



SUB-COMMITTEE ON STANDARDS OF  
TRAINING AND WATCHKEEPING  
39th session  
Agenda item 12

STW 39/12  
28 March 2008  
Original: ENGLISH

## REPORT TO THE MARITIME SAFETY COMMITTEE

### Table of contents

	<b>Page</b>
1 GENERAL	3
2 DECISIONS OF OTHER IMO BODIES	7
3 VALIDATION OF MODEL TRAINING COURSES	9
4 UNLAWFUL PRACTICES ASSOCIATED WITH CERTIFICATES OF COMPETENCY	10
5 TRAINING FOR SEAFARER SAFETY REPRESENTATIVES	11
6 CASUALTY ANALYSIS	12
7 COMPREHENSIVE REVIEW OF THE STCW CONVENTION AND THE STCW CODE	13
8 REVIEW OF THE PRINCIPLES FOR ESTABLISHING THE SAFE MANNING LEVELS OF SHIPS	45
9 WORK PROGRAMME AND AGENDA FOR STW 40	51
10 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2009	53
11 ANY OTHER BUSINESS	53
12 ACTION REQUESTED OF THE COMMITTEE	61

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

**LIST OF ANNEXES**

- |         |  |
|---------|--|
| ANNEX 1 | SCHEDULE OF MEETINGS RELATED TO THE COMPREHENSIVE REVIEW OF THE STCW CONVENTION AND CODE |
| ANNEX 2 | AREAS IN CHAPTER VI OF THE STCW CODE WHERE TRAINING CANNOT BE CONDUCTED ON BOARD         |
| ANNEX 3 | DRAFT REVISED WORK PROGRAMME OF THE SUB-COMMITTEE AND PROVISIONAL AGENDA FOR STW 40      |

## 1 GENERAL

1.1 The Sub-Committee on Standards of Training and Watchkeeping (STW) held its thirty-ninth session from 3 to 7 March 2008 under the chairmanship of Rear Admiral Peter Brady (Jamaica). The Vice-Chairman, Mr. Abdel Hafiz Kayssi (Lebanon), was also present.

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

ANGOLA	KUWAIT
ANTIGUA AND BARBUDA	LATVIA
ARGENTINA	LEBANON
AUSTRALIA	LIBERIA
BAHAMAS	LITHUANIA
BELGIUM	MADAGASCAR
BOLIVIA	MALAWI
BRAZIL	MALAYSIA
BULGARIA	MALTA
CANADA	MARSHALL ISLANDS
CHILE	MEXICO
CHINA	MOROCCO
COLOMBIA	MYANMAR
CÔTE D'IVOIRE	NAMIBIA
CUBA	NETHERLANDS
CYPRUS	NEW ZEALAND
CZECH REPUBLIC	NIGERIA
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA	NORWAY
DENMARK	PANAMA
DOMINICA	PAPUA NEW GUINEA
DOMINICAN REPUBLIC	PERU
ECUADOR	PHILIPPINES
EGYPT	POLAND
ESTONIA	PORTUGAL
FINLAND	QATAR
FRANCE	REPUBLIC OF KOREA
GERMANY	ROMANIA
GHANA	RUSSIAN FEDERATION
GREECE	SAINT KITTS AND NEVIS
HONDURAS	SAUDI ARABIA
ICELAND	SINGAPORE
INDIA	SLOVENIA
INDONESIA	SOUTH AFRICA
IRAN (ISLAMIC REPUBLIC OF)	SPAIN
IRELAND	SWEDEN
ISRAEL	SYRIAN ARAB REPUBLIC
ITALY	THAILAND
JAMAICA	TURKEY
JAPAN	TUVALU
KENYA	UKRAINE
	UNITED KINGDOM

UNITED REPUBLIC OF  
TANZANIA  
UNITED STATES

URUGUAY  
VANUATU  
VENEZUELA

the following Associate Members of IMO:

FAROE ISLANDS  
HONG KONG, CHINA

and the following State not Member of IMO:

COOK ISLANDS

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

INTERNATIONAL LABOUR ORGANIZATION (ILO)  
EUROPEAN COMMISSION (EC)  
MARITIME ORGANISATION FOR WEST AND CENTRAL AFRICA (MOWCA)  
INTERNATIONAL CHAMBER OF SHIPPING (ICS)  
INTERNATIONAL SHIPPING FEDERATION (ISF)  
INTERNATIONAL UNION OF MARINE INSURANCE (IUMI)  
INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF)  
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)  
INTERNATIONAL MARITIME LECTURERS ASSOCIATION (IMLA)  
THE INSTITUTE OF MARINE ENGINEERING, SCIENCE AND TECHNOLOGY  
(IMarEST)  
INTERNATIONAL SHIP MANAGERS' ASSOCIATION (InterManager)  
INTERNATIONAL PARCEL TANKERS ASSOCIATION (IPTA)  
INTERNATIONAL SAILING FEDERATION (ISAF)  
THE INTERNATIONAL MARINE CONTRACTORS ASSOCIATION (IMCA)  
INTERNATIONAL MARITIME HEALTH ASSOCIATION (IMHA)  
INTERNATIONAL ASSOCIATION OF MARITIME UNIVERSITIES (IAMU)

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

1.4 In welcoming participants, the Secretary-General, observed that holding this session of the Sub-Committee again outside the IMO Headquarters building was one of the final challenges to be faced during the extended refurbishment period which had brought Phase Two of the works back-to-back with Phase One in order to complete the whole project in one go.

The Secretary-General drew the Sub-Committee's attention to the theme for this year's World Maritime Day: **IMO: 60 years in the service of shipping** and pointed out that this theme would give the opportunity to pay due tribute to the sterling work delivered by the Organization since its inception in 1948 as a specialized agency of the United Nations; as an institution serving the common public good; and as the regulator and partner of an industry. He emphasized that this year's theme would also provide an appropriate way to celebrate the Organization's return to the refurbished Headquarters building, where history affecting international shipping has been made since 1982, and that this would also give the opportunity to remember all those indefatigable servants of IMO's objectives and ideals, whose hard work, commitment and dedication have helped create the solid edifice of the Organization's regulatory regime.

Referring to the "Comprehensive review of the STCW Convention and the STCW Code" as the most important item on the agenda, the Secretary-General drew attention to the fact that, as this was the first major review since the STCW Conference in 1995, the revised Convention should meet the challenges the shipping industry was facing today and would face in the future; and, taking into account that it would, in principle, enter into force at the beginning of the 2010s, should provide global standards of training for seafarers, for a considerable length of time thereafter. He observed that the large number of submissions to the current session clearly indicated the importance of this comprehensive review. Furthermore, care should be taken to ensure that draft amendments to the STCW Convention and Code were in harmony with each other and with other parts of the Convention and Code and, with the ILO's consolidated Maritime Labour Convention, while also providing substantive improvements to and updating the system of seafarers' training and certification. He further requested the Sub-Committee to give adequate consideration, even at this early stage, to whether the substance of these amendments would warrant the convening of a Conference for their adoption, or whether an expanded session of the MSC would serve the purpose, and advise the Committee with a view to assist it in deciding on the best way to take the matter forward and, depending on such a decision, whether the Council should be involved in the decision making process in any appropriate way.

The Secretary-General expressed concern on the anticipated shortage of seafarers of some 27,000 officers representing almost 6% of the total by the year 2015 and in light of the recent unprecedented rise in orders for new buildings, which would have to be entrusted to competent seafarers to sail them in a safe, environmentally sound and efficient manner. Noting the apparent reluctance of young people to join the ranks, take on higher duties, or even more importantly, to remain in service, coupled with recent unhelpful legislation and practices, which acted as strong disincentives, he appealed to all to raise the profile of shipping as a vibrant industry, which, in keeping with its corporate social responsibilities, also provided rewarding, stimulating and long-term career prospects. In doing so, focus should not only be given to ensuring that politicians and the general public were better informed of shipping's great value to the international community but also to promoting among children and young people in schools and universities all over the world a career at sea and emphasizing the variety of opportunities it offered in the short-, medium- and long-term.

The Secretary-General drew attention to the outcome of recent analyses of accidents which indicated that, due to inappropriate levels of manning and watchkeeping arrangements, particularly on short sea voyages, fatigue had emerged as a significant contributory factor in accidents. In this context, he appreciated the considerable progress made on the review of resolution A.890(21) on Principles of safe manning by the correspondence group and thanked all governments and organizations which had participated in the group and made their expertise, time and knowledge available to enable the Sub-Committee to make substantial progress on this item. He informed the Sub-Committee that, as fatigue might also have an impact on the health and wellbeing of the seafarers, a joint commendable collaborative effort by the ILO, IMO and WHO

had resulted in the publication of the third revised edition of the International Medical Guide for Ships covering a very important aspect of the onboard life of the seafarers and demonstrating the three organizations' duty, care and sympathy for the seafarer.

He advised the Sub-Committee that, although not an IMO Convention, the ILO Maritime Labour Convention of 2006 needed 30 States, with an aggregate of 33 per cent of the world gross tonnage of merchant shipping, to ratify it before it could enter into force. To date, only three States had done so and, more ratifications were necessary before seafarers, and shipping in general, could benefit from the provisions of the Convention. He hoped that when the Sub-Committee would meet next, he would be in a position to report a significantly higher number of ratifications.

The Secretary-General, expressing deep concerns on the reported unacceptably high global loss of fishing vessel personnel every year, drew attention to the steps taken by the Organization to assist Member States to ratify the Torremolinos Protocol and the STCW-F Convention and urged Governments to ratify both these instruments at the earliest possible opportunity in order to significantly enhance the safety of ships and personnel engaged in the fishing industry worldwide.

On general issues, the Secretary-General stressed that there should be no complacency about security at the various venues where IMO meetings may be held during the remaining part of refurbishment period and therefore, appealed to all delegates to abide by the general security measures in place.

With regard to the implementation of the Voluntary IMO Member State Audit Scheme, he encouraged Member States to continue the commendable efforts already made, so that the benefits could be expanded to the Organization's entire membership, thereby promoting the global, consistent and effective implementation and enforcement of IMO instruments, and encouraged Member States to volunteer for audit and to nominate qualified auditors.

The Secretary-General concluded by expressing confidence in the Sub-Committee's ability, in its usual spirit of co-operation and commitment, to make progress and arrive at solutions, which would serve well the causes of maritime safety and security and the protection of the marine environment.

### **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.

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

1.6 The Sub-Committee adopted the agenda (STW 39/1) 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 39/1/1), as amended. The agenda of the session, including a list of documents submitted under each agenda item, is given in STW 39/INF.3.

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

### **OUTCOME OF THE EIGHTY-THIRD SESSION OF THE MARITIME SAFETY COMMITTEE**

2.1 The Sub-Committee was informed (STW 39/2) of the decisions and comments pertaining to its work of the eighty-third session of the Maritime Safety Committee. The actions taken by the Sub-Committee, with respect to the decisions and comments of MSC 83 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 reports on ten 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.3 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**

2.3 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.15.

#### **Number of meeting groups (e.g., intersessional working groups, technical groups and splinter groups)**

2.4 The Sub-Committee was advised that the Committee had noted the concerns raised by the delegation of the Bahamas at MEPC 56 that the Committees' Guidelines were not being strictly adhered to and that the increased number of working, drafting, technical and correspondence groups, including intersessional meetings, resulted in unrealistic timescales, taxing the resources of Member Governments and, in particular, the developing and least developed countries, as well as the Secretariat. MSC 83 had further noted that ICS, in a letter to the Chairman of the Committee, had also expressed their concerns over the increasing number of group meetings in the last couple of years (intersessional working groups, so called 'technical' working groups, splinter groups within working group(s), etc.) and agreed that the Committee's Guidelines should be strictly adhered to. At the same time, it was recognized that in certain circumstances some flexibility was needed. Having considered the recommendation of the Chairmen's meeting, MSC 83 had agreed that:

- .1 intersessional working groups and technical groups should not be held at the same time as committee or sub-committee meetings; and
- .2 splinter groups of a working group, if established, should meet outside normal working hours.

### **Review of the deadline for submission of information documents**

2.5 The Sub-Committee noted that the Committee had agreed, as recommended by the Chairmen's meeting, to reduce the deadline for submission of bulky information documents from 13 weeks to 9 weeks, if they were submitted in electronic format, and to amend the Committees' Guidelines accordingly.

### **OUTCOME OF THE TWENTY-FIFTH SESSION OF THE ASSEMBLY**

2.6 The Sub-Committee was informed (STW 39/2/1) that the twenty-fifth session of the Assembly had, *inter alia*, approved the High-level Action Plan for the Organization and priorities for the 2008-2009 biennium and resolution A.999(25) on Guidelines on voyage planning for passenger ships operating in remote areas.

### **DECISIONS OF OTHER SUB-COMMITTEES**

2.7 The Sub-Committee was also informed (STW 39/2/2) of the decisions and comments pertaining to its work of the fiftieth session of the Sub-Committee on Ship Design and Equipment; the eleventh session of the Sub-Committee on Bulk Liquids and Gases; the fiftieth session of the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety; and the fifteenth 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 under the relevant agenda items.

### **OUTCOME OF THE FIFTY-SIXTH SESSION OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE**

2.8 The Sub-Committee was informed (STW 39/2/3) of the decisions and comments pertaining to its work of the fifty-sixth session of the Marine Environment Protection Committee. The actions taken by the Sub-Committee, with respect to the decisions and comments of MEPC 56 on items related to its work are reported under the relevant agenda items.

### **DECISIONS OF TWENTY-FOURTH EXTRAORDINARY SESSION OF THE COUNCIL**

2.9 The Sub-Committee noted that the twenty-fourth extraordinary session of the Council with regard to the Strategic Plan and the High-level Action Plan of the Organization had decided that:

- .1 the Chairmen of all Committees and Sub-Committees should participate in the sessions of the CWGSP (*Ad hoc* Council Working Group on the Organization's Strategic Plan);
- .2 guidelines will be developed on the application of the Strategic and High-level Action Plans which are expected to facilitate the work of all IMO organs by promoting a greater understanding, within the Organization, of the interconnections between the Strategic and High-level Action Plans and the planned biennial outcomes. They are to be developed with input from all Chairmen and are to include guidance for the assessment of work programme items (i.e., both existing and new) and for the format and content of reports on work carried out by the respective IMO organs; and consideration of any consequential modifications to the guidelines on the organization and method of work of the various IMO organs;



- .3 all IMO organs should set aside, sufficiently early in their agendas, adequate time to enable them to systematically and regularly consider the high-level actions and their associated priorities and their connection to the strategic directions (i.e. general consideration); ensure that their planned activities and, hence, the outputs thereof are accurately and concisely described in the High-level Action Plan (i.e. accuracy of outputs, including timelines); and monitor the production of their outputs (i.e. status review);
- .4 when considering their work programmes and provisional agendas for their next sessions, all IMO organs should cross-reference, under each item, the related strategic directions and high-level actions; and
- .5 in reporting to the Committees on their work programmes, all Sub-Committees should also report on the status of their planned outputs,

and that the above decisions would be discussed at MSC 84 and the Sub-Committees would then be advised on how to proceed.

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

3.1 The Sub-Committee noted the information provided by the Secretariat (STW 39/3) 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, 34 model courses had been translated into French and 38 model courses had been translated into Spanish. Of these translated model courses, 28 had been published in French and 30 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 considered the draft model course on Familiarization Training for Liquefied Natural Gas (LNG) tanker operations contained in document STW 39/3/1.

3.3 The delegation of Malaysia supported by others appreciated the development of the model course and expressed the view that:

- .1 the model course should follow the regulations set out in chapter V of the STCW Convention and Code which was currently being reviewed;
- .2 there were too many familiarization training courses for different types of tankers;
- .3 75% of the familiarization training was common for all types of tankers;
- .4 it would be necessary to restructure the course content to make it relevant to LNG tanker operations;

- .5 depending on the outcome of the review of chapter V, it would be appropriate to have one familiarization training for all types of tankers followed by specialized/advanced training for a specific type of tanker; and
- .6 consideration of this model course should therefore be deferred.

3.4 The delegation of the United Kingdom, supported by others, expressed the opinion that, while the proposed course was presumably aimed at support personnel, it contained some elements which were more suitable for advanced training for officers and was, therefore, far too detailed. Furthermore, potential participants, particularly at the support level, lacked the generic knowledge and skills required to comprehend the proposed content, diagrams and technical vocabulary used in the model course. The above delegations also did not support separate familiarization courses.

3.5 Accordingly, the Sub-Committee agreed that it would be necessary to restructure the model course and urged Member Governments to provide comments to the Secretariat at their earliest convenience in order to enable finalization of the draft model course with a view to validation at its next session.

#### **Development of model course relating to basic training in marine environment awareness**

3.6 Cyprus, the Netherlands and Sweden (STW 39/3/2) informed the Sub-Committee of their offer to develop a model course relating to basic training in marine environment awareness to support the proposed amendment to section A-VI/1 of chapter VI of the STCW Code to include basic training in marine environment awareness.

3.7 The Sub-Committee thanked Cyprus, the Netherlands and Sweden for their offer and concurred with the proposal.

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

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

4.1 The Sub-Committee noted the information provided by the Secretariat (STW 39/4 and Add.1), detailing fraudulent certificates found on board ships during inspections or reportedly being used, as reported to the Secretariat for the year 2007 and urged Member Governments to report details of fraudulent certificates detected in the revised reporting format (STW 38/17, annex 1).

4.2 The Sub-Committee also noted the oral information provided by the Secretariat that the certification verification facility through the IMO website had been used 8,343 times during the year 2007.

4.3 The delegation of Malta expressed the view that prompt response relating to verification of authenticity and validity of certificates of competency would go a long way in eradicating the use of fraudulent certificates and urged Member States to deal with such requests as a matter of high priority.

4.4 Noting that Administrations usually received copies of certificates from seafarers/companies for the issue of recognition endorsement, the Netherlands requested the Sub-Committee to consider what steps could be taken when it had been established that the seafarer was holding a fraudulent certificate.

4.5 The delegation of India noted that the cases reported to the Secretariat only indicated that the seafarer had either been signed off or banned from serving on their ships. In their opinion, the Administration of the certificate issuing country should also be informed.

