposed that:

- .1 it would be preferable to limit security-related amendments to the regulations set out in the Annex to the STCW Convention and the STCW Code and to avoid a lengthy process of revision of the articles of the STCW Convention themselves;
- .2 the Sub-Committee should clarify its views on this issue and make a recommendation to the Committee to specify relevant instructions to the Sub-Committee in this respect; and
- .3 with respect to shipboard personnel without specific security duties, the requirements should remain at the level of familiarization training on security concerns and awareness and not be extended to detailed training and skills including specific security knowledge and capacities.

6.11 There was general support for the proposals of Germany and the Sub-Committee agreed that it would be inappropriate to amend the Articles to the STCW Convention.

6.12 IFSMA (STW 38/12/5) proposed that for the benefit of increased security on ships and in ports it would be preferable for all officers on board all ships to have the basic skills from security training and believed that this could best be achieved by introducing the training set out in part A of the ISPS Code into the STCW Code. When discussed under this agenda item, there was no support for the proposals.

6.13 Having briefly discussed the documents from the United States, Germany *et al* and IFSMA, the Sub-Committee agreed that the proposals of the United States and Germany *et al* should be considered in detail by the working group proposed to be established to consider measures to enhance maritime security.

6.14 The Sub-Committee recalled that STW 37 had recommended, and MSC 81 had accepted, the preliminary list of provisions of the STCW Convention which needed to be examined with a view to including security-related provisions therein, as set out in the annex to document STW 38/6 and noted that the discussions thus far had been limited to issues relating to STCW chapter VI. Accordingly, the Sub-Committee agreed that matters relating to STCW chapters I and VIII which had been identified in the preliminary list should be considered in a holistic

manner in the context of the work to be undertaken under agenda item 12 on Comprehensive review of the STCW Convention and the STCW Code. Furthermore, the Sub-Committee agreed that, with respect to matters concerning STCW chapter VIII, the discussion under agenda item 13 on the Review of the principles for establishing the safe manning levels of ships would eventually have a bearing on the issue and needed to be taken into account.

### **Establishment of the working group**

6.15 The Sub-Committee established a working group to consider measures to enhance maritime security and instructed it, taking into account the instructions of MSC 81 in relation to the inclusion of security-related provisions in the STCW Convention and the STCW Code (STW 38/6, paragraphs 1 to 3 and annex) and the comments and decisions made in the plenary, to:

- .1 prepare draft amendments to STCW chapter VI and any required consequential amendments to the ISPS Code which might need to come into force when the eventual amendments to the STCW Convention and the STCW Code will become effective, using as a basis the proposals contained in the annexes to document STW 38/6/1 (United States) and taking into account the comments contained in paragraph 5.11 and other salient elements of document STW 38/12/4 (Germany *et al*);
- .2 review the preliminary list of the provisions of the STCW Convention which need to be examined in relation to the inclusion therein of appropriate security-related provisions (STW 38/6, annex) and advise the Sub-Committee whether there are any other issues which need to be addressed;
- .3 taking into account the work undertaken by the Committee in relation to the enhancement of the security of ships which are not subject to the provisions of SOLAS chapter XI-2 and the ISPS Code and the need to ensure career development for seafarers, prepare the advice of the Sub-Committee to MSC 83 on the approach to be taken in relation to ships which are subject to the provisions of the STCW Convention but which are not subject to the provisions of SOLAS chapter XI-2 and the ISPS Code (see STW 38/6, paragraph 2.6);
- .4 advise the Sub-Committee whether there are merits in recommending to the Committee the dissemination, for example under cover of MSC circular(s), of any aspects of the draft amendments to be developed, as guidance supplementing the existing provisions of the ISPS Code for use by those concerned until the eventual entry into force of amendments to be adopted and, in such a case, prepare such draft MSC circular(s) for consideration by the Sub-Committee;
- .5 advise the Sub-Committee, in the light of the conclusions under .2 and .3, on the recommendations to be made to the Committee as far as the work programme and agenda on Measures to enhance maritime security is concerned; and
- .6 submit its report for consideration by the plenary on Thursday, 25 January 2007.



## **Report of the Working Group**

6.16 On receipt of the report of the Working Group (the Group) (STW 38/WP.3), the Sub-Committee approved the report in general and took action as summarized in the ensuing paragraphs.

### **Review of preliminary list of provisions of the STCW Convention**

6.17 The Sub-Committee noted that no new items had been included in the Preliminary list of provisions of the Convention which needed to be examined with a view to including therein security-related provisions on the understanding that the list would be kept under continuous review when developing amendments to chapters I and VIII with view to addressing security-related issues.

### **Development of amendments to the STCW Convention and the STCW Code so as to include therein security-related provisions**

6.18 The Sub-Committee noted the Group's deliberations on the issue of the training and familiarization requirements for shipboard personnel with and without designated security duties as detailed in STW 38/WP.3, paragraphs 10 to 45, and in particular:

- .1 agreed that there should be a three-tiered approach to the training and familiarization requirements for shipboard personnel and seafarers, consisting in broad terms, of the basic training or instruction for security awareness, additional training specific for those with designated security duties, and the on-board familiarization training on each ship;
- .2 agreed with the view of the Group that the best approach would be for all seafarers without designated security duties employed or engaged on board, to receive basic training or instruction on security awareness in the same manner as they are expected to receive, in accordance with regulation VI/1 and section A-VI/1, basic training or instruction in relation to personal survival techniques; fire prevention and fire fighting; elementary first aid; and personal safety and social responsibilities;
- .3 agreed that SSOs or other equally qualified persons providing basic security-related familiarization training would not be required to qualify as instructors, supervisors and assessors in accordance with the provisions of regulation I/6.2 and section A-I/6;
- .4 agreed that it was up to each STCW Party to decide how basic training or instruction in security awareness should be conducted or assessed or to what form of documentary evidence or certification this may lead, taking into account the practice the STCW Party concerned had adopted in relation to the other basic training issues currently within the scope of section A-VI/1.2;
- .5 agreed that granting exemptions in relation to security matters was neither warranted, nor was it conducive to efforts to enhance maritime; and

- .6 agreed that in exceptional circumstances it may be necessary to grant a dispensation to a seafarer who was not qualified to perform designated security duties to perform such duties.

6.19 The Sub-Committee concurred with the approach taken by the Group in respect of the delivery of basic security-related training or instruction (i.e. security awareness), which was not totally in line with the instructions of MSC 81 which stated that the SSO or an equally qualified person should provide to all persons employed or engaged on a ship approved familiarization training related to security awareness and prevention of security-related incidents before being assigned to shipboard duties.

6.20 The Sub-Committee endorsed the view of the Group that in view of the fact that the required review of chapters I and VIII so as to include therein appropriate security-related provisions was to be deferred and included in the comprehensive review of the STCW Convention and the STCW Code currently under discussion, the preliminary text of the draft amendments prepared by the Group and set out in STW 38/WP.3, annexes 1 to 3, will need to be re-examined when the comprehensive review is nearing completion so as to ensure the required consistency and to reflect any need for changes which may transpire.

6.21 The Sub-Committee endorsed the preliminary text of the draft amendments prepared by the Group, *viz*:

- .1 draft amendments to regulation VI/1 and sections A-VI/1 and B-VI/1 addressing the basic security-related training and security-related familiarization training for seafarers without designated security related duties and for all shipboard personnel, respectively; and
- .2 a new regulation VI/6 and new sections A-VI/6 and B-VI/6, addressing the standards of competency and security-related familiarization training for seafarers with designated security related duties,

which are set out in annexes 2 to 4, on the understanding that these would be reviewed by the Sub-Committee in conjunction with the comprehensive review of the STCW Convention and the STCW Code before being presented to the Committee with a view to approval and circulation for adoption. Accordingly, the Sub-Committee invited the Committee to endorse this decision.

6.22 A number of delegations suggested that seafarers serving on ships which are not required to comply with SOLAS chapter XI-2 and the ISPS Code should not be required to undertake basic security-related training or instruction as envisaged in the proposed amendments. In this respect, a number of delegations suggested that requiring all seafarers to undertake basic security-related training was prudent, it contributed towards the enhancement of security, had clear advantages for maritime security and provided the seafarer with better opportunities for career development. The Sub-Committee agreed to request the Committee to determine the approach which needs to be taken on this issue, so as to make any necessary changes to the preliminary text of the draft amendments when these have been finalized as a part of the comprehensive review.

6.23 The Sub-Committee agreed that the inclusion, in the proposed amendments to section B-VI/1 and in new section B-VI/6, of an explicit reference that “those providing ‘security-related familiarization training’ in accordance with section A-VI/1.1-1 should not be required to meet the requirements of either regulation I/6 or section A-I/6” will need to be

re-examined, as part of the comprehensive review, in the context of the overall approach which may be adopted in relation to the delivery of familiarization training.

6.24 The Sub-Committee agreed that, instead of developing draft amendments to the ISPS Code in order to avoid potential conflicts or inconsistencies with the provisions of Convention and Code, the best approach would be to recommend to the Committee that the provisions of the ISPS Code should be updated and amended to reflect the corresponding provisions of the eventual amendments to the Convention and the Code and that such amendments should be best prepared when the proposed draft amendments to the Convention and the Code are about to be finalized.

### **Ships subject to STCW Convention but outside the scope of SOLAS chapter XI-2 and the ISPS Code**

6.25 The Sub-Committee agreed that the preliminary text of the draft amendments to the Convention and the Code, set out in annexes 2 to 4, were not restrictive and did not differentiate or discriminate, as far as training or instruction was concerned, between seafarers serving on non-SOLAS ships and ships required to comply with the provision of SOLAS chapter XI-2 and the ISPS Code hence they afforded seafarers flexible opportunities for career development.

### **Guidance supplementing the ISPS Code**

6.26 In light of its decision that the preliminary text of the draft amendments should be reviewed in conjunction with the comprehensive review of the STCW Convention and the STCW Code, the Sub-Committee agreed that the proposed requirements should be disseminated as guidance, supplementing the existing provisions of the ISPS Code and endorsed the draft MSC.1 circular on Guidelines on security-related training and familiarization training for shipboard personnel as set out in annex 5 and invited the Committee to approve it.

### **Future work**

6.27 The Sub-Committee, bearing in mind that the proposed amendments would need to be reviewed towards the end of the comprehensive review, decided to invite the Committee to delete this item from the agenda and still retain it in the work programme with a target completion of two sessions (agenda item 14).

## **7 EDUCATION AND TRAINING REQUIREMENTS FOR FATIGUE PREVENTION, MITIGATION AND MANAGEMENT**

7.1 The Sub-Committee recalled that, in considering the report of the Joint MSC/MEPC Working Group on the Human Element (MSC 75/WP.10), MSC 75 had considered the issue of education and training for fatigue prevention, mitigation and management to be very important and of some urgency and had agreed to include, in the Sub-Committee's work programme and provisional agenda for STW 34, a high priority item on "Mandatory education and training requirements for fatigue prevention, mitigation and management".

7.2 The Sub-Committee also recalled that:

- .1 STW 34 had decided that training in fatigue management should be addressed through voluntary guidance rather than mandatory requirements and had invited Member Governments to submit information on their experience with the

application of the Guidelines on fatigue, as set out in MSC/Circ.1014, and the hours of work and rest provisions in STCW chapter VIII and ILO Convention No.180;

- .2 STW 35 had decided that, in light of no submissions from Member Governments related to their experiences with the application of the above provisions, it was premature to develop a model course, as proposed by the United States; and
- .3 STW 36 had agreed that, since only one submission related to experiences with the application of the above provisions had been received, it was still premature to decide on this issue.

7.3 The Sub-Committee further recalled that at STW 37:

- .1 the Republic of Korea had informed the Sub-Committee (STW 37/8) of its research project related to the optimum level of vessel's manning and that STW 37 had requested the Republic of Korea to provide STW 38 with the results of the research;
- .2 the Netherlands had provided preliminary information on a study commissioned by the Dutch Government concerning fatigue and fatigue prevention (STW 37/INF.5); and
- .3 Sweden had provided information on the study by the Swedish Maritime Administration concerning collisions and groundings in which sleep and fatigue had been identified as a major contributing factor (MEPC 53/INF.7).

7.4 The Sub-Committee noted that MSC 81 included a new item in the Sub-Committee's work programme and agenda for STW 38, "Review of the principles for establishing the safe manning levels of ships", partly based on the findings of the study by Sweden.

7.5 After some debate the Sub-Committee agreed that, in light of the foregoing, and to have a holistic approach towards addressing fatigue, it would be appropriate to consider in future all issues relating to fatigue under the Sub-Committee's work programme items:

- .1 review of the principles for establishing the safe manning levels of ships; and/or
- .2 comprehensive review of the STCW Convention and the STCW Code,

rather than duplicate and/or dissipate consideration under three different items and therefore invited the Committee to delete this item from the Sub-Committee's work programme (see agenda item 14).

## **8 DEVELOPMENT OF TRAINING REQUIREMENTS FOR THE CONTROL AND MANAGEMENT OF SHIP'S BALLAST WATER AND SEDIMENTS**

8.1 The Sub-Committee recalled that:

- .1 STW 36 had agreed that it would be appropriate to develop voluntary guidance in the form of a model course for shipboard ballast water management and had

accepted the offer from India to develop this model course at no cost to the Organization;

- .2 STW 36 had also agreed to refer the proposal for the development of the model course for Port Ballast Water Management officer to the Facilitation Committee for its advice on the need thereof; and
- .3 FAL 32 had agreed that there was a need to develop such a course; and that it did not foresee, in relation to the provisions of the Ballast Water Management Convention, any need for the development of any mandatory training requirements for shore-based personnel or port officials.

8.2 The Sub-Committee further recalled that India (STW 37/9/1) had advised the Sub-Committee on the progress made in the development of the model courses for shipboard ballast water management and port ballast water management officers.

8.3 The Secretariat advised the Sub-Committee that the draft model courses had been forwarded to members of the validation panel for their comments and that comments received from the validation panel and the Secretariat (Marine Environment Division) had been passed on to India to be incorporated, as appropriate, in the final version.

8.4 The Sub-Committee thanked India for their efforts, asked them to convey the same to the other co-operating countries and instructed the Secretariat to publish the model courses as soon as possible after receiving the final version from India.

8.5 ICS advised the Sub-Committee to exercise caution while finalizing these model courses prior to the development of Ballast Water Convention Guidelines which may affect the port ballast water management. Furthermore, ICS would welcome the opportunity to comment on the proposed shipboard ballast water management course before finalization.

8.6 The Sub-Committee agreed, as the work thereon had been completed, to invite the Committee to delete this item from its work programme (see agenda item 14).

## **9 DEVELOPMENT OF COMPETENCES FOR RATINGS**

9.1 The Sub-Committee recalled that STW 37 had agreed to re-establish the correspondence group, under the co-ordination of the United Kingdom, for development of competences for ratings excluding the ship's cook, with the terms of reference, as set out in STW 37/18, paragraph 10.35.

9.2 The United Kingdom (STW 38/9) advised the Sub-Committee that the correspondence group had considered the issues of conventional deck and engine-room watchkeeping ratings as well as non-watchkeeping and general purpose ratings. As there were so many participants, it had not been possible to get unanimous agreement on all issues. Alternative views expressed by the minority of the group were set out in annex 1 of the report. The proposed draft regulations II/5, III/5, section A-II/5 and section A-III/5 including the proposed text for the Grandfather Clause were set out in annex 2 of the report.

9.3 The Islamic Republic of Iran (STW 38/9/1) provided comments on the report of the Correspondence Group and proposed that:

- .1 since the wording in proposed regulation II/5, paragraph 5 was similar to the wording already used in the STCW Convention (regulations II/4.4 and III/4.4), proposed paragraph 6 should be deleted;
- .2 since the wording in proposed regulation III/5, paragraph 4 was similar to the wording already used in the STCW Convention (regulations II/4.4 and III/4.4), proposed paragraph 3 should be deleted and proposed paragraph 4 renumbered accordingly;
- .3 as the correspondence group had not reflected its views on methods and means of documenting on-board training and in order to ensure that on-board training was carried out according to a structured and documented programme, Part B of the STCW Code should be amended to address the issue, as set out in annex 1 of their document;
- .4 in table A-II/5:
  - .1 the competence of “Contribute to berthing, anchoring and other mooring operations” should be shifted to the Navigation function; and
  - .2 the text for “Contribute to a safe navigational watch” competence was added to the Navigation function,so that the proposed Navigation function would consist of only two competences as set out in section (a) in annex 2 of their document; and
- .5 in order to be in line with the other parts of the STCW Code, the text, as set out in section (b) of annex 2 of their document, should be included in columns 2 to 4 of the “Operate survival craft and rescue boats” competence in table A-II/5; and
- .6 the proposed competence ‘Contribute to safe engineering watchkeeping’ should be deleted, as the candidate would have been previously assessed and found competent for the relevant standards.

9.4 ICFTU (STW 38/9/2), whilst recognizing the difficult task of the correspondence group’s co-ordinator, expressed concerns that the report did not:

- .1 address clarifications relating to the requirements for on-board training to be approved and documented and the criteria for reduction in sea service;
- .2 provide any requirements for structured training for those seafarers’ who choose a longer sea-service in lieu of shore-based training; and
- .3 provide clarifications as to whether sea-service included the service required for training as a watchkeeper, or commenced on qualifying in that role.

9.5 Accordingly, ICFTU proposed that:

- .1 in the proposed regulation II/5, paragraph 2.2.1, the following wording be added at the end of the present text ‘with recorded training and experience’; and

- .2 in the proposed regulation III/5, paragraph 2.2.1, the following wording be added at the end of the present text 'with recorded training and experience'.

9.6 Furthermore, ICFTU also considered that:

- .1 ABs should be given a basic course in ships' security awareness and their support role;
- .2 ABs' competency should include an advanced fire-fighting course and the basic crowd/crisis management course;
- .3 ABs should be given a general understanding of the basic duties of an AB on all ship types;
- .4 there should be further training in bridge disciplines and bridge team management;
- .5 grand-parenting of ABs should be similar to that of officers, 12 months service in the position within the last 5 years; and
- .6 there should be no further exemptions from sea service beyond the six months reduction proposed.

9.7 Denmark and the Netherlands (STW 38/9/3) commenting on the report of the correspondence group, relating to the need for a flexible system regarding sea service and education and training, proposed that, to ensure the necessary flexibility in education and training of ratings as part of its terms of reference, Working Group 2 on training matters should be instructed to draft a proposal which:

- .1 clarified that the entire STCW related education and training could be completed before signing on; and
- .2 allowed the seagoing service to be reduced for ratings who had obtained an appropriate certificate of apprenticeship prior to commencing STCW related education and training as a supplement to the model proposed by the correspondence group.

9.8 The Russian Federation expressed the opinion that there was a need to include training relating to on-board communications within the proposed tables in sections A-II/5 and A-III/5.

9.9 Referring to the proposal by Denmark and the Netherlands, the United Kingdom supported by others, expressed the opinion that able seafarers should be competently trained for their duties. It was, therefore, necessary to have appropriate sea-service, and consequently they could not support a reduction in the sea time.

9.10 The Bahamas supported by others expressed the opinion that flexibility with the proposed standards was necessary and that this should be considered by the working group. This would not only provide encouragement to young persons towards a carrier at sea, but also enable the industry to draw personnel from other relevant sectors ashore.

9.11 In supporting the above views, ISF expressed the opinion that it was not necessary to have a separate definition for able seafarer (engine).

9.12 The Islamic Republic of Iran drew the attention of the Sub-Committee to the fact that presently there was no restriction for education and training to be completed before sea-service and hence flexibility, as proposed by Denmark and the Netherlands, was already available.

9.13 Greece supported by others stated that since all issues relating to security were being addressed under chapter VI, there was no need for them to be included within the proposed competence of ratings.

9.14 Having briefly considered documents STW 38/9 (Report of the Correspondence Group), STW 38/9/1 (Islamic Republic of Iran), STW 38/9/2 (ICFTU) and STW 38/9/3 (Denmark and the Netherlands), the Sub-Committee referred them for detailed consideration to the working group proposed to be established to consider training matters.

### **Establishment of the working group**

9.15 The Sub-Committee established a working group to consider training matters under the chairmanship of Capt. M.A. Shahba (Islamic Republic of Iran) with the following terms of reference:

Taking into account the comments and decisions made in the plenary, the Working Group should:

- .1 finalize competences for ratings on the basis of the proposals contained in the report of the correspondence group (STW 38/9) together with the proposals contained in documents STW 38/9/1, STW 38/9/2 and STW 38/9/3;
- .2 in view of the proposed comprehensive review of the STCW Convention and the STCW Code, advise the Sub-Committee as to whether the proposed amendments should be adopted at this stage or together with those being developed during the review; and
- .3 submit its report to the plenary on Thursday, 25 January 2007.

### **Report of the working group**

9.16 On receipt of the report of the working group (STW 38/WP.4), the Sub-Committee took action as summarized in the ensuing paragraphs.

### **Definitions**

9.17 The Sub-Committee agreed with the recommendation of the correspondence group with regard to resolving the gender issue related to the term 'motorman', and prepared preliminary text of the draft amendments for inclusion in chapter I of the STCW Convention, providing proposed new definitions for the terms 'able seafarer deck' and 'able seafarer engine', as set out in annex 6.



## **Seagoing service requirements**

### **Able seafarer deck**

9.18 The Sub-Committee, noting that many delegations had sought clarification with regard to the starting point of seagoing service to be considered for certification under the proposed new regulation II/5, discussed in detail the options of accepting either seagoing service after certification in accordance with regulation II/4 or seagoing service as a whole from the commencement of sea service as a trainee, for certification in accordance with the proposed new regulation II/5.