4.6 The delegation of Ukraine informed the Sub-Committee that after they had developed a national register of seafarers, the number of fraudulent documents detected had been reduced significantly and that it was necessary to verify certificates before either employing a seafarer, or when issuing a recognition endorsement.

4.7 Taking into account the views expressed above, the Sub-Committee agreed that there was a need to remain vigilant and co-operate on a bilateral basis with a view to reduce if not eliminate the fraudulent practices associated with certificates of competency.

#### **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 oral update provided by the delegation of Latvia on the research project addressing awareness of the problems of fraudulent certificates and developing anti-fraud measures and an anti-fraud tool package, including the outcome of a regional seminar held on 28 June 2007 in Riga, Latvia. The details of the seminar and project were available on the website [www.getquality.net](http://www.getquality.net)

### **5 TRAINING FOR SEAFARER SAFETY REPRESENTATIVES**

5.1 The Sub-Committee recalled that MSC 82, following consideration of document MSC 82/21/2 (New Zealand, South Africa and the Philippines) in the context of the FSI Sub-Committee's work programme, had agreed to include in the STW Sub-Committee's work programme, a high priority item "Training for seafarer safety representatives", with two sessions needed to complete the item and had instructed the Sub-Committee to include the item in the provisional agenda for STW 39.

5.2 ITF (STW 39/5) proposed that the Sub-Committee gave preliminary consideration to the skills required and to await the outcome of the Joint MSC/MEPC Working Group on Human Element before finalizing the training requirements for a ship's seafarer safety representative. Furthermore, ITF stated that the primary aim of introducing a seafarer safety representative was to enhance the onboard safety culture, not to enhance the manning levels, as the representative was elected or appointed from the existing crew and would in no way interfere with the authority of the master or senior officers. In this context, ITF expressed the opinion that a training module should be developed and that there should be a seafarer safety representative on all ships.

5.3 ITF (STW 39/5/1) also informed the Sub-Committee that they had produced a DVD to introduce the role of the ship's seafarer safety representative to all seafarers and that copies of this DVD had been distributed to delegates attending the meeting.

5.4 The delegation of Slovenia expressed the opinion that the required skills and training should be considered and developed by the Joint MSC/MEPC Working Group on Human Element, taking into account the outcome of the current session. Furthermore, they stressed that there was a need to consider both occupational health and safety.

5.5 The observer from ISF expressed the view that there was a need to provide for training for ratings as well and this could be done by providing appropriate guidance by means of an MSC circular.

5.6 In supporting the views expressed by Slovenia, the delegation of the United Kingdom and others referred to MSC-MEPC.2/Circ.3 on Guidelines on the basic elements of a shipboard occupational health and safety programme which provided for a safety officer. In their opinion the safety officer should work closely with the ship's seafarer safety representative and also, concurrently, training should be developed for the ship's safety officer.

5.7 The delegation of Indonesia expressed the view that there is a need for the Organization to develop training modules for all crew members to promote a safety culture.

5.8 The Sub-Committee appreciated ITF's efforts and agreed to await the outcome of Joint MSC/MEPC Working Group on Human Element relating to amendments to the ISM Code.

## 6 CASUALTY ANALYSIS

### Casualty analysis report

6.1 The Secretariat (STW 39/6, STW 39/2 (part) and STW 39/2/3 (part)) informed the Sub-Committee that FSI 15 had considered a summary of the investigation report into the listing of the Singapore registered car carrier M.V. **Cougar Ace** in the Pacific Ocean, as prepared by the Maritime and Port Authority of Singapore. The investigation had revealed the following inadequacies in the ship's ballast water exchange (BWE) operations:

- .1 improper planning and execution of BWE operations, led to insufficient weight being present in the water ballast tanks below the ship's waterline;
- .2 the officer-in-charge of the BWE operations, failed to ensure that the ship's stability was to be maintained throughout the operations; and
- .3 the shipboard procedures concerning BWE operations did not have sufficient safety guidelines or procedures specific to the M.V. **Cougar Ace** on the safe operations of the BWE operations in accordance with the recommendations of the Organization. Furthermore, such instructions should be drafted in a way that they can be clearly understood and complied with by the Master, Chief Officer and persons involved in the BWE operations.

Accordingly, FSI 15 had invited the Committees to instruct the Sub-Committee to consider these findings in the context of training requirement for BWE. MSC 83 and MEPC 56 had endorsed the decision of FSI 15.

6.2 The delegation of the Netherlands, supported by others, was in favour of introducing training requirements for those involved in BWE operations in sections A-II/2 and A-III/3 of the STCW Code under the competence related to "Control trim, stability and stress". However, it was not easy to do so, as BWE operations varied from ship to ship and also that not all existing ships were suited for such operations.

6.3 Accordingly, the Sub-Committee invited Member Governments and international organizations to submit relevant proposals to the next session.

6.4 In this context, the Sub-Committee noted that STW 38 had developed model training courses for shipboard ballast water management and port ballast water management officers. These courses were now being finalized for printing. The Sub-Committee recommended that they should be widely used by all parties concerned as soon as they were available.

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

6.5 The Sub-Committee recalled that it had already considered with document STW 39/6/1 under agenda item 7 (Comprehensive Review of the STCW Convention and the STCW Code) (see paragraphs 7.31, 7.37 and 7.245).

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

7.1 The Sub-Committee recalled that:

- .1 MSC 81, following the invitation of STW 37, had included a high priority item on “Comprehensive review of the STCW Convention and the STCW Code”, with a target completion date of 2008, instructing 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, as a second step, following the Committee’s endorsement, the Sub-Committee would undertake the authorized review in a systematic and organized manner; and
- .2 STW 38 had identified, and MSC 83 had approved, the list of areas in the STCW Convention and Code identified for the comprehensive review and instructed the Sub-Committee to undertake the proposed review accordingly in a systematic and organized manner and extended the target completion date to 2010.

7.2 The Sub-Committee agreed to also consider document STW 39/6/1 under this agenda item, as it was closely related to the review of chapter V.

7.3 The Sub-Committee also agreed that, in light of the large number of submissions under this agenda item and the list of areas within the STCW Convention and Code identified for review, to:

- .1 establish two working groups under this agenda item, one to consider chapters IV, V and VII and the other to consider chapters I, II, III, VI and VIII;
- .2 first consider document STW 39/7/14 (annex 1) to address the special character and circumstances of the offshore industry, particularly those vessels in support of the exploration, exploitation or production of offshore mineral or energy resources and decide on the two options proposed;
- .3 then consider documents related to chapters IV, V and VII and establish the first working group and, thereafter to consider documents related to chapters I, II, III, VI and VIII and establish the second working group;
- .4 instruct the working groups, for user friendliness, to prepare amendments as complete replacement text, highlighting deleted text as strikethrough and new text as shaded, rather than inserting text within existing regulations and sections; and
- .5 consider the provisional timetable for the work on the comprehensive review of the STCW Convention and Code.

**GENERAL ISSUES**

7.4 The United States (STW 39/7/14, annex 1) supported amendments to the Convention to address the special character and circumstances of the offshore industry, particularly those vessels in support of the exploration, exploitation or production of offshore mineral or energy resources and proposed the following two options to address training and certification requirements for manning on vessels engaged on offshore activities by adding:

- .1 new requirements to the various regulations in chapters II and III and the associated parts of the Code, applicable to these vessels; or
- .2 new regulations under chapter V applicable to this category of vessels.

7.5 The delegation of the Islamic Republic of Iran and Ireland supported the inclusion of new regulations for personnel on offshore support vessels in chapter V.

7.6 The delegation of Greece expressed the view that while no compelling need had been demonstrated, if considered necessary, such requirements should be included in chapter V.

7.7 The delegation of the Bahamas expressed the view that any new requirements should be compatible with existing requirements for officers in other specialized ships and in parallel with the existing requirements in chapters II and III.

7.8 The delegation of the Netherlands, noting that offshore support vessels were very complex and of different types, expressed the opinion that the provisions should be developed in chapter V. Furthermore, the proposed regulations should also be in compliance with requirements in chapters II and III to enable personnel to be easily deployed on other types of commercial vessels.

7.9 The delegation of Germany expressed the opinion that it would be more appropriate for these provisions to be included in chapters II and III, either by providing additional provisions or deleting some existing ones.

7.10 The delegation of Ukraine supported the proposal in principle, but expressed the view that care should be taken to ensure that the personnel on offshore support vessels could also serve on other types of vessels as well.

7.11 The delegation of the United Kingdom expressed the opinion that such provisions could also include tugs, dredgers and work boats.

7.12 Singapore supported the inclusion of new requirements in chapters II and III.

7.13 The observer from ITF expressed the view that while such provisions could be included in chapter V, it should not be incompatible with the requirements of chapters II and III.

7.14 The Sub-Committee agreed that there was a need to address the special nature of the offshore industry by including training and certification requirements for manning on vessels engaged on offshore activities by a combination of requirements in chapters II, III and V and invited Member Governments and international organizations to submit appropriate proposals to the meeting of the intersessional working group on the comprehensive review.

#### CHAPTER IV – RADIOCOMMUNICATION AND RADIO PERSONNEL

7.15 The Islamic Republic of Iran (STW 39/7/1 and STW 39/7/4, annex 4) proposed:

- .1 certification and training requirements for electronic officer to be included in chapter IV of the STCW Convention and Code and to amend the titles of chapter IV of the STCW Convention and parts A and B of the STCW Code to “Radiocommunication, electronic and electrical”, “Standards regarding the radio, electronic and electrical personnel” and “Guidance regarding radiocommunication, electronic and electrical” respectively; and
- .2 the inclusion of the requirement for familiarization training and deletion of outdated provisions within this chapter.

7.16 China (STW 39/7/44) proposed that the electronic officer should be required to possess knowledge and skills on:

- .1 computer hardware and software and operational skills in computer configuration, trouble-shooting, software reinstallation procedures, virus prevention, Internet data transmission, operating systems, word processing, calculating software, etc.; and
- .2 the working principle, operation, testing and maintenance of shipboard electronic device, and skills in identifying computer-related problems,

and that carriage of the electronic officer on board could be optional for the industry at this stage.

7.17 The observer from ISF expressed the opinion that electronic officers were required only for some ships and as land-based training systems were available, this could be addressed by including additional requirements for marine engineer officers in chapter III.

7.18 The observer from ITF supported the proposal for inclusion of the requirements for electronic officers in chapter IV and requirements for electrical officers in chapter III. They expressed the opinion that while standards in the Convention were mandatory there was no requirement within the Convention to determine the crew complement on a ship.

7.19 The delegation of the Marshall Islands supported the proposal by the delegation of China and expressed the opinion that this should not be a mandatory requirement but only optional. Furthermore, they indicated that there was a need for a proper definition for an electronic officer and an electro-technical officer.

7.20 The delegation of the Netherlands, supported by the delegation of Germany, did not agree to a separate position of electronic officer and stated that this could be addressed by including additional training requirements for marine engineer officers.

7.21 The delegation of Ukraine expressed the opinion that electronic officers should have some experience as engineer officers and such requirements should be included in chapter III. In addition, clarification was necessary as to whether an electronic officer should have knowledge of GMDSS and, if on large passenger vessels, a separate radio officer was necessary as well as an electronic officer or whether this could be combined. Furthermore, electronic officers could be considered either as engine electronic officers or deck electronic officers.

7.22 The delegation of Japan, supported by the delegation of Panama, stated that requirements for electronic officer and electro-technical officer were already included in requirements for engineer officers and that maintenance of advanced electronic equipment was carried out by shore staff and there was no need for new qualifications. However, if additional standards were necessary, they should be added to the existing standards for engineer officers in sections A-III/1 and A-III/2.

7.23 The delegation of Greece, supported by others, expressed the opinion that requirements for electronics officers should be considered along with the proposal by Bulgaria *et al.* (STW 39/7/12) under chapter III.

7.24 The delegations of India and Sweden supported the inclusion of new requirements in chapter III.

7.25 The delegation of the Bahamas expressed the opinion that the proposals should not be mandatory and that the qualification of electronic officers must be undertaken in a progressive manner by the addition of requirements for qualification of engineers, as required for service on all types of ships including large passenger vessels.

7.26 In light of the foregoing, the Sub-Committee agreed that the proposals for electronic officers should be considered along with the proposal in document STW 39/7/12 under chapter III.

7.27 The delegation of Panama expressed the opinion that while familiarization was necessary, the requirements under consideration should not be mandatory.

7.28 The Sub-Committee agreed to forward the proposal related to the inclusion of the requirement for familiarization training and deletion of outdated provisions within this chapter for detailed consideration to the working group to be established to review chapters IV, V and VII.

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

### **Regulation V/1**

7.29 The United States (STW 39/7/15 and STW 39/7/16) expressed the opinion that regulation V/1 and the related sections of the Code, should be updated to reflect current operations and divided into different parts, corresponding to the different types of tankers in order to include minimum standards of training and qualification for personnel serving on board tankers. Furthermore, to ensure consistency with other parts of the Code, the standard should be developed in a table of competence format. Accordingly, they proposed new regulations V/1-1 (oil tankers), V/1-2 (chemical tankers), V/1-3 (liquefied natural gas tankers) and new sections A-V/1-1 (oil tankers), A-V/1-2 (chemical tankers) and A-V/1-3 and A-V/1-4 (liquefied natural gas tankers).

7.30 India (STW 39/7/45, STW 39/7/47, STW 39/7/48 and STW 39/7/49) proposed:

- .1 that advanced fire fighting should not be made mandatory for support level personnel under proposed regulations V/1-1 and V/1-3, as the underpinning knowledge may be beyond their comprehension; and



- .2 additional competencies to be included in the proposed tables A-V/1-1, A-V/1-2 and A-V/1-4.

7.31 ICS *et al.* (STW 39/6/1) provided an outline proposal from the Industry Human Factors Task Group (HFTG) regarding revised requirements for the award of Tanker Endorsements (TE) including a model for the delivery of a training and competency verification programme incorporating key elements within an effective safety culture.

7.32 The delegation of Slovenia, supported by others, agreed with the proposals by the United States and India and also proposed the inclusion of new requirements for personnel on LPG tankers.

7.33 The delegations of Greece and the Netherlands expressed the opinion that while developing the new standards under chapter V, there was a need for transitional provisions as well a grandfather clause to ensure that certificates issued to existing seafarers remained valid. Furthermore, they did not support the proposal by ICS *et al.* as it varied significantly from the requirements within the STCW Convention.

7.34 The delegation of the United Kingdom while supporting the proposal by the United States did not agree with the proposal by ICS *et al.* and expressed the opinion that there was a need to consider the requirements under this regulation along with the provisions of amended Annexes I and II of the MARPOL Convention.

7.35 The delegation of the Netherlands expressed the opinion that there was some merit in the ICS proposal under chapter V and consideration should be given to address the training of shore-based personnel similar to those within the ISPS Code and the IMDG Code.

7.36 The delegation of the Islamic Republic of Iran expressed the opinion that as there was no definition for the term “assigned duties” and that there was a need for uniform interpretation of this term as well as the retention of the two levels of certification under this regulation.

7.37 In light of the foregoing, the Sub-Committee referred the proposals for detailed consideration to the working group to be established to review chapters IV, V and VII.

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

7.38 The Philippines (STW 39/7/28), having reviewed regulations V/2 and V/3 of the STCW Convention, agreed that these regulations along with the associated mandatory training requirements in sections A-V/2 and A-V/3 of the STCW Code were almost similar in substance and purpose, except for the requirements on familiarization training which are specified for personnel in ro-ro passenger ships. Accordingly, they proposed merging regulations V/2 and V/3 of the STCW Convention and sections A-V/2 and A-V/3 of the STCW Code.

7.39 Australia (STW 39/7/37) proposed to simplify the STCW Convention and Code by combining the requirements of regulations V/2 and V/3, sections A-V/2 and V/3 and sections B-V/2 and B-V/3 for ro-ro passenger ships, and for “passenger ships other than ro-ro passenger ships” as there was a great degree of similarity between them.

7.40 A majority of delegations supported in principle the proposals to merge the requirements for passenger ships other than ro-ro passenger ships, and ro-ro passenger ships. However, a number of delegations expressed the view that there were differences in the operation of the

two types of ships and that it would not be correct to subject all seafarers to undergo ro-ro training.

7.41 The delegation of Greece expressed the opinion that while merging regulations V/2 and V/3, there was a need for transitional provisions as well as a grandfather clause to ensure that certificates issued to existing seafarers remained valid.

7.42 The delegation of Ukraine expressed the opinion that technical requirements had been developed after accidents occurred involving ro-ro passenger vessels and should therefore be taken into account when considering the merger of regulations V/2 and V/3.

7.43 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters IV, V and VII.

#### **Proposed new regulation V/4 and new section A-V/4**

7.44 Bulgaria *et al.* (STW 39/7/12, paragraph 8 and annex 5) proposed the inclusion of a new regulation V/4 in the STCW Convention and new section A-V/4 in the STCW Code to introduce special training for engineering personnel managing the operation of electrical power plants above 1,000 Volts.

7.45 The delegation of Japan, supported by others, expressed the view that the number of ships using over 1,000 Volts was very limited and as there was no indication that these numbers would increase substantially in the near future, there was no need for new requirements and instead suggested incorporating these provisions in chapter III standards in the engine department.

7.46 The delegation of Greece, supported by others, supported the proposal, provided the requirements were not mandatory.

7.47 In light of the foregoing, the Sub-Committee agreed to forward the proposal to the working group to be established to review chapters IV, V and VII for detailed consideration to provide non-mandatory training requirements for engineering personnel managing the operation of electrical power plant above 1,000 Volts.

#### **Certificate of competency for commercially operated yachts – new regulations**

7.48 The United Kingdom (STW 39/7/17) proposed to amend the STCW Convention and Code to introduce mandatory training and certification requirements for motor and sailing yachts of less than 3,000 GT in commercial use, through a Code separate from, but referenced in the STCW Convention and Code.