9.19 The Sub-Committee noted that some delegations had proposed that seagoing service as a rating in any capacity in the deck department should be credited for certification under the proposed new regulation II/5 for able seafarer deck and that an option should be included in the proposed regulation II/5 for an integrated and documented training programme such that a seafarer could qualify as a rating forming part of a navigational watch after two months of seagoing service and subsequently, obtain able seafarer deck certification with an additional ten months seagoing service, totally in all a period of twelve months seagoing service.

9.20 The Sub-Committee was of the view that seagoing service for certification under the proposed new regulation II/5 should be considered after a seafarer has been qualified for certification under regulation II/4, and agreed that after meeting the requirements for certification as a rating forming part of a navigational watch and qualified to serve in that capacity, seafarers should also have appropriate seagoing service in the deck department in order to be eligible for certification under the proposed new regulation II/5. Furthermore, the Sub-Committee agreed that the appropriate seagoing service should be not less than 18 months or not less than 12 months and have completed approved training.

9.21 In this context of reduction of seagoing service for those who had vocational training, the Sub-Committee, however, did not concur with the proposals to further reduce the minimum seagoing service already agreed for certification under the proposed new regulation II/5.

### **Able seafarer engine**

9.22 The Sub-Committee, noting that many delegations had sought clarification with regard to the starting point of seagoing service to be considered for certification under the proposed new regulation III/5, discussed in detail the options of accepting either seagoing service after certification in accordance with regulation III/4 or seagoing service as a whole from the commencement of sea service as a trainee, for certification in accordance with the proposed new regulation III/5. Consequently, the Sub-Committee agreed that, after meeting the requirements for certification as a rating forming part of an engineering watch under regulation III/4 and qualified to serve in that capacity, seafarers should have appropriate seagoing service in the engine department in order to be eligible for certification under the proposed new regulation III/5.

9.23 The Sub-Committee noted that a number of delegations expressed the view that the minimum seagoing service requirement for certification as able seafarer engine should be aligned with the minimum seagoing service required for certification as able seafarer deck and agreed that the actual seagoing service required for certification as able seafarer engine should be not less than 12 months or, not less than 6 months and have completed approved training.

## **Regulations and transitional provisions**

9.24 The Sub-Committee noted that many delegations had expressed concern regarding those seafarers who would not be able to provide evidence of having seagoing service, in a relevant capacity in the engine department, of 12 months within the last 5 years preceding the entry into force of regulation III/5 for a Party in order to be eligible for certification under the proposed new regulation III/5 and that there was a need to compare the standards of competence of those seafarers and consider the need, if any, for such personnel to update their qualifications to meet the requirements of the proposed new section A-III/5, and agreed to include a new paragraph 4 in regulation III/5 to address this issue.

9.25 Accordingly, the Sub-Committee prepared preliminary text of the draft new regulations II/5 and III/5 providing mandatory minimum requirements for certification of ratings as ‘able seafarer deck’ and as ‘able seafarer engine’ in a manned engine-room or designated to perform duties in a periodically unmanned engine-room respectively, with the appropriate transitional provisions including a Grandfather clause, as set out in annex 6.

## **Training requirements and associated guidance**

9.26 The Sub-Committee noted that many delegations, expressed the view that the Sub-Committee’s ongoing agenda item on “Measures to enhance maritime security”, would be considering amendments to chapter VI of the STCW Convention and the STCW Code, and this would introduce security familiarization for all seafarers engaged or employed on board ship, and security familiarization and training for seafarers with designated security-related duties. The Sub-Committee agreed that security-related competences for ratings should be deleted in order to avoid duplication.

9.27 The Sub-Committee considered in detail the competence table A-II/5 prepared by the working group and noted the concern expressed by several delegations that the competence to contribute to a safe navigational watch would create a duplication of requirements, as ratings for certification as able seafarer deck under the proposed new regulation II/5 would have already acquired the same competence for certification under regulation II/4. Accordingly, the Sub-Committee agreed not to include this competence and revised the proposed table A-II/5.

9.28 The Sub-Committee considered the need for including a new competence for on-board communication and agreed that on-board communication had already been addressed in the tables of competence and that there was no need to include an additional competence.

9.29 The Sub-Committee considered the need for flexibility to modify the tables of competence required for the able seafarer deck and engine, taking into consideration types of ships and/or operating areas, in order to issue restricted certificates and agreed that this would restrict the ability of seafarers employed on a certain type of ship and/or operating in a certain area from transferring to another type of ship and/or in a different area, without undergoing further training and/or assessment. Therefore, there was no need to provide for such flexibility.

9.30 The Sub-Committee considered in detail the competence table A-III/5 prepared by the working group and noted the concern expressed by several delegations that the competence to contribute to a safe engineering watch would create a duplication of requirements, as ratings for certification as able seafarer engine under the proposed new regulation III/5 would have already acquired the same competence for certification under regulation III/4. Accordingly, the Sub-Committee agreed not to include this competence and revised the proposed table A-III/5.

9.31 The Sub-Committee prepared preliminary text of the draft amendments for inclusion in chapters II and III of the STCW Code as the proposed new section A-II/5 and section A-III/5 on standards of competence for certification as ‘able seafarer deck’ and ‘able seafarer engine’ respectively, as set out in annex 7.

9.32 The Sub-Committee agreed that appropriate guidance on the requirements for documentation of evidence of on-board training should be included as proposed in new sections B-II/5 and B-III/5 in chapters II and III respectively of part B of the STCW Code, as set out in annex 8.

### **General Purpose (GP) ratings**

9.33 The Sub-Committee was of the view that it would be more appropriate to address this issue within the ongoing comprehensive review of the STCW Convention and the STCW Code, and agreed to invite interested Member Governments and international organizations with consultative status to submit suitable proposals to STW 39 for consideration.

### **Adoption of amendments**

9.34 In view of the proposed review of the STCW Convention and the STCW Code, the Sub-Committee considered the need to adopt the proposed amendments to the STCW Convention and the STCW Code at this stage or to adopt these proposed amendments together with other amendments that would be developed during the comprehensive review of the STCW Convention and the STCW Code.

9.35 Germany, supported by others, suggested that the preliminary text of the draft amendments should be adopted after the completion of the comprehensive review. This would facilitate implementation as well as avoid any inconsistencies that may arise due to the proposed review.

9.36 The Islamic Republic of Iran, supported by others concurred with the recommendation of the working group and proposed that considering that:

- .1 there was no conflict between the provisions of ILO Convention No.74 and the proposed amendments;
- .2 able seafarers certificates were not mandatory for inclusion within the safe manning document;
- .3 the proposed regulations provide for reduction of current minimum seagoing service; and
- .4 currently there were no international standards for the competence for rating,

the amendments should be adopted at this stage, according to the Committee’s instructions that the proposed comprehensive review should not delay any ongoing work.

9.37 After some debate, the Sub-Committee agreed that the preliminary text of the draft amendments, as set out in annexes 6, 7 and 8, should be adopted after the comprehensive review was completed and invited the Committee to endorse this decision.

9.38 The Sub-Committee agreed, as the work thereon had been completed, to invite the Committee to delete this item from the Sub-Committee's work programme (see agenda item 14).

## 10 CASUALTY ANALYSIS

### Study on incidents of explosions on chemical and product tankers

10.1 The Sub-Committee recalled that MSC 80, having been informed of the activities of the Inter-Industry Working Group (IIWG) established to study the reported incidents of explosions on chemical and product carriers, had invited the IIWG to submit its interim report to STW 37, under its relevant continuous work programme items relating to the analysis of casualties.

10.2 The Sub-Committee further recalled that STW 37 noted the information provided by ICS (STW 37/11) that the IIWG, having considered the various casualties for which data was made available, had agreed that, in view of the complexity of the casualties and the time taken to complete the investigations, it was premature to make interim recommendations to the relevant sub-committees.

10.3 The Sub-Committee noted that:

- .1 MSC 81 had considered the relevant report of the IIWG, (MSC 81/8/1 and MSC 81/INF.8) and agreed to refer both documents to STW 38 for review; and
- .2 MSC 82 had instructed STW 38 to review the requirements leading to Dangerous Cargo Endorsements (DCEs) for seafarers under its agenda item "**Comprehensive review of the STCW Convention and the STCW Code**".

10.4 ICS informed the Sub-Committee that the analysis of incidents investigated had revealed that:

- .1 the majority of incidents involved ships of less than 20,000 DWT and occurred at sea;
- .2 in the majority of cases, the ship was tank cleaning, venting or gas freeing when the incidents occurred;
- .3 the personnel was directly involved in many of the incidents;
- .4 failure to follow established procedures was observed in a significant number of incidents;
- .5 in several cases the tank atmosphere had apparently not been evaluated or was not being monitored;
- .6 in most cases ignition occurred within a tank;
- .7 none of the incidents occurred during the use or operation of inert gas; and
- .8 the majority of incidents involved cargoes covered by MARPOL Annex II.

10.5 Furthermore, conclusions of the IIWG are set out in MSC 81/8/1, paragraph 6.

10.6 Based on the conclusions arrived at, the IIWG had:

- .1 identified that the ICS publication “Safety in Chemical Tankers” would need to be updated, to promote best industry guidelines and practices;
- .2 established a task group on human factors to enhance efforts to identify and address factors influencing procedural compliance on board tankers and also considered establishing a group to review cargo-related operational practices to meet shippers’ requirements; and
- .3 recommended that the Joint MSC/MEPC Working Group on Human Element take note of the findings with regard to the failure to follow established procedures and that the Committee should take note of the complexity inherent in operational procedures on chemical tankers and endorse the efforts of the industry in establishing a task group on human factors to identify and address factors influencing procedural compliance on board tankers.

10.7 ICS also provided an oral update stipulating that:

- .1 FP, DE and BLG Sub-Committees were considering the need to fit inert gas systems on new oil tankers of not less than 20,000 DWT and new chemical tankers;
- .2 the industry organizations had formed a Human Factors Task Group (HFTG); and
- .3 the HFTG had recommended the review of requirements leading to the award of Dangerous Cargo Endorsements (DCE).

10.8 The Secretariat informed the Sub-Committee that the Joint MSC/MEPC Working Group on Human Element, convened at MSC 82, had also considered the report of IIWG and concluded that:

- .1 it was difficult to draw conclusive analysis from existing casualty reports due to the lack of human element considerations during these investigations, i.e. investigators asking the relevant questions to determine if the human element was a contributing factor in the casualty;
- .2 the industry’s review of its procedures and guidelines was a very positive step towards resolving the issue;
- .3 there was a need to review and strengthen requirements leading to Dangerous Cargo Endorsements (DCEs); and
- .4 Member States should provide reports of casualty investigations to the FSI Sub-Committee expeditiously with a view to arriving to constant and consistent analysis to ensure that such accidents and incidents do not recur.

10.9 After some debate the Sub-Committee concurred with the outcome of the Joint MSC/MEPC Working Group on Human Element.

## Casualty analysis report

10.10 The Sub-Committee finally noted that no casualty analysis report had been forwarded by the FSI Sub-Committee for consideration.

## Statements by Antigua and Barbuda and Italy

10.11 Antigua and Barbuda made a statement on the recent collision between the vessel "Susan Borchard" and the passenger hydrofoil "Segesta Jet", which had happened on 15 January 2007 evening at the entrance to the port of Messina in the Strait of Messina as set out in annex 9. Italy responded to this statement as set out in annex 10.

10.12 In this context, the Chairman, expressing the Sub-Committee's condolences for the lives lost, welcomed the information and urged them to continue their co-operation during the investigation and submit the lessons learnt to the relevant Committee and Sub-Committees.

## 11 IDENTIFICATION OF AREAS IN CHAPTER VI OF THE STCW CODE WHERE TRAINING CANNOT BE CONDUCTED ON BOARD

11.1 The Sub-Committee recalled that:

- .1 STW 36, as instructed by MSC 78, had considered the need for a review of the STCW chapter VI requirements and, noting that this was a complex issue and required further discussion, decided to advise MSC 80 that more time was needed to provide appropriate advice and accordingly invited Member Governments, intergovernmental and non-governmental organizations to submit comments and proposals thereon to STW 37;
- .2 MSC 80 had considered a proposal by Norway (MSC 80/21/3) to conduct a systematic review of all requirements regarding the demonstration of competence in chapter VI of the STCW Code and had noted that STW 36 had invited comments and proposals for further discussion at STW 37. After considerable discussion, MSC 80 had instructed STW 37 to consider the need for the review of the STCW Code chapter VI requirements and advise MSC 81 accordingly; and
- .3 MSC 81 endorsed the decision of STW 37 that it was necessary to first identify the areas in chapter VI of the STCW Code where training cannot be conducted on board and added a new item "Identification of areas in chapter VI of the STCW Code where training cannot be conducted on board" to its work programme and agenda for STW 38.

11.2 The Islamic Republic of Iran (STW 38/11) informed the Sub-Committee that seafarers employed on board ships usually received regular training and were able to demonstrate their competence on various safety and emergency situations during shipboard training and drills. However, there were limits to the extent that this could be done in a safe and realistic manner without endangering the safety of the ship and the crew. After a thorough analysis of tables A-VI/1 to A-VI/5, Iran had identified those areas where training could not be safely and effectively conducted on board ships.

11.3 Having briefly considered the proposal by the Islamic Republic of Iran, the Sub-Committee agreed that this should be included in the comprehensive review of the STCW

Convention and the STCW Code and the detailed areas could be identified during the comprehensive review. The Sub-Committee instructed the drafting group, established to prepare a consolidated list of the areas in the STCW Convention and the Code that needed to be reviewed, accordingly.

11.4 In light of the foregoing, the Sub-Committee decided that no further action was necessary with regard to this agenda item and that it should be deleted from the Sub-Committee's work programme subject to the Committee's endorsement of the decision (see agenda item 14).

## **12 COMPREHENSIVE REVIEW OF THE STCW CONVENTION AND THE STCW CODE**

12.1 The Sub-Committee recalled that STW 37 had considered the need for a comprehensive review of the STCW Convention and the STCW Code and had invited the Committee to add a new item to its work programme and agenda for STW 38 "Comprehensive review of the STCW Convention and the STCW Code" with a target completion date of 2008 and also to instruct the Sub-Committee to define first in detail the issues to be reviewed and advise the Committee accordingly, before embarking on the actual work.

12.2 The Sub-Committee noted that MSC 81 had endorsed the proposal of STW 37 and instructed the Sub-Committee to define, as a first step, the issues to be reviewed and to advise the Committee accordingly, before embarking on the actual work, for the Committee to endorse the scope of the review of the instruments, and the Sub-Committee to undertake, as a second step, the authorized review in a systematic and organized manner. MSC 81 had also agreed that the proposed review of the STCW Convention and the STCW Code should not, in any way, delay the work already in the Sub-Committee's work programme. In addition, MSC 81 had further agreed that the following matters should also be considered under this agenda item:

- .1 ECDIS training and familiarization;
- .2 LNG training and competency standards; and
- .3 introduction of mandatory alcohol limits during watchkeeping and other shipboard duties.

12.3 The Sub-Committee also noted that MSC 82 had:

- .1 referred document MSC 82/10/4 (Singapore) to the STW Sub-Committee for detailed consideration under the corresponding agenda item;
- .2 instructed STW 38 to review the requirements leading to Dangerous Cargo Endorsements (DCEs) for seafarers;
- .3 agreed that automated systems for ships must be made user-friendly and operators must be well trained for their use. Therefore, there was a need for this issue to be addressed during the basic education and familiarization training of seafarers; and
- .4 identified that training recommendations given by performance management guidelines such as Integrated Navigation Systems, Integrated Bridge Systems and Bridge and Engine-room Resource Management, should be included within the STCW Convention with a view to seafarers understanding the limitations and

weaknesses of automated systems and instructed STW 38 to consider this under its existing agenda item “Comprehensive review of the STCW Convention and the STCW Code”.

12.4 In light of the large number of proposals received under this agenda item and in order to facilitate discussions, the Sub-Committee decided that the documents should only be briefly introduced and thereafter to use document STW 38/WP.2 prepared by the Chairman in co-operation with the Secretariat and in consultation with the relevant sponsors, which contained all the proposals in sequential order of the Convention as the basis for further deliberations.

### **Brief introduction of proposals**

12.5 India (STW 38/12/1), China (STW 38/12/2), Australia (STW 38/12/10), InterManager (STW 38/12/11) and ISF (STW 38/12/12) supported the proposed comprehensive review of the STCW Convention and the STCW Code and indicated that they had identified areas in the STCW Convention and the STCW Code that needed to be reviewed.

12.6 ICFTU (STW 38/12/3) stated that the review of the Convention should:

- .1 not change its structure;
- .2 not change the goals of the 1995 revision;
- .3 be limited to addressing anomalies and shortcomings in the Convention; and
- .4 not address the shortage of seafarers through increased flexibilities that allowed for quantity to have priority over quality.

12.7 Germany *et al* (STW 38/12/4), while supporting the comprehensive review of the STCW Convention and the STCW Code, expressed the view that the articles of the Convention should be excluded from the review process, unless there was an overriding need, and indicated that they had identified certain areas that should be considered for review.

12.8 IFSMA (STW 38/12/6 and STW 38/12/7) proposed that:

- .1 there was a need for clarification as to what would be the minimum time that could be constituted as a period of rest; and
- .2 the master should not be considered a watchkeeping officer when deciding the composition of the navigational watch.

12.9 The United States (STW 38/12/8), while supporting the comprehensive review of the STCW Convention and the STCW Code, proposed following a simple process to develop a philosophy and identify parameters to focus on the direction of review. The philosophy to be followed had been identified during the discussions at STW 37 and MSC 81. Some of the parameters identified by them were inconsistencies, interpretations, MSC issues, circulars and technological advances.

12.10 Estonia *et al* (STW 38/12/9) proposed to introduce a mandatory alcohol limit, including ancillary measures, and to enhance international exchange of information on alcohol-related incidents on board seagoing vessels.



12.11 CLIA (STW 38/12/13) supported the decision to undertake a comprehensive review of the STCW Convention and the STCW Code. They identified the proliferation of requirements for training, exercises and drills for seafarers as an area of concern and suggested that a review of these requirements be undertaken in a risk based holistic manner and that any new requirements be co-ordinated through the STW Sub-Committee.

12.12 Singapore (MSC 82/10/4), based on the report of the Working Group on Casualty Analysis and the review of the Code for the Investigation of Marine Accidents and Incidents at FSI 14, proposed to include the key elements of Bridge Resource Management (BRM) as a mandatory training requirement for master and deck officers.

### **Detailed consideration of proposals**

#### **STCW CONVENTION**

##### **GENERAL**

12.13 ICFTU (STW 38/12/3) expressed the view that the review should not seek to change the structure of the Convention or result in a down-scaling of standards. Whilst recognizing that the Convention would benefit from harmonizing with recent amendments, resolutions and circulars taking into consideration new technologies, the goals of the 1995 revision should not be lost. Furthermore, it was essential that any action taken should enhance these standards and be limited to addressing the anomalies and shortcomings of the Convention. The shortfall in qualified seafarers should not be addressed by introducing increased flexibilities that allow quantity to be prioritized over quality.

12.14 Germany *et al* (STW 38/12/4) considered the review as a good opportunity to redress any inherent inconsistencies, clarify potential interpretation problems and upgrade seafarers' competences to adapt them to the prerequisites of modern technologies and the needs of the shipping industry. They concurred with the illustrative list of issues identified during STW 37 and agreed that the relevant existing requirements should be reviewed to ensure efficient communication on board all ships as regards safety and in particular on board passenger ships and ro-ro passenger ships, as well as between the ship and the shore-based authorities.

12.15 The United States (STW 38/12/8) stated that the philosophical approach for the comprehensive review of the STCW Convention and the STCW Code had been identified during the discussions at STW 37 and MSC 81, i.e., "To refine the Convention and Code and to include new technology and new training in support of new issues identified by other instruments". In support of this philosophy, the United States had identified parameters to establish the boundaries for the review while encompassing the various issues. These parameters had been derived from the preliminary discussions that led to the decision to undertake the comprehensive review. Although these parameters were not all inclusive, they provided a logical starting point for the discussion of the issues to be considered during the review and would generate consequential amendments. The attention was drawn to the fact that these amendments should not generate new inconsistencies and that there was a need to develop an approach on how to review the Convention when addressing technological advances while continuing to provide a flexible instrument.

12.16 Australia (STW 38/12/10) stated that there were a number of transitional arrangements provided within the Convention and Code, which had facilitated its initial introduction and should now be deleted.

12.17 InterManager (STW 38/12/11) informed the Sub-Committee that experience gained since 1997 suggested that the period of seagoing service that junior officer required before certification for the next rank was not sufficient to become competent to a professional standard and hence needed to be increased. However, at a time when the industry was expanding and facing shortages of certificated officers, there were obvious pressures to reduce seagoing service, and not increase it. One way to compensate for this was to increase the number of officers in training. A common requirement for each ship in international trade to carry two or more trainee officers would provide the foundations to tackle both the lack of experience of junior officers and provide a larger pool of competent officers.

12.18 ISF (STW 38/12/12) expressed the opinion that it was important to preserve the flexibility in terms of compliance with the standards, afforded by the current version of STCW and that a functional approach should be adopted when undertaking the review. Furthermore, the current requirements of the STCW Convention and the STCW Code were based on the way deep-sea ships operated. Nowadays many ships on short sea voyages and other ships involved in activities related to the offshore industry were operated in a different way to the traditional deep-sea ships, receiving shore-based support, which in particular applied to the technical maintenance on board. Therefore the special character and circumstances of short sea shipping and offshore industry related shipping should be taken into account when reviewing the STCW Convention. The current STCW standards on training and certification (chapters II and III) and watchkeeping (chapter VIII) were based on the traditional way of operating and managing ships. Innovation in technology and the way ships were operated and managed should provide for some flexibility with regard to the required level of training, certification and required watchkeeping arrangements. Hence chapters II, III and VIII should be reviewed to see if areas could be identified where flexibility could and should be introduced. Furthermore, while the 1995 amendments had a significant impact on training and competence standards of the world's seafarers, ISF had anecdotal evidence to suggest that some training institutes that did not train in accordance with the standards of the Convention were still being approved by their Administrations. Accordingly, ISF urged that all Administrations should train and certify seafarers in accordance with the requirements of the Convention.

12.19 CLIA (STW 38/12/13) advised that various Sub-Committees and/or Committees prepared regulations for specific training and drills without consideration of the impact this had on the seafarer's time and the associated human element. CLIA, therefore, recommended that the Sub-Committee should consider reviewing all shipboard training and drill/exercise requirements from a risk-based holistic point of view.

12.20 Japan supported by others expressed the view that the issues to be discussed should be streamlined in accordance with the parameters proposed by the United States.

12.21 ICS expressed the view that the proposal relating to trainees to be placed on board should be considered carefully and be addressed through guidance rather than have mandatory provisions.

12.22 Germany, supported by others, whilst agreeing with the United States, expressed the opinion that the scope of the review could be extended if considered necessary. They also supported the views expressed by ICS relating to approval of training institutions. Furthermore, they did not support the proposal by InterManager relating to change in sea service requirements and for trainees to be placed on board.

12.23 India, while supporting the proposal by InterManager, expressed the view that the issue of training of officers had become a problem due to the non-availability of training berths on board ships.

12.24 Panama, while agreeing with the proposal of the United States on the introduction of the principles for the review of the STCW Convention and the STCW Code, did not agree with the proposal by InterManager and stated that supply and demand of seafarers was a complex issue, and therefore it was difficult to find a simple solution based solely on the requirement to carry more trainees on board.

12.25 Malta highlighted the concerns relating to the problems associated with the present requirements relating to sea service and supported the proposal by InterManager. This view was supported by New Zealand.

12.26 Liberia expressed the opinion that the proposed review should not be open-ended and should address inconsistencies and improve the existing text.

12.27 The Chairman drew the attention of the Sub-Committee to the fact that the purpose of the first round of discussion was to identify issues of common interest/concerns and agreement in order to establish the principles and the framework for the review. Once they had been agreed upon and the list of issues to be addressed had been drawn up by the Sub-Committee, the proposed drafting group was only expected to make editorial amendments for inclusion in the report to the Committee.

12.28 Accordingly, he invited the Sub-Committee to decide on the principles for the review as orally presented by him.

12.29 After an in-depth discussion, the Sub-Committee agreed that the review should only embrace the following principles:

- .1 retain the structure and goals of the 1995 revision;
- .2 not to down scale existing standards;
- .3 not to amend the articles of the Convention;
- .4 address inconsistencies, interpretations, MSC instructions, clarifications already issued, outdated requirements and technological advances;
- .5 address requirements for effective communication;
- .6 provide for flexibility in terms of compliance and for required levels of training and certification and watchkeeping arrangements due to innovation in technology;
- .7 address the special character and circumstances of short sea shipping and the offshore industry; and
- .8 address security-related issues.

12.30 In considering the need to review all shipboard training and drill requirements in other IMO instruments from a risk-based holistic point of view, the Sub-Committee agreed that this

was an issue that needed to be considered. However, this issue did not fit within the present scope of review of the STCW Convention. Accordingly, the Sub-Committee advised CLIA to submit this as a new work programme item duly co-sponsored by a Member State to the Committee for approval.

## CHAPTER I – GENERAL PROVISIONS

### Regulation I/1

12.31 India (STW 38/12/1), ICFTU (STW 38/12/3), Germany *et al* (STW 38/12/4) and InterManager (STW 38/12/11) proposed the inclusion of the following definitions within the Convention:

- .1 Able seafarer (deck) and (engine);
- .2 Cargo officer;
- .3 Crew;
- .4 Electrical officer;
- .5 Passenger ship (as defined in SOLAS 74);
- .6 Ships Safety Representative;
- .7 Ships propulsion power;
- .8 Electronic officer; and
- .9 Certificate of competency.

12.32 In the context of the definition of ‘propulsion power’, Australia (STW 38/12/10) proposed that it should reflect the total engine makers’ maximum continuous rated power output of all the ship’s main propulsion machinery.

12.33 After a detailed discussion, the Sub-Committee agreed that the following new definitions maybe considered during the review process in accordance with principle .4 of paragraph 12.29 above:

- .1 Able seafarer (deck) and (engine);
- .2 Cargo officer;
- .3 Crew;
- .4 Electrical officer;
- .5 Passenger ship (as defined in SOLAS 74);
- .6 Ships Safety Representative;
- .7 Ships propulsion power;
- .8 Electronic officer; and
- .9 Certificate of competency.

The Sub-Committee also recognized the need for additional definitions might be emanating during the review.

### **Regulation I/2**

12.34 India (STW 38/12/1) proposed that to avoid malpractices, endorsements should be issued by flag States. However, if agents were authorized, the designated agent must be notified to all Member States. Furthermore, if the endorsement of recognition of certificates of competency was delegated to an authority other than the authority issuing the certificate of competency, then verification of the certificate of competency before endorsement must be made a mandatory requirement.

12.35 Germany *et al* (STW 38/12/4) supported by InterManager (STW 38/12/11), proposed that, in view of the proliferation of fraudulent practices associated with certificates of competency, it was essential to enhance prevention of such practices to combat any malpractices or fraud. These goals could be achieved by including, in the Convention and Code, a provision requiring that certificates of competency were to be issued exclusively by the Administration. An issuing Administration should ensure that certificates of competency were issued only after verification of the authenticity and validity of documentary proof. In this context, the incorporation of a definition of certificates of competency should be also considered in order to distinguish such certificates from the ones issued under provisions of chapter VI. Furthermore, an Administration which recognized a certificate under regulation I/10 should verify it before issuing an endorsement to attest its recognition.

12.36 After an in-depth discussion the Sub-Committee agreed on the need to review this regulation with a view to preventing the use of fraudulent certificates in accordance with principle .4 of paragraph 12.29 above.

### **Regulation I/3**

12.37 India (STW 38/12/1) proposed that every Party should define its near-coastal limits and communicate this information to the Secretary-General for circulation to all STCW Parties and that near-coastal voyage (NCV) limits be endorsed in the certificate of competency. STCW Parties could have multilateral agreements for accepting regional 'near-coastal voyage limits' or accepting certificates of competency issued by other Parties for service on board their flag ships.

12.38 Germany *et al* (STW 38/12/4) expressed the opinion that current discrepancies in the definition of NCV could result in unfair competition between operators and problems in relation to Port State Control. Clarification was therefore required to ensure that Administrations do not achieve an unfair commercial advantage by adjusting coastal limits accordingly. Hence, the introduction of an explicit definition of NCV and common principles governing these voyages should be considered, taking into account other relevant parts of the Convention, while section B-I/3 could be transferred to the mandatory part of the Code.

12.39 In this context, the Sub-Committee agreed on the need to review this regulation relating to the provision of a definition for near coastal voyages and the common principles governing these voyages in accordance with principle .4 of paragraph 12.29 above.

### **Regulation I/6**

12.40 ISF (STW 38/12/12) proposed that regulation I/6 relating to the approval of training institutes and courses should be reviewed.

12.41 The Sub-Committee agreed on the need to review this regulation to ensure that Administrations maintain a register for training databases in accordance with principle .4 of paragraph 12.29 above.

### **Regulation I/7**

12.42 India (STW 38/12/1) proposed that new or amended regulations should be covered by requirements within the quality standards system pursuant to regulation I/8 and subsequently communicated to IMO by Member States in future periodic reports.

12.43 Germany *et al* (STW 38/12/4) proposed that regulation I/7 and the related sections of the Code should be amended in order to clearly indicate that amendments to the STCW Convention and the STCW Code are not subject to the provisions of this regulation. However, the implementation of amendments to the STCW Convention and the STCW Code should be examined under regulation I/8 regarding Quality Standards.

12.44 ISF (STW 38/12/12) proposed that regulation I/7 should be reviewed.

12.45 The Sub-Committee agreed on the need to review this regulation to incorporate the decision of the Committee relating to new or amended regulations in accordance with principle .4 of paragraph 12.29 above.

### **Regulation I/8**

12.46 India (STW 38/12/1) proposed to include a requirement for new or amended regulations to be included within the Quality Standards System.

12.47 Germany *et al* (STW 38/12/4) expressed the opinion that competence of seafarers was undoubtedly a crucial factor for safeguarding safety and security at sea and preserving the marine environment. Bearing in mind that human error was considered to be a contributory factor in the occurrence of numerous maritime accidents, it was necessary to ensure that the existing requirements were effectively applied and that Parties complied with all relevant provisions of the Convention and Code and enforced them as appropriate. Hence, it was essential to provide for a specific mechanism for monitoring the effective application of these requirements. Besides, a procedure for ensuring an appropriate follow-up to the "White list" of complying countries was critical in this respect. This process could be accomplished by means of a more rigorous independent evaluation procedure prescribed by regulation I/8, as well as the relevant provisions of regulation I/7 and section A-I/7.

12.48 The United States (STW 38/12/8) recalled that STW 36 had agreed that any changes to training, assessment of competence, certification, endorsement and revalidation activities emanating from an amendment to the Convention would be covered under the evaluation required pursuant to regulation I/8. Hence, explicit terms of reference were necessary to ensure that the Parties were implementing the new or amended regulations that had entered into force on or after the last independent evaluation. It was also necessary for the independent evaluator to audit the system with reference to the requirements of the STCW Convention and not the regular quality standards systems prevalent in other industrial organizations.

12.49 Australia (STW 38/12/10) proposed that consideration should be given to enhancing the reporting arrangements required every five years by Parties to the Convention. It was desirable to

not only report on quality arrangements and audits but also on the changes made to regulations and requirements during this period.

12.50 ISF (STW 38/12/12) proposed that regulation I/8 (quality standards) should be reviewed.

12.51 The Sub-Committee agreed on the need to review this regulation in order to address:

- .1 changes to training, assessment of competence, certification and revalidation activities emanating from an amendment to the Convention to be covered under the independent evaluation pursuant to this regulation;
- .2 a specific mechanism to monitor the effective application of the Convention requirements;
- .3 terms of reference to ensure that Parties were implementing new or amended regulations that have entered into force on or after the last independent evaluation; and
- .4 the independent evaluation to be carried out in accordance with the requirements of the Convention and not using standards applied in other industrial organizations,

in accordance with principles .2 and .4 of paragraph 12.29 above.

### **Regulation I/9**

12.52 India (STW 38/12/1) proposed to include basic medical fitness standards in this regulation to ensure fitness for duty and associated responsibilities on board ships.

12.53 Germany *et al*, (STW 38/12/4) supported by InterManager (STW 38/12/11), proposed that regulation I/9 and the related sections of the Code should be amended to require Parties to the STCW Convention to maintain a register of certificates issued to ratings. Furthermore, the overall medical fitness of seafarers was essential for sustained performance and thus crucial for ensuring safety at sea and the protection of the marine environment. Existing discrepancies in medical standards stemming from the lack of mandatory common medical standards might be detrimental and might obstruct recognition of certificates. It was important therefore to consider, in line with resolution 9 of the STCW Conference, the development of international standards of medical fitness for all seafarers, associated with their responsibilities on board, as well as a standard format for the medical fitness certificate. This should be done in co-operation with the International Labour Organization (ILO), the World Health Organization and the International Maritime Health Association and any other relevant body.

12.54 ISF (STW 38/12/12) proposed that regulation I/9 should be reviewed.

12.55 The Sub-Committee, noting the ILO resolution relating to common medical standards, adopted at the ILO Maritime Labour Conference, agreed on the need to review this regulation with the view to developing international medical standards of fitness for all seafarers and a standard format for the medical fitness certificate in co-operation with ILO, WHO and IMHA in accordance with principles .2 and .4 of paragraph 12.29 above.

**Regulation I/10**

12.56 Germany *et al* (STW 38/12/4) proposed that regulation I/10 and the related sections of the Code should be amended in order to allow for the issue of a “Proof of application for the issue of an endorsement” to radio Officers.

12.57 The United States (STW 38/12/8) expressed the opinion that there was a need to clarify the level of the “necessary measures” that an Administration must undertake in order to endorse another Administration’s certificates to ensure compliance with the Convention requirements.

12.58 ISF (STW 38/12/12) proposed that the regulation should be reviewed.

12.59 The Sub-Committee agreed on the need to review this regulation with the view to allow the issue of a “Proof of application for the issue of an endorsement” to radio officer and to clarify the level of the “necessary measure” that an Administration must undertake in order to endorse another Administration’s certificates in accordance with principles .2 and .4 of paragraph 12.29 above.

**Regulation I/11**

12.60 India (STW 38/12/1) proposed that, following the review, a consequential amendment to change the date from 1 February 2002 to either the date of entry into force of the new regulations or five years from that date was necessary and a clarification as to whether revalidation would be required for ratings.

12.61 The United States (STW 38/12/8) expressed the opinion that there was a conflict between the requirements to provide proof for achieving/maintaining continued proficiency (within the previous five years) in basic safety training and the revalidation requirements in regulation I/11 (Table B-I/11). In addition, there was a need to provide clarification of what evidence of having achieved/maintained continued proficiency on basic safety training was required.

12.62 InterManager (STW 38/12/11) expressed the opinion that while the interval between periods of revalidation of certificates of competency was common i.e. five years, the process of revalidation followed by flag States was not common. Since the purpose of revalidation was to ensure continued competence, some agreed format for refresher or update training was needed. Furthermore, competency in electrical and electronic engineering to support advances in modern technology should also be addressed under this process.

12.63 The Sub-Committee agreed on the need to review this regulation to consider the following issues:

- .1 amending the transitional provisions associated with the date of the entry into force of the new requirements;
- .2 resolving any inconsistencies and/or conflicts between the requirements in these provisions, chapter VI and the associated parts of the Code;
- .3 clarifying the evidence required to proof having achieved/maintained continued proficiency on basic safety training is required; and
- .4 provision for continuous updating and refreshing of proficiency,

in accordance with principles .2 and .4 of paragraph 12.29 above.



### **Regulation I/12**

12.64 India (STW 38/12/1) proposed to include provisions for new and innovative training methodologies in the regulation including the use of simulators for assessment, distance learning and e-learning.

12.65 The Sub-Committee agreed on the need to review this regulation with a view to include provisions for new and innovative training methodologies in accordance with principle .4 of paragraph 12.29 above.

### **Regulation I/14**

12.66 Germany *et al* (STW 38/12/4) expressed the opinion that considering the wide range of professional subjects and the associated skills required, as well as the sophistication and rapid evolution of marine equipment, re-training of seafarers on all related professional subjects was absolutely crucial for maintaining competency and adequate performance. In view of recent STW and MSC circulars on strengthening the effectiveness of both on-board and on-shore familiarization training, it was necessary to define the responsibilities of shipping companies in this respect. Responsibilities of companies should encompass continuous and familiarization training on all professional subjects, involving both onboard and shore-based training. Specific reference should be made in this respect to the possibility to use innovative training methodologies, especially with regard to theoretical training, by means of distance learning methods (such as e-learning, on-line learning, computer-based training, correspondence courses). Furthermore, companies should be made liable for ensuring that all seafarers onboard ships were duly qualified. These responsibilities should be defined, taking due account of the requirements of the International Safety Management (ISM) Code, as well as resolution 8 of the STCW Conference, and implemented as part of the Safety Management System (SMS) according to the International Safety Management (ISM) Code.

12.67 The Sub-Committee agreed on the need to review this regulation with a view to defining responsibilities of companies relating to continuous and familiarization training in all professional subjects involving both, onboard and shore-based training, in accordance with principle .4 of paragraph 12.29 above.

### **Regulation I/15**

12.68 India (STW 38/12/1) proposed that this regulation needed to be re-written reflecting new provisions subsequent to the review process.

12.69 China (STW 38/12/2) proposed to delete the whole regulation as it was no longer valid.

12.70 The Sub-Committee agreed that the decision on this regulation could only be taken after the review process has been completed.

## **CHAPTER II – MASTER AND DECK DEPARTMENT**

### **General**

12.71 The United States (STW 38/12/8) expressed the opinion that there was a need for consistency in the inclusion of endorsements on the technological equipment (ARPA vs. GMDSS – regulation IV/2). As per table A-II/1, not having ARPA was required to be shown as

a limitation (as not all ships are required to carry ARPA); however, a GMDSS endorsement was never the less required if the individual met the corresponding requirements.

12.72 MSC 82 (STW 38/2/Add.1) had considered the information provided by the United Kingdom (MSC 82/15/2), identified that, while integrated automated systems were prevalent and indeed useful, patterns of marine accidents and incidents indicated that seafarers did not always understand the weaknesses and limitations associated with such systems, and agreed that automated systems for ships must be made user-friendly and operators must be well trained for their use. Therefore, there was a need for this issue to be addressed during the basic education and familiarization training of seafarers. MSC 82 also considered the information provided by the United Kingdom (MSC 82/15/3) and identified that training recommendations given by performance management guidelines such as Integrated Navigation Systems, Integrated Bridge Systems and Bridge and Engine-room Resource Management should be included within the STCW Convention with a view to seafarers understanding the limitations and weaknesses of automated systems.

12.73 ISF (STW 38/12/12) proposed a review of the requirements specified in chapters II and III to take account of any recent or future changes in equipment, technology, terminology and management such as:

- .1 the use of AIS; and
- .2 ballast water equipment,

and standards contained in the ILO Convention on Able Seafarers (No.74) not already covered in the 1995 Amendments (which took account of IMO/ILO Joint Guidance on Training) and furthermore, to place emphasis on environmental awareness and, in particular, the use of oily water separators.

12.74 The Sub-Committee agreed that there was a need:

- .1 to be consistent in the display of information relating to inclusion of endorsements limitations on technological equipment;
- .2 for the consideration of the instructions of MSC 82 to provide for familiarization training to understand the limitations of automatic systems through familiarization training and inclusion of training recommendation given by performance management guidelines within the Convention;
- .3 for review of the requirements for these chapters to take into account any recent changes in equipment, technology and terminology; and
- .4 to put emphasis on environmental awareness and in particular, the use of oily water separators,

in accordance with principles .4 and .6 of paragraph 12.29 above.

## **Regulation II/1**

12.75 India (STW 38/12/1) invited the Sub-Committee to:

- decide on sea service requirements and, in particular, if one year was sufficient;
- be consistent with other regulations in use of the term “months” instead of “year”;  
and
- include training for ECDIS, AIS, simulator training on ‘Rule of the Road’, including buoyage system in table A-II/1.

12.76 The Sub-Committee did not agree on the need to review the sea service requirements.

12.77 The Sub-Committee, noting that the Committee had instructed it consider ECDIS training and familiarization even though the carriage requirements had only been decided on High Speed Craft, agreed on the need to review this regulation with a view to providing guidance in accordance with principle .4 of paragraph 12.29 above. Furthermore, the Sub-Committee agreed to be consistent with other regulations by using the term ‘months’ instead of ‘year’.

## **Regulation II/2**

12.78 India (STW 38/12/1) identified that for masters and chief mates on ships between 500-3,000 GT there was no requirement for sea service at operational level before being certified at management level and that the sea service requirements should be made consistent with regulation III/2.

12.79 The Sub-Committee agreed that there was no need to review the requirements in this regulation.

## **CHAPTER III – ENGINE DEPARTMENT**

### **General**

12.80 MSC 82 (STW 38/2/Add.1) had considered the information provided by the United Kingdom (MSC 82/15/2 and MSC 82/15/3) and took action as set out in paragraph 12.72.

12.81 ISF (STW 38/12/12) proposed a review of the requirements specified in chapters II and III as set out in paragraph 12.50.

12.82 ICFTU (STW 38/12/3) proposed to include sea service and competency provisions for the positions of electrical officer and electronic officers.

12.83 Germany *et al* (STW 38/12/4), supported by InterManager (STW 38/12/11), expressed the opinion that the increasing involvement of electronics in the operation of ships and the rapid technological developments required specific knowledge and abilities. In order to attain a consistent level of training and minimum standards of competency across the industry, it was necessary to ensure that the relevant competencies could be gained by the development of specific training and certification requirements in this important branch of the engineering department.

12.84 With reference to paragraphs 12.80 and 12.81 above, action taken by the Sub-Committee is set out in paragraph 12.74.

12.85 The Sub-Committee agreed that there was a need to provide for relevant competences with regard to technological development (electrical engineering and electronics) in the operations of ships in accordance with principle .4 of paragraph 12.29 above.

### **Regulations III/1, III/2 and III/3**

12.86 India (STW 38/12/1) proposed that in light of LNG tankers operating steam turbine propulsion, there was a need for additional competence standards relating to steam engines in regulations III/1 as an add-on module and to include requirements for below 750kW within these regulations.

12.87 The Sub-Committee agreed that in light of LNG tankers operating steam turbine propulsion, additional competence standards could be provided in chapter V in accordance with principle .2 of paragraph 12.29 above.

12.88 The United States (STW 38/12/8) proposed that:

- .1 education and training requirements in regulation III/1 should be based on meeting the standards of competences, as in regulation II/1; and
- .2 the near-coastal voyage provisions in sections A-III/1, A-III/2 and A-III/3 should be reviewed and harmonized.

12.89 The Sub-Committee agreed on the need to review these regulations in order to ensure that:

- .1 education and training requirements in regulation III/1 were based on meeting the standards of competences, as in regulation II/1; and
- .2 the near-coastal voyage provisions in sections A-II/1, A-III/2 and A-III/3 were harmonized,

in accordance with principle .4 of paragraph 12.29 above.

### **CHAPTER IV – RADIOCOMMUNICATIONS AND RADIO PERSONNEL**

12.90 India (STW 38/12/1) proposed that in light of the decisions of STW 37, familiarization with GMDSS equipment and operational procedures similar to that provided for in chapter VI should be included as new regulation IV/3.