7.49 The observer from ISF, supported by the delegation of Germany, expressed the opinion that Article III of the STCW Convention made it clear that the requirements already applied to yachts engaged in commercial voyages. Furthermore, if a yacht carried more than twelve passengers then it would be classified as a passenger ship under the provisions of SOLAS and as such the requirements of the STCW Convention would apply.

7.50 The delegation of Greece, supported by the delegations of Cyprus and Portugal, expressed the opinion that in accordance with Article III the provisions of the STCW Convention already applied to commercially operated yachts and that the proposal by the United Kingdom was more complicated than the present STCW requirements.

7.51 The delegation of the Bahamas expressed the opinion that seafarers' serving on yachts had difficulty complying with the sea service requirements to be certified under STCW requirements. Furthermore, there was a need to consider and define different types of yachts, including those which were commercially operated.

7.52 The delegation of the United States expressed the opinion that the requirements for yachts were similar to the requirements for offshore support vessels and therefore supported the proposal of the United Kingdom.

7.53 The delegation of France and others supported the proposal but agreed that the proposed Code for personnel serving on commercially operated yachts below 3,000 GT should first be developed for detailed consideration by the Sub-Committee.

7.54 In supporting the proposal in general, the delegation of the Islamic Republic of Iran expressed the opinion that the proposal was too complicated and did not contain tables of competence and supported the views expressed by France.

7.55 The delegation of Sweden expressed the opinion that this proposal should be postponed for consideration at a later date, as it was too complicated and there was a danger of down-scaling of standards, if the problem was not investigated properly.

7.56 The Sub-Committee agreed that there was a need to develop requirements for personnel serving on commercially operated yachts below 3,000 GT and invited the United Kingdom to submit a detailed proposal, including a comprehensive Code and tables of competence, for consideration at the meeting of the intersessional working group.

#### **Specialized training for marine engineers to operate steam propulsion plants on board LNG tankers**

7.57 Singapore (STW 39/7/19) provided information on an innovative training methodology used by the Singapore Maritime Academy to provide specialized training to marine engineer officers to operate steam propulsion plants and other machinery on board LNG tankers.

7.58 Having briefly considered the information, the Sub-Committee referred it for detailed consideration to the working group to be established to review chapters IV, V and VII.

#### **Mandatory minimum requirements for certification masters, officers and dynamic positioning operators on vessels using dynamic positioning**

7.59 ITF (STW 39/7/40, annex 1) expressed the opinion that dynamic positioning (DP) had become increasingly important on a wide range of ships from passenger ships to offshore and diving-support vessels. The equipment was extremely sophisticated and the level of technology required skills quite unique from those otherwise required by a ship's officer. The industry and manufacturers had responded with training courses for DP operators and technicians which were often specific to the equipment supplied. Accordingly, ITF proposed that industry organizations and training establishments involved in determining training and competency standards for DP operators should submit these training requirements and competency standards for the Sub-Committee's consideration.

7.60 IMCA (STW 39/7/50) informed the Sub-Committee that it would be prepared to assist in the development of appropriate standards for this area.

7.61 The delegation of the Netherlands supported the development of standards for DP training but expressed the opinion that these should be restricted to issues relating to safety of life at sea and protection of the marine environment, while operational requirements should be covered by the relevant industry standards. A number of delegations supported these views provided they were not mandatory.

7.62 Following a brief discussion, the Sub-Committee thanked IMCA for their offer and invited them along with other industry organizations and training establishments involved in training for DP operators to submit proposals for including training requirements and competency standards for inclusion in the STCW Convention and Code to the next session.

## **CHAPTER VII – ALTERNATIVE CERTIFICATION**

7.63 In order to prevent the introduction of inconsistencies in chapter VII when adopting proposed new regulations II/5 and III/5, the Islamic Republic of Iran (STW 39/7/4, annex 5) proposed corresponding amendments to chapter VII.

7.64 Austria *et al.* (STW 39/7/10, paragraphs 3 to 6 of the annex) proposed amendments to regulations VII/1 and VII/2 of the STCW Convention and sections A-VII/1 and A-VII/2 of the STCW Code to include the proposed requirements relating to Able seafarer deck and Able seafarer engine.

7.65 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters IV, V and VII.

## **ESTABLISHMENT OF THE WORKING GROUP TO CONSIDER THE COMPREHENSIVE REVIEW OF CHAPTERS IV, V AND VII**

7.66 The Sub-Committee established a working group to consider the comprehensive review of chapters IV, V and VII of the STCW Convention and Code with the following terms of reference:

Taking into account the comments and decisions made in the plenary, the Working Group should consider relevant proposals in documents STW 39/7/4 (Islamic Republic of Iran), STW 39/7/10 (Austria *et al.*), STW 39/7/12 (Bulgaria *et al.*), STW 39/7/15 and STW 39/7/16 (United States), STW 39/7/19 (Singapore), STW 39/7/28 (Philippines), STW 39/7/37 (Australia), STW 39/7/45, STW 39/7/47, STW 39/7/48 and STW 39/7/49 (India) and STW 39/6/1 (ICS *et al.*) and:

- .1 review and prepare a preliminary revised draft text of chapters IV and VII of the STCW Convention, part A and part B of the STCW Code (indicating deleted text as strikethrough and new text as shaded);
- .2 review and prepare preliminary revised draft text of chapter V of the STCW Convention and part A and part B of the STCW Code (indicating deleted text as strikethrough and new text shaded) relating to standards for personnel serving on:
  - .1 oil tankers;
  - .2 chemical tankers;

- .3 gas tankers;
- .4 passenger ships including ro-ro passenger ships; and
- .5 ships of electric power plant above 1,000 Volts,

and submit its report to plenary on Thursday, 6 March 2008.

## **CHAPTER I – GENERAL PROVISIONS**

### **Regulation I/1 – Definitions**

7.67 The Islamic Republic of Iran (STW 39/7/1 and STW 39/7/4, annex 1, paragraph 1) proposed new definitions for the terms “Able seafarer deck, Able seafarer engine, Cargo officer, Electronic officer, Electrical officer, Crew, Passenger ship, Ship safety representative and Certificate of competency” and an amendment to the definition of the term “propulsion power”. Furthermore, they proposed that the Sub-Committee should consider whether chapters II to VI of the STCW Convention and relevant parts of STCW Code needed to be reviewed in order to harmonize the terminologies being used for “document” and “certificate” and to specify the minimum information that needed to be included within such document.

7.68 Austria *et al.* (STW 39/7/11, paragraph 1 of the annex), having reviewed regulation I/1 of the STCW Convention, proposed new definitions for the terms “certificates of competency” and “security duties” and amendments to regulation I/1 to allow certificates under chapters V and VI to be issued by an Administration or under its authority.

7.69 Bulgaria *et al.* (STW 39/7/12, paragraph 6 and annex 1) proposed new definitions for the terms “Electro-technical officer and Senior electro-technical officer”.

7.70 The United States (STW 39/7/14, annex 2, paragraph 1) proposed a definition for the term “Certificate of competency”.

7.71 The Philippines (STW 39/7/29) proposed definitions for Able seafarer deck, Able seafarer engine, Cargo engineers, Electrical officers, Crew, Passenger ship, Ship safety representative, Ship’s propulsion power, Electronic officer and Certificate of competency.

7.72 ITF (STW 39/7/35, annex, paragraph 1) supported the definitions proposed in documents STW 39/7/1, STW 39/7/4 (Islamic Republic of Iran) and STW 39/7/12 (Bulgaria *et al.*) and proposed definitions for Passenger ship and Certificate of competency. In addition they proposed amendments to definitions for ship’s propulsion power and near-coastal voyages.

7.73 After some discussions, the Sub-Committee agreed that the working group to be established to review chapters I, II, III, VI and VIII should list the definitions proposed for further discussions at a later stage.

### **Regulation I/2 – Certificates and endorsements**

7.74 Having reviewed regulation I/2 of the STCW Convention, Sri Lanka (STW 39/7/2) proposed amendments with a view to preventing the use of fraudulent certificates.

7.75 The Islamic Republic of Iran (STW 39/7/4, annex 1, paragraph 2) proposed amendments to prevent the use of fraudulent certificates for the issuance of recognition endorsements.

7.76 Singapore (STW 39/7/6) proposed to amend section B-I/2 of the STCW Convention to allow a period for revalidation of certificates with a view to encourage seafarers to make adequate preparation for the revalidation of certificates in advance, to reduce administrative burden and to remove ambiguity.

7.77 Having reviewed regulation I/2 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraph 2 of the annex) proposed amendments with a view to prevent unlawful practices associated with certificates of competency.

7.78 The United States (STW 39/7/14, annex 2, paragraph 2) proposed amendments to regulation I/2 of the STCW Convention with a view to prevent unlawful practices associated with certificates of competency.

7.79 ITF (STW 39/7/35, annex, paragraph 2) supported the revised wording in STW 39/7/11, paragraph 1 (Austria *et al.*) and any measures that enhanced the process to ensure authenticity and validity of any relevant documentary evidence.

7.80 The delegation of Japan agreed, in principle, with the proposal by Singapore and expressed the opinion that the length of the window period should be determined by the Administration concerned.

7.81 While supporting the proposal by Singapore, the delegation of the Republic of Korea expressed the view that it would need to be modified to ensure that it did not contravene the spirit of principle 2 relating to down scaling of existing standards.

7.82 The delegation of Germany, supported by others, expressed the opinion that certificates of competency should be issued only by the Administrations.

7.83 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Regulation I/3 – Principles governing near-coastal voyages**

7.84 The Islamic Republic of Iran (STW 39/7/4, annex 1, paragraph 3) proposed amendments to regulation I/3 and sections A-I/3 and B-I/3 to address potential different interpretation problems relating to the definition of near-coastal voyages and common principles governing these voyages.

7.85 Having reviewed regulation I/3 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraphs 3 to 5 of the annex) and India (STW 39/7/21) proposed amendments to regulation I/3 of the STCW Convention and sections A-I/3 and B-I/3 of the STCW Code.

7.86 ITF (STW 39/7/35, annex, paragraph 3) supported transferring the guidance on principles governing near-coastal voyages from part B to regulation I/3 and standards in A-I/3, as contained in documents STW 39/7/11 (Austria *et al.*) and also STW 39/7/4 (Islamic Republic of Iran).

7.87 In supporting the proposal by India, the delegation of Canada, supported by the delegation of Singapore, expressed the view that there was no need for “parties to enter into agreements” as proposed.

7.88 The delegation of Sweden, supported by others, expressed concern on linking near coastal voyage limits to the Exclusive Economic Zone.

7.89 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

#### **Regulation I/4 – Control procedures**

7.90 Having reviewed regulation I/4 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraphs 6 and 7 of the annex) proposed amendments to include security provisions in regulation I/4 of the STCW Convention and section A-I/4 of the STCW Code relating to control procedures.

7.91 Having briefly considered the proposal, the Sub-Committee referred it for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

#### **Regulation I/5 – National provisions**

7.92 Having reviewed regulation I/5 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraph 8 of the annex) proposed amendments to include security provisions relating to the establishment of processes and procedures for the impartial investigation of any reported incompetency, act or omission that may pose a direct threat to safety of life at sea or security or property at sea or to the marine environment.

7.93 Having briefly considered the proposal, the Sub-Committee referred it for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

#### **Regulation I/6 – Training and assessment**

7.94 In order to prevent falsification of training records and certificates, as well as to enhance the means for verification of approved training and authenticity of certificates or documentary evidence presented to shipping companies and Administrations, the Islamic Republic of Iran (STW 39/7/4, annex 1, paragraph 4) proposed amendments to regulation I/6 that would require a Party to maintain a register or registers of approved training institutes, courses and programmes to be made available to companies and other Parties on request.

7.95 The Philippines (STW 39/7/31) proposed amendments to regulation I/6 of the STCW Convention and section A-I/6 of the STCW Code to ensure that Administrations maintain a register of databases of approved training institutes, courses, programmes and instructors.

7.96 ITF (STW 39/7/35, annex, paragraph 4) supported the proposal by the Islamic Republic of Iran (STW 39/7/4) for a requirement for a register of training institutes to be maintained by Administrations.

7.97 The delegation of Slovenia did not support the proposal by the delegation of the Philippines and suggested that, if considered necessary, the proposed register of databases of approved training institutes, courses, programmes and instructors could be included in part B of the Code.

7.98 The delegation of Greece, supported by others, expressed the view that the proposal would have very little added value and would place unnecessary additional burden on Administrations.

7.99 After some discussions, the Sub-Committee referred the proposals for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII with a view to providing guidance in part B of the STCW Code.

#### **Regulation I/7 – Communication of information**

7.100 The Islamic Republic of Iran (STW 39/7/4, annex 1, paragraph 5), Austria *et al.* (STW 39/7/11, paragraphs 9 and 10 of the annex) and the United States (STW 39/7/14, annex 2, paragraph 3) proposed amendments to regulation I/7 to incorporate the relevant decision of the Committee that amendments to the STCW Convention and Code were not subject to the provisions of regulation I/7.

7.101 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

#### **Regulation I/8 – Quality standards**

7.102 In order to ensure that amendments to the STCW Convention and Code were covered by quality standard systems and that independent evaluations were carried out in accordance with the requirements of the Convention, the Islamic Republic of Iran (STW 39/7/4, annex 1, paragraph 6) proposed amendments to sections A-I/8 and B-I/8.

7.103 Having reviewed regulation I/8 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraphs 11 and 12 of the annex) proposed amendments to regulation I/8 of STCW Convention and section A-I/8 of the STCW Code to include the evaluation of procedures for the issue of medical certificates and changes to national regulations and procedures emanating from amendments to the Convention.

7.104 The United States (STW 39/7/14, annex 2, paragraphs 4 and 5) proposed amendments to regulation I/8 of the STCW Convention and section A-I/8 of the STCW Code to address:

- .1 changes associated with the training, assessment of competence, certification and revalidation activities emanating from an amendment to the Convention; and
- .2 bilateral agreements and/or recognition of certificates not reported under regulation I/7,

and to provide terms of reference for independent evaluations in section A-I/8.

7.105 Norway (STW 39/7/22) proposed to establish an international quality standard system with reference to regulations I/8 and I/10 of the STCW Convention and section A-I/8 of the STCW Code to ensure a minimum level of competency and to make the detection of fraudulent certificates easier.

7.106 Having reviewed regulation I/8 of the STCW Convention, the Philippines (STW 39/7/27) expressed the opinion that in order to ensure that the requirements are uniformly understood and implemented, there should be a reference in the formulation of the quality standard systems within the requirements of the STCW Convention and Code. Accordingly, they proposed amendments to regulation I/8 of the STCW Convention.

7.107 The delegation of Slovenia did not support the proposal by Norway and the proposal by the United States to provide terms of reference for independent evaluation.



7.108 The delegation of Greece supported the delegation of Slovenia and expressed the opinion that there was no need to consider information related to regulation I/10 as this information was already being submitted to the Secretary-General in conformity with the requirements of regulation I/7.

7.109 The observer from the Cook Islands expressed the opinion that there should be a linkage between this regulation and the register of training institutes to be maintained by Administrations as being proposed under regulation I/6.

7.110 The delegation of Liberia supported the proposal by Norway.

7.111 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Quality standard framework for maritime training institutes**

7.112 Singapore (STW 39/7/20) provided information on a quality standards framework for maritime training institutes and expressed the opinion that “Standard for Quality Maritime Education and Training” (QMET) could provide a framework of a quality management system to meet the requirements of regulation I/8 of the STCW Convention for the management of maritime training institutes.

7.113 Having briefly considered the document, the Sub-Committee referred it for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII with a view to providing guidance in part B of the STCW Code.

### **Regulation I/9 – Medical standards – Issue and registration of certificates**

7.114 In order to ensure that Parties to the STCW Convention maintain a register of certificates issued to ratings, the Islamic Republic of Iran (STW 39/7/4, annex 1, paragraph 7) proposed corresponding amendments to regulation I/9 of the STCW Convention.

7.115 IMHA (STW 39/7/8) offered to prepare, after due consultations with the ILO and WHO, as necessary, the preliminary draft text of medical fitness standards for seafarers for:

- .1 initial entry; and
- .2 in-service,

for the consideration of the Sub-Committee, with a view to inclusion within the STCW Convention. In addition, IMHA also offered to identify the contents for a standard medical fitness certificate.

7.116 Having reviewed regulation I/9 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraphs 13 to 15 of the annex) proposed amendments to regulation I/9 of the STCW Convention and sections A-I/9 and B-I/9 of the STCW Code to provide for each STCW Party to:

- .1 develop medical fitness standards;

- .2 ensure that those responsible for assessing medical fitness are medical practitioners recognized by the Party for the purpose of seafarers medical examination; and
- .3 maintain a register for certificates issued to ratings.

7.117 The United States (STW 39/7/14, annex 2, paragraphs 6 and 7) supported the development of an international standard of medical fitness for all seafarers in co-operation with ILO and WHO, which should include:

- .1 minimum in-service eye standard;
- .2 minimum in-service hearing standard;
- .3 minimum physical abilities;
- .4 medical certificate – purpose, content and form;
- .5 medical examination – purpose, content and form (including a portion to be filled by the doctor and a portion by the seafarer);
- .6 information on the medical conditions which should be considered during a medical examination; and
- .7 frequency of medical examinations.

In addition, they proposed amendments to regulation I/9 of the STCW Convention to include a requirement for a STCW Party to maintain a register of certificates for “able seafarers”.

7.118 ITF (STW 39/7/35, annex, paragraph 5) supported harmonizing medical standards within the STCW Convention and the wording proposed in the document STW 39/7/11 (Austria *et al.*).

7.119 Having briefly considered the proposals, the Sub-Committee, welcoming the offer of IMHA, referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Regulation I/10 – Recognition of certificates**

7.120 Taking into account that regulation I/10 applied only to masters, officers and radio operators and, that there was no definition in the Convention for “radio officer”, the Islamic Republic of Iran (STW 39/7/4, annex 1, paragraph 8) proposed that the existing paragraph 5 of regulation I/10 of the STCW Convention be amended to allow for the issue of a proof of application leading to the issue of a recognition endorsement to radio operators.