12.91 China (STW 38/12/2) proposed that regulation IV/1, paragraph 2, should be deleted as it was no longer valid.

12.92 The Sub-Committee agreed on the need for this regulation should be reviewed to provide for familiarization training in accordance with MSC.1/Cir.1208 and to delete the outdated transitional provisions in accordance with principle .4 of paragraph 12.29 above.

## **CHAPTER V – SPECIAL TRAINING REQUIREMENTS FOR PERSONNEL ON CERTAIN TYPES OF SHIPS**

### **General**

12.93 In light of the report of the Inter-Industry Working Group (IIWG), MSC 82 (STW 38/2/Add.1) instructed the Sub-Committee to review the requirements leading to Dangerous Cargo Endorsements (DCEs) for seafarers.

12.94 ISF (STW 38/12/12) expressed the opinion that the existing stipulations with regard to service on tankers were appropriate and no further sub-division was necessary.

12.95 ICFTU (STW 38/12/3) proposed to establish a training programme for dynamic positioning ships.

12.96 The Sub-Committee agreed on the need to review the requirements leading to dangerous cargo endorsements (DCEs) for seafarers, as instructed by MSC 82, and to provide for training standards for dynamic positioning ships, in accordance with principle .4 of paragraph 12.29 above.

### **Regulation V/1 and section A-V/1**

12.97 India (STW 38/12/1) proposed to split this regulation into different parts namely for oil, chemical, LPG and LNG tankers for operational/management level.

12.98 Germany *et al* (STW 38/12/4) proposed that regulation V/1 and the related sections of the Code should be divided into different parts, corresponding to the different types of tankers in order to include standards for training and qualifications for the management level on oil, chemical, LNG and LPG tankers and certificates issued under this regulation should not require a recognition endorsement.

12.99 InterManager (STW 38/12/11) proposed that there was a need to reappraise the training in competencies for officers and ratings on oil, chemical, LPG and LNG tankers to ensure they are in line with current practices, technology and experience. As currently documented in regulation V/1, the STCW certification was based not on competence, but on classroom knowledge and therefore should be reviewed.

12.100 The United States (STW 38/12/8) proposed a review of the existing section A-V/1, as the present text followed a course style approach, which was not consistent with the table of competence approach used in the rest of the Convention.

12.101 The Sub-Committee agreed on the need for this regulation to be reviewed with a view to providing standards for training in the same format as provided elsewhere within the Convention and also to provide specific requirements for different types of tankers in accordance with principle .4 of paragraph 12.29 above.

### **Regulations V/2 and V/3**

12.102 Australia (STW 38/12/10) proposed that consideration should be given to simplifying the Convention and Code by combining chapter V requirements for “ro-ro passenger ships”, and “passenger ships other than ro-ro passenger ships”.

12.103 The Sub-Committee agreed on the need to review these regulations with a view to simplifying the requirements by combining the requirements for “ro-ro passenger ships” and for “passenger ships other than ro-ro passenger ships” prescribed therein in accordance with principle .4 of paragraph 12.29 above.

#### **Proposed new regulations V/4, V/5, V/6 and V/7**

12.104 India (STW 38/12/1) proposed that new regulations be added to reflect the existing guidance provided in B-Va to Vd and consequential re-numbering of B-Va to Vd as B-V/4 to B-V/7.

12.105 The Sub-Committee agreed that there was no need to include the proposed regulations in the review.

#### **CHAPTER VI – EMERGENCY, OCCUPATIONAL SAFETY, MEDICAL CARE AND SURVIVAL FUNCTIONS**

12.106 India (STW 38/12/1) proposed to include familiarization on security (ISPS) and safety management system (ISM) training requirements in chapter VI.

12.107 ICFTU (STW 38/12/3) proposed to establish training standards for the following:

- .1 shipboard safety representative, reflecting the requirements of the ILO Maritime Labour Convention (2006); and
- .2 sanitation and hygiene,

and that all basic safety training should have a mandatory refresher course every five years.

12.108 Germany *et al* (STW 38/12/4), supported by InterManager (STW 38/12/11), expressed the opinion that the importance of the human factor in the protection of the marine environment had gained widespread recognition and acceptance internationally in recent years. Marine environment protection could be improved if seafarers were better educated in marine environment matters within their basic training.

12.109 The United States (STW 38/12/8) reiterated that all seafarers who were required to hold a certificate of proficiency in survival craft had to meet the minimum requirements in section A-VI/2, which included lifeboat operation. However, there were a number of seafarers holding an STCW certificate of competency under regulation II/3, serving on board ships of less than 500 GT and not fitted with a lifeboat. The Convention did not consider any exemption or waiver of that requirement (or parts thereof) for seafarers working on board ships, not fitted with a lifeboat.

12.110 ISF (STW 38/12/12) expressed the opinion that clarification of revalidation requirements was needed.

12.111 The Sub-Committee agreed on the need to review this chapter to establish training standards for:

- .1 the shipboard safety representative, reflecting the requirements of the ILO Maritime Labour Convention (2006);

- .2 sanitation and hygiene, taking into account the information provided in the ships sanitation guide developed by WHO, limited to addressing safety issues; and
- .3 marine environment awareness,

in accordance with principle .4 of paragraph 12.29 above.

## **CHAPTER VII – ALTERNATIVE CERTIFICATION**

12.112 Germany *et al* (STW 38/12/4) stated that, at present, the existence of dual purpose officers and general purpose ratings allowed for horizontal flexibility in the manning of ships and the way the work was organized on board. However, there was also a need to consider the possibility of vertical flexibility, where specialist and other functions could be more evenly distributed among the crew. Therefore, the relevant provisions of the STCW Convention and Code should be examined in order to assess the need for adapting the pertinent provisions.

12.113 ISF (STW 38/12/12) proposed a review of the existing functional approach and chapter VIII requirements on standards relating to watchkeeping with a view to improving shipboard organization, career development and efficient use of training requirements.

12.114 The Netherlands, supported by others, expressed the view that there was a need to provide for general purpose ratings and vertical flexibility as proposed by Germany *et al*. They also drew the attention of the Sub-Committee that the proposed vertical flexibility was not aimed at replacing officers with ratings to undertake watchkeeping duties. In their opinion, such vertical flexibility would assist in more even distribution of tasks during peak load conditions. Furthermore, this would not lower competency standards, as the seafarer assigned the task would be duly qualified under the relevant STCW standards.

12.115 The ICFTU, supported by others, expressed the view that this issue had been considered in detail during the last review process in 1995 and at present, there was no need to consider the possibility of providing for vertical flexibility which had potential for down scaling of standards. Furthermore, the principles set out in regulation VII/3 need to be observed when considering any review of this chapter.

12.116 Turkey expressed the opinion that the examples provided by the Netherlands could be delegated to any crew on board without making any changes to the Convention. The concept of vertical flexibility was a clear contradiction of principle 2 agreed by the Sub-Committee earlier and could also lead to misinterpretation and might dilute standards, endangering safety at sea. Although they were not against the concept of horizontal flexibility, they did not see any merit for vertical flexibility.

12.117 A small majority of delegations supported the need to review chapter VII with a view to addressing the possibility of vertical flexibility. However, a number of delegations were of the view that the need to provide vertical flexibility had not been fully justified. In this context, the Sub-Committee agreed that delegations in favour of this proposal should submit additional information to MSC 83, justifying the need with specific, clear examples to assist the Committee to take a decision on need for this issue to be included in the review.

## CHAPTER VIII – WATCHKEEPING

### Regulation VIII/1

12.118 India (STW 38/12/1) proposed that, as there was no requirement for maintaining records of rest periods, regulation VIII/1 should be amended to require masters to maintain such records for watchkeepers for inspection by flag and port State inspectors.

12.119 Australia (STW 38/12/10) proposed that since the ILO Maritime Labour Convention (2006) provided guidance on work hours for all seafarers, this regulation should be amended to provide clarity and confirm that it covered, not only those who were considered “watchkeeping”, but also those who held positions of responsibility on board a ship, including the master and chief engineer.

12.120 ICFTU (STW 38/12/3) proposed that the provisions of the hours of work and rest should be aligned with the provisions of ILO Convention No.180 and a requirement for a mandatory record of hours worked by the seafarers be included to ensure that the seafarer did not work an unacceptable number of hours per week.

12.121 Germany *et al* (STW 38/12/4) expressed the opinion that human factors had been identified as a major factor in maritime accidents and incidents. Among these factors, fatigue was perceived as one of the main contributing ones to the occurrence of maritime accidents. The consequences of fatigue were impaired performance and reduced alertness, abilities that were vital for an industry that required constant alertness and intense concentration from seafarers. The current provisions of the STCW Convention and Code were restricted to watchkeeping personnel and differed in some respects from the requirements of the ILO Convention No.180, in particular with regard to the obligation to maintain a record of hours of work or rest and the minimum hours of rest. For these reasons, and in order to eliminate any discrepancies with existing international requirements, the relevant provisions of the STCW Code and of ILO Convention No.180 should be examined.

12.122 InterManager (STW 38/12/11) supported the views expressed by Germany *et al* and stressed that the increased numbers of inspections during short port stays were not helpful for seafarers to comply with minimum rest hour requirements. A renewed effort to harmonize demands from crew during port stays needed to be undertaken. Furthermore, streamlining of the different checklists and avoidance of duplicate inspections would help seafarers to reduce administrative workload in ports.

12.123 ISF (STW 38/12/12) proposed a review of the watchkeeping standard to take account of changes in technology and day to day ship management. Furthermore, there was a need to examine standards on the prevention of fatigue, taking into account the requirements of ILO Convention No.180, the consolidated ILO Maritime Labour Convention, and current IMO review of safe manning requirements.

12.124 Japan, supported by the Islamic Republic of Iran, expressed the view that, whilst not opposing the review, they did not agree to expand its scope. The requirements should be applicable only to watchkeepers otherwise it would contradict principle .1 of paragraph 12.29 above, as agreed earlier by the Sub-Committee.

12.125 After an in-depth discussion, the Sub-Committee agreed on the need for this regulation to be reviewed with a view to providing for proper maintenance of records and harmonization



with the ILO Maritime Labour Convention (2006) in accordance with principle .4 of paragraph 12.29 above.

### **Regulation VIII/2**

12.126 India (STW 38/12/1) proposed a review of regulation VIII/2.2 using the term “GMDSS operators” instead of “radio operators”.

12.127 China (STW 38/12/2) proposed that in regulation VIII/2, the following sentence should be added after the existing sub-paragraph 2.2:

“This responsibility may also be undertaken by automatic watchkeeping.”

12.128 The Sub-Committee agreed on the need to review this regulation with a view to updating it to reflect GMDSS operations in accordance with principle .4 of paragraph 12.29 above.

### **Proposed regulation VIII/3**

12.129 India (STW 38/12/1) proposed that current guidance on the prevention of drug and alcohol abuse be made mandatory by introducing a new regulation VIII/3.

12.130 The Sub-Committee also considered in this context, the proposals by ICFTU (STW 38/12/3) and Germany *et al* (STW 38/12/4) and agreed on the need to consider the introduction of mandatory alcohol limits during watchkeeping and other shipboard duties, during the review as instructed by MSC 81.

## **STCW CODE**

### **General**

12.131 India (STW 38/12/1) proposed that consequential amendments to part A and part B of the STCW Code would have to be carried out to provide mandatory training requirements and associated guidance respectively.

12.132 China (STW 38/12/2) proposed that the footnotes be updated.

12.133 Germany *et al* (STW 38/12/4) proposed that consequential adjustments stemming from the introduction of amendments and the work of the STW Sub-Committee within its current work programme should be introduced in the Convention and Code. The requirements related to security, definitions and clarifications (such as the meaning of “crew”, or omissions such as definition of “passenger ship”), the quality standards system, demonstration of competence in chapter VI and standards of competence for ratings were of particular relevance in this respect. Lastly, any potential inconsistencies between the different sections of the text should also be redressed.

12.134 The Sub-Committee agreed that consequential amendments to parts A and B of the STCW Code might be necessary and should be considered during the review process.

**Section A-I/11**

12.135 Australia (STW 38/12/10) proposed that clarification should be provided relating to the three-month option in the revalidation requirements provided in section A-I/11, paragraph 1.3.3. At present, there was an ambiguity as to whether the three-month period was before or after the certificate had expired and as to whether an expired certificate could automatically be used in a lower capacity than that of the certificate held.

12.136 The Sub-Committee agreed on the need to review this regulation to provide clarification relating to the three-month-option provided under section A-I/11, paragraph 1.3.3 in accordance with principle .4 of paragraph 12.29 above.

**Section A-I/15 and sections B-I/12, B-I/15 and B-IV/2**

12.137 China (STW 38/12/2) proposed to delete section A-I/15 and section B-I/15 and, in section B-I/12, subparagraph 41.2 to replace “INMARSAT-A” by “INMARSAT-F”, and in section B-IV/2 to add after the existing subparagraphs 12.5, 26.5, 34.5 and 42.2.2 the following wording “and this responsibility may also be undertaken by automatic watchkeeping”.

12.138 With reference to sections A-I/15 and B-I/15, the Sub-Committee agreed on the need for these requirements and guidance to be reviewed after the review process.

12.139 The Sub-Committee agreed on the need for these guidances to be reviewed with a view to updating them following revision of resolution A.888(21) by COMSAR Sub-Committee in accordance with principle .4 of paragraph 12.29 above.

**Section A-II**

12.140 Australia (STW 38/12/10) proposed that:

- .1 increased emphasis should be given to enhanced navigation in chapter II – Master and deck department with particular recognition of the berth-to-berth requirements, and of modern developments such as ECDIS and AIS;
- .2 an increased emphasis should also be given to both bridge resource management and fatigue management;
- .3 there should be a more robust training on maritime legislation to assist in protecting the crew, owners/operators, and ships from breaching the ever increasing legislative requirements; and
- .4 to further assist in promoting a “safety culture”, there should be further emphasis given to management training including enhanced knowledge of occupational health and safety issues.

**Section A-III**

12.141 Australia (STW 38/12/10) proposed that in addition to the relevant proposals in paragraphs 12.140.3 and .4 above:

- .1 increased emphasis be given to both engine-room resource management and fatigue management; and
- .2 the level of knowledge specified in tables A-III/1 and A-III/2 should be reviewed to ensure that marine engineers gain a sufficient knowledge and ‘hands on’ competence in the operation, testing, fault diagnosis and maintenance of automation, electronic and electrical systems and equipment.

12.142 With reference to sections A-II and III above, the Sub-Committee agreed on the need that these requirements to be reviewed to:

- .1 increase emphasis on enhanced navigation and in particular of the berth-to-berth requirements, and of modern developments for integrated bridge systems, including ECDIS;
- .2 increase emphasis on bridge resource and engine room resource management, and fatigue management;
- .3 provide training on maritime legislation to assist in protecting the crew, owner/operators, and ships from breaching the increasing legislative requirements; and
- .4 promote a “safety culture” to embrace all levels and further emphasis on management training including enhanced knowledge of occupational health and safety issues,

in accordance with principle .4 of paragraph 12.29 above.

12.143 Furthermore, the Sub-Committee also agreed on the need to review the requirements in tables A-III/1 and A-III/2 relating to knowledge and competence in the operation, testing, fault diagnosis and maintenance of automation, electronic and electrical systems and equipment in accordance with principles .4 and .6 of paragraph 12.29 above.

### **Section A-VIII**

12.144 IFSMA (STW 38/12/6 and STW 38/12/7) proposed that:

- .1 clarification was needed as to what would be the minimum time that could be constituted as a period of rest; and
- .2 the master should not be considered a watchkeeping officer when deciding the composition of the navigational watch.

12.145 The Sub-Committee agreed on the need to review the requirements to clarify as to what would be the minimum time that could be constituted as a period of rest in accordance with principle .4 of paragraph 12.29 above.

12.146 ICFTU (STW 38/12/3) proposed to make the current guidance on drug and alcohol mandatory and move the provisions thereof to part A of the STCW Code.

12.147 Estonia *et al* (STW 38/12/9) proposed to introduce a mandatory requirements for maximum of 0.05% blood alcohol level (BAC) during watchkeeping duty as a minimum safety standard on ships. Furthermore, in the aftermath of ship accidents, an obligation on Contracting Parties of the STCW Convention to exchange information on alcohol-related incidents involving foreign seafarers or ships under foreign flag should be considered. This would facilitate gathering evidence for administrative (e.g. temporary or final withdrawal of a certificate) and penal sanctions under the respective domestic laws.

12.148 With reference to paragraphs 12.146 and 12.147 above, the action taken by the Sub-Committee is set out in paragraph 12.130.

12.149 Singapore (MSC 82/10/4) expressed the opinion that, currently, under section B-VIII/2 of the STCW Code, companies are recommended to issue guidance to masters and officers based on the BRM principles. As the BRM principles were not mandatory, many companies and seafarers did not put them into practice. Hence making key elements of the BRM training mandatory would enhance the quality of seafarer training and help reduce the number of accidents.

12.150 The Sub-Committee agreed on the need to consider making key elements of Bridge-resource management and engine room resource management mandatory in accordance with principles .2 and .4 of paragraph 12.29 above.

### **Additional issues**

12.151 Germany *et al* (STW 38/12/4) drew attention to the fact that, while pleasure yachts were specifically excluded from the STCW Convention, there had been a marked growth in the large yacht market, encompassing both commercial and private yachts. It was, therefore, necessary to examine the question of qualifications and training of crew operating such yachts. Furthermore, a number of administrations had also concluded that, although commercial yachts were not excluded from the Convention, it was unreasonable to expect the owners/operators of such ships to comply fully with the STCW requirements. As such, a number of Codes of Practice had been developed as an acceptable alternative to the Convention. Hence, the inclusion of such training within the Convention as a separate chapter would be an obvious and useful development to ensure harmonized international standards in this field. Such new requirements should not undermine existing standards applying to passenger ships by distinguishing between yachts and passenger ships.

12.152 The Sub-Committee agreed on the need to consider the development of qualification and training of personnel of pleasure yachts and commercially operated yachts including the definition for yachts and passenger ships.

12.153 The Sub-Committee agreed that all the comments, proposals and decisions should be considered by the drafting group to be established to consider the comprehensive review of the STCW Convention and the STCW Code.

12.154 The Netherlands drew the attention of the Sub-Committee to the tragic incident relating to the discharge of chemical toxic waste by the ship **Probo Koala** on the Ivory Coast which resulted in human suffering. The preliminary investigations had revealed that there was a need for further investigation on the magnitude and the context of industrial refining process at sea and the possible need for training. In case investigations revealed that there was a need to address

training issues within the STCW Convention, they would submit proposals in accordance with the guidelines and the methods of the Organization.

### **Establishment of the drafting group**

12.155 The Sub-Committee established a drafting group under the chairmanship of Ms. Mayte Medina (United States) and instructed it, taking into account comments and proposals made in the plenary and using document STW 38/WP.2, to:

- .1 prepare the consolidated list of the areas in the STCW Convention and the Code that the Sub-Committee had agreed, which need to be reviewed with a view to approval by the Committee and subsequent instruction to undertake the proposed review accordingly in a systematic and organized manner; and
- .2 report to plenary on Thursday, 25 January 2007.

### **Report of the drafting group**

12.156 On receipt of the report of the drafting group (STW 38/WP.6), the Sub-Committee endorsed the list of areas in the STCW Convention and the STCW Code identified for the comprehensive review, as amended and set out in annex 11, and invited the Committee to approve it and instruct the Sub-Committee to undertake the proposed review accordingly in a systematic and organized manner.

## **13 REVIEW OF THE PRINCIPLES FOR ESTABLISHING THE SAFE MANNING LEVELS OF SHIPS**

13.1 The Sub-Committee noted that MSC 81, based on a proposal from the United Kingdom *et al* (MSC 81/23/3), had decided to include in the Sub-Committee's work programme and the provisional agenda for STW 38, a high priority item "Review of the principles for establishing the safe manning levels of ships", with a target completion date of 2008, in co-operation with the NAV Sub-Committee, as necessary, and referred documents MSC 81/23/3 (United Kingdom *et al*), MSC 81/23/19 (ICFTU), MSC 81/23/21 (ICS, ISF and BIMCO) and MSC 81/23/23 (IFSMA) to STW 38 for detailed consideration, with a view to taking into account the information contained therein, together with the Guidance on fatigue mitigation and management (MSC.1/Circ.1014), during its deliberations.

13.2 The United Kingdom *et al* (MSC 81/23/3) indicated that, from an analysis of recent accidents, it had been identified that fatigue and manning levels were inextricably linked and proposed that the guidance for establishing ships' safe manning levels, as provided in resolution A.890(21), as amended, should be reviewed.

13.3 ICFTU (MSC 81/23/19) supported in principle the above proposal and suggested to consider the security and regulatory-related aspects in the context of the current situation, taking into consideration other aspects that had a bearing on the existing workload of the seafarer.

13.4 ICFTU (STW 38/13/2) provided advance information and conclusions from a study on seafarers' fatigue, recently commissioned by the ITF. The study evaluated the evidence base for seafarers' fatigue by considering the international literature and by providing a comparative analysis of fatigue research and regulation in other transport sectors. ICFTU invited the

Sub-Committee to consider the advance findings of the study when considering the issue of minimum safe manning levels.

13.5 ICFTU (STW 38/13/3) envisaged a broad approach to the review of resolution A.890(21), as amended, that would investigate not only the criteria but also a method of implementation that was transparent, objective and less affected by competitive pressures. Invariably fatigue, excessive irregular work hours and the manning were inextricably linked but a review should also reflect the circumstances that affect the seafarer working in a globalized industry with an increasing regulatory burden, a public blame culture and decreasing status. In order to provide greater transparency of the Minimum Safe Manning Document, ICFTU proposed that Annex 3 to resolution A.890(21), as amended, should include details on how to calculate the manning level, taking into account levels of redundancy and recovery time for crew. This should be integrated into the requirements of the ISM Code and audited as part of the safety certificate by the ISM recognized organization. Furthermore, ICFTU was firmly of the view that the review of resolution A.890(21), as amended, should also include an assessment of the effectiveness of the existing provisions, in light of developments since their adoption and following the experience gained from their implementation.

13.6 ICS *et al* (MSC 81/23/21), while agreeing to the inclusion of the item in the STW Sub-Committee's work programme to address fatigue and safe manning, recommended to instruct STW 38 to consider first other relevant issues such as those outlined in paragraph 4 of their document, in order to determine whether a review of resolution A.890(21), as amended, was the most effective way to proceed.

13.7 ICS/ISF (STW 38/13) informed the Sub-Committee that the industry was looking forward to review resolution A.890(21), as amended, and possibly improve its effectiveness. However, bearing in mind that the current resolution was adopted as recently as 1999, following a comprehensive consideration by the Organization, it would seem prudent to bear in mind the broader related issues during the review and further to recognize that the issue of fatigue could not be dealt with by a revision of resolution A.890(21), as amended, alone. Therefore, they invited the Sub-Committee to consider the questions outlined in their paper, when reviewing the resolution to ensure that any decisions would take into account the broader issues relating to fatigue.

13.8 IFSMA (MSC 81/23/23 and STW 38/13/4) proposed adopting goal-based standards to evaluate manning levels on ships of similar size, trade, level of automation and IT support. Such standards would produce consistent results from applying the principles in the resolution. One possible way to do this was to develop a manning calculator which all flag Administrations could use. The objective of such a calculator would be to reduce or eliminate the ambiguities that allowed Administrations to interpret manning levels differently. The proposed manning calculator should index operating parameters of a vessel such as: size and type of ship; number, size and type of main propulsion units and auxiliaries; construction and equipment of ship; method of maintenance used; cargo to be carried; frequency of port calls; length and nature of voyages to be undertaken; trading area(s) and operation in which the ship is involved; extent to which training activities were conducted on the ship; number of inspections and surveys likely to be carried out in ports; length of pilotage, etc.

13.9 The Sub-Committee noted that MSC 82 had considered the information provided by the United Kingdom (MSC 82/15/2) and had identified that ships should have appropriate measures including the adequate number of crew to respond in a safe and adequate manner in the event of

a complete automation failure. Accordingly, MSC 82 had instructed STW 38 to consider this issue and the need thereof.

13.10 India (STW 38/13/1) drew attention to the BIMCO/ISF Manpower update which indicated a worldwide shortfall of 10,000 officers or 2% of the total workforce. Furthermore, even a modest increase in the number of ships in the future would require an additional demand for seafarers, which could only be met by increased recruitment and training. Presently, there was no requirement to have 'trainees' on board ships within the safe manning requirements. In order to ensure that ships could be manned in a safe and efficient manner, there should be a mandatory requirement for 'trainees' to be placed on board, based on some agreed criteria such as number of crew approved in SMD, size/bhp of vessel, trade, length of voyage with a proviso that responsibility for placing trainees on board both in deck and engine departments rested solely with the company. However, various control provisions should provide that failure to place 'trainees' on board, or shortage of trainees, was not a ground for detention *prima facie*. Continual failure could be dealt with in the ISM audit.

13.11 The United States (STW 38/13/5) provided an overview of current manning trends in the maritime industry and discussed the need for a systematic approach to establishing safe manning levels of vessels that considered multiple influences and, in particular, the human element. Accordingly, a multi-step approach was necessary to ensure a comprehensive review of the principles for establishing the safe manning levels of ships. The steps proposed were to:

- .1 examine the current state of crew complements in the maritime industry;
- .2 assess the safety and security of the current state to identify deficiencies (if any);
- .3 assess existing documents and instruments to identify gaps;
- .4 develop potential measures to address these gaps and deficiencies;
- .5 evaluate the measures in terms of feasibility and effectiveness; and
- .6 develop and implement modifications to IMO instruments (mandatory and non-mandatory).

13.12 Australia (STW 38/13/6) expressed the opinion that resolution A.890(21), as amended, had room for improvement, and in particular should reflect contemporary shipboard operating environments and enhance implementation and enforcement. Accordingly, Australia suggested some possible additional factors for inclusion in resolution A.890(21), as amended.

13.13 The United Kingdom *et al* (STW 38/13/7/Rev.1) proposed that the Sub-Committee should remind all Administrations that in establishing safe-manning levels for their vessels, the guidance provided in resolution A.890(21), as amended, should be used in a global and consistent manner. In addition to the requirements listed in resolution A.890(21), as amended, they suggested that the following could be added for consideration:

- .1 intensive cargo operations and preparations for immediate sailing;
- .2 long pilotage or possibility of adverse weather conditions requiring the Master to be on the bridge for extended periods;

- .3 length of tours of duty served by seafarers; and
- .4 degree of shore-side support provided to the ship by the company.

13.14 Accordingly, they specifically requested that the current resolutions on the Principles of Safe Manning should be amended so that:

- .1 for ships of more than 500 GT, Administrations were urged to consider the circumstances very carefully, before allowing a safe manning document to contain less than three qualified deck officers. A master and two other deck officers on vessels of more than 500 GT should be considered normal in all circumstances;
- .2 the hours of work and rest requirements were an integral and vital part of the decision on a vessel's safe manning and the likelihood of their adherence should be carefully scrutinized, before issuing a safe manning document;
- .3 where crew were engaged on contracts with articles containing the term 'Inter Departmental Flexibility' or similar, then such crew members had to be properly trained in the tasks which they were expected to carry out as already indicated in the ISM Code; and
- .4 the importance of keeping bridge lookout at night was emphasized.

13.15 During the ensuing debate, the Netherlands, whilst supporting the proposed review, expressed the opinion that fatigue was a serious risk that resulted in impaired performance and diminished alertness. In addition to the effects of fatigue, there were also many complex and broad factors and areas that constituted a risk to safety of navigation and to the occupational health and safety of all on board. In their view an effective approach to enhance fatigue prevention was through the Safety Management System (SMS) and, accordingly, they supported a holistic approach not only to address fatigue but also the overall safety system on board.

13.16 Greece, supported by others, expressed the opinion that it was necessary to focus on the implementation and enforcement of the principles set out in resolution A.890(21), as amended, which had been revised in 1999; and that it was impossible to establish manning scales based on either limited or exclusive criteria. Furthermore, the authority of the flag State for issuing the safe manning document and the port State for checking compliance, including the requirements of international instruments should not be undermined.

13.17 BIMCO expressed the opinion that the safe manning levels on board depended on various factors, hence the minimum manning requirements should only be considered on a goal based standard principle. Furthermore, in their opinion, IMO did not have any scope relating to commercial issues. In this context, ICFTU expressed the opinion that where commercial consideration affected safety, IMO could address the operational conditions to ensure that all factors were taken into account when determining the manning scale.

13.18 The Republic of Korea, supported by others, agreed to the systematic and a holistic approach proposed by the United States in order to consider the broader issues relating to fatigue.

13.19 The Bahamas opposed a wholly prescriptive approach and expressed the opinion that manning was a complex issue which depended very much on how each owner approached it.



If hours of rest and work were properly recorded, enforced and checked in a consistent manner, matters relating to this issue could be resolved.

13.20 ISF, supporting the views expressed by the Bahamas, drew the attention of the Sub-Committee to the ILO Maritime Labour Convention (2006) that had enforcement procedures relating to hours of work. Hence, it would be advisable to expand upon these provisions.

13.21 Ukraine expressed the opinion that manning scales should be set by the Administrations concerned, taking into account the work load on board ships. Even though Ukrainian vessels usually operated with three watchkeepers, the enforcement of rest and work hours was not practical.

13.22 Germany, Japan and the Russian Federation supported by others, did not agree with the proposals from India to have a mandatory requirement for trainees to be on board.

13.23 ICS, supported by others, expressed the view that it was necessary to first define the term 'trainee' and thereafter develop guidelines, rather than a mandatory requirement as the way forward.

13.24 Having briefly considered all the documents submitted under this agenda item, the Sub-Committee agreed that they should be considered in detail by the working group proposed to be established to consider the review of the principles for establishing the safe manning levels of ships.

### **Establishment of the working group**

13.25 The Sub-Committee established working group 3 to consider the review of the principles for establishing the safe manning levels of ships under the chairmanship of Capt. F.R. Chowdury (Bahamas) with the following terms of reference:

Taking into account the comments and decisions made in the plenary, the working group should:

- .1 consider documents MSC 81/23/3 (United Kingdom *et al*), MSC 81/23/21 (ICS, ISF and BIMCO), STW 38/2/Add.1(part), STW 38/13 (ICS/ISF), STW 38/13/1 (India), MSC 81/23/19, STW 38/13/2 and STW 38/13/3 (ICFTU), MSC 81/23/23 and STW 38/13/4 (IFSMA), STW 38/13/5 (United States), STW 38/13/6 (Australia) and STW 38/13/7/Rev.1 (United Kingdom *et al*) and advise the Sub-Committee on the basic criteria to be observed in reviewing the principles for establishing the safe manning levels of ships; and
- .2 submit its report to the plenary on Thursday, 25 January 2007.

### **Report of the working group**

13.26 On receipt of the report of the working group (STW 38/WP.5), the Sub-Committee took action as summarized in the ensuing paragraphs.

13.27 The Sub-Committee concluded that resolution A.890(21), as amended, should be reviewed and identified the possible need for revisions in a comprehensive manner taking into account the analysis of the submitted papers made by the working group.

13.28 Accordingly, the Sub-Committee agreed that:

- .1 there was a need to develop a clear system by which not only the work schedule but actual hours worked could be easily verified. Such hours of work and hours of rest arrangement should comply with international instruments in force at the time of reference;
- .2 there was a legitimate concern for enforcement and a need for a consistent system for verification of actual hours worked or rest taken, which was practical and enforceable especially in the context of flag State and port State control;
- .3 taking into account the impending global shortage of seafarers, shipowners/operators should be encouraged to facilitate training on board ships;
- .4 the term 'manning calculator' was not acceptable as it was too prescriptive; instead it favoured something like the development of a decision making aid, using information technology, to assist in the consideration of minimum safe manning levels;
- .5 for deciding on a safe manning level, a goal-based approach should be developed on the basis of resolution A.890(21), as amended, to evaluate the manning level on ships, taking into account all operational issues at sea and ashore;
- .6 some possible additional factors, like amongst others, the importance of taking into consideration emergency situations including failure of any essential systems should be taken into account;
- .7 with respect to inter-departmental flexibility, a reference should be made to STCW chapter VII and this measure should not be taken to reduce the manning level of the vessel and possibly endanger safety; and
- .8 that the issue of ships to have appropriate measures, including an adequate number of crew to be able to respond in a safe and adequate manner in the event of a complete automation failure, was adequately covered under the existing Annex 2 of resolution A.890(21), as amended.

13.29 The Sub-Committee considered the issue of peak workload and agreed that this was covered by the current guidelines in resolution A.890(21), as amended.

13.30 The Sub-Committee urged Administrations to consider the circumstances very carefully before allowing a safe manning document to contain provisions for less than three qualified deck officers, while taking into account all the principles for establishing safe manning.

13.31 With respect to the issue of providing mandatory criteria on manning matters through an amendment of SOLAS regulation V/14, a number of delegations proposed that the matter should be dealt with by the Maritime Safety Committee.

13.32 After an in-depth discussion, the Sub-Committee agreed that the process for the determination of the safe manning should be made mandatory, preferably by amending SOLAS regulation V/14. Consequently, the Sub-Committee invited the Committee to concur with this decision and include a corresponding item 'mandatory requirements for determining safe

manning' on its work programme. However, due to time constraints, the Sub-Committee was not in a position to provide the necessary justification, compelling need etc., for a new work programme item in accordance with the Committees' guidelines. Accordingly, the Sub-Committee invited Member Governments to support this recommendation through appropriate submissions to MSC 83.

13.33 The Sub-Committee approved the establishment of an intersessional Correspondence Group under the co-ordination of the United States\* with the following terms of reference:

- .1 based on the report of the Working Group on Review of the principles of safe manning convened at STW 38 (STW 38/WP.5/Rev.1) and taking into account documents STW 38/13 (ICS/ISF), STW 38/13/2 and STW 38/13/3 (ICFTU), STW 38/13/4 (IFSMA), STW 38/13/5 (United States), STW 38/13/6 (Australia) and STW 38/13/7/Rev.1 (United Kingdom *et al*) and MSC/Circ.878/MEPC/Circ.346 on Human Element Analysing Process (HEAP), the Correspondence Group on Review of the principles of safe manning should review the resolution A.890(21), as amended, and identify possible needs for revision; and
- .2 prepare a comprehensive report for submission to STW 39.

## 14 WORK PROGRAMME AND AGENDA FOR STW 39

### Work programme and provisional agenda for STW 39

14.1 Taking into account the progress made at the current session, the decisions of MSC 81 and MSC 82 and, the provisions of the agenda management procedure, the Sub-Committee prepared a proposed work programme and agenda for STW 39 (STW 38/WP.1) based on those approved by MSC 82 (STW 38/2/Add.1, annex 2), and set out in annex 12, for consideration and approval by the Committee. While reviewing the work programme, the Sub-Committee agreed to invite the Committee to:

- .1 delete the following work programme items, as work on them has been completed:
  - .1 item H.2 – Passenger ship safety;
  - .2 item H.4 – Education and training requirements for fatigue prevention, mitigation and management;

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- .3 item H.5 – Development of training requirements for the control and management of ship's ballast water and sediments; and
- .4 item H.7 – Identification of areas in chapter VI of the STCW Code where training cannot be conducted on board;
- .2 amend the target completion date for the following work programme item:
  - .1 item H.5<sup>2</sup> – Measures to enhance maritime security 2 sessions;
  - .3 include the following new item in the Sub-Committee's work programme:
    - .1 item H.7 – Mandatory requirements for determining safe manning; and
    - .4 renumber the work programme items accordingly.

14.2 The Sub-Committee anticipated that Working Groups on the following subjects might be established at STW 39:

- .1 Comprehensive review of the STCW Convention and the STCW Code; and
- .2 Review of the principles for establishing safe manning levels of ships.

14.3 The Sub-Committee noted that the thirty-ninth session of the Sub-Committee had been tentatively scheduled to be held from 4 to 8 February 2008.

## **15 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2008**

15.1 In accordance with the Rules of Procedure of the Maritime Safety Committee, the Sub-Committee unanimously re-elected Rear Admiral Peter Brady (Jamaica), as Chairman and Mr. A.H. Kayssi (Lebanon), as Vice-Chairman for the year 2008.

## **16 ANY OTHER BUSINESS**

### **Measures to prevent accidents with lifeboats**

16.1 The Sub-Committee noted that:

- .1 MSC 81 had endorsed FP 50's recommendation to refer matters related to the issue of whether the provisions of MSC.1/Circ.1206 should be made mandatory under the SOLAS Convention and/or the ISM Code to the FSI and STW Sub-Committees for consideration and appropriate action;
- .2 FSI 14 could not reach a firm decision, at this stage, on whether the circular should become mandatory in its entirety or which parts thereof should or should not be made mandatory. In this context, it had invited Members to submit, to MSC 82, their recommendations on those areas of the circular, which should or should not become mandatory under SOLAS, having been identified as the most appropriate vehicle; and

- .3 MSC 82, having recognized the existing difficulties in implementing the provisions contained in MSC.1/Circ.1206, had agreed to keep the circular non-mandatory at this stage and referred it to the DE Sub-Committee for detailed consideration and advice with a view to become mandatory by 2010, at the latest.

Accordingly, the Sub-Committee agreed, that in light of the decision of MSC 82, no further action was expected pending detailed consideration by the DE Sub-Committee.

### **Measures to enhance the competency of GMDSS operators**

16.2 The Sub-Committee noted the information provided by China (STW 38/16/2) on a focused campaign by the China Maritime Safety Administration on the competency of GMDSS operators and the measures adopted by them to enhance their competency.

16.3 In this context, Greece advised the Sub-Committee that Paris MoU had also conducted a focused campaign with similar results.

16.4 Norway, whilst considering the findings of China encouraging, stressed that this did not change the results of their own survey which had indicated otherwise.

16.5 Venezuela expressed the view that the Sub-Committee should urge Administrations to promote measures to improve competences for GMDSS operators.

### **PSC guidelines on seafarers' working hours**

16.6 The Sub-Committee was informed that FSI 14 had developed PSC guidelines on seafarers' working hours in the open form of a draft MSC circular on draft IMO/ILO Guidelines. Having noted some views expressed whereby the draft guidelines might need further review, in particular on STCW-related matters, MSC 82 had referred the matter to the FSI and STW Sub-Committees for consideration and reporting to MSC 83.

16.7 The Sub-Committee noted that due to the limited time between MSC 82 and the Sub-Committee's meeting, it was not possible to circulate the draft guidelines developed by FSI 14.

16.8 Accordingly, the Sub-Committee agreed that, in order to have an in-depth discussion on this issue, it would be appropriate to circulate the guidelines developed by FSI 14 for consideration at STW 39 with a view to providing the Committee with appropriate advice to MSC 84 and invited the Committee to endorse this decision.

### **Research project on identification of new ways of knowledge sharing and training**

16.9 The Sub-Committee noted with appreciation the information provided by Latvia (STW 38/INF.3) on the results of a research pilot project, addressing new methods of storing and distributing knowledge in the maritime domain.

### **Dispensations issued under article VIII of the STCW Convention**

16.10 The Sub-Committee considered and noted the information (STW 38/16) on the submissions made by the Parties in accordance with the article VIII of the STCW Convention on the dispensations granted by them in the year 2005.

16.11 In this context, the United Kingdom whilst noting the information, expressed concern on the large number of dispensations especially to masters and chief engineers. Furthermore, they expressed concern that dispensations were being issued against certificates of competencies issued by other Administrations and that in their opinion it was against the spirit of the Convention.

### **IMO Compendium of Maritime Training Institutes**

16.12 The Sub-Committee, being informed by the Secretariat that the IMO Compendium of Maritime Training Institutes 2000 edition is now available online, noted that the content of the Compendium was based on information provided by maritime administrations and institutions. As many existing training institutes may have been upgraded, new training institutes may have been approved or some training institutions have ceased to exist, the Sub-Committee agreed that it would be appropriate to update this information. Accordingly, the Sub-Committee requested Member Governments to update the information directly on the IMO website ([www.imo.org](http://www.imo.org) (Human Element (Training and certification (Maritime Training Institutes)))). The Sub-Committee also noted that listing in the Compendium did not imply any endorsement or recommendation of any kind by IMO or the Sub-Committee of the institutions or the courses and facilities.

### **Expressions of appreciation**

16.13 The Sub-Committee expressed appreciation to the following delegates, who had recently relinquished their duties, retired or were transferred to other duties, for their invaluable contribution to its work and wished them a long and happy retirement or, as the case might be, every success in their new duties:

- Captain Carlos Salgado (Chile) (on transfer);
- Mr. Heru Prasetyo (Indonesia) (on transfer)
- Mr. Fikret Hakgüden (Turkey) (on transfer); and
- Captain Carlos Ormaechea (Uruguay) (on transfer).

### **Expressions of condolences**

16.14 The Sub-Committee noted with deep shock, distress and sadness the recent and untimely death of the Committee's Chairman, Mr. Igor Ponomarev, the Permanent Representative of the Russian Federation and requested the delegation of the Russian Federation to convey the Sub-Committee's sincerest condolences and sympathy to the family, friends and colleagues of Igor Ponomarev.

16.15 The Sub-Committee, having been informed of the passing, in July of last year, of Captain Hans-Jürgen Roos of Germany, former Chairman of the SPI Working Group and delegate to many other IMO bodies, requested the delegation of Germany to convey the Sub-Committee's sincerest condolences and sympathy to the family, friends and colleagues of Captain Hans-Jürgen Roos.

## 17 ACTION REQUESTED OF THE COMMITTEE

17.1 The Committee, at its eighty-third session, is invited to:

- .1 approve the revised format relating to reporting of fraudulent certificates detected and urge Member Governments and international organizations to use the revised format when reporting the detection of fraudulent certificates to the Secretariat (paragraph 4.5 and annex 1);
- .2 endorse the decision of the Sub-Committee regarding the preliminary text of the amendments to the STCW Convention and STCW Code addressing:
  - .1 the basic security-related training and security-related familiarization training for seafarers without designated security related duties and for all shipboard personnel, respectively; and
  - .2 the standards of competency and security-related familiarization training for seafarers with designated security related duties, andthat such amendments should be reviewed by the Sub-Committee in conjunction with the comprehensive review of the STCW Convention and the STCW Code before being presented to the Committee for approval and subsequent adoption (paragraph 6.21 and annexes 2, 3 and 4);
- .3 approve the draft MSC.1 circular on Guidelines on security-related training and familiarization training for shipboard personnel (paragraph 6.26 and annex 5);
- .4 endorse the decision of the Sub-Committee that the preliminary text of the amendments to the STCW Convention and STCW Code related to standards of competence for ratings should be adopted after the comprehensive review was completed and in conjunction with the adoption of other amendments developed during the comprehensive review to facilitate implementation and to avoid any inconsistencies that may arise due to the proposed review (paragraphs 9.34 to 9.37 and annexes 6, 7 and 8);
- .5 endorse the decision of the Sub-Committee that areas in chapter VI of the STCW Code where training cannot be conducted on board should be identified in conjunction with the comprehensive review of the STCW Convention and the STCW Code (paragraphs 11.3 and 11.4);
- .6 approve the list of areas in the STCW Convention and the STCW Code identified for the comprehensive review and instruct the Sub-Committee to undertake the proposed review accordingly in a systematic and organized manner (paragraph 12.156 and annex 11);
- .7 concur with the decision of the Sub-Committee that the process for the determination of safe manning should be made mandatory, preferably by amending SOLAS regulation V/14 and accordingly, include a corresponding new work programme item on 'mandatory requirements for determining safe manning' on the Sub-Committee's work programme subject to consideration on justifications to be provided by Member Government in time (paragraph 13.32);

- .8 approve the draft revised work programme and provisional agenda for STW 39 (paragraph 14.1 and annex 12);
- .9 endorse the Sub-Committee's decision to provide its advice on the draft PSC guidelines on seafarers' working hours developed by FSI 14 to MSC 84, since it was not possible to consider the draft guidelines at STW 38, due to close proximity between MSC 82 and STW 38 (paragraph 16.8); and
- .10 approve the report in general.