7.121 Having reviewed regulation I/10 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraph 16 of the annex) proposed amendments to paragraph 5 of regulation I/10 of the STCW Convention to allow radio officers to serve on board for three months without a certificate of endorsement.

7.122 In order 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

requirements of the Convention, the United States (STW 39/7/14 (part), annex 2, paragraph 8) proposed corresponding amendments to regulation I/10 of the STCW Convention.

7.123 ITF (STW 39/7/35, annex, paragraph 6) agreed on the need to clarify what were “necessary measures” to ensure compliance when recognizing and endorsing another Administration’s certificates and supported the inclusion of an additional paragraph, as proposed in STW 39/7/14 (United States).

7.124 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Regulation I/11 – Revalidation of certificates**

7.125 Having reviewed regulation I/11 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraphs 17 and 18 of the annex) proposed amendments to regulation I/11 of the STCW Convention to include security provisions and section A-I/11 of the STCW Code relating to revalidation of certificates of competency.

7.126 The United States (STW 39/7/14, annex 2, paragraph 9) proposed the deletion of table B-I/11 from the STCW Code, since the deadline for transitional arrangements had already passed.

7.127 ITF (STW 39/7/35, annex, paragraph 7) proposed a new sub-item in paragraph 1, stipulating a requirement for a 5-yearly refresher course for basic safety training before the revalidation of a certificate of competency. This was in recognition of the problems of carrying out drills on lifeboats, as referred to in MSC.1/Circ.1206, and the need for simulated fire drills in a realistic environment.

7.128 The delegation of Slovenia, supported by others, did not support the proposal by ITF for a 5-yearly refresher training.

7.129 The delegation of Greece, in supporting Slovenia, did not agree to the deletion of table B-I/11 and instead proposed that the same should be updated.

7.130 The Sub-Committee agreed that the proposal by ITF should not be considered further and referred the other proposals for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Regulation I/12 – Use of simulators**

7.131 Having reviewed regulation I/12 of the STCW Convention and taking into account similar existing industry standards, IFSMA (STW 39/7/34) proposed amendments to regulation I/12 of the STCW Convention and section A-I/12 of the STCW Code to provide standards for distance learning and e-learning.

7.132 Australia (STW 38/7/38, annex 2, paragraph 1) proposed the formal inclusion of ECDIS by specifically mentioning it wherever reference is made to “navigation charts” or “electronic navigation aids” by amending section B-I/12.

7.133 The delegations of Greece and the Republic of Korea expressed the view that there was a need to first develop resources, methodologies, specific learning subjects, qualifications of

trainers and assessors to support the distance learning and e-learning process before considering detailed requirements.

7.134 The delegation of the Bahamas expressed the opinion that it would be more appropriate to provide guidance in part B of STCW Code with a better definition.

7.135 The delegation of France expressed the opinion that there were several parameters that needed to be considered for delivery of distance learning, including a proper authentication relating to the identity of the person undertaking the training.

7.136 The delegation of Singapore and others supported the proposal.

7.137 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Regulation I/14 – Responsibilities of companies**

7.138 Having reviewed regulation I/14 of the STCW Convention, Austria *et al.* (STW 39/7/11, paragraphs 19 and 20 of the annex) proposed amendments to regulation I/14 of the STCW Convention to provide for the company's responsibilities relating to familiarization and refresher training for seafarers, means for effective oral communication and communication between the ship and shore-based authorities.

7.139 Bulgaria *et al.* (STW 39/7/12, paragraph 6 and annex 1) proposed an amendment to regulation I/14 to include a provision indicating that the carriage of Electro-technical officer or Senior electro-technical officer was not mandatory.

7.140 ITF (STW 39/7/35, annex, paragraph 8 and STW 39/7/39, annex, paragraph 9) did not support the proposal in STW 39/7/12 (Bulgaria *et al.*) and expressed the opinion that the proposed paragraph was superfluous, as there was no requirement within the STCW Convention to determine a crew complement on a ship. This was determined by the flag State under the safe minimum manning requirements and, in case it was required under safe manning requirement, then the seafarer should be certified to the minimum mandatory competency standards.

7.141 The Philippines (STW 39/7/33) expressed the opinion that companies should provide the technological tools to help seafarers perform safely on board by using innovative training for both shore-based and onboard training. Accordingly, they proposed amendments to regulation I/14.

7.142 The delegation of Japan, supported by others, expressed the opinion that while it was desirable to provide distance learning on all ships, it was not always feasible or practical to do so and should, therefore, not be mandatory.

7.143 The delegation of Greece and others supported the proposal by Bulgaria *et al.* subject to deletion of the second part of the sentence in the proposed amendment.

7.144 The delegation of Germany and others indicated that there was some merit in the proposal by the Philippines as it promoted modern and innovative training methods and could be taken forward on a non-mandatory basis.

7.145 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII with a view to consider the Philippines' proposal on a non-mandatory basis.

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

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

7.146 Singapore (STW 39/7/7) proposed amendments to sections A-II/1 and A-II/2 of the STCW Code to include key elements of Bridge Resource Management (BRM) as mandatory requirements (see also paragraph 7.188).

7.147 Having reviewed chapter II of the STCW Convention, Austria *et al.* (STW 39/7/10, paragraph 1 of the annex) proposed amendments to regulation II/1 to provide consistency with other regulations in the use of the term “months” instead of “year”.

7.148 The United States (STW 39/7/14, annex 3) proposed to replace the term “one year” with “12 months” in regulation II/1 of the STCW Convention to ensure consistency with the other regulations in the Convention and to further increase the emphasis on bridge resource management by amending section A-II/1 of the STCW Code.

7.149 Norway (STW 39/7/23) proposed to delete the requirements for competency in celestial navigation in tables A-II/1 and A-II/2 of the STCW Code and include new competency requirements in the areas of Integrated Navigation Systems, Integrated Bridge System and Bridge Resource Management in tables A-II/1, A-II/2 and A-III/3 of the STCW Code.

7.150 In order to increase transparency within the Convention and Code, ISF (STW 39/7/25) proposed that additional references to chapter VI be added to the first and second columns (Competence and Knowledge, understanding and proficiency) of the tables in sections A-II/1 and A-III/1 of the STCW Code, wherever references to section A-VI/1 of the STCW Code were made under the third column (Methods for demonstrating competence). Furthermore, ISF also proposed the insertion of cross references to chapters II and III of part A of the Code into section A-VI/1 of the STCW Code.

7.151 IFSMA (STW 39/7/36) expressed the opinion that bridge equipment had already changed and would further fundamentally change the approach to:

- .1 planning and conducting a passage; and
- .2 determining the position of a vessel,

and that therefore training in Integrated Bridge Systems (IBS) should be mandatory under section A-II/1 of the STCW Code.

7.152 Australia (STW 39/7/38, annex 1, paragraphs 1 to 3 and annex 2, paragraph 2) proposed the formal inclusion of ECDIS by specifically mentioning it wherever reference was made to “navigation charts” or “electronic navigation aids” by amending sections A-II/1, A-II/2, A-II/3 and B-II/1 of the STCW Code.

7.153 After a general discussion, the Sub-Committee agreed that:

- .1 key elements of Bridge Resource Management should be included as a mandatory requirement;
- .2 there should be consistency in the use of terminology; and
- .3 training in Integrated Navigation Systems and Integrated Bridge System should be introduced.

7.154 The Sub-Committee considered the proposal by Norway to delete the requirements for competency in celestial navigation in tables A-II/1 and A-II/2 of the STCW Code, but due to time constraints it was not possible to have a full debate. Some delegates expressed the view that until such time that a global alternative system was available for the Global Positioning System, it was premature to delete the requirements for training in celestial navigation. Others were of the opinion that it should be further considered.

7.155 In light of the foregoing, the Sub-Committee referred the proposals for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Proposed regulation II/5**

7.156 The Islamic Republic of Iran (STW 39/7/4 (part), annex 2) proposed that the draft text of the amendments to the STCW Convention and Code related to standards of competence for Able seafarer deck, prepared by STW 38, be adopted in conjunction with the adoption of other amendments developed during the comprehensive review.

7.157 The Philippines (STW 39/7/41) supported the proposed inclusion of regulation II/5 for Able seafarer deck and proposed clarifications on the starting point of seagoing service before a seafarer was qualified for certification.

7.158 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

## **CHAPTER III – ENGINE DEPARTMENT**

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

7.159 The Islamic Republic of Iran (STW 39/7/4 (part), annex 3, section 2) expressed the opinion that chapter III needed to be reviewed in order to consider the need for:

- .1 addressing the inconsistency in regulation III/1 in respect of the education and training requirements with other parts of the Convention;
- .2 harmonizing the requirements for approved seagoing service in positions of responsibility in regulation III/2 with regulation II/2; and
- .3 consequential amendments to regulation III/3, paragraph 3,

and also proposed possible consequential amendments to regulations III/1, III/2 and III/3 of the STCW Convention.

7.160 Having reviewed chapter III of the STCW Convention, Austria *et al.* (STW 39/7/10, paragraph 2 of the annex) proposed amendments to regulation III/1 of the STCW Convention to modify the requirements relating to certification of officers in charge of an engineering watch.

7.161 ITF (STW 39/7/39, annex, paragraphs 1 to 4) did not support the proposals in STW 39/7/10 (Austria *et al.*) and STW 39/7/4 (Islamic Republic of Iran) as it would lead to down-scaling of the training of ships' engineers.

7.162 India (STW 39/7/42), commenting on the proposal submitted in STW 39/7/10 (Austria *et al.*), re-emphasized the need to retain "a minimum approved education and training of at least 30 months which included onboard training documented in an approved training record book" in regulation III/1, paragraph 2.3, of the STCW Convention.

7.163 The delegation of the Marshall Islands and others supported the proposal by India and ITF.

7.164 The delegation of France and others supported the proposal by Austria *et al.*

7.165 Having briefly considered the proposals, the Sub-Committee, being split on this issue, referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Proposed regulation III/5**

7.166 The Islamic Republic of Iran (STW 39/7/4, annex 3, section 1) proposed that the draft text of the amendments to the STCW Convention and Code related to standards of competence for Able seafarer engine, as prepared by STW 38, be adopted in conjunction with the adoption of other amendments developed during the comprehensive review.

7.167 The Philippines (STW 39/7/41) supported the proposed inclusion of regulation III/5 for Able seafarer engine and proposed clarifications on the starting point of seagoing service before a seafarer is qualified for certification.

7.168 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Sections A-III/1, A-III/2 and A-III/3**

7.169 In order to harmonize the provisions for near-coastal voyages in sections A-III/1 and A-III/3 of the STCW Code with those of section A-III/2, and bearing in mind that adequate approved seagoing service was essential for a person to be able to perform assigned duties on increasingly sophisticated ships in a safe and efficient manner, the Islamic Republic of Iran (STW 39/7/4, annex 3, section 3) proposed corresponding amendments related to the near-coastal voyages (NCV) provisions in sections A-III/1 and A-III/3 of the STCW Code.

7.170 Singapore (STW 39/7/5) proposed amendments to the tables in sections A-III/1 and A-III/2 of the STCW Code to include knowledge of engine fuel and lubrication systems to ensure safe and efficient operation of the main and auxiliary machinery on board ships.

7.171 Singapore (STW 39/7/7) proposed amendments to sections A-III/1 and A-III/2 of the STCW Code to include key elements of Engine-room Resource Management as a mandatory requirement (see also paragraph 7.188).

7.172 The United States (STW 39/7/14 (part), annex 4) proposed to further increase the emphasis on environmental awareness, particularly in the use of oily water separators, by amending table A- III/1 of the STCW Code and harmonize NCV provisions in sections A-III/1, A-III/2 and A-III/3 of the STCW Code, to allow for variations in the standards of competence for officers based on propulsion power limitations.

7.173 India (STW 39/INF.2) provided information on the “Ship-in-Campus” concept to ensure that effective and adequate hands-on skills along with appropriate underpinning knowledge are imparted on the trainees at pre-sea level.

7.174 Responding to the proposal by the United States to harmonize NCV provisions, the delegation of France expressed concerns regarding the career aspirations of the seafarers without higher education qualifications. These aspects needed to be addressed when harmonizing the provisions not only in the engine department but also for the deck department.

7.175 The delegation of Sweden did not agree with the proposal by the United States to omit specified requirements for near coastal voyages without establishing propulsion power limitation.

7.176 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

#### **Proposed new regulations III/6 and III/7**

7.177 Bulgaria *et al.* (STW 39/7/12, paragraph 7 and annexes 1 to 4) proposed new regulations III/6 and III/7 to provide for mandatory minimum requirements for certification of Electro-technical officer and mandatory minimum requirements for certification of Senior electro-technical officer (annex1), along with corresponding standards as new sections A-III/6 and A-III/7 (annex 2) and new tables of competence (annexes 3 and 4).

7.178 As there had been major technological advances in the field of electronics and computers in the last decade, particularly on specialist ships, and since ships were increasingly reliant on efficient operation of this technology due to minimum of manning, ITF (STW 39/7/39, annex, paragraphs 5 to 8 and 10) supported the proposal in STW 39/7/12 (Bulgaria *et al.*).

7.179 The delegation of Greece expressed the opinion that while developing the new regulations there was a need to provide for transitional provisions as well as a grandfather clause to ensure that certificates issued to seafarers under national regulations and prior to entry into force of these regulations remained valid.

7.180 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

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

#### **Areas in chapter VI of the STCW Code where training cannot be conducted on board**

7.181 The Islamic Republic of Iran (STW 39/7), after a thorough analysis of tables A-VI/1 to A-VI/5 of the STCW Code, identified those areas for which it seemed that training could not safely and effectively be conducted on board.



7.182 The Philippines (STW 39/7/13) identified those areas for which it seemed training could not safely and effectively be conducted on board and proposed that seafarers should undergo a short refresher course in those areas at intervals not exceeding five (5) years.

7.183 The delegation of Japan stated that, since the SOLAS training manual contained updated information and instructions relating to life-saving appliances and personal survival techniques, it could not support the proposal by the Philippines for a refresher course.

7.184 The delegation of Slovenia, supported by others, expressed the opinion that the requirements for refresher training should be flexible and practical and, should be a responsibility of the companies within their safety management systems in the ISM Code.

7.185 The delegation of Greece, supported by the delegation of the Bahamas, expressed the opinion that at this stage the Sub-Committee should only identify the areas where training could not be conducted on board and seek further instructions from the Committee on this issue. Furthermore, some of the areas identified by the Islamic Republic of Iran would need to be reviewed.

7.186 In light of the foregoing, the Sub-Committee referred the proposals to the working group to be established to review chapters I, II, III, VI and VIII only for identification of the areas where training could not be conducted on board.

### **Communication and leadership skills**

7.187 Australia *et al.* (STW 39/7/3) proposed amendments to the STCW Convention and Code to address requirements for effective communications already identified by STW 38.

7.188 India (STW 39/7/46) proposed to combine the requirements of “Bridge Resource Management”, “Engine Resource Management” and “Communication and Leadership Skills” as they all addressed human behaviour and the management of the human resources (see also paragraphs 7.146 and 7.171).

7.189 The delegation of Japan expressed the opinion that the requirements should not be applicable to all seafarers and should be only for deck and engineer officers.

7.190 The delegation of the Netherlands, supported by others, expressed the opinion that the requirements should be applicable only to officers and should also address language and cultural differences. Furthermore, fair delegation of responsibilities could mitigate fatigue.

7.191 The delegation of Greece expressed concern that chapter VI was being unnecessarily overloaded.

7.192 The delegation of the Bahamas agreed in principle with the proposal and expressed the opinion that this issue required further discussion in the working group.

7.193 In light of the foregoing, the Sub-Committee, noting in general that there was no support for the proposal by India, referred the proposal by Australia *et al.* for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Fatigue management**

7.194 The United States (STW 39/7/14, annex 5) proposed adding a new competence to table A-VI/1-4 of the STCW Code to provide tangible and practical methods of fatigue management and the inclusion of the WHO “Guide to Ship Sanitation” as a reference document when preparing courses to meet the table A-VI/1-4 competence requirements.

7.195 The delegation of Slovenia and others supported the proposal by the United States. However, the delegation of Greece expressed the opinion that mitigation of fatigue was more related to the organization of work rather than training.

7.196 Having briefly considered the proposal, the Sub-Committee referred it for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Basic training in marine environment awareness**

7.197 Cyprus *et al.* (STW 39/7/26) proposed to amend section A-VI/1 of the STCW Code to provide basic training in marine environment awareness and in conjunction with their proposal to develop a model course relating to basic training in marine environment awareness (STW 39/3/2).

7.198 Having briefly considered the proposal, the Sub-Committee referred it for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Evidence that the seafarer has achieved/maintained continued proficiency in basic safety training**

7.199 The Philippines (STW 39/7/32) proposed guidance to be included in section B-VI/1 and table B-I/11 of the STCW Code relating to evidence required to prove continued proficiency in basic safety training.

7.200 The delegation of the Netherlands, supported by others, expressed the opinion that this was the responsibility of the companies under section 6 of the ISM Code and should form a part of the company’s safety management system. Only Ukraine, South Africa and ITF supported the proposal.

7.201 In light of the foregoing, the Sub-Committee agreed that there was not sufficient support for considering this proposal further.

### **Mandatory minimum requirements relating to sanitation and hygiene**

7.202 With the recent, very public instances of on board outbreaks of virus and bacterial-related illnesses affecting the health of crew and passengers, it was evident that not all staff were aware of the dangers or that not all necessary measures had been taken. Whilst this was a major problem on passenger ships, it was also becoming a problem on cargo ships where incidents were not reported. Accordingly, ITF (STW 39/7/40, annex 2) proposed that the Sub-Committee developed standards and training requirements in co-operation with ILO and WHO to ensure that seafarers with designated duties relating to the handling of food or the operation and maintenance of the sanitation systems had a full understanding of the risks involved and best practices to be employed.

7.203 A majority of delegations expressed the opinion that this was an issue to be considered by ILO. Accordingly, the Sub-Committee agreed that there was no need to consider this proposal further.