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## ANNEX 1

## REVISED REPORTING FORMAT ON FRAUDULENT CERTIFICATES

Date	Flag of ship	Document claimed to be issued by	Type of document found to be fraudulent	Type of fraud	Where and when reported/detected	Method of detection	Action taken	Comments

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## ANNEX 2

**PRELIMINARY TEXT OF THE DRAFT AMENDMENTS TO THE INTERNATIONAL  
CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND  
WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED  
(SECURITY-RELATED ISSUES)**

**Chapter VI<sup>1</sup>**

**Emergency, occupational safety, security, medical care and survival functions**

- 1 The existing regulation VI/1 is deleted and replaced by the following:

**“Regulation VI/1**

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

1 Seafarers shall receive 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 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/1.2-1 of the STCW Code, and shall determine the need for requiring these seafarers to update their qualifications.”

- 2 After the existing regulation VI/5 the following new regulation is inserted:

**“Regulation VI/6**

***Mandatory minimum requirements for seafarers with designated security duties***

1 Seafarers with designated security duties shall meet the standard of competence specified in section A-VI/6 of the STCW Code.

2 Where training in designated security duties is not included in the qualifications for the certificate to be issued, a special certificate or documentary evidence, as appropriate, shall be issued indicating that the holder has attended a course of training for designated security duties.

3 Every Party shall compare the security training standards required of seafarers who hold or can document qualifications before the entry into force of this regulation with those specified in section A-VI/6 of the STCW Code, and shall determine the need for requiring these seafarers to update their qualifications.”

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<sup>1</sup> When developing the amendments to this chapter it was assumed that the amendments to this chapter adopted by resolution MSC.203(81) would be in force.



## ANNEX 3

**PRELIMINARY TEXT OF THE DRAFT AMENDMENTS TO PART A OF THE  
SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE  
(SECURITY-RELATED ISSUES)**

**PART A  
MANDATORY STANDARDS REGARDING PROVISIONS OF THE ANNEX TO THE  
STCW CONVENTION**

**Chapter VI<sup>1</sup>**

**Standards regarding emergency, occupational safety, security,  
medical care and survival functions**

- 1 The existing title of section A-VI/1 is deleted and replaced by the following:
- “Mandatory minimum requirements for familiarization and basic training and instruction for all seafarers”*
- 2 After the existing section A-VI/1.1 the following new sections A-VI/1-1 and A-VI/1-2 are inserted:
- “Security-related familiarization training**
- 1-1 Before being assigned to shipboard duties, all persons employed or engaged on a seagoing ship which is required to comply with the provisions of the ISPS Code, other than passengers, shall receive approved security-related familiarization training, taking account of the guidance given in part B, to be able to:
- .1 report a security incident;
  - .2 know the procedures to follow when they recognize a security threat; and
  - .3 take part in security-related emergency and contingency procedures.
- 1-2 The security-related familiarization training shall be conducted by the ship security officer or an equally qualified person.”
- 3 After the existing section A-VI/1.2 the following new sections A-VI/2-1 and A-VI/2-2 are inserted:

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<sup>1</sup> When developing the amendments to this chapter it was assumed that the amendments to this chapter adopted by resolution MSC.209(81) would be in force.

**“Basic security-related training**

*Basic training or instruction*

2-1 Seafarers employed or engaged in any capacity on board ship on the business of that ship as part of the ship's complement without designated security duties shall, before being assigned to any shipboard duties:

- .1 receive appropriate approved basic training or instruction in security awareness as set out in table A-VI/1-5;
- .2 be required to provide evidence of having achieved the required standard of competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-VI/1-5:
  - .2.1 demonstration of competence, in accordance with the methods and the criteria for evaluating competence tabulated in columns 3 and 4 of table A-VI/1-5; and
  - .2.2 examination or continuous assessment as part of an approved training programme in the subjects listed in column 2 of table A-VI/1-5.

*Transitional provisions*

2-2 Until *<date of entry into force + 2 years>*, seafarers who commenced an approved seagoing service prior to the date of entry into force of this section shall be able to establish that they meet the requirements of paragraph 2-1 by:

- .1 approved seagoing service as shipboard personnel, for a period of at least six months in total during the preceding three years; or
- .2 having performed security functions considered to be equivalent to the seagoing service required in paragraph 2-2.1; or
- .3 passing an approved test; or
- .4 successfully completing approved training.”

4 Before the existing section A-VI/1.3 the following sub-title is inserted:

**“Exemptions**

*(Paragraph 3 below does not apply in relation to paragraph 1-1 or 2-1)”*

5 After the existing table A-VI/1-4 the following new table A-VI/1-5 is inserted:

“Table A-VI/1-5

**Specification of minimum standard of competence in security awareness**

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
<p>Contribute to the enhancement of maritime security through heightened awareness</p>	<p>Basic working knowledge of maritime security terms and definitions</p> <p>Basic knowledge of international maritime security policy and responsibilities of Governments, Companies and persons</p> <p>Basic knowledge of maritime security levels and their impact on security measures and procedures aboard ship and in port facilities</p> <p>Basic knowledge of security reporting procedures</p> <p>Basic knowledge of security related contingency plans</p>	<p>Assessment of evidence obtained from approved instruction or during attendance at an approved course</p>	<p>Requirements relating to enhanced maritime security are correctly identified.</p>
<p>Recognition of security threats</p>	<p>Basic knowledge of techniques used to circumvent security measures</p> <p>Basic knowledge enabling recognition of potential security threats</p> <p>Basic knowledge enabling recognition of weapons, dangerous substances, and devices and awareness of the damage they can cause</p> <p>Basic knowledge in handling security related information and security related communications</p>	<p>Assessment of evidence obtained from approved instruction or during attendance at an approved course</p>	<p>Maritime security threats are correctly identified.</p>
<p>Understanding of the need for and methods of maintaining security awareness and vigilance</p>	<p>Basic knowledge of training, drill and exercise requirements under relevant conventions and codes</p>	<p>Assessment of evidence obtained from approved instruction or during attendance at an approved course</p>	<p>Requirements relating to enhanced maritime security are correctly identified.</p>

6 After the existing section A-VI/5 the following new section A-VI/6 is inserted:

**“Section A-VI/6**  
***Mandatory minimum requirements for those with designated security duties***

**Standard of competence**

1 Every seafarer who is designated to perform security duties shall be required to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-VI/6.

2 The level of knowledge of the subjects in column 2 of table A-VI/6 shall be sufficient to enable every candidate to perform on board designated security duties.

3 Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence through:

- .1 demonstration of competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-VI/6, in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of that table; and
- .2 examination or continuous assessment as part of an approved training programme covering the material set out in column 2 of table A-VI/6.

**Security-related familiarization training**

4 Seafarers with designated security duties engaged or employed on a seagoing ship shall, before being assigned such duties, receive security-related familiarization training in their assigned duties and responsibilities, taking into account the guidance given in part B.

5 The security-related familiarization training for personnel with designated security duties shall be conducted by the ship security officer or an equally qualified person.

**Transitional provisions**

6 Until *<date of entry into force + 2 years>*, seafarers who commenced an approved seagoing service prior to the date of entry into force of this section shall be able to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-VI/6 by:

- .1 approved seagoing service as shipboard personnel with designated security duties, for a period of at least six months in total during the preceding three years; or
- .2 having performed security functions considered to be equivalent to the seagoing service required in paragraph 6.1; or
- .3 passing an approved test; or
- .4 successfully completing approved training.



**Table A-VI/6**

**Specifications of minimum standards of proficiencies for seafarers  
with designated security duties**

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
<p>Maintain the conditions set forth in a ship security plan</p>	<p>Working knowledge of maritime security terms and definitions</p> <p>Knowledge of international maritime security policy and responsibilities of Governments, Companies and persons</p> <p>Knowledge of maritime security levels and their impact on security measures and procedures aboard ship and in the port facilities</p> <p>Knowledge of security reporting procedures</p> <p>Knowledge of procedures for drills and exercises</p> <p>Knowledge of the procedures for conducting inspections and surveys and for the control and monitoring of security activities specified in a ship security plan</p> <p>Knowledge of security related contingency plans and the procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the ship/port interface</p>	<p>Assessment of evidence obtained from approved instruction or during attendance at an approved course</p>	<p>Procedures and actions are in accordance with the principles established by the ISPS Code and SOLAS Convention</p> <p>Legislative requirements relating to security are correctly identified</p> <p>Communications within the area of responsibility are clear and understood</p>

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
Recognition of security risks and threats	<p>Knowledge of security documentation including the Declaration of Security</p> <p>Knowledge of techniques used to circumvent security measures</p> <p>Knowledge enabling recognition of potential security threats</p> <p>Knowledge enabling recognition of weapons, dangerous substances, and devices and awareness of the damage they can cause</p> <p>Knowledge of crowd management and control techniques, where appropriate</p> <p>Knowledge in handling security related information and security related communications</p> <p>Knowledge of the methods for physical searches and non-intrusive inspections</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Procedures and actions are in accordance with the principles established by the ISPS Code and SOLAS Convention
Undertake regular security inspections of the ship	<p>Knowledge of the techniques for monitoring restricted areas</p> <p>Knowledge of controlling access to the ship and to restricted areas on board ship</p> <p>Knowledge of methods for effective monitoring of deck areas and areas surrounding the ship</p> <p>Knowledge of inspection methods relating to the cargo and ship's stores</p> <p>Knowledge of methods for controlling the embarkation, disembarkation and access while on board of persons and their effects</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Procedures and actions are in accordance with the principles established by the ISPS Code and SOLAS Convention

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating competence</b>
Proper usage of security equipment and systems, if any	<p>General knowledge of various types of security equipment and systems, including their limitations</p> <p>Knowledge of the need for testing, calibrating, and maintaining security systems and equipment, particularly whilst at sea</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	<p>Equipment and systems operations are carried out in accordance with established equipment operating instructions and taking into account the limitations of the equipment and systems</p> <p>Procedures and actions are in accordance with the principles established by the ISPS Code and SOLAS Convention</p>

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## ANNEX 4

**PRELIMINARY TEXT OF THE DRAFT AMENDMENTS TO PART B OF THE  
SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE  
(SECURITY-RELATED ISSUES)****PART B  
RECOMMENDED GUIDANCE REGARDING PROVISIONS OF THE STCW CONVENTION  
AND ITS ANNEX****CHAPTER VI<sup>1</sup>****Guidance regarding emergency, occupational safety, security,  
medical care and survival functions**

- 1 The existing title of section B-VI/1 is deleted and replaced by the following:  
*“Guidance regarding familiarization and basic training and instruction for all seafarers”*
- 2 After the existing section B-VI/1.8 the following new text is inserted:  
**“SECURITY-RELATED TRAINING OR INSTRUCTION AND SECURITY-RELATED FAMILIARIZATION**
  - 9 Seafarers and shipboard personnel are not security experts and it is not the aim of the provisions of the Convention or this Code to convert them into security specialists.
  - 10 Seafarers and shipboard personnel should receive adequate security-related training or instruction and familiarization training so as to acquire the required knowledge and understanding to perform their assigned duties and to collectively contribute to the enhancement of maritime security.
  - 11 Seafarers without designated security duties should complete the basic training or instruction set out in section A-VI/2-1 at least one time in their career. There is no need for refreshment or revalidation of this training if the seafarer or the shipboard personnel concerned meet the security-related familiarization requirements of regulation VI/1 and participate in the drills and exercises required by the ISPS Code.
  - 12 Those providing “security-related familiarization training” in accordance with section A-VI/1.1-1 should not be required to meet the requirements of either regulation I/6 or section A-I/6.”

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<sup>1</sup> When developing the amendments to this chapter it was assumed that the amendments to this chapter adopted by STCW.6/Circ.9 would be in force.

- 3 After the existing section B-VI/5 the following new section B-VI/6 is inserted:

**“Section B-VI/6**

***Guidance regarding training and certification for seafarers with designated security duties***

1 The expression “with designated security duties” in section A-VI/6 denotes those having specific security duties and responsibilities in accordance with the ship security plan.

2 Seafarers with designated security duties should complete the training as set out in section A-VI/6 at least one time in their career. There is no need for refreshment or revalidation of this training if the seafarer or the shipboard personnel concerned meet the security-related familiarization requirements of regulation VI/1 and participate in the drills and exercises required by the ISPS Code.

3 Those providing “security-related familiarization training” in accordance with section A-VI/6 should not be required to meet the requirements of either regulation I/6 or of section A-I/6.

4 In circumstances of exceptional necessity, when the shipboard security-related duties are required to be undertaken by a person qualified to perform designated security related duties and such a person is temporarily unavailable, the Administration may permit a seafarer without designated security duties to perform such duties provided such a person has an understanding of the ship security plan, until the next port of call or for a period not exceeding 30 days, whichever is greater.”

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## ANNEX 5

Ref. T2-MSS/2.11.1  
T2/4.2

MSC.1/Circ.[....]  
[....] October 2007

**DRAFT GUIDELINES ON SECURITY-RELATED TRAINING AND  
FAMILIARIZATION FOR SHIPBOARD PERSONNEL**

1 The Maritime Safety Committee (the Committee), at its eighty-third session [(3 to 12 October 2007)] noted the draft amendments to the STCW Convention and the STCW Code prepared by the STW Sub-Committee, at its thirty-eighth session (22 to 26 January 2007), with a view to including therein, *inter alia*, provisions with respect to security-related training and familiarization training for shipboard personnel without and with designated security duties. The Committee also considered the recommendations of the STW Sub-Committee for the dissemination of related elements of the draft amendments as guidance on the corresponding provisions of the ISPS Code so as to enhance maritime security and encourage consistent and harmonized implementation of SOLAS chapter XI-2 and the ISPS Code.

2 The Committee recalled that the current plan was to adopt the aforesaid amendments at a future date as part of the comprehensive review of the STCW Convention and the STCW Code presently undertaken by the STW Sub-Committee. It would therefore be advisable to provide information to SOLAS Contracting Governments and STCW Parties on the direction that issues related to the training and familiarization for shipboard personnel were expected to take, so as to enable them to adjust their national requirements, programmes and practices, thus ensuing convergence. The Committee agreed that such an approach, in turn, would also ensure the smooth introduction of, and transition to, the envisaged new requirements.

3 The Committee also agreed that, if Governments were to endeavour to align their requirements with those envisaged in the draft amendments, it would be reasonable to expect that shipboard personnel would encounter less difficulties in the recognition and acceptance of their training and experience acquired prior to the entry into force of the contemplated amendments.

4 As a result the Committee approved Guidance on security-related training and familiarization training for shipboard personnel (the Guidance), as set out in annex.

5 The Committee agreed that:

- .1 the sole purpose of the Guidance was to assist SOLAS Contracting Governments in the implementation of the provisions of ISPS Code, section A/13.3, and paragraphs B/13.3 and B/13.4;
- .2 the Guidance does not establish any basis on which those exercising either control and compliance measures pursuant to the provisions of SOLAS regulation XI-2/9; or control pursuant to the provisions of STCW article X or STCW regulation I/4; may request or require the production of documentary evidence attesting that shipboard personnel are meeting the requirements outlined in the Guidance; and
- .3 the Guidance does not establish any basis on which a SOLAS Contracting Government may require shipboard personnel serving on board ships entering ports located in its territory to meet the requirements outlined in the Guidance.

6 The Committee also reaffirmed the advice given on the issue of training and certification, during its seventy-seventh session (28 May to 6 June 2003), namely that as an interim measure, the International Ship Security Certificate should be accepted as prima facie evidence that training had been conducted in accordance with the ISPS Code. The flag State was responsible for deciding how that training was to be conducted, and if any additional certification was required. If a port State control inspection detected a lack of training, further action could be taken.

7 SOLAS Contracting Governments are invited to bring the Guidelines to the attention of all parties concerned with matters addressed therein.

8 SOLAS Contracting Governments, international organizations and non-governmental organizations with consultative status which encounter difficulties with the implementation of the Guidance should bring, at the earliest opportunity, the matter to the attention of the Committee for consideration of the issues involved and decision on the actions to be taken.



## ANNEX

### **GUIDELINES ON SECURITY-RELATED TRAINING AND FAMILIARIZATION FOR SHIPBOARD PERSONNEL**

#### **1 APPLICATION**

1.1 The present Guidance applies to shipboard personnel other than ship security officers employed or engaged on a ship which is required to comply with the provisions of SOLAS chapter XI-2 and the ISPS Code.

1.2 The term “shipboard personnel” means: (1) master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship, including high-speed craft; (2) in the case of special purpose ships<sup>1</sup>, the crew<sup>2</sup> and the special purpose personnel<sup>3</sup>; and (3) in the case of mobile offshore drilling units not on location, the special personnel<sup>4</sup> and the maritime crew<sup>5</sup>; and excludes passengers.

#### **2 GENERAL PRINCIPLES**

2.1 Shipboard personnel are not security experts and it is not the aim of the provisions of the Guidance to convert them into security specialists.

2.2 Shipboard personnel should receive adequate security-related training or instruction and familiarization training so as to acquire the required knowledge and understanding to perform their assigned duties and to contribute collectively to the enhancement of maritime security.

2.3 Shipboard personnel should receive adequate security-related training or instruction at least one time in their career.

2.4 The security-related familiarization training should be conducted by the ship security officer or an equally qualified person.

#### **3 TERMINOLOGY**

3.1 ISPS Code, section A/9.4.7, states that the ship security plan shall address the “duties of shipboard personnel assigned security responsibilities and of other shipboard personnel on security aspects”. ISPS Code, section A/13.3 and paragraph B/13.3, make reference to “shipboard personnel having specific security duties and responsibilities” and ISPS Code

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<sup>1</sup> *Special purpose ship* is defined in paragraph 1.3.4 of Code of Safety for Special Purpose Ships adopted by resolution A.534(13) and amended by MSC/Circs.446, 478 and 739 and resolution MSC.183(79) referred to below as the SPS Code. MSC/Circ.739 includes new amendments to the SPS Code and consolidates the ones adopted under cover of MSC/Circs.446 and 478.

<sup>2</sup> *Crew* is defined in paragraph 1.3.1 of SPS Code.

<sup>3</sup> *Special purpose personnel* is defined in paragraph 1.3.3 of SPS Code.

<sup>4</sup> *Special personnel* is defined in paragraph 2.1.12 of Recommendations on training of personnel on mobile offshore drilling units (MoUs) adopted by resolution A.891(21) and referred to below as the MoUs training recommendations.

<sup>5</sup> *Maritime crew* is defined in paragraph 2.1.13 of the MoUs training recommendations.

paragraph B/13.4 makes reference, in relation to ISPS Code, paragraph B/13.3, to “all other shipboard personnel”.

3.2 As a result this Guidance uses the expression shipboard personnel “with designated security duties” to denote those having specific security duties and responsibilities in accordance with the ship security plan. The expression shipboard personnel “without designated security duties” is used to denote all other shipboard personnel.

## **4 SHIPBOARD PERSONNEL WITHOUT DESIGNATED SECURITY DUTIES**

### **4.1 Basic training or instruction in security awareness**

4.1.1 Shipboard personnel without designated security duties should be able to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of Table 1.

4.1.2 The level of knowledge of the subjects listed in column 2 of table 1 should be sufficient to enable the person to collectively contribute to the enhancement of maritime security.

4.1.3 Persons who have satisfactorily completed an approved security awareness training based on the knowledge, understanding and proficiency (KUP) set out in table 1, should be considered to have met the requirements. Those completing such training should be provided with documentary evidence to this effect to the satisfaction of the relevant SOLAS Contracting Government.

### **4.2 Security-related familiarization training**

4.2.1 Before being assigned to shipboard duties, shipboard personnel without designated security duties should receive security-related familiarization training to be able to:

- .1 report a security incident;
- .2 know the procedures to follow when they recognize a security threat; and
- .3 take part in security-related emergency and contingency procedures.

### **4.3 Standing *vis-à-vis* the requirements of the ISPS Code**

4.3.1 Shipboard personnel without designated security duties which comply with the requirements of paragraphs 4.1 and 4.2 should be considered as having met the requirements of ISPS Code, paragraph B/13.4.

## **5 SHIPBOARD PERSONNEL WITH DESIGNATED SECURITY DUTIES**

### **5.1 Training or instruction in designated security duties**

5.1.1 Shipboard personnel with designated security duties should be able to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of table 2.

5.1.2 The level of knowledge of the subjects listed in column 2 of table 2 should be sufficient to enable the person to perform their designated security duties.

5.1.3 Persons who have satisfactorily completed an approved training based on the knowledge, understanding and proficiency (KUP) set out in table 2, should be considered to have met the requirements. Those completing such training should be provided with documentary evidence to this effect to the satisfaction of the relevant SOLAS Contracting Government.

## **5.2 Security-related familiarization training**

5.2.1 Shipboard personnel with designated security duties should, before being assigned such duties, receive security-related familiarization training in their assigned duties and responsibilities taking into account the provisions of the ship security plan.

## **5.3 Standing *vis-à-vis* the requirements of the ISPS Code**

5.3.1 Shipboard personnel with designated security duties who comply with the requirements of paragraphs 5.1 and 5.2 should be considered as having met the requirements of ISPS Code, section A/13.3 and paragraph B/13.3.

## **6 ALTERNATIVE METHOD FOR DEMONSTRATING COMPETENCY**

6 SOLAS Contracting Governments may allow shipboard personnel to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of table 1 or 2, as the case may be, by:

- .1 approved seagoing service as shipboard personnel without or with designated security duties, as the case may be, for a period of at least six months in total during the preceding three years provided the period of six months has been accrued after 1 July 2004; or
- .2 having performed security functions after 1 July 2004 considered to be equivalent to the seagoing service required in paragraph 6.1; or
- .3 passing an approved test; or
- .4 successfully completing approved training.

**TABLE 1**  
**KNOWLEDGE, UNDERSTANDING AND PROFICIENCIES (KUPS)**  
**RELEVANT TO SECURITY AWARENESS**

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
Contribute to the enhancement of maritime security through heightened awareness	<p>Basic working knowledge of maritime security terms and definitions</p> <p>Basic knowledge of international maritime security policy and responsibilities of Governments, Companies and persons</p> <p>Basic knowledge of maritime security levels and their impact on security measures and procedures aboard ship and in port facilities</p> <p>Basic knowledge of security reporting procedures</p> <p>Basic knowledge of security related contingency plans</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Requirements relating to enhanced maritime security are correctly identified.
Recognition of security threats	<p>Basic knowledge of techniques used to circumvent security measures</p> <p>Basic knowledge enabling recognition of potential security threats</p> <p>Basic knowledge enabling recognition of weapons, dangerous substances, and devices and awareness of the damage they can cause</p> <p>Basic knowledge in handling security related information and security related communications</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Maritime security threats are correctly identified.
Understanding of the need for and methods of maintaining security awareness and vigilance	Basic knowledge of training, drill and exercise requirements under relevant conventions and codes	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Requirements relating to enhanced maritime security are correctly identified.

**TABLE 2**

**KNOWLEDGE, UNDERSTANDING AND PROFICIENCIES (KUPS) RELEVANT TO SHIPBOARD PERSONNEL WITH DESIGNATED SECURITY DUTIES**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating competence</b>
Maintain the conditions set forth in a ship security plan	<p>Working knowledge of maritime security terms and definitions</p> <p>Knowledge of international maritime security policy and responsibilities of Governments, Companies and persons</p> <p>Knowledge of maritime security levels and their impact on security measures and procedures aboard ship and in the port facilities</p> <p>Knowledge of security reporting procedures</p> <p>Knowledge of procedures for drills and exercises</p> <p>Knowledge of the procedures for conducting inspections and surveys and for the control and monitoring of security activities specified in a ship security plan</p> <p>Knowledge of security related contingency plans and the procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the ship/port interface</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	<p>Procedures and actions are in accordance with the principles established by the ISPS Code and SOLAS Convention</p> <p>Legislative requirements relating to security are correctly identified</p> <p>Communications within the area of responsibility are clear and understood</p>
Recognition of security risks and threats	<p>Knowledge of security documentation including the Declaration of Security</p> <p>Knowledge of techniques used to circumvent security measures</p> <p>Knowledge enabling recognition of potential security threats</p> <p>Knowledge enabling recognition of weapons, dangerous substances, and</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Procedures and actions are in accordance with the principles established by the ISPS Code and SOLAS Convention

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
	<p>devices and awareness of the damage they can cause</p> <p>Knowledge of crowd management and control techniques, where appropriate</p> <p>Knowledge in handling security related information and security related communications</p> <p>Knowledge of the methods for physical searches and non-intrusive inspections</p>		
Undertake regular security inspections of the ship	<p>Knowledge of the techniques for monitoring restricted areas</p> <p>Knowledge of controlling access to the ship and to restricted areas on board ship</p> <p>Knowledge of methods for effective monitoring of deck areas and areas surrounding the ship</p> <p>Knowledge of inspection methods relating to the cargo and ship's stores</p> <p>Knowledge of methods for controlling the embarkation, disembarkation and access while on board of persons and their effects</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Procedures and actions are in accordance with the principles established by the ISPS Code and SOLAS Convention
Proper usage of security equipment and systems, if any	<p>General knowledge of various types of security equipment and systems, including their limitations</p> <p>Knowledge of the need for testing, calibrating, and maintaining security systems and equipment, particularly whilst at sea</p>	Assessment of evidence obtained from approved instruction or during attendance at an approved course	<p>Equipment and systems operations are carried out in accordance with established equipment operating instructions and taking into account the limitations of the equipment and systems</p> <p>Procedures and actions are in accordance with the principles established by the ISPS Code and SOLAS Convention</p>

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## ANNEX 6

### PRELIMINARY TEXT OF THE DRAFT AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED (REQUIREMENTS FOR CERTIFICATION OF RATINGS AS ABLE SEAFARER)

#### Chapter I General provisions

##### Regulation I/1 – Definitions and clarifications

1 The full stop “.” at the end of paragraph 1, subparagraph .27, is replaced by a semicolon “;”.

2 In paragraph 1, the following new subparagraphs .28 and .29 are inserted after the existing subparagraph .27:

“.28 *Able seafarer deck* means a rating qualified in accordance with the provisions of regulation II/5 of the Convention;

.29 *Able seafarer engine* means a rating qualified in accordance with the provisions of regulation III/5 of the Convention.”

#### Chapter II Master and deck department

##### 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:

.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 of Able Seamen for certificates issued before [date] 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 [date], a Party may continue to issue, recognize and endorse certificates in accordance with the provisions of the Convention\* which applied immediately prior to the entry into force of this regulation.

5 Until [date], a Party may continue to renew and revalidate certificates and endorsements in accordance with the provisions of the Convention\* which applied immediately prior to entry into force of this regulation.

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 five years preceding the entry into force of this regulation for that Party.

### **Chapter III** **Engine department**

#### **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:
  - .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.

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\* This refers to the ILO Certification of Able Seamen Convention, 1946 (No.74).



3 Every Party shall compare the standards of competence which it required of ratings in the engine department for certificates issued before [**date**] 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 five years preceding the entry into force of this regulation for that Party.

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## ANNEX 7

**PRELIMINARY TEXT OF THE DRAFT AMENDMENTS TO PART A OF THE  
SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE  
(TRAINING REQUIREMENTS FOR CERTIFICATION OF RATINGS  
AS ABLE SEAFARER)**

**Section A-II/5***Mandatory minimum requirements for certification of ratings as able seafarer deck***Standard of competence**

- 1 Every able seafarer deck serving on a seagoing ship of 500 gross tonnage or more shall be required to demonstrate the competence to perform the functions at the support level, as specified in column 1 of table A-II/5.
- 2 The minimum knowledge, understanding and proficiency required of an able seafarer deck serving on a seagoing ship of 500 gross tonnage or more is listed in column 2 of table A-II/5.
- 3 Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence in accordance with the methods for demonstrating competence and the criteria for evaluating competence specified in columns 3 and 4 of table A-II/5.

**Table A-II/5**

**Specification of minimum standards of competence of ratings as able seafarer deck**

**Function: Navigation at the support level**

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
<p><b>Contribute to berthing, anchoring and other mooring operations</b></p>	<p>Working knowledge of the mooring system and related procedures including:</p> <ul style="list-style-type: none"> <li>.1 the function of mooring and tug lines and how each line functions as part of an overall system</li> <li>.2 the capacities, safe working loads, and breaking strengths of mooring equipment including mooring wires, synthetic and fibre lines, winches, anchor windlasses, capstans, bits, chocks and bollards</li> <li>.3 the procedures and order of events for making fast and letting go mooring and tug lines and wires include towing lines</li> <li>.4 the procedures and order of events for the use of anchors in various operations</li> </ul> <p>Working knowledge of the procedures and order of events associated with mooring to a buoy or buoys</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <ul style="list-style-type: none"> <li>.1 approved in-service experience;</li> <li>.2 practical training;</li> <li>.3 examination;</li> <li>.4 approved training ship experience;</li> <li>.5 approved simulator training, where appropriate</li> </ul>	<p>Operations are carried out in accordance with established safety practices and equipment operating instructions</p>

**Function: Cargo handling and stowage at the support level**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating competence</b>
<b>Contribute to the handling of cargo and stores</b>	<p>Knowledge of procedures for safe handling, stowage and securing of cargoes and stores, including dangerous, hazardous and harmful substances and liquids</p> <p>Basic knowledge of and precautions to observe in connection with particular types of cargo and identification of IMDG labelling</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <p>.1 approved in-service experience;</p> <p>.2 practical training;</p> <p>.3 examination;</p> <p>.4 approved training ship experience;</p> <p>.5 approved simulator training, where appropriate</p>	<p>Cargo and stores operations are carried out in accordance with established safety procedures and equipment operating instructions</p> <p>The handling of dangerous, hazardous and harmful cargoes or stores complies with established safety practices</p>

**Function: Controlling the operation of the ship and care for persons on board at the support level**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating competence</b>
<b>Contribute to the safe operation of deck equipment and machinery</b>	<p>Knowledge of deck equipment including:</p> <p>.1 function and uses of valves and pumps, hoists, cranes, booms, and related equipment;</p> <p>.2 function and uses of winches, windlasses, capstans and related equipment;</p> <p>.3 hatches, watertight doors, ports, and related equipment;</p> <p>.4 fibre and wire rope, cables and chains including their construction, use, markings, maintenance and proper stowage;</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <p>.1 approved in-service experience;</p> <p>.2 practical training;</p> <p>.3 examination;</p> <p>.4 approved training ship experience</p>	<p>Operations are carried out in accordance with established safety practices and equipment operating instructions</p> <p>Communications within the operator's area of responsibility are consistently successful</p> <p>Equipment operation is safely carried out in accordance with established procedures</p>

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
	<p>.5 ability to use and understand basic signals for the operation of equipment including winches, windlasses, cranes, and hoists;</p> <p>.6 ability to operate anchoring equipment under various conditions such as anchoring, weighing anchor, securing for sea, and in emergencies</p> <p>Knowledge of the following procedures and ability to:</p> <p>.1 rig and unrig bosun's chairs and staging;</p> <p>.2 rig and unrig pilot ladders, hoists, rat-guards and gangways;</p> <p>.3 use marlin spike seamanship skills including the proper use of knots, splices, and stoppers</p> <p>Use and handling of deck and cargo handling gear and equipment:</p> <ul style="list-style-type: none"> <li>– Access arrangements, hatches and hatch covers, ramps, side/bow/stern doors or elevators</li> <li>– pipeline systems – bilge and ballast, suctions and wells</li> <li>– cranes, derricks, winches</li> </ul>	<p>Assessment of evidence obtained from practical demonstration</p> <p>Assessment of evidence obtained from practical demonstration</p> <p>Assessment of evidence obtained from practical demonstration</p>	<p>Demonstrate the proper methods for rigging and unrigging in accordance with safe industry practice</p> <p>Demonstrate the proper creation and use of knots, splices, stoppers, whippings, servings as well as proper canvas handling</p> <p>Demonstrate the proper use of blocks and tackle</p> <p>Demonstrate the proper methods for handling lines, wires, cables and chains</p>

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
	Knowledge of hoisting and dipping flags and the main single flag signals. (A,B,G,H,O,P,Q)		
<b>Apply occupational health and safety precautions</b>	Working knowledge of safe working practices and personal shipboard safety including:  .1 working aloft;  .2 working over the side;  .3 working in enclosed spaces;  .4 permit to work systems;  .5 line handling;  .6 lifting techniques and methods of preventing back injury;  .7 electrical safety;  .8 mechanical safety;  .9 chemical and biohazard safety;  .10 personal safety equipment	Assessment of evidence obtained from one or more of the following:  .1 approved in-service experience;  .2 practical training;  .3 examination;  .4 approved training ship experience	Procedures designed to safeguard personnel and the ship are observed at all times  Safe working practices are observed and appropriate safety and protective equipment is correctly used at all times
<b>Apply precautions and contribute to the prevention of pollution of the marine environment</b>	Knowledge of the precautions to be taken to prevent pollution of the marine environment  Knowledge of the use and operation of anti-pollution equipment  Knowledge of the approved methods for disposal of marine pollutants	Assessment of evidence obtained from one or more of the following:  .1 approved in-service experience;  .2 practical training;  .3 examination;  .4 approved training ship experience	Procedures designed to safeguard the marine environment are observed at all times

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating competence</b>
<b>Operate survival craft and rescue boats</b>	<p>Knowledge of the operation of survival craft and rescue boats, their launching appliances and arrangements, and their equipment</p> <p>Knowledge of survival at sea techniques</p>	Assessment of evidence obtained from approved training and experience as set out in section A-VI/2, paragraphs 1 to 4	Actions in responding to abandon ship and survival situations are appropriate to the prevailing circumstances and conditions and comply with accepted safety practices and standards

**Function: Maintenance and repair at the support level**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating competence</b>
<b>Contribute to shipboard maintenance and repair</b>	<p>Knowledge of surface preparation techniques</p> <p>Ability to use painting, lubrication and cleaning materials and equipment</p> <p>Ability to understand and execute routine maintenance and repair procedures</p> <p>Understanding manufacturer's safety guidelines and shipboard instructions</p> <p>Knowledge of safe disposal of waste materials</p> <p>Knowledge of the application, maintenance and use of hand and power tools</p>	<p>Assessment of evidence obtained from practical demonstration</p> <p>Assessment of evidence obtained from one or more of the following:</p> <p>.1 approved in-service experience;</p> <p>.2 practical training;</p> <p>.3 examination;</p> <p>.4 approved training ship experience</p>	Maintenance and repair activities are carried out in accordance with technical, safety and procedural specifications



## Section A-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*

#### **Standard of competence**

1 Every able seafarer engine serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more shall be required to demonstrate the competence to perform the functions at the support level, as specified in column 1 of table A-III/5.

2 The minimum knowledge, understanding and proficiency required of an able seafarer engine serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more is listed in column 2 of table A-III/5.

3 Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence in accordance with the methods for demonstrating competence and the criteria for evaluating competence specified in columns 3 and 4 of table A-III/5.

Table A-III/5

*Specification of minimum standards of competence of ratings as able seafarer engine in a manned engine-room or designated to perform duties in a periodically unmanned engine-room*

**Function: Marine engineering at the support level**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating competence</b>
<b>Contribute to the monitoring and controlling of an engine-room watch</b>	<p>Basic knowledge of the function and operation of main propulsion and auxiliary machinery</p> <p>Basic understanding of main propulsion and auxiliary machinery control pressures, temperature and levels</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <p>.1 approved in-service experience;</p> <p>.2 approved training ship experience; or</p> <p>.3 practical test</p>	<p>The frequency and extent of monitoring of main propulsion and auxiliary machinery conforms with accepted principles and procedures</p> <p>Deviations from the norm are identified. Unsafe conditions or potential hazards are promptly recognized, reported and rectified before work continues</p>
<b>Contribute to fuelling and oil transfer operations</b>	<p>Knowledge of the function and operation of fuel system and oil transfer operations, including:</p> <p>.1 Preparations for fuelling and transfer operations;</p> <p>.2 Procedures for connecting and disconnecting fuelling and transfer hoses;</p> <p>.3 Procedures relating to incidents that may arise during fuelling or transferring operation;</p> <p>.4 Securing from fuelling and transfer operations;</p> <p>.5 Ability to correctly measure and report tank levels</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <p>.1 approved in-service experience;</p> <p>.2 practical training;</p> <p>.3 examination;</p> <p>.4 approved training ship experience</p> <p>Assessment of evidence obtained from practical demonstration</p>	<p>Transfer operations are carried out in accordance with established safety practices and equipment operating instructions</p> <p>The handling of dangerous, hazardous and harmful liquids complies with established safety practices</p> <p>Communications within the operator's area of responsibility are consistently successful</p>

<p><b>Contribute to bilge and ballast operations</b></p>	<p>Knowledge of the safe function, operation and maintenance of the bilge and ballast systems, including:</p> <ul style="list-style-type: none"> <li>.1 Reporting incidents associated with transfer operations;</li> <li>.2 Ability to correctly measure and report tank levels</li> </ul>	<p>Assessment of evidence obtained from one or more of the following:</p> <ul style="list-style-type: none"> <li>.1 approved in-service experience;</li> <li>.2 practical training;</li> <li>.3 examination;</li> <li>.4 approved training ship experience</li> </ul> <p>Assessment of evidence obtained from practical demonstration</p>	<p>Operations and maintenance are carried out in accordance with established safety practices and equipment operating instructions and pollution of the marine environment is avoided</p> <p>Communications within the operator's area of responsibility are consistently successful</p>
<p><b>Contribute to the operation of equipment and machinery</b></p>	<p>Safe operation of equipment, including:</p> <ul style="list-style-type: none"> <li>.1 valves and pumps;</li> <li>.2 hoists and lifting equipment;</li> <li>.3 hatches, watertight doors, ports and related equipment</li> </ul> <p>Ability to use and understand basic crane, winch and hoist signals</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <ul style="list-style-type: none"> <li>.1 approved in-service experience;</li> <li>.2 practical training;</li> <li>.3 examination;</li> <li>.4 approved training ship experience.</li> </ul> <p>Assessment of evidence obtained from practical demonstration</p>	<p>Operations are carried out in accordance with established safety practices and equipment operating instructions</p> <p>Communications within the operator's area of responsibility are consistently successful</p>

**Function: Electrical, electronic and control engineering at the support level**

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
<b>Safe use of electrical equipment</b>	<p>Safe use and operation of electrical equipment, including:</p> <ul style="list-style-type: none"> <li>.1 safety precautions before commencing work or repair;</li> <li>.2 isolation procedures;</li> <li>.3 emergency procedures;</li> <li>.4 different voltages on board</li> </ul> <p>Knowledge of the causes of electric shock and precautions to be observed to prevent shock</p> <p>Apply first aid to electric shock victims</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <ul style="list-style-type: none"> <li>.1 approved in service experience;</li> <li>.2 practical training;</li> <li>.3 examination;</li> <li>.4 approved training ship experience</li> </ul>	<p>Recognizes and reports electrical hazards and unsafe equipment</p> <p>Understands safe voltages for hand held equipment</p> <p>Understands risks associated with high voltage equipment and onboard work</p>

**Function: Maintenance and repair at the support level**

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating Competence
<b>Contribute to shipboard maintenance and repair</b>	<p>Knowledge of surface preparation techniques</p> <p>Ability to use painting, lubrication and cleaning materials and equipment</p> <p>Knowledge of safe disposal of waste materials</p> <p>Ability to understand and execute routine maintenance and repair procedures</p> <p>Understanding manufacturer's safety guidelines and shipboard instructions</p>	<p>Assessment of evidence obtained from practical demonstration</p> <p>Assessment of evidence obtained from one or more of the following:</p> <ul style="list-style-type: none"> <li>.1 approved in-service experience;</li> <li>.2 practical training;</li> <li>.3 examination;</li> <li>.4 approved training ship experience</li> </ul>	<p>Maintenance activities are carried out in accordance with technical, safety and procedural specifications</p> <p>Selection and use of equipment and tools is appropriate</p>

Column 1	Column 2	Column 3	Column 4
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating Competence</b>
	<p>Knowledge of the application, maintenance and use of hand and power tools and measuring instruments and machine tools</p> <p>Knowledge of metal work</p>		

**Function: Controlling the operation of the ship and care for persons on board at the support level**

Column 1	Column 2	Column 3	Column 4
<b>Competence</b>	<b>Knowledge, understanding and proficiency</b>	<b>Methods for demonstrating competence</b>	<b>Criteria for evaluating competence</b>
<b>Contribute to the handling of stores</b>	<p>Knowledge of procedures for safe handling, stowage and securing of stores</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <p>.1 approved in-service experience;</p> <p>.2 practical training;</p> <p>.3 examination;</p> <p>.4 approved training ship experience</p>	<p>Stores operations are carried out in accordance with established safety practices and equipment operating instructions</p> <p>The handling of dangerous, hazardous and harmful stores complies with established safety practices</p> <p>Communications within the operator's area of responsibility are consistently successful</p>
<b>Apply precautions and contribute to the prevention of pollution to the marine environment</b>	<p>Knowledge of the precautions to be taken to prevent pollution of the marine environment</p> <p>Knowledge of use and operation of anti-pollution equipment</p> <p>Knowledge of approved methods for disposal of marine pollutants</p>	<p>Assessment of evidence obtained from one or more of the following:</p> <p>.1 approved in-service experience;</p> <p>.2 practical training;</p> <p>.3 examination;</p> <p>.4 approved training ship experience</p>	<p>Procedures designed to safeguard the marine environment are observed at all times</p>

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
<p><b>Apply occupational health and safety procedures</b></p>	<p>Working knowledge of safe working practices and personal shipboard safety, including:</p> <ul style="list-style-type: none"> <li>.1 electrical safety;</li> <li>.2 lockout/tagout;</li> <li>.3 mechanical safety;</li> <li>.4 permit to work systems;</li> <li>.5 working aloft;</li> <li>.6 working in enclosed spaces;</li> <li>.7 lifting techniques and methods of preventing back injury;</li> <li>.8 chemical and biohazard safety;</li> <li>.9 personal safety equipment</li> </ul>	<p>Assessment of evidence obtained from one or more of the following:</p> <ul style="list-style-type: none"> <li>.1 approved in-service experience;</li> <li>.2 practical training;</li> <li>.3 examination;</li> <li>.4 approved training ship experience</li> </ul>	<p>Procedures designed to safeguard personnel and the ship are observed at all times</p> <p>Safe working practices are observed and appropriate safety and protective equipment is correctly used at all times</p>

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**ANNEX 8**

**PRELIMINARY TEXT OF THE DRAFT AMENDMENTS TO PART B OF THE  
SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE  
(GUIDANCE REGARDING CERTIFICATION AS ABLE SEAFARER)**

**PART B  
RECOMMENDED GUIDANCE REGARDING PROVISIONS OF THE STCW CONVENTION  
AND ITS ANNEX**

**Chapter II  
Guidance regarding the master and deck department**

2 The following new section is inserted at the end of chapter II after the existing section B-II/4:

**Section B-II/5**

*Guidance regarding the certification of ratings as able seafarer deck*

1 On-board training should be documented in an approved training record book.

**Chapter III  
Guidance regarding the engine department**

3 The following new section is inserted at the end of chapter III after the existing section B-III/4:

**Section B-III/5**

*Guidance regarding the certification of ratings as able seafarer engine in a manned engine-room or designated to perform duties in a periodically unmanned engine-room*

2 On-board training should be documented in an approved training record book.

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**ANNEX 9****STATEMENT BY THE DELEGATION OF ANTIGUA AND BARBUDA**

Antigua and Barbuda stated that on January 15, 2007, at approximately 1900 hours, their Maritime Administration was informed that a collision occurred between two vessels – MV “SUSAN BORCHARD”, a container ship registered under the Antigua and Barbuda Flag and an Italian registered HSC (Ferry) “SEGESTA JET” in the Strait of Messina in Italia territorial waters. The Maritime administration was furthered informed by the Messina Harbour Master by e-mail and facsimile transmission on January 16, 2007 that the collision resulted in the loss of life, injury to people and damage to property and that a summary investigation has commenced.