### **Specification of the minimum standard of competence in survival craft and rescue boats other than fast rescue boats**

7.204 Canada (STW 39/7/43) proposed to amend column 3 of table A-VI/2-1 of the STCW Code to permit simulations to be used, where appropriate, to assess the competence of seafarers in taking charge of a rescue boat during and after launch in rough seas.

7.205 The delegation of the Netherlands, supported by others, expressed the view that this should also be considered as one of the areas where training could not be conducted on board.

7.206 In supporting the proposal, the delegation of the United Kingdom expressed the opinion that this should not be a compulsory module to the existing requirements.

7.207 In light of the foregoing, the Sub-Committee referred the proposal for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

## **CHAPTER VIII – WATCHKEEPING**

7.208 Having reviewed chapter VIII, Austria *et al.* (STW 39/7/9) proposed amendments to regulations VIII/1 and VIII/2 of the STCW Convention and, section A-VIII/1 of the STCW Code to harmonize the requirements in the STCW Convention and Code and ILO Convention No.180 on Seafarers' Hours of Work and the Manning of Ships, 1996.

7.209 Japan (STW 39/7/24) proposed to amend section A-VIII/1 of the STCW Code relating to rest periods for watchkeeping personnel with a view to harmonize the requirements of the STCW Code and the Maritime Labour Convention, 2006.

7.210 The Philippines (STW 39/7/30) proposed to amend regulation VIII/1 of the STCW Convention to ensure that companies provided the technological tools/gadgets and the required training necessary to help seafarers perform productively and safely on board.

7.211 ITF (STW 39/7/40, annex 3) supported the proposal in STW 39/7/9 (Austria *et al.*) to harmonize the ILO provisions for work and rest hours and the requirement for the recording of hours in the STCW Convention and Code. Furthermore, ITF also supported the proposal in STW 39/7/9 (Austria *et al.*), STW 39/7/7 (Singapore) and related proposals in STW 39/7/14, annex 6 (United States) and STW 39/7/23 (Norway).

7.212 ISF (STW 39/7/51) expressed concerns that the draft amendments contained in STW 39/7/9 (Austria *et al.*) had only taken into account some of the relevant provisions covering hours of work and rest from ILO Convention No.180.

7.213 The observer from ISF, supported by others, expressed the opinion that the Sub-Committee should ensure that the provisions relating to rest hours were in harmony and compatible with the provisions developed by the ILO. However, the proposals by Austria *et al.* went beyond these requirements and were in effect an amalgamation of safety and social issues. Therefore, the current provisions of the STCW Convention and Code should be used and amended, as appropriate, to harmonize the provisions within the STCW Convention and with the ILO requirements including the need to maintain records for rest hours for individual seafarers.

7.214 In supporting the harmonization of the provisions within the STCW Convention and with those developed by the ILO, the delegation of Norway, supported by others, expressed the opinion that there were similarities as well as differences within these requirements and that there should be no direct reference to an ILO Convention within the STCW Convention.

7.215 The delegation of the United Kingdom and others, supporting the proposal by Austria *et al.* (STW 39/7/9), expressed the opinion that the aim was to have one single global regime and therefore there was a need to harmonize the provisions to ensure that the standards of the two conventions did not contain conflicting requirements, thereby causing difficulties.

7.216 In supporting the need for harmonizing the provisions, the delegation of the Bahamas expressed the opinion that the rest hour requirements should be extended to those seafarers with safety-related duties.

7.217 The delegation of Japan, recalling the basic principle that the structure and aim of the Convention should be retained, stated that they could not support the proposal by Austria *et al.*, since the ILO provisions had been developed to deal with social issues, while those in the STCW Convention dealt with safety issues. Furthermore, the present regulation VIII/1 should be reviewed.

7.218 The observer from ITF expressed the opinion that the ILO provisions had not been developed only for social purposes and that port State control requirements should be clear, with mandatory provisions for record keeping, to ensure that the seafarers were not fatigued.

7.219 The observer from ILO expressed the opinion that while there was a need to avoid contradictions, the Sub-Committee should recognize that the two instruments were co-existing and that social and safety aspects could not be completely separated.

7.220 Following an in-depth debate, the Sub-Committee agreed that there was a need to standardize the provisions in order to ensure that seafarers were properly rested for them to discharge their duties effectively and referred the proposal for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

### **Watchkeeping arrangements and principles to be observed**

7.221 In order to increase the emphasis on Bridge Resource Management, the United States (STW 39/7/14, annex 6) proposed to transfer section B-VIII/2, part 3-1, paragraphs 4 and 5 to section A-VIII/2, part 3.

7.222 Australia (STW 39/7/38, annex 1, paragraph 4) proposed the formal inclusion of ECDIS by specifically mentioning it wherever reference is made to “navigation charts” or “electronic navigation aids” by amending section A-VIII/2 of the STCW Code.

7.223 In supporting the proposal relating to Bridge Resource Management by the United States in principle, the Netherlands and others, expressed the opinion that care should be taken when transferring provisions from part A to part B as not all the provisions were suitable for direct inclusion in part A.

7.224 The observer of IMarEST, supported by others, expressed the opinion that there was a consequential need to transfer the provisions relating to Engine Room Resource Management.

7.225 The delegation of Singapore and others supported the proposal by Australia relating to formal inclusion of ECDIS in section A-VIII/2 of the STCW Code. However, the delegation of the Marshall Islands, supported by others, expressed the opinion that it might be premature to do so prior to the NAV Sub-Committee had finalized the carriage requirements for ECDIS.

7.226 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

**Mandatory alcohol limit and to enhance international exchange of information on alcohol related incidents on board seagoing ships**

7.227 Bulgaria *et al.* (STW 39/7/18) proposed to amend the STCW Convention and Code in order to introduce a mandatory alcohol limit and to enhance international exchange of information on alcohol-related incidents on board seagoing ships by introducing corresponding new regulation VIII/3 and new sections A-VIII/3 and B-VIII/3.

7.228 The delegation of the Netherlands, supported by others, expressed the opinion that provisions should also include drug and medicine abuse and that enforcement would be a problem.

7.229 In supporting the proposal, the delegation of Greece and others expressed concern that, not only would there be a problem in enforcement, but also in areas related to exchange of personal data, as national regulations in several countries prohibited the disclosure of any personal data and that the matter should be approached with caution.

7.230 The delegation of the United States, while supporting the proposal in principle, provided their experience of twenty years in implementing similar standards which included post incident testing and testing methodology as well as the equipment used.

7.231 Having briefly considered the proposals, the Sub-Committee referred them for detailed consideration to the working group to be established to review chapters I, II, III, VI and VIII.

**Establishment of the working group to consider the comprehensive review of chapters I, II, III, VI and VIII**

7.232 The Sub-Committee established a working group to consider the comprehensive review of chapters I, II, III, IV, VI, VII and VIII of the STCW Convention and Code with the following terms of reference:

Taking into account the comments and decisions made in the plenary, the Working Group should consider the relevant proposals in documents STW 39/7, STW 39/7/1 and STW 39/7/4 (Islamic Republic of Iran), STW 39/7/2 (Sri Lanka), STW 39/7/3 (Australia, New Zealand and IMarEST), STW 39/7/5, STW 39/7/6, STW 39/7/7 and STW 39/7/20 (Singapore), STW 39/7/8 (IMHA), STW 39/7/9, STW 39/7/10 and STW 39/7/11 (Austria *et al.*), STW 39/7/12 (Bulgaria *et al.*), STW 39/7/13, STW 39/7/27, STW 39/7/29, STW 39/7/30, STW 39/7/31, STW 39/7/32, STW 39/7/33 and STW 39/7/41 (Philippines), STW 39/7/14 (United States), STW 39/7/21, STW 39/7/42, STW 39/7/46 and STW 39/INF.2 (India), STW 39/7/22 and STW 39/7/23 (Norway), STW 39/7/24 (Japan), STW 39/7/25 and STW 39/7/51 (ISF), STW 39/7/26 (Cyprus *et al.*), STW 39/7/34 and STW 39/7/36 (IFSMA), STW 39/7/35, STW 39/7/39 and STW 39/7/40 (ITF), STW 39/7/38 (Australia), STW 39/7/43 (Canada) and STW 39/7/18 (Bulgaria *et al.*) and:

- .1 review and prepare a preliminary revised draft text (indicating deleted text as strikethrough and new text as shaded) of chapters VI and VIII of the STCW Convention, part A and part B of the STCW Code;
- .2 submit the first part of its report to plenary on Thursday, 6 March 2008; and
- .3 continue consideration of the proposals relating to chapters II and III of the STCW Convention and Code and submit that part of the report at the end of this session for consideration at the proposed first intersessional working group meeting.

### **Work programme for the comprehensive review of the STCW Convention and the STCW Code**

7.233 The Secretariat (STW 39/7/52) suggested a provisional timetable for the work on the review of the STCW Convention and the STCW Code, emphasizing that:

- .1 even in accordance with the target date of completion of the comprehensive review set by the Committee, the expected date of entry into force of the amendments would be in 2012, which was 6 years after the initial discussion held at STW 37 in January 2006; and
- .2 the purpose of the Note was to indicate the two options for a meeting to adopt amendments to the STCW Convention; i.e., a Conference or an Expanded session of the MSC (E-MSC); and to provide a basis for discussion on the meeting schedule towards adoption of the amendments in 2010, as agreed by the Committee.

7.234 A large number of delegations supported the suggested timetable with two intersessional working groups to be organized in 2008 and 2009 and the holding of STW 40 in October 2009. Some delegations suggested that, although one session of the intersessional working group, to be held in September 2008, would be essential to make significant progress, it would be desirable to hold STW 40 in early 2009, so that the development of the draft text of amendments could be properly monitored by the Sub-Committee in order to provide sound and firm advice to the MSC regarding the type of meeting to adopt amendments; a Conference or an E-MSC.

7.235 However, a number of delegations raised serious concerns about convening two intersessional working groups, referring to the request from the Joint Inspection Unit (JIU) to reduce the number of intersessional working groups.

7.236 A number of delegations indicated their view that the amendments to be prepared should be adopted by an E-MSC rather than by a Conference that would entail budgetary requirements. In this context, the delegation of the Philippines indicated that, in the bilateral meeting with the Secretary-General, President Arroyo has already indicated the Philippines' readiness to host a Diplomatic Conference in 2010, if a Conference were to be organized to adopt these amendments.

7.237 In his intervention, the Secretary-General made an analysis of the decisive factors on which the Sub-Committee should base its recommendations to the Committee, both on the type of meeting to adopt the proposed amendments and the timetable to finalize its work and for the Committee and, possibly an *ad hoc* Conference, to bring it to completion.

In his assessment, it should be the substance, and the extent, of the proposed amendments that should dictate the Sub-Committee's and the Committee's decision on the issue rather than the cost involved or recommendations to reduce meetings originating from bodies outside the Organization. The need to serve safety (as comprehensively, effectively and expeditiously as the substance of the proposals before the Committee would suggest, through ensuring that seafarers are properly trained on issues such as maritime security, LNG carrier handling etc.) should be paramount in the decision-making process.

If, against such considerations, the Sub-Committee was satisfied that the set objective would best be served by means of a Conference – rather than recommending the Committee, in its expanded form, to have the last word, when the latter might not, because of the many other items usually on its agenda, have the time to proceed with the adoption of the amendments as their seriousness would necessitate – the Sub-Committee should so decide and advise the Committee accordingly.

He had found the proposal that progress on the proposed amendments should be sought by full involvement of the Sub-Committee itself, rather than by a working group meeting intersessionally, helpful and appealing. He would, therefore, suggest that two sessions should be allocated to the Sub-Committee between now and the 2010 completion date set by the Committee.

Having confirmed an invitation, extended personally to him by H.E. The President of the Philippines, to IMO to hold the Conference – if the Organization so decided – in the Philippines, the Secretary-General suggested that:

- MSC 84 be appraised of the situation and invited to decide, in principle, on the type of meeting needed for the amendments under preparation to be adopted in a proper fashion; and, in the light of its decision, to advise C 100 accordingly;
- an intersessional working group should meet in September 2008 to progress items within the comprehensive review and report to STW 40;
- STW 40 be held during the first half of 2009 to make further progress on the draft text of amendments resulting from the comprehensive review of the STCW Convention and Code, taking into account the outcome of the intersessional meeting referred to above and report to MSC 86;
- MSC 86 (in May of 2009) to receive STW 40's report and approve, in principle, the amendments as they may be proposed at that stage; and, also, to authorize STW 41 to submit such amendments simultaneously to MSC 87 for endorsement and to an *ad hoc* Conference to take place in 2010 for adoption;
- STW 41 to be held as early as possible in 2010 to finalize the work on the preparation of amendments to the STCW Convention and Code within the comprehensive review; and submit them simultaneously to MSC 87 and the Conference; and
- subject to the decision of MSC 84/86 and the Council's concurrence, a Conference of Parties to the STCW Convention to be convened in London or in the Philippines in July 2010 to adopt the proposed amendments.

As to the anticipated costs associated with the above schedule of meetings, the Secretary-General clarified that those to take place in 2010 would be dealt with, in due time, by the Council when considering the budget for the biennium 2010-2011.

7.238 The Sub-Committee appreciated the guidance by the Secretary-General and agreed to follow his advice.

7.239 The Sub-Committee subsequently agreed that, in order to make significant progress before STW 40 in 2009, it would be essential to convene an intersessional working group, as planned for September 2008 in document STW 39/7/52, and recommended by the Secretary-General.

7.240 In light of the fore going, the Sub-Committee agreed to invite the Committee to:

- .1 note and agree, in principle, to the proposal to hold a Conference to adopt amendments to the STCW Convention and Code; and to advise C 100 accordingly;
- .2 agree to the schedule of meetings relating to the comprehensive review of the STCW Convention and Code as set in annex 1; and
- .3 approve the convening of an *ad hoc* intersessional working group in September 2008 to progress work on the comprehensive review (see agenda item 9).

#### **Report of the working group to consider the comprehensive review of chapters IV, V and VII**

7.241 On receipt of the report of the working group (STW 39/WP.3), the Sub-Committee took action as summarized in the ensuing paragraphs.

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

##### **GMDSS Radio Operators**

7.242 The Sub-Committee noted that the group had considered the proposal for inclusion of the requirement for familiarization training, removing inconsistencies and deletion of outdated provisions within chapter IV and had agreed that a requirement for GMDSS familiarization training should be included as guidance in section B-1/14, outdated provisions in this chapter should be deleted, and inconsistencies with references to “GMDSS radio personnel” and “GMDSS radio operators” should be removed.

##### **Preliminary revised text of chapter IV of the STCW Convention and the Code**

7.243 The Sub-Committee noted that the group had agreed that the preliminary revised draft text of section B-I/14, as set out in annex 1 to document STW 39/WP.3, should be further considered when finalizing the revised text of chapter I of the STCW Code. The Sub-Committee also noted the preliminary revised draft text of chapter IV of the STCW Convention and Code related to standards regarding radio personnel was prepared by the group as set out in annexes 2 and 3 of document STW 39/WP.3.



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

### **Regulation V/1**

7.244 The Sub-Committee noted that the group had agreed that there should be two familiarization training requirements, one for oil and chemical tankers and another for liquefied gas tankers, and separate more advanced requirements for personnel serving on oil tankers, on chemical tankers and on liquefied gas tankers respectively, to reflect the different types of tankers in operation.

7.245 The Sub-Committee noted that the group had also considered the proposal on a model for the delivery of a training and competency verification programme incorporating the five key elements within an effective safety culture being developed for all personnel who work on, or have direct involvement with, the cargo operations of oil tankers, chemical tankers and liquefied gas tankers and noted that the Human Factors Task Group had concluded that one of the most significant contributory factors to the incident causes was a failure to follow or understand cargo operation guidelines and procedures at both shipboard and ship management level. Accordingly, the Sub-Committee agreed to invite the Committee to refer document STW 39/6/1 to the Joint MSC/MEPC Working Group on Human Element for detailed consideration and advice on the way forward.

7.246 The Sub-Committee noted the preliminary revised draft text of new regulations V/1-1 and V/1-2 of the STCW Convention and sections A-V/1-1 and A-V/1-2 of the STCW Code relating to personnel on oil tankers; chemical tankers and liquefied gas tankers prepared by the group.

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

7.247 The Sub-Committee noted that the group had merged regulations V/2 and V/3 and, accordingly, had prepared preliminary revised draft text of regulation V/2 of the STCW Convention and section A-V/2 and section B-V/2 of the STCW Code.

7.248 With regard to familiarization training, the Sub-Committee noted that the group had prepared a preliminary revised draft text of sections A-I/14 and B-I/14, as set out in annex 1 of document STW 39/WP.3, and had agreed that it should be considered when finalizing the revised text of chapter I of the STCW Code.

### **Mandatory minimum training requirements for engineering personnel having management responsibilities for the operation of electrical power plant above 1,000 Volts**

7.249 The Sub-Committee noted non-mandatory minimum training requirements for engineering personnel having management responsibilities for the operation of electrical power plant above 1,000 Volts to be included in part B of the STCW Code prepared by the group.

### **Preliminary revised text of chapter V of the STCW Convention and the Code**

7.250 The Sub-Committee noted preliminary revised draft text of chapter V of the STCW Convention and Code prepared by the group as set out in annexes 4 to 6 of document STW 39/WP.3.

## **CHAPTER VII – ALTERNATIVE CERTIFICATION**

### **Preliminary revised text of chapter VII of the STCW Convention and the Code**

7.251 The Sub-Committee noted the preliminary revised draft text of chapter VII of the STCW Convention and Code as set out in annexes 7 and 8 of document STW 39/WP.3 as prepared by the group.

7.252 The delegation of Greece expressed the opinion that the working group had not developed transitional provisions nor had they developed a grandfather clause for the benefit of seafarers already certified under either international or national regulations.

7.253 The Chairman of the working group confirmed that this had not been discussed at this stage and informed the Sub-Committee that on completion of the comprehensive review, relevant transitional arrangements would have to be included in a holistic manner similar to those developed during the 1995 review. He also confirmed that there was more work to be done on standards relating to liquefied gas tanker operations including consideration of document STW 39/7/49 (India).

7.254 The delegation of the United States expressed the opinion that with regard to the competency for monitoring and control of compliance with legislative requirements, there was a need to include knowledge of national codes to ensure that there was no downscaling of standards and that there was more work to be done on standards relating to liquefied gas tankers.

7.255 In response to clarifications sought by several delegations on the status of the preliminary draft texts of the various chapters of the STCW Convention and Code developed at the current session, the Sub-Committee confirmed that this was work in progress and would be considered further at ensuing sessions of the Sub-Committee, as well as the intersessional meeting scheduled to be held in September. The Sub-Committee agreed that the scope of proposals to be submitted to the intersessional meeting, as well as to STW 40 should be limited to the list of areas identified for the comprehensive review as endorsed by MSC 83, the outcome of the working groups at this session, and proposals submitted but not considered, due to time constraints, at the current session.

### **Report of the working group to consider the comprehensive review of chapters I, II, III, VI and VIII**

7.256 On receipt of the report of the working group (STW 39/WP.4), the Sub-Committee took action as summarized in the ensuing paragraphs.

## **CHAPTER VIII – WATCHKEEPING**

7.257 The Sub-Committee noted that the group was unable to agree on a single text in the time available as there was considerable debate on whether certain aspects of the STCW Convention could be completely harmonized with those of ILO, and to what extent harmonization was required or preferred. Accordingly, the group had prepared two preliminary draft texts, with alternatives, for regulation VIII/1 after having agreed on some principles of common ground including recording of hours and harmonization of hours of rest in both texts.

7.258 ITF and IFSMA raised concerns about the proposal to retain the so called 2-day derogation, i.e. A-VIII/1.4 from the requirements of A-VIII/1.1 and 1.2, since in their opinion this promoted the unacceptable situation whereby seafarers could be requested to work up

to 18 hours on two consecutive days with only six hours rest in between. ITF/IFSMA did not believe this contributed to safety. The Sub-Committee noted that the group had agreed that ITF and IFSMA should bring forward their comments to the intersessional meeting.

7.259 The Sub-Committee noted that the group took account of relevant proposals in STW 39/7/14 (United States), and STW 39/7/38 (Australia) and prepared preliminary draft text and moved text from section B-VIII/2 to A-VIII/2.

7.260 The Sub-Committee noted that the group had realized that it was not necessarily as simple as inserting the word ECDIS in the Convention, and that Australia and the United States agreed to provide relevant text to the next session.

7.261 The Sub-Committee noted that the group had prepared new regulation VIII/3 on mandatory alcohol limit and to enhance international exchange of information on alcohol related incidents on board seagoing ships.

7.262 The Sub-Committee noted that there was considerable debate on certain aspects of this issue, particularly enforcement such as who will be responsible for the samples, etc., who would be carrying out random checks, etc. As a result, the group was unable to decide upon alcohol in the blood or breath and these were placed in square brackets. There was also debate on the intent of the proposal and its implications for off-duty seafarers. Several delegations expressed concern that the proposed exchange of information raised considerable national policy issues on the privacy of personal data.

7.263 The Sub-Committee noted that several delegations were concerned that there seemed to be an over-emphasis on random-testing and invited Member Governments and international organizations to consider submitting proposals accordingly to the next session. The observer of IFSMA, supported by ITF, was also of the view that information should be made available to the seafarer, giving details of the varying national alcohol policies worldwide where these were stricter than those stipulated in the STCW Convention, although this view was not shared by others. Accordingly, the group had invited Member Governments and international organizations to consider submitting proposals to the next session.

7.264 The Sub-Committee noted that several delegations had also raised questions of drug and medication abuse and that there were presently no relevant provisions in the regulation or section A of the Code in respect of this, the only reference to drug abuse was in section B. Accordingly, the group had invited Member Governments and international organizations to submit relevant proposals to the next session.

### **Preliminary revised draft text**

7.265 The Sub-Committee noted the preliminary revised draft text of chapter VIII of the STCW Convention and the STCW Code prepared by the group, as set out in annex 2 to document STW 39/WP.4.

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

### **List of areas where training cannot be conducted on board**

7.266 The Sub-Committee endorsed the list of areas where training cannot be conducted prepared by the group as set out in annex 2 and invited the Committee to approve it and instruct the Sub-Committee on the further course of action to be taken.

### **Basic training in marine environment awareness**

7.267 The Sub-Committee noted that the group had placed environmental awareness training for all seafarers under table A-VI/1-4 under the existing competence “Take precautions to prevent pollution of the marine environment”.

### **Fatigue management**

7.268 The Sub-Committee noted that the group had considered STW 39/7/14 (United States) in relation to A-VI/1-4 Specification of minimum standard of competence in personal safety and social responsibility and had agreed with the proposal.

### **Standard of Competence in Survival craft and rescue boats other than fast rescue boats**

7.269 The Sub-Committee noted that the group had considered a proposal for amending column 3 of table A-VI/2-1 to permit simulation to be used, where appropriate, to assess the competence of seafarers in taking charge of a rescue boat during and after launch only in rough seas and had agreed with the proposal.

### **Communications**

7.270 The Sub-Committee noted that the group had considered the proposal for a new regulation VI/6 on Communication and leadership skills and a proposal to combine the requirements of Bridge and Engine Resource Management with the Communication and Leadership Skills and had agreed on the need to split the proposed table A-VI[6] so that major parts of the proposed table in regard to leadership could be placed in chapters II and III for the management level and that any additional communication training should be placed under table A-VI/1-4 under the existing competence “contribute to effective human relationships on board ship”.

7.271 The Sub-Committee further noted that the group had also agreed that managerial and leadership skills belong in chapters II and III as part of Bridge Resource Management and Engine Resource Management, and that guidance related to watchkeeping would be better placed in chapter VIII.

### **Preliminary revised draft text**

7.272 The Sub-Committee noted the preliminary revised draft text of chapter VI of the STCW Convention and the STCW Code prepared by the group as set out in annex 1 to document STW 39/WP.4.

7.273 The Islamic Republic of Iran while agreeing, in principle, to permit the use of simulation for the assessment of seafarers taking charge of a rescue boat during and after launch in rough weather, expressed the opinion that the technical specifications for such simulators should be defined in regulation I/12. In response, Canada indicated that it had been agreed to include the use of simulators to demonstrate competence only for launching rescue boats in rough weather.

7.274 With regard to the reference to non-IMO conventions, Singapore expressed the opinion that it should be reflected only as a footnote to the STCW Convention and not otherwise. The Secretariat confirmed that the procedure in the Organization was not to refer to other conventions or treaties within the text of the Convention but to make reference by means of a footnote.

7.275 Germany expressed the opinion that standards in the proposed regulation VIII/3 relating to prevention of alcohol abuse were lower than some other national limits and needed to be resolved at an early date, as it was a politically sensitive matter in Germany.

7.276 The Sub-Committee also received an oral report from the Chairman of the working group on the progress made in the work relating to chapters I, II and III and was advised that the detailed report would be submitted to STW 40 and the meeting of the intersessional working group.

7.277 In responding to a clarification sought by Norway, the Chairman confirmed that the proposal referring to deleting the provisions relating to celestial navigation from chapter II would have to be resubmitted to STW 40 for further consideration.

7.278 In light of the foregoing, the Committee is invited to note progress of work relating to the comprehensive review of the STCW Convention and Code.

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

8.1 The Sub-Committee recalled that MSC 81, based on a proposal from United Kingdom *et al.*, 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.

8.2 The Sub-Committee also recalled that STW 38 had established:

- .1 a working group to determine the basic criteria to be observed in reviewing the principles for establishing the safe manning levels of ships; and
- .2 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.

8.3 The United States (STW 39/8) advised that the correspondence group had recommended that the Sub-Committee should define and clarify the intent and terms of objectives for determining minimum safe manning of ships embodied in resolution A.890(21), as amended. In addition, it should develop a framework that considers the effectiveness and efficiency relating to the performance of tasks, based on scientific knowledge and expertise in areas such as Human system's integration, ship construction, training, ship operations, and fatigue research. The framework of the revised resolution A.890(21), as amended, should exemplify the processes and practices which shipowners, flag States, and port States should follow to determine whether a ship is safely manned for the specific operations being carried out. The framework should be developed with a systemic/holistic perspective, giving appropriate consideration to elements such as the functions necessary to perform safely the capabilities specific to a ship's operations; the human element factors which can contribute to and/or exasperate fatigue and performance degradation in crewmembers; the human/organizational factors which, left unmanaged, impacts crewmember morale and psychological well-being; organizational and/or shipboard policies and operating procedures which exert unnecessary or excessive demands on crewmembers; the types of technology and equipment utilized in the conduct of operations on a specific voyage; and the training, qualifications and experience of the seafarer in their assignment to a particular ship type, operations, and tasks. This framework should also include means to validate its effectiveness by providing guidelines for implementing the processes and practices; description of actions in the use of the framework; interpretations of framework results or measures of performance; and tools for conducting standardized assessments during inspections and for documenting the elements used in determining the proposed manning complement for a ship.

8.4 ITF and IFSMA (STW 39/8/1) proposed a possible prescriptive process to determine manning, closely reflecting the management, verification and auditing process contained within the ISM Code by developing a Manning Code.

8.5 The Sub-Committee was informed (STW 39/2) that MSC 83, having considered the proposal by STW 38 to include, in its work programme, a new item on mandatory instrument of safe manning, together with documents MSC 83/12/3 (ISF) and MSC 83/12/5 (United Kingdom), which expressed support for the proposal by STW 38, agreed to reconsider this proposal at MSC 84.

8.6 The observer from ISF expressed the view that the correspondence group had been tasked to identify the areas of resolution A.890(21) that needed revision or were in need of further consideration by the Sub-Committee. While they supported the collation of information relating to various national methodologies along with other instruments for determining safe manning, the correspondence group had not completed the consideration fully and focussed on areas that went beyond the terms of reference and were only briefly discussed at a late stage. Bearing in mind the consideration at MSC 84, of a new work programme item relating to a mandatory process for determining safe manning, in ISF's opinion, a full review of resolution A.890(21) should be completed in a systematic manner before considering any amendments thereto. Furthermore, while ISF supported the development of a mandatory framework to regulate the process for determining safe manning, in their view it would be premature to consider the proposal in document STW 39/8/1 (ITF/IFSMA). ISF was also of the opinion that the mandatory process should be goal based, and the proposed management system structure should be a part of

the safety management system under the ISM Code and the ILO Maritime Labour Convention (MLC) 2006 on compliance and enforcement and it should take into account safe manning requirements.

8.7 Referring to the decision of STW 38 (STW 38/17, paragraph 3.30), the observer from IFSMA, informed the Sub-Committee that in their opinion, analysis of accident reports indicated that the majority of accidents was caused due to the officer of the watch falling sleep while on duty. Furthermore, officers on smaller ships worked far longer hours than permitted and that if an officer had been awake for almost 24 hours it would have the same effect as if he had Blood Alcohol Count (BAC) of 0.08%. Accordingly, they reiterated their proposal at STW 38 that the master should not be considered as a watchkeeping officer when deciding the composition of the navigational watch and that there should be a minimum requirement of one master and two watchkeeping officers on all ships engaged on international trade.

8.8 Noting that there was insufficient enforcement of resolution A.890(210), as amended, Greece and others supported a mandatory process for its implementation as human element and fatigue were the main causes for accidents. Furthermore, they were of the opinion that there was a need for a holistic approach, which would take into account the requirements of the ISM Code and the MLC 2006 that referred to this issue.

8.9 The delegation of the Netherlands, supported by others, expressed the opinion that while there was value in reviewing resolution A.890(21), little would be achieved in making the process mandatory and there was a need to ensure proper implementation of the requirements with possible linkages with the enforcement of the ISM Code.

8.10 The delegation of the Bahamas and others supported the concerns expressed by ISF and agreed that the prescriptive approach to safe manning should be through the ISM Code and MLC 2006 and proper enforcement should be through the close monitoring of the hours of work and rest.

8.11 The delegation of Ireland and others supported the proposals in the report of the correspondence group as well that by ITF and IFSMA and expressed the opinion that while there were sufficient guidelines, there was a lack of enforcement. Furthermore, there were differences in the rest hour requirements in ILO Convention No.180 and the STCW Convention.

8.12 The delegation of India, supported by others, expressed the opinion that rest period for the master should be taken into account especially on short voyages and that the master should not be considered as a watchkeeping officer. Furthermore, they were of the opinion that there should be no prescriptive process for determining safe manning.

8.13 The observer from ILO informed the Sub-Committee that ILO was currently developing guidelines for the implementation of flag State and port State requirements relating to the MLC 2006. In this context, meetings to consider the draft requirements were scheduled to be held by the ILO Secretariat for flag State implementation from 15 to 19 September 2008 and for port State implementation from 22 to 26 September 2008.

8.14 In light of the foregoing, the Sub-Committee referred documents STW 39/8 (Report of the correspondence group) and STW 39/8/1 (ITF and IFSMA) to the working group established to consider the review of the principles for establishing the safe manning levels of ships, for detailed consideration.

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

8.15 The Sub-Committee established a working group to consider the review of the principles for establishing the safe manning levels of ships with the following terms of reference:

Taking into account the comments and decisions made in the plenary, the working group should consider documents STW 39/8 (Report of the correspondence group) and STW 39/8/1 (ITF and IFSMA):

- .1 to define and clarify the intent and terms of objectives for determining minimum safe manning of ships embodied in resolution A.890(21), as amended, including the need to develop a framework that considers the effectiveness and efficiency relating to the performance of tasks, based on scientific knowledge and expertise in areas such as man/machine interface, ship construction, training, vessel operations, and fatigue research and, prepare a preliminary draft revised text of resolution A.890(21) on Principles of safe manning, as amended; and
- .2 the need to re-establish the correspondence group and, if so, prepare draft terms of reference for the group,

and submit its report to the plenary on Thursday, 6 March 2008.

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

8.16 On receipt of the report of the working group (STW 39/WP.2), the Sub-Committee took action as summarized in the ensuing paragraphs.

### **Intent and terms of objectives for determining minimum safe manning of ships embodied in resolution A.890(21), as amended**

8.17 The Sub-Committee agreed that the objectives of the Guidelines on Principles of safe manning were to ensure that a ship was sufficiently, effectively and efficiently manned to provide safety and security of the ship, safe navigation and operations at sea, safe operations in port, prevention of human injury or loss of life, the avoidance of damage to the marine environment and to property, and to ensure the welfare and health of seafarers through the avoidance of fatigue. These objectives could be achieved through the following:

- .1 Adoption of a goal-based approach;
- .2 Standard procedures for effective implementation; and
- .3 Effective enforcement.

8.18 The Sub-Committee noted that, with regard to the implementation process for minimum safe manning, the working group had considered the term “uniform implementation” and replaced it with “Standard procedures for effective implementation”. Some delegations were of the opinion that it was not possible to achieve a uniform implementation and instead the intent should be to aim for standard procedures for effective implementation. Other delegations preferred the term “effective implementation” since they found that uniform or standard procedures as such were not in line with a goal-based approach and would not necessarily lead to an effective implementation. The Sub-Committee decided to retain the text prepared by the



working group as the work on this issue was still ongoing and could be further discussed when finalizing the draft Guidelines.

### **Development of a framework**

8.19 With respect to the need to develop a framework, the Sub-Committee noted that the working group agreed that it was necessary for the following reasons to develop a framework for determining minimum safe manning:

- .1 uniform implementation of the guidelines;
- .2 assistance in focusing efforts to comply with the guidelines;
- .3 providing a systematic approach;
- .4 assistance in assessing compliance;
- .5 assistance in verification;
- .6 auditable;
- .7 providing transparency;
- .8 providing a more objective assessment of minimum safe manning;
- .9 comparable practice for establishing minimum safe manning;
- .10 internationally applicable criteria; and
- .11 provide a means of effective implementation of statutory requirements.

### **Preliminary draft revised text of resolution A.890(21), as amended**

8.20 In agreeing to undertake a review of the reorganized text of the annexes to resolution A.890(21), as amended and detailed in document STW 39/8, annex 1, the Sub-Committee noted that the working group had agreed that in the whole document the word “level” should be deleted and “safe manning” should be referred to as “minimum safe manning”.

8.21 With respect to annex 1 of STW 39/8, the Sub-Committee noted that the working group had agreed to include as section 2 the objectives set out in paragraph 8.17 above.

8.22 Regarding the principles to be observed in determining the minimum safe manning of a ship, the Sub-Committee noted that the working group had agreed to include the criteria of maintaining port watches in addition to safe navigational, engineering and radio watches in accordance with regulation VIII/2 of the 1978 STCW Convention, as amended.

8.23 With respect to annex 2 of STW 39/8, the Sub-Committee noted that the working group had agreed to include two additional factors to be taken into account in establishing the minimum safe manning of a ship, namely; level of ship automation and degree of shore-side support provided to the ship by the company. However, the Sub-Committee noted that the working group could not agree to the inclusion of additional onboard activities as proposed by the correspondence group in section 3.6 of annex 2 in STW 39/8.

8.24 With respect to annex 3 of STW 39/8, sections 4.2.2 and 4.2.3, the Sub-Committee noted that there were ongoing discussions relating to amendments to regulation VIII/1 – Fitness for duty, and that the working group had consequently agreed to delete these two sections and replace them with the following text “ensure that fitness for duty provisions and record of hours are implemented”. The Sub-Committee further observed that this text might need to be reviewed when finalizing the complete resolution.

8.25 With respect to annex 3 of STW 39/8, section 5 relating to approval by the Administration, the Sub-Committee noted that the working group taking into account the decision of STW 38 approved, in principle, by MSC 83, had agreed to add to the Guidelines a new sub-section 2.7 “[The Administration should 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]”.