To date, the cause of the collision has not been ascertained. However, investigation there into is being undertaken by the Inspection and Investigation Division of the Maritime Administration of Antigua and Barbuda pursuant to and in accordance with national and international law and regulations (Antigua and Barbuda Merchant Shipping Act 2006 and SOLAS chapter I, part C, Regulation 21 and IMO resolutions A.849(21) and A.848(21)).

In this regard, the Maritime Administration of Antigua and Barbuda has officially requested that the Italian Authorities render all required assistance and support to its investigation pursuant its national and international obligations.

Furthermore, I would like to use this medium to again request the co-operation and assistance of the Italian Authorities on this matter.

On behalf of the Government and People of Antigua and Barbuda, I extend sincere condolence to the relatives of the deceased and wish for a speedy recovery for all those who were injured.

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**ANNEX 10****STATEMENT BY THE DELEGATION OF ITALY**

Mr. Chairman before commenting on Antigua and Barbuda's statement, I wish to express my appreciation for the kind words of sympathy and condolences towards the victims of this sad casualty, with the assurance that they will be properly conveyed to the related families.

Mr. Chairman, as this Sub-Committee will recognize, we in the early stages of the various investigations under way, so it is my opinion that to express any official comment on the causes of the accident would be premature. Any conclusions now would sound just as a "gossip", as it would not be supported by objective evidence.

Therefore, at this stage, this delegation prefers to limit its intervention to the following facts:

On 15<sup>th</sup> January 2007, at about 17.55 LT. the M/v "Susan Borchard", sailing southbound across the Messina Strait, collided with the SC "Segesta Jet", coming from Reggio Calabria and bound for Messina, hitting and ripping its starboard beam and crushing the bridge.

Immediately one of the Italian coast guard patrol boat, already at sea for official duties, reached the accident position, soon after followed by other assets, providing for "Segesta" passengers and crew evacuation.

No men overboard had been sighted or reported. At 1830 LT, MRCC Roma broadcasted a NAVTEX warning to all ships approaching the operation area.

At 20.30 LT, M/v "Susan Borchard" came alongside in Messina harbour, after rescuing 24 people from "Segesta Jet".

At 22.15 LT, due to the swells not allowing safe operations on board HSE Segesta, it was considered necessary to suspend the Fire Brigade efforts to free people trapped among the debris.

The ship was towed to Messina and moored at 09.10 LT.

Thereafter, Fire brigade teams started working to remove plates, searching for survivors or corpses.

Eventually, they found 4 crew-members killed in the crash (the master, chef engineer, the engineer and the A.S.) and about 80 people injured.

Currently, both ships have been seized by the Legal Authorities (Prosecutors) for investigation in connection with the due criminal enquiry as consequence of the deaths.

By confidential information, and under the pressure of the Italian Maritime Authorities, it is expected the container carrier could be released by Thursday 25<sup>th</sup> or Friday 26<sup>th</sup> of January.

Additionally, at present, the conduct of the master of "Susan Borchard" is under investigation, together with the master of the Italian ferry "Zancle" transiting close to the accident position in an opposite course to the HSC Segesta, while involved on regular transit

from Tremestieri (Messina) to Villa San Gioavanni (Reggio Calabria). They have been registered into the file of the people under investigation with the accusation of involuntary manslaughter, but without any personal restriction. It must be noted that under the Italian Legal System this is a compulsory legal process.

Messina Coast Guard is also carrying out its own administrative summary investigation, taking into account the data of AIS which have been recorded and which are expected will provide significant information on the dynamics of the accident.

Let me add that, due to the peculiarity of the traffic in the area, a VTS Centre is going to be activated in the Messina Strait. Currently the Centre is in an advanced Initial Operational Capability phase, limited to particular daily working hours for the training of operators, and the Full Operational Capability is estimated to be implemented by summer 2007, as previously scheduled.

Coming back to the investigation in progress, the Italian Maritime Administration cannot help but recognize and understand the needs of the Antigua and Barbuda's competent Authorities to receive the appropriate pieces of information and final findings. In this context, within the permitted limits related to the confidentiality so far surrounding the enquiry, we will offer all possible assistance and support to the parallel investigation, in accordance with the national and international obligations (SOLAS chapter I, part 1, Regulation 21 and IMO resolutions A.894(21) and A.884(21)).

Accordingly, this delegation suggests that Antigua and Barbuda establish a dedicated point of contact for the official requests to be conveyed to the Messina Harbour Master who is undertaking the investigation duties.

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**ANNEX 11****LIST OF AREAS IN THE STCW CONVENTION AND THE STCW CODE  
IDENTIFIED FOR THE COMPREHENSIVE REVIEW****INTRODUCTION**

1 The Maritime Safety Committee, at its eighty-first session (10 to 19 May 2006), endorsed the proposal of STW 37 and instructed the Sub-Committee to define, as a first step, the issues to be reviewed and to advise the Committee accordingly, before embarking on the actual work, for the Committee to endorse the scope of the review of the instruments, and the Sub-Committee to undertake, as a second step, the authorized review in a systematic and organized manner. MSC 81 also agreed that the proposed review of the STCW Convention and the STCW Code should not, in any way, delay the work already on the Sub-Committee's work programme.

2 To address the first step of the Committee's instructions, the Sub-Committee should first identify the principles of the review and thereafter the specific issues to be considered under the review process.

3 Following the discussions in the Plenary agreed that the review should only embrace the following principles:

- .1 retain the structure and goals of the 1995 revision;
- .2 do not down scale existing standards;
- .3 do not amend the articles of the Convention;
- .4 address inconsistencies, interpretations, outdated provisions, MSC instructions, clarifications already issued and technological advances;
- .5 address requirements for effective communication;
- .6 provide for flexibility in terms of compliance and for required levels of training and certification and watchkeeping arrangements due to innovation in technology;
- .7 address the special character and circumstances of short sea shipping and the offshore industry; and
- .8 address security-related issues.

After detailed discussions the Sub-Committee agreed on the following issues for consideration during the review. This does not imply that amendments will be necessary.

**STCW CONVENTION****CHAPTER I – GENERAL PROVISIONS****General**

4 Review this chapter with a view to including therein appropriate security-related provisions as instructed by MSC 81.

### **Regulation I/1**

5 The following new definitions may be considered during the review process in accordance with principle .4 of paragraph 3 above:

- .1 Able seafarer deck and able seafarer engine;
- .2 Cargo officer;
- .3 Crew;
- .4 Electrical officer;
- .5 Passenger ship (as defined in SOLAS 74);
- .6 Ships Safety Representative;
- .7 Ships propulsion power;
- .8 Electronic officer;
- .9 Certificate of competency;
- .10 Special certificates; and
- .11 Documentary evidence.

The Sub-Committee also recognizes the need for the addition or subtraction of definitions emanating from the review.

### **Regulation I/2**

6 This regulation should be reviewed with a view to preventing the use of fraudulent certificates in accordance with principle .4 of paragraph 3 above.

### **Regulation I/3**

7 This regulation should be reviewed relating to the definition of near coastal voyages and the common principles governing these voyages in accordance with principle .4 of paragraph 3 above.

### **Regulation I/6**

8 This regulation should be reviewed to ensure that Administrations maintain register for training databases, in accordance with principle .4 and .5 of paragraph 3 above.

### **Regulation I/7**

9 This regulation should be reviewed to incorporate the decision of the Committee that amendments to the STCW Convention and STCW Code are not subject to this regulation, in accordance with principle .4 of paragraph 3 above.

### **Regulation I/8**

- 10 This regulation should be included for the review in order to address:
- .1 changes to training, assessment of competence, certification and revalidation activities emanating from an amendment to the Convention to be covered under the independent evaluation pursuant to this regulation;
  - .2 a specific mechanism for monitoring the effective application of the Convention requirements;
  - .3 terms of reference to ensure that Parties were implementing new or amended regulations that have entered into force on or after the last independent evaluation; and
  - .4 the independent evaluation to be carried out in accordance with the requirements of the Convention and not using quality standards applied in other industrial organizations,

in accordance with principles .2 and .4 of paragraph 3 above.

### **Regulation I/9**

11 This regulation should be reviewed with the view to developing international medical standards of fitness for all seafarers and a standard format for the medical fitness certificate in co-operation with ILO, WHO and IMHA in accordance with principles .2 and .4 of paragraph 3 above.

12 This regulation should be reviewed with a view to establish a register for certificates issued for all ratings in accordance with principles .2 and .4 of paragraph 3 above.

### **Regulation I/10**

13 This regulation should be reviewed with the view to allow the issue of a “Proof of application for the issue of an endorsement” to radio operator and to clarify the level of the “necessary measures” that an Administration must undertake in order to endorse another Administration’s certificates in accordance with principles .2 and .4 of paragraph 3 above.

### **Regulation I/11**

- 14 Consider the following issues:
- .1 amending the transitional provisions associated with the date of the entry into force of the new requirements;
  - .2 resolving any inconsistencies and/or conflicts between the requirements in these provisions, chapter VI and the associated parts of the Code;
  - .3 clarifying the evidence required to prove having achieved/maintained continued proficiency on basic safety training is required; and

.4 provisions for continuous updating and refreshing training,  
in accordance with principles .2 and .4 of paragraph 3 above.

### **Regulation I/12**

15 This regulation should be reviewed with a view to include provisions for new and innovative training methodologies in accordance with principle .4 of paragraph 3 above.

### **Regulation I/14**

16 This regulation should be reviewed with a view to defining responsibilities of companies relating to continuous and familiarization training in all professional subjects involving both, onboard and shore-based training, in accordance with principle .4 of paragraph 3 above.

### **Regulation I/15**

17 This regulation should be reviewed after the review process.

## **CHAPTER II – MASTER AND DECK DEPARTMENT**

### **General**

18 Consider the following issues:

- .1 there is a need to be consistent in the display of information relating to inclusion of endorsements limitations on technological equipment, such as ARPA and GMDSS;
- .2 instructions of MSC 82 to provide for familiarization training to understand the limitations of automatic systems through familiarization training and inclusion of training recommendation given by performance management guidelines within the Convention;
- .3 review requirements for these chapters to take into account any recent changes in equipment, technology and terminology; and
- .4 emphasis on environmental awareness, in particular, the use of oily water separators,

in accordance with principles .4 and .6 of paragraph 3 above.

19 Review this chapter with a view to including the requirements for able seafarer deck as instructed by MSC 79.

### **Regulation II/1**

20 This regulation should be reviewed to:



- .1 provide guidance relating to ECDIS training and familiarization in accordance with MSC 81 instructions; and
- .2 consistency with other regulation in the use of the term ‘months’ instead of ‘year’, in accordance with principle .4 of paragraph 3 above.

## **CHAPTER III – ENGINE DEPARTMENT**

### **General**

21 Review the chapter to consider the need for including relevant competences with regard to technological development (electrical engineering and electronics) in the operation of ships.

22 Review this chapter with a view to including the requirements for able seafarer engine as instructed by MSC 79.

23 Consider the following issues:

- .1 instructions of MSC 82 to provide for familiarization training to understand the limitations of automatic systems through familiarization training and inclusion of training recommendation given by performance management guidelines within the Convention;
- .2 review requirements for these chapters to take into account any recent changes in equipment, technology and terminology; and
- .3 emphasis on environmental awareness, in particular, the use of oily water separators,

in accordance with principles .4 and .6 of paragraph 3 above.

### **Regulations III/1, III/2 and III/3**

#### **General**

24 Review these regulations in order to ensure that:

- .1 education and training requirements in regulation III/1 are based on meeting the standards of competences, rather than a specific length of time, as in regulation II/1; and
- .2 the near-coastal voyage provisions in sections A-III/1, A-III/2 and A-III/3 are harmonized,

in accordance with principle .4 of paragraph 3 above.

#### **CHAPTER IV – RADIOCOMMUNICATIONS AND RADIO PERSONNEL**

25 This regulation should be reviewed to provide for familiarization training in accordance with MSC.1/Circ.1208 and to delete the outdated transitional provisions in accordance with principle .4 of paragraph 3 above.

#### **CHAPTER V – SPECIAL TRAINING REQUIREMENTS FOR PERSONNEL ON CERTAIN TYPES OF SHIPS**

##### **General**

26 Review the requirements leading to dangerous cargo endorsements (DCEs) for seafarers as instructed by MSC 82 and to provide for training standards for dynamic positioning ships, in accordance with principle .4 of paragraph 3 above.

##### **Regulation V/1 and section A/V-1**

27 This regulation should be reviewed with a view to providing standards for training in the same format as provided elsewhere within the Convention and also to provide specific requirements for different types of tankers, in accordance with principle .4 of paragraph 3 above.

28 This regulation should be reviewed with a view to develop LNG training and competency standards, as instructed by MSC 81.

29 This regulation should be reviewed with a view to address steam turbine propulsion requirements for LNG tankers, in accordance with principles .4 and .6 of paragraph 3 above.

##### **Regulations V/2 and V/3**

30 These regulations should be reviewed with a view to simplifying the requirements by combining requirements for “ro-ro passenger ships” and for “passenger ships other than ro-ro passenger ships” prescribed in accordance with principle .4 of paragraph 3 above.

#### **CHAPTER VI – EMERGENCY, OCCUPATIONAL SAFETY, MEDICAL CARE AND SURVIVAL FUNCTIONS**

31 Review this chapter to established training standards for:

- .1 shipboard safety representative, reflecting the requirements of the ILO Maritime Labour Convention, 2006, as instructed by MSC 81;
- .2 sanitation and hygiene taking into account the information provided in the ships sanitation guide developed by WHO and limited to addressing safety issues; and
- .3 marine environment awareness,

in accordance with principles .2 and .4 of paragraph 3 above.

32 Review these requirements with a view towards identifying where training cannot be conducted on board as instructed by MSC 81.

33 Review this chapter with a view to including appropriate security-related training requirements as instructed by MSC 81.

## **CHAPTER VII – ALTERNATIVE CERTIFICATION**

34 Review this chapter with a view to address the possibility of vertical flexibility in the manning of ships provided that the sponsoring countries fully justify the need along with specific examples where such flexibility can be applied, in accordance with principle .2 of paragraph 3 above.

## **CHAPTER VIII – WATCHKEEPING**

### **General**

35 Review this chapter with a view to including appropriate security-related and fatigue-related provisions/issues as instructed by MSC 81 and MSC 75 respectively.

### **Regulation VIII/1**

36 Review this regulation to provide for proper maintenance of records of hours of rest and to harmonize this regulation with the relevant provisions in the ILO Maritime Labour Convention (2006), in accordance with principle .5 of paragraph 3 above.

### **Regulation VIII/2**

37 Review this regulation with a view to updating the term GMDSS operator, in accordance with principle .4 of paragraph 3 above.

### **Proposed regulation VIII/3**

38 Consider introduction of mandatory alcohol limits during watchkeeping and other shipboard duties as instructed by MSC 81.

## **STCW Code**

### **General**

39 Consequential amendments to part A and part B of the STCW Code may be necessary and should be considered during the review process.

### **Sections A-I/11 and B-I/11**

40 Review this requirement to provide for clarification relating to the 3 month option provided under paragraph 1.3.3 of the STCW Code, in accordance with principle .4 of paragraph 3 above.

### **Sections A-I/15 and B-I/15**

41 These requirements and guidance should be reviewed after the review process.

### **Sections B-I/12 and B-IV/2**

42 This guidance should be reviewed with a view to updating following the decisions of COMSAR 10 relating to the revision of resolution A.888(21), in accordance with principle .4 of paragraph 3 above.

### **Sections A-II and A-III**

43 The requirements should be reviewed to:

- .1 increase emphasis on enhanced navigation and in particular of the berth-to-berth requirements, and of modern developments for integrated bridge systems, including ECDIS;
- .2 include training recommendations on bridge resource and engine room resource management, as instructed by MSC 82;
- .3 provide training on maritime legislation to assist in protecting the crew, owner/operators, and ships from breaching the increasing legislative requirements;
- .4 promote a “safety culture” to embrace all levels and further emphasis on management training including enhanced knowledge of occupational health and safety issues; and
- .5 increase emphasis on fatigue management,

in accordance with principle .4 of paragraph 3 above.

44 Review the requirements in tables A-III/1 and A-III/2 relating to knowledge and demonstration of competence to ensure that engineers have sufficient knowledge and competence in the operation, testing, fault diagnosis and maintenance of automation, electronic and electrical systems and equipment, in accordance with principles .4 and .6 of paragraph 3 above.

### **Section A-VIII**

45 Review these requirements with a view to provide a clarification as to the minimum time that constitutes a period of rest, in accordance with principle .4 of paragraph 3 above.

### **Additional issue**

46 Consider the development of qualifications and training of seafarers operating pleasure yachts and commercially operated yachts, including the definition of a yacht in relation to a passenger ship, in accordance with principles .4 and .6 of paragraph 3 above.

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## ANNEX 12

DRAFT REVISED WORK PROGRAMME AND PROVISIONAL AGENDA  
FOR STW 39

## SUB-COMMITTEE ON STANDARDS OF TRAINING AND WATCHKEEPING (STW)

		<b>Target completion date/number of sessions needed for completion</b>	<b>Reference</b>
1	<b>Validation of model training courses</b>	Continuous	STW 31/17, paragraph 14.4; <del>STW 37/18, section 3</del> STW 38/17, section 3
2	<b>Casualty analysis</b> (co-ordinated by FSI)	Continuous	MSC 70/23, paragraphs 9.17 and 20.4; MSC 77/26, paragraphs 18.10 and 23.40.2; <del>STW 37/18, section 11</del> STW 38/17, section 10
H.1	<b>Unlawful practices associated with certificates of competency</b>	Continuous	MSC 71/23, paragraph 20.55.2; <del>STW 37/18, section 4</del> STW 38/17, section 4
H.2	<del>Passenger ship safety</del>	2007	MSC 74/24, paragraph 21.4; <del>STW 37/18, section 5</del>
H.3 <sup>2</sup>	Measures to enhance maritime security	2007 2 sessions	MSC 75/24, paragraphs 22.9 and 22.45; <del>STW 37/18, section 7</del> STW 38/17, section 6
H.4	<del>Education and training requirements for fatigue prevention, mitigation and management</del>	2007	MSC 75/24, paragraph 22.48; STW 37/18, section 8

- Notes:**
- 1 "H" means a high priority item and "L" means a low priority item. However, within the high and low priority groups, items have not been listed in any order of priority.
  - 2 Items printed in bold letters have been selected for the provisional agenda for STW 39.

**Sub-Committee on Standards of Training and Watchkeeping (STW) (continued)**

		<b>Target completion date/number of sessions needed for completion</b>	<b>Reference</b>
H.5	<b>Development of training requirements for the control and management of ship's ballast water and sediments</b>	2007	MSC 71/23, paragraph 20.55.3; STW 37/18, section 9
H.6	<b>Development of competences for ratings</b>	2007	MSC 77/26, paragraph 23.40.1; STW 37/18, section 10
H.7	<b>Identification of areas in chapter VI of the STCW Code where training cannot be conducted on board</b>	2008	STW 37/18, section 17; MSC 81/25, paragraph 23.57.1
H.83	<b>Comprehensive review of the STCW Convention and the STCW Code</b>	<del>2008</del> 2010	STW 37/18, section 15 MSC 81/25, paragraphs 23.57.2, 23.40.2, 23.62 and 23.63 STW 38/17, section 12
H.94	<b>Review of the principles for establishing the safe manning levels of ships (in co-operation with NAV)</b>	2008	MSC 81/25, paragraphs 23.58 to 23.60 STW 38/17, section 13
H.405	Development of training standards for recovery systems	2 sessions	MSC 81/25, paragraph 23.64
H.446	<b>Training for seafarer safety representatives</b>	<del>2 sessions</del> 2009	MSC 82/24, paragraph 21.23
[H.7	<b>Mandatory requirements for determining safe manning</b>	2 sessions	STW 38/17, section 13]
L.1	Review of the implementation of STCW chapter VII	2 sessions	MSC 72/23, paragraph 21.56; STW 35/19, section 14
L.2	Clarification of the STCW-F Convention provisions and follow-up action to the associated Conference resolutions	2 sessions	STW 34/14, paragraph 11.8

## PROVISIONAL AGENDA FOR STW 39

- Opening of the session
- 1 Adoption of the agenda
  - 2 Decisions of other IMO bodies
  - 3 Validation of model training courses
  - 4 Unlawful practices associated with certificates of competency
  - 5 Training for seafarer safety representatives
  - 6 Casualty analysis
  - 7 Comprehensive review of the STCW Convention and the STCW Code
  - 8 Review of the principles for establishing the safe manning levels of ships
  - 9 Work programme and agenda for STW 40
  - 10 Election of Chairman and Vice-Chairman for 2009
  - 11 Any other business
  - 12 Report to the Maritime Safety Committee
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\* Agenda item numbers do not necessarily indicate priority.