8.26 The delegation of the United Kingdom, supported by others, was of the view that the text in the proposed new sub-section 2.7 as prepared by the working group should be included in the Guidelines along with the deletion of the square brackets. The delegation of Greece, supported by others, did not support removing the square brackets at this stage and was also of the view that this text should be included in the preambular paragraph of the resolution. The observer from IFSMA, supported by some delegations, was of the opinion that the term “three persons qualified as officer-in-charge of a navigational watch” instead of the term “three qualified deck officers” provided greater flexibility, especially in the context of short sea voyages. After a lengthy discussion, the Sub-Committee, noting that this was ongoing work, agreed to the deletion of the square brackets and the inclusion of the new amended text as follows: “The Administration should consider the circumstances very carefully before allowing a safe manning document to contain provisions for less than three qualified officers in charge of a navigational watch, while taking into account all the principles for establishing safe manning.”

8.27 With respect to annex 3 of STW 39/8, section 6 relating to validation of compliance by the port State, the Sub-Committee noted that the FSI Sub-Committee was currently developing PSC guidelines on inspection of seafarers’ working hours. The Sub-Committee also noted that the ILO meetings on port State control and flag State implementation in relation to the Maritime Labour Convention 2006 were to be held in September 2008 and consequently agreed that for the moment the resolution should not address this issue.

8.28 With respect to annex 5 of STW 39/8, relating to the framework for determining minimum safe manning, the Sub-Committee agreed that there was a need for the framework to be developed and a correspondence group should be tasked to undertake this work.

8.29 A preliminary draft revised text of resolution A.890(21), as amended, is set out in annex 1 to document STW 39/WP.2.

## **Re-establishment of the correspondence group**

8.30 There was extensive discussion within the Sub-Committee on this matter. Some delegations were of the opinion that it was rather premature at this stage to re-establish the correspondence group and preferred to await the outcome of consideration of the United Kingdom's proposal (MSC 84/22/22) by MSC 84 for a new work programme item on making the procedures for issue of Safe Manning document mandatory. Other delegations indicated a need to wait until MSC 85 when the outcomes of the ILO meetings on port State control and flag State implementation in relation to the Maritime Labour Convention 2006 would be known. Other delegations were of the opinion that in order to make progress on the issue it was imperative that the correspondence group be re-established at this session. After some debate, the Sub-Committee approved the re-establishment of an intersessional correspondence group under the co-ordination of the United States\* with the terms of reference as follows:

Noting STW 39/8/1 (ITF and IFSMA) and taking into account documents STW 39/WP.2 (Report of the Working Group), STW 39/8 (Report of the Correspondence Group to STW 39), MSC/Circ.878 – MEPC/Circ.346 on Human Element Analysing Process (HEAP), the outcome of the decisions of MSC 84 relating to the provisions for determining safe manning and the outcome of the ILO meetings on port State control and flag State implementation in relation to the Maritime Labour Convention 2006:

- .1 should develop a draft framework for determining minimum safe manning that considers the effectiveness and efficiency relating to the performance of tasks, based on scientific knowledge and expertise in areas such as man/machine interface, ship construction, training, vessel operations and fatigue research and takes into account the needs identified in annex 5 of annex 1 of STW 39/WP.2; and
- .2 should commence its work after MSC 84 and provide a comprehensive report for submission to STW 40.

8.31 In light of the foregoing, the Committee is invited to note the progress of work relating to the review of the principles for establishing the safe manning level of ships and to extend the target completion date to 2010 (see agenda item 9).

## **9 WORK PROGRAMME AND AGENDA FOR STW 40**

### **Work programme and provisional agenda for STW 40**

9.1 Taking into account the progress made at the current session, the decisions of MSC 83 and, the provisions of the agenda management procedure, the Sub-Committee prepared a proposed work programme and agenda for STW 40 (STW 39/WP.1) based on those approved by

---

\* **Co-ordinator:**  
Mr. John J. Hannon  
United States Coast Guard  
2100 2nd St. S.W.  
Washington D.C.  
United States  
Tel.: +001 202 372 1222  
Fax: +001 202 372 1918  
E-mail: John.J.Hannon2@uscg.mil.

MSC 83 (STW 39/2, annex 2), and set out in annex 3, for consideration and approval by the Committee. While reviewing the work programme, the Sub-Committee agreed to invite the Committee to:

- .1 amend the work programme item H.3 as follows:
  - .1 H.3 Comprehensive review of the STCW Convention and the STCW Code:
    - .1 Chapter I of the STCW Convention and the STCW Code
    - .2 Chapter II of the STCW Convention and the STCW Code
    - .3 Chapter III of the STCW Convention and the STCW Code
    - .4 Chapter IV of the STCW Convention and the STCW Code
    - .5 Chapter V of the STCW Convention and the STCW Code
    - .6 Chapter VI of the STCW Convention and the STCW Code
    - .7 Chapter VII of the STCW Convention and the STCW Code
    - .8 Chapter VIII of the STCW Convention and the STCW Code;
  - .2 extend the target completion date for the review of the principles for establishing the safe manning levels of ships to 2010; and
  - .3 amend the target completion date for measures to enhance maritime security from two sessions to 2010.

9.2 The Sub-Committee anticipated that working groups on the following subjects might be established at STW 40:

- .1 Review of the STCW Convention and the STCW Code, chapters I, II and III;
- .2 Review of the STCW Convention and the STCW Code, chapters IV, V, VI, VII and VIII; and
- .3 Review of the principles for establishing safe manning levels of ships.

### **Intersessional meeting**

9.3 The Sub-Committee, having recalled its decision under agenda item 7 (see paragraph 7.240.3), invited the Committee to approve the convening of one intersessional meeting for the comprehensive review of the STCW Convention and the STCW Code, tentatively scheduled from 8 to 12 September 2008.

### **Date of the next session**

9.4 The Sub-Committee noted that the fortieth session of the Sub-Committee had been tentatively scheduled to take place from 2 to 6 February 2009 at IMO Headquarters.

### **10 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2009**

10.1 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. Abdel Hafiz Kayssi (Lebanon), as Vice-Chairman for the year 2009.

### **11 ANY OTHER BUSINESS**

#### **Outcome of SLF 50**

11.1 The Sub-Committee considered the information provided by the Secretariat (STW 39/11/1) that SLF 50 had developed draft Safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels and had referred the preamble and chapters 1, 8 and 12 along with associated annexes to the Sub-Committee for comments.

11.2 The delegation of Germany expressed the opinion that the responsibility for providing instruction for emergency situations and abandon ship training should lie with the shipowner and not with the Administrations. Accordingly, in sections 8.1, 8.2 and 12.1 the term "Competent Authority" should be replaced by the term "shipowner".

11.3 The delegation of Greece expressed the opinion that fishing vessels were excluded from the requirements of the STCW Convention and was concerned with regard to the necessity and feasibility of the proposed training provisions especially for small undecked fishing vessels.

11.4 The Sub-Committee instructed the Secretariat to inform SLF 51 accordingly.

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

11.5 The Sub-Committee considered information provided by the Secretariat (STW 39/11/2) that FSI 14 had developed PSC guidelines on inspection of seafarers' working hours in the open form of a draft MSC circular or draft IMO/ILO Guidelines and that MSC 82, noting that the draft guidelines might need further review, in particular on STCW-related matters, had agreed to refer the matter to the FSI and STW Sub-Committees for consideration and reporting to MSC 83. STW 38 had 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. Accordingly, the Sub-Committee had 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 appropriate advice to MSC 84.

11.6 The delegation of Japan did not support the draft guidelines developed by FSI 14 as it was inappropriate for the Organization to issue guidelines on an instrument developed by another organization and advised that PSC guidelines related to MLC 2006 were currently being developed by ILO.

11.7 The delegation of Slovenia, supported by others, expressed the view that these guidelines may have to be revised in due course to take into account the current review of the STCW Convention and the requirements of MLC 2006. Furthermore, they identified a number inaccuracies within the draft guidelines. Accordingly, this would be the wrong document by the wrong Organization at the wrong time.

11.8 In this context, the Sub-Committee recalled that, under agenda item 7 (Comprehensive review of the STCW Convention and the STCW Code), it was currently reviewing the requirements relating to proper maintenance of records of hours of rest with a view to harmonize them with the relevant provisions in the ILO Maritime Labour Convention (2006), as well as clarifying the minimum time that constituted a period of rest. Furthermore, seafarers' hours of work were covered under ILO Convention No.180 (Seafarers' Hours of Work and the Manning of Ships Convention) and as such, the appropriate PSC guidelines should be developed by ILO.

11.9 In view of the above, the Sub-Committee agreed that it would not be appropriate for these guidelines to be issued as an MSC circular at this stage and invited the Committee to endorse this decision.

### **Outcome of BLG 11**

11.10 The Sub-Committee considered information provided by the Secretariat (STW 39/11/3) that BLG 11 had considered the Interim guidelines on safety of gas-fuelled engine installations in ships and had decided to forward section 7.7 on Operational and training requirements to the Sub-Committee for review and amendment as appropriate; and agreed that:

- .1 as a matter of principle, all training requirements should be contained within one instrument, i.e. the STCW Convention;
- .2 the requirements for training of personnel serving on board ships with gas fuelled engine installations (section 7.7.2) should be considered during the present review, with a view to inclusion in the STCW Convention and the STCW Code; and
- .3 the section should therefore be re-named as **Operational requirements** and include only sections 7.7.1 (Operational requirements) and 7.7.3 (Maintenance).

11.11 The delegation of Greece expressed the opinion that the requirements should only be applicable to seafarers serving on ships with gas fuelled engine installations.

11.12 In responding as to whether it was necessary to develop training requirements during the present review process, the delegation of Norway advised the Sub-Committee that these were interim guidelines which would lead to the development of a Code at a later stage and that it was premature to develop training requirements at this stage.

11.13 The Sub-Committee instructed the Secretariat to inform BLG 13 accordingly.

### **Performance standards for recovery systems**

11.14 The Sub-Committee noted information provided by the Secretariat (STW 39/2/2 (part)) that DE 50, while generally supporting the draft performance standard for recovery systems proposed by Japan (DE 50/21/1), had acknowledged that the matter was very complex requiring thorough and careful consideration and it should start with the development of functional requirements and procedures in order to develop a broad standard which should not be too

prescriptive. Furthermore, DE 50 had agreed that the STW Sub-Committee should be invited to co-operate with regard to drills to be included in the performance standards for recovery systems, as and when required.

### **Improving the existing International Maritime Education and Training (MET) Certification System**

11.15 Document STW 39/11/4 was withdrawn.

#### **Outcome of FSI 15**

11.16 The Sub-Committee noted information provided by the Secretariat (STW 39/11/5) that FSI 15 had considered the report of the 2005 Paris MoU Concentrated Inspection Campaign (CIC) on the GMDSS and had agreed to forward the findings to the Sub-Committee for information, together with the Paris MoU's recommendations that PSCOs be encouraged to continue to apply control under article X and regulation I/4, as appropriate, of the International Convention on Standards of Training, Certification and Watchkeeping for seafarers (STCW), 1978, as amended, with particular reference to the requirements contained in regulation I/14 (Responsibilities of companies), paragraph 1.4 and section A-I/14, paragraph 2.

11.17 In this context, the Sub-Committee recalled that STW 37 had noted the information provided by Norway (STW 37/12/2) that radio surveys had revealed that navigators holding GMDSS radio operator's certificates were not sufficiently familiar with the technical and operational distress and safety procedures for the radio equipment on board the ships they were serving. Accordingly, STW 37 had prepared MSC.1/Circ.1208 on Promoting and verifying continued familiarization of GMDSS operators on board ships, which was approved by MSC 81.

11.18 In view of the foregoing, the Sub-Committee agreed that no further action was required.

#### **Measures to improve training on board**

11.19 The Sub-Committee was informed by the Secretariat (STW 39/11/6) that MSC 83 had considered a proposal by India (MSC 83/12/4) for a long-term view to address the global shipping manpower shortage by the inclusion of a requirement for trainees and the provision of training berths on board ships in the relevant IMO conventions. After an in-depth discussion, the Committee had agreed to forward document MSC 83/12/4 to the Sub-Committee to consider, under the agenda item on "Any other business", how to address measures to improve training on board and to advise the Committee accordingly.

11.20 The delegation of the Netherlands expressed the opinion that while they understood the problem, they were not in favour of pursuing this path as it was too prescriptive.

11.21 The delegation of the United Kingdom supported by others recognized the need to address the shortage of seafarers, but felt that compulsory placement of cadets and provision of berths was not the appropriate way forward. Furthermore, it would be impractical and costly for smaller shipping companies to implement such provisions. They suggested that this idea should be taken up on a recommendatory basis with incentives offered to shipping companies to supply berths for trainees and cadets.

11.22 The delegation of South Africa and others supported the proposal by India and expressed the view that it would be very challenging to arrange with the shipowners to provide for the necessary training berths. In any case, it was in their opinion imperative that this initiative should not be lost.

11.23 The observer from INTERTANKO advised the Sub-Committee that its members were already being encouraged to provide training berths on their ships.

11.24 After some discussion, the Sub-Committee agreed that in order to provide proper advice to the Committee it was necessary to discuss this issue in greater detail. Accordingly, the Sub-Committee invited Member Governments and international organizations to submit comments and proposals on the best way forward to the next session and invited the Committee to endorse this decision.

### **Seafarers' health awareness training**

11.25 The Sub-Committee noted with appreciation information provided by IMHA (STW 39/11/7) on guidance to raise awareness among seafarers on issues related to their personal health and agreed that Member Governments should share this information with the shipping industry with a view to raising awareness among seafarers on matters related to their personal health. Accordingly, the Sub-Committee agreed that IMHA should further develop these guidelines in close collaboration with ILO and include awareness relating to Hepatitis B and HIV/AIDS and submit them to its next session.

### **Applicability of IMO conventions to FPSOs and FSUs**

11.26 The Sub-Committee was informed by the Secretariat (STW 39/11/8) that MSC 83 had considered the proposal by ITF (MSC 83/27/8) that, in light of the decision of MEPC 56, confirming that article 2 of the MARPOL Convention (definition of a ship) was applicable for the purposes of the MARPOL Convention, to floating production, storage and offloading facilities (FPSOs) and floating storage units (FSUs), the Committee should reconsider the decision of MSC 76 that it was not necessary to apply mandatory IMO instruments to address safety-related issues for FPSOs and FSUs, as the existing safety regime was adequate. While there was wide support for developing adequate safety criteria for FPSOs and FSUs, it was recognized that these criteria should not prejudice the rights of the coastal State. Accordingly, MSC 83 had agreed to forward document MSC 83/27/8 (ITF) to the Sub-Committee for consideration and advice to MSC 85 on the applicability of the STCW Convention and the STCW Code to FPSOs and FSUs.

11.27 OCIMF, OGP and IADC (STW 39/11/9) expressed the opinion that sufficient cause had not been shown to justify reconsideration of the decision of MSC 76 and that the existing safety regime for FPSOs and FSUs provided by coastal State regulations, present IMO conventions and industry guidelines were adequate. In this context, they drew specific attention to the conclusions and recommendations of resolution MEPC.139(53), MEPC/Circ.406, and the decisions at MSC 76.

11.28 ITF (STW 39/11/10) expressed the view that any FPSO or FSU, capable and required to operate as a ship, and defined as a ship under MARPOL article 2 should also be in compliance with the minimum requirements of the STCW Convention and should be able to show compliance, with the relevant IMO conventions at all times.



11.29 The delegation of Ireland expressed the opinion that the ISM Code provided for an overriding authority for the master which should apply to FPSOs and FSUs accordingly. They would like to receive information as to how the industry guidelines were implemented.

11.30 The delegation of the Netherlands expressed the opinion that this was a complex issue and required careful consideration and that when the FPSOs and FSUs were underway, they would have to comply with the requirements of the STCW Convention. However, when at anchor or in a fixed position then the person on the bridge should be required to have some knowledge as prescribed in section A-II/1 of the STCW Code.

11.31 The delegation of Australia informed the Sub-Committee that the incident referred to by ITF had been investigated by the Australian Transportation Safety Board, which had found no failings related to maritime regulations. In any case IMO conventions were applicable to FPSOs and FSUs under their flag.

11.32 The delegation of Canada informed the Sub-Committee that they also applied IMO conventions to FPSOs and FSUs under their flag.

11.33 The delegation of Greece expressed the opinion that the STCW Convention did not apply to FPSOs and FSUs and that the decision of MSC 76 that, for the time being, it was not necessary to apply mandatory IMO instruments to address safety-related issues for FPSOs and FSUs should stand.

11.34 The observer from ITF informed the Sub-Committee that since the oil production industry was not giving adequate consideration to maritime safety matters for FPSOs and FSUs, further clarification might be necessary on this issue after the FSI Sub-Committee and the MSC had considered the issue.

11.35 The Sub-Committee agreed that requirements of the STCW Convention applied to self-propelled and detachable FPSOs and FSUs when they were underway and invited MSC 85 to take this into account when deciding on the safety criteria for FPSOs and FSUs.

#### **A programme to incorporate security awareness training into the familiarization and basic safety training in China**

11.36 The Sub-Committee noted information provided by China (STW 39/11/11) on a programme to incorporate security awareness training into familiarization and basic safety training.

#### **Codes, recommendations, guidelines of non-mandatory instruments**

11.37 The Sub-Committee was informed by the Secretariat (STW 39/11/12) that MSC 83 had considered the comprehensive list prepared by the Secretariat (MSC 82/18/1 and MSC 82/INF.12) of codes, recommendations, guidelines and other safety and security related non-mandatory instruments, and referred detailed consideration of the list to the relevant sub-committees for identification of those instruments which might be relevant in the context of collection of information on their implementation, also requesting them to provide an input on potential users and requirements of the data scheme to be established. In this context, MSC 83 had noted that the Secretariat was developing a module of the IMO Global Integrated Shipping Information System (GISIS) on safety- and security-related non-mandatory requirements and recommendations, on the basis of document MSC/Circ.815. When completed, the module could also contain information on the status of implementation of non-mandatory instruments to be

kept updated by the Member States themselves using direct recording facilities. The module could also record, on a voluntary basis, for each instrument the national legislation adopted for its implementation – including the ability to upload its full text – the application criteria and the status of the instrument with regard to amendments.

11.38 Having considered the extract of codes, recommendations, guidelines and other safety and security related non-mandatory instruments identified in document MSC 82/INF.12 relevant to its work, the Sub-Committee agreed that in view of the ongoing review of the STCW Convention and the STCW Code, the Secretariat should update the list for inclusion in the GISIS database only after the completion of the review.

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

11.39 The Sub-Committee considered and noted information (STW 39/11) 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 2006.

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

11.40 The Sub-Committee, being informed by the Secretariat that the IMO Compendium of Maritime Training Institutes 2000 edition was 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 might have been upgraded, new training institutes approved or some training institutions had 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.

### **Information on simulators available for use in maritime training**

11.41 The Sub-Committee noted information provided by the Secretariat that MSC 81 had approved MSC.1/Circ.1209, requesting Member Governments to provide information on simulators available for use in maritime training, and that the Secretariat had received the information from several Member Governments and had added it to the GISIS database which could be viewed by the public as a “read-only” basis. Furthermore, the Sub-Committee requested those Member Governments who had not provided information to do so at an early date to enable the Secretariat to update the information in the GISIS database.

### **Information relating to the due date of second cycle of reports of independent evaluations pursuant to STCW regulation I/8**

11.42 The Sub-Committee noted information provided by the Secretariat that pursuant to the requirement of section A-I/8 of the STCW Code, STCW Parties are required to ensure that an independent evaluation of the knowledge, understanding, skills and competence acquisition and assessment activities, and of the administration of the certification activities was conducted at intervals of not more than five years. Furthermore, pursuant to STCW regulation I/8, STCW Parties were required to communicate information relating to the evaluation to the Secretary-General within six months of its completion. As of to date, 89 STCW Parties had communicated their report of independent evaluation to the Secretary-General. In this context, the list annexed to MSC.1/Circ.1164/Rev.3 contained those STCW Parties, confirmed at various

sessions of the Committee to have communicated information pursuant to regulation I/7, demonstrating that they were giving full and complete effect to the relevant provisions of the STCW Convention and indicating:

- .1 the date of the report of independent evaluation communicated to the Secretary-General (if applicable); and
- .2 the outcome of the process of evaluation of the reports of independent evaluation communicated by the STCW Parties, demonstrating that they were continuing to give full and complete effect to the relevant provisions of the STCW Convention.

A number of STCW Parties had submitted their second report of independent evaluation. The due date for the second cycle of independent evaluation would be five years from the date of the last evaluation.

11.43 Accordingly, the Sub-Committee invited all STCW Parties confirmed by the Maritime Safety Committee to be found to be giving ‘full and complete effect’ to the relevant requirements of the STCW Convention to take necessary steps to complete either the first or the second independent evaluation, as appropriate, on or before the due date and communicate the information to the Secretary-General within six months of completion of the independent evaluation.

#### **Guidelines on fair treatment of seafarers in the event of a maritime accident**

11.44 The Sub-Committee noted information provided by the Secretariat that as result of concerns expressed for the welfare of seafarers who may be detained in a foreign port when a ship is involved in a casualty, in 2006 IMO and ILO had adopted Guidelines on fair treatment of seafarers in the event of a maritime accident. The Guidelines had been developed by a Joint IMO/ILO *Ad Hoc* Expert Working Group On Fair Treatment of Seafarers in the Event of Accident and circulated by the ILO as *Note Verbale* IMO 18 100 of 2 August 2006 and by the IMO as Circular letter No.2711 of 26 June 2006. Member Governments were invited to implement the Guidelines as from 1 July 2006.

11.45 In this context, ISF expressed their appreciation to the support given by the Secretary-General relating to the recent ISF/ICS and ITF poster campaign in support of the fair treatment of seafarers. ISF encouraged all Member Governments to support the poster campaign to draw attention to the above-mentioned guidelines.

#### **60th anniversary of IMO Convention**

11.46 The Secretary-General addressed the delegates on 6 March 2008 on the occasion of the 60th anniversary of the adoption of the international convention which entered into force in 1958 and established the IMO. He drew the Committee’s attention to this year’s World Maritime Day theme “IMO: 60 years in the service of shipping” which would provide an opportunity “to pay due tribute to the sterling work the Organization has been delivering since its inception in 1948 as a specialized agency of the United Nations; as an institution serving the common public good; and as the regulator and partner of an industry, which, while credited with carrying the overwhelming volume of world trade safely and efficiently, also displays a caring attitude *vis-à-vis* the environment, both marine and atmospheric”.

He recalled that IMO was established out of a long-standing recognition that the best way of improving safety at sea was by developing international regulations that could be implemented by all nations with an interest in maritime transportation. There had been earlier attempts to establish a permanent international body to deal with shipping, similar to those that had already been established, for example, to regulate international telecommunication services (ITU, established in 1865) and postal services (UPU, established in 1874).

However, continuing apprehension in some sections of the industry about the role of an international shipping organization meant that it took ten years for sufficient countries to accept the Convention and for it to meet its entry-into-force requirements. Eventually, the new Organization commenced operations in January 1959.

When it did so, its functions had been amplified from those originally envisaged in the 1948 Convention as a result of developments in the maritime world. Marine pollution from ships, especially oil pollution associated with tankers, had emerged as a growing threat during the 1950s and an international conference, convened by the United Kingdom Government in 1954, had adopted a Convention setting forth international regulations for preventing pollution of the seas from oils carried by ships. The conference agreed that IMO should assume responsibility for the administration of the new Convention once it began operations.

The Secretary-General stated that IMO has been primarily a technical Organization, with maritime safety and security, pollution prevention and facilitation of maritime traffic being its greatest priorities. These objectives are epitomized in the Organization's mission statement "Safe, Secure and Efficient Shipping on Clean Oceans".

When the IMO Convention entered into force, the Organization had 21 Member States. Its membership has now risen to 167 Member States and three Associate Members, which includes virtually all the nations of the world with an interest in maritime affairs, be they involved in the shipping industry or coastal states with an interest in protecting their maritime environment. Even land-locked countries with maritime interests (including interests in inland, that is river and lake, navigation) have become IMO Members.

In addition, a number of inter-governmental and non-governmental organizations, representing a wide variety of interests, ranging from industry sectors to environmental groups, enjoy consultative status with the Organization. Their input, over many years, into the process of developing and refining international standards for shipping has been, and continues to be, of great value.

The year 2008 contains a number of key milestones and anniversaries for the Organization. In addition to the 60th anniversary of the adoption of the IMO Convention, 17 March will mark the 50th anniversary of that Convention entering into force in 1958; and June will see the 100th meeting of the IMO Council. These occasions, along with the Organization's return to its refurbished Headquarters building on London's Albert Embankment, will be celebrated in a series of events coinciding with the week-long 100th session of the Council, from 16 to 20 June 2008.

The Secretary-General conveyed congratulations and thanks to all for their contribution to the success story of IMO on this 60th anniversary.

## **Expressions of appreciation**

11.47 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:

- .1 Admiral Miguel Davena (Permanent Representative of Brazil to IMO) (on return home);
- .2 Mr. John De Rose (IACS) (on retirement);
- .3 Capt. Rolf Gotare (Sweden) (on retirement);
- .4 LCdr Derek D'Orazio (United States) (on transfer); and
- .5 Mr. Truls K. Bui (Norway) (on retirement).

## **12 ACTION REQUESTED OF THE COMMITTEE**

12.1 The Committee, at its eighty-fourth session, is invited to:

- .1 note the progress of work relating to the comprehensive review of the STCW Convention and Code (paragraph 7.278);
- .2 note and agree, in principle, to the proposal to hold a Conference to adopt amendments to the STCW Convention and Code emanating from the comprehensive review and to advise C 100 accordingly (paragraph 7.240.1);
- .3 agree to the schedule of meetings relating to the comprehensive review of the STCW Convention and Code (paragraph 7.240.2 and annex 1);
- .4 approve the convening of an *ad hoc* intersessional working group in September 2008 to progress work on the comprehensive review (paragraphs 7.240.3 and 9.3);
- .5 refer document STW 39/6/1 to the Joint MSC/MEPC working group on Human Element for detailed consideration and advice on the way forward (paragraph 7.245);
- .6 approve the list of areas where training cannot be conducted on board and instruct the Sub-Committee on the further course of action to be taken (paragraph 7.266 and annex 2); and
- .7 note the progress of work relating to the review of the principles for establishing the safe manning level of ships (paragraph 8.31).

12.2 In reviewing the work programme of the Sub-Committee, the Committee is invited to consider the revised work programme proposed by the Sub-Committee in general and, in particular, to:

- .1 amend the work programme item H.3 as follows:
  - .1 H.3 Comprehensive review of the STCW Convention and the STCW Code:
    - .1 Chapter I of the STCW Convention and the STCW Code
    - .2 Chapter II of the STCW Convention and the STCW Code
    - .3 Chapter III of the STCW Convention and the STCW Code
    - .4 Chapter IV of the STCW Convention and the STCW Code
    - .5 Chapter V of the STCW Convention and the STCW Code
    - .6 Chapter VI of the STCW Convention and the STCW Code
    - .7 Chapter VII of the STCW Convention and the STCW Code
    - .8 Chapter VIII of the STCW Convention and the STCW Code (paragraph 9.1);
  - .2 extend the target completion date for “Review of the principles for establishing the safe manning levels of ships” to 2010 (paragraph 8.31); and
  - .3 amend the target completion date for “Measures to enhance maritime security” from two sessions to 2010 (paragraph 9.1).

12.3 The Committee is also invited to approve the proposed agenda for the Sub-Committee’s fortieth session (paragraph 9.1 and annex 3).

12.4 The Committee, at its eighty-fifth session, is invited to:

- .1 endorse the views of the Sub-Committee that it would not be appropriate to issue PSC guidelines on inspection of seafarers’ working hours as an MSC circular (paragraphs 11.5 to 11.9);
- .2 endorse the Sub-Committee’s decision to invite Member Governments and international organizations to submit comments and proposals to the next session on the best way forward to improve training onboard with a view to provide proper advice to the Committee (paragraph 11.24);
- .3 take into account when deciding on the safety criteria for FPSOs and FUSs that the requirements of the STCW Convention applied to self propelled and detachable FPSOs and FSUs when they were underway (paragraph 11.35); and
- .4 approve the report in general.

\*\*\*

## ANNEX 1

**SCHEDULE OF MEETINGS RELATING TO THE COMPREHENSIVE REVIEW OF  
THE STCW CONVENTION AND CODE**

STW 39 (3-7 March 2008)	<ul style="list-style-type: none"> <li>- consideration of proposed amendments;</li> <li>- consideration of the type of the meeting to adopt amendments and schedule of meetings relating to the comprehensive review to the STCW Convention and Code; and</li> <li>- recommendation to MSC 84.</li> </ul>
MSC 84 (7-16 May 2008)	<ul style="list-style-type: none"> <li>- approval, in principle, to hold a Conference of STCW Parties to adopt amendments to the STCW Convention and the STCW Code emanating from the comprehensive review and to advise C 100 accordingly; and</li> <li>- approval of the schedule of meetings relating to the comprehensive review to the STCW Convention and Code.</li> </ul>
C 100 (16-20 June 2008)	<ul style="list-style-type: none"> <li>- endorsement of the decision of MSC 84.</li> </ul>
Intersessional working group 8-12 September 2008	<ul style="list-style-type: none"> <li>- preparation of draft text of amendments.</li> </ul>
STW 40 2-6 February 2009	<ul style="list-style-type: none"> <li>- preparation of draft text of amendments.</li> </ul>
MSC 86 (6-15 May 2009)	<ul style="list-style-type: none"> <li>- authorization for STW 41 to finalize the draft text of amendments for circulation.</li> </ul>
STW 41(January 2010)	<ul style="list-style-type: none"> <li>- finalization of the draft amendments to the STCW Convention and the STCW Code.</li> </ul>
February 2010	<ul style="list-style-type: none"> <li>- circulation of draft amendments.</li> </ul>
Conference of STCW Parties (July 2010)	<ul style="list-style-type: none"> <li>- adoption of the amendments to the Convention and the Code.</li> </ul>

\*\*\*





## ANNEX 2

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

Table A-VI/1-1: Specification of minimum standard of competence in personal survival techniques

No	Column 3	Possibility of onboard training	Remark
	Methods for demonstrating competence		
1	.1 don a lifejacket	Yes	
	.2 don and use an immersion suit	No	Use of immersion suit is only possible when in the water which is not safe to be carried out while at sea.
	.3 safely jump from a height into the water	No	It is not safe to do so while at sea as water in the vicinity of ship is not protected from dangers.
	.4 right an inverted liferaft while wearing a lifejacket	No	Ship's liferafts are normally enclosed and packed and should only be used in case of emergency.
	.5 swim while wearing a lifejacket	No	It is dangerous to swim at sea due to prevailing weather condition, sharks, hypothermia and other potential hazards.
	.6 keep afloat without a lifejacket	No	Possibility of drowning, etc.
	.7 board a survival craft from ship and water while wearing a lifejacket	Partially yes	Although it is possible to board a survival craft from the ship but it is not practicable and safe to board it from the water while at sea.
	.8 take initial actions on boarding survival craft to enhance chance of survival	Partially yes	Yes, if using lifeboat No, if using liferaft
	.9 stream a drogue or sea-anchor	Partially yes	Yes, if using lifeboat No, if using liferaft
	.10 operate survival craft equipment	Partially yes	Use of Pyrotechnics at sea is restricted to real emergencies only.  Yes, if using lifeboat No, if using inflatable liferaft
	.11 operate location devices, including radio equipment	Yes	

**Table A-VI/1-2: Specification of minimum standard of competence in fire prevention and fire fighting**

No	Column 3	Possibility of onboard training	Remark
	Methods for demonstrating competence		
1	.1 use various types of portable fire extinguisher	No	
	.2 use self-contained breathing apparatus	Yes	
	.3 extinguish smaller fires, e.g., electrical fires, oil fires , propane fires	No	Not appropriate and safe to set fire on ship, especially tankers and ships carrying dangerous goods.
	.4 extinguish extensive fires with water, using jet and spray nozzles	No	
	.5 extinguish fires with foam, powder or any other suitable chemical agent	No	
	.6 enter and pass through, with lifeline but without breathing apparatus, a compartment into which high expansion foam has been injected	No	Not practicable aboard to fill a compartment, especially compartment installed with machinery, with foam to carry out such exercise.
	.7 fight fire in smoke filled enclosed spaces wearing self-contained breathing apparatus	No	Preparing such a space filled with smoke is a rather difficult to impossible task on board.
	.8 extinguish fire with water fog or any other suitable fire-fighting agent in an accommodation room or simulated engine-room with fire and heavy smoke	No	Impossible and dangerous to create such a condition on board.
	.9 extinguish oil fire with fog applicator and spray nozzles, dry chemical powder or foam applicators	No	Dangerous to make such an oil fire on board.
	.10 effect a rescue in a smoke-filled space wearing breathing apparatus	Conditionally yes	Provided approved smoke generating device is available aboard.

**Table A-VI/1-3: Specification of minimum standard of competence in elementary first aid**

NO	Column 2	Possibility of onboard training	Column 3	Column 4	Remark
	Knowledge, understanding and proficiency		Methods for demonstrating competence	criteria for evaluating competence	
1	<p>Understanding of immediate measures to be taken in cases of emergency, including the ability to:</p> <ul style="list-style-type: none"> <li>.1 position casualty</li> <li>.2 apply resuscitation techniques</li> <li>.3 control bleeding</li> <li>.4 apply appropriate measures of basic shock management</li> <li>.5 apply appropriate measures in event of burns and scalds, including accidents caused by electric current</li> <li>.6 rescue and transfer a casualty</li> <li>.7 improvise bandages and use materials in emergency kit</li> </ul>	Yes	Assessment of evidence obtained from approved instruction or during attendance at an approved course.	The identification of probable cause, nature and extent of injuries is prompt and complete and the priority and sequence of actions is proportional to any potential threat to life.	Training can be carried out under supervision of seafarer holding medical care certificate.

**Table A-VI/2-1: Specification of the minimum standard of competence in survival craft and rescue boats other than fast rescue boats**

No	Column 3	Possibility of onboard training	Remark
	Methods for demonstrating competence		
1	.1 right an inverted liferaft while wearing a life jacket	No	Life rafts on board are packed and can not be used in times other than real emergencies
	.2 interpret the marking on survival craft as to the number of persons they are intended to carry	Yes	
	.3 give correct commands for launching and boarding survival craft, clearing the ship and handling and disembarking persons from survival craft	Conditionally yes	Weather and/or port regulation permitting
	.4 prepare and safely launch survival craft and clear the ship's side quickly	Conditionally yes	Weather and/or port regulation permitting
	.5 safely recover survival craft and rescue boats	Conditionally yes	Weather and/or port regulation permitting
2	.1 row and steer a boat and steer by compass	Conditionally yes	Weather and/or port regulation permitting
	.2 use individual items of equipment of survival craft	Partially yes	Except pyrotechnics
	.3 rig devices to aid location	Yes	
3	.1 use portable radio equipment for survival craft	Yes	
	.2 use signalling equipment, including pyrotechnics	No	Use of pyrotechnics at sea are restricted to only real emergencies and not drills

**Table A-VI/2-2: Specification of the minimum standard of competence in fast rescue boats**

No	Column 3	Possibility of onboard training	Remark
	Methods for demonstrating competence		
1	.1 control safe launching and recovery of a fast rescue boat	Yes	
	.2 right a capsized fast rescue boat	No	If carried at sea safety of the crew can be endangered
	.3 handle a fast rescue boat in prevailing weather and sea conditions	Yes	
	.4 swim in special equipment	No	If carried at sea safety of the crew can be endangered
	.5 use communications and signalling equipment between the fast rescue boat and helicopter and a ship	Yes	
	.6 use the emergency equipment carried	Yes	
	.7 recover a casualty from the water and transfer a casualty to a rescue helicopter or to a ship or to a place of safety	No	If carried at sea safety of the crew can be endangered
	.8 carry out search patterns, taking account of environmental factors	Conditionally yes	Weather and/or port regulation permitting

**Table A-VI/3: Specification of minimum standard of proficiency in advanced fire fighting**

No	Column 2	Possibility of onboard training	Column 3	Remark
	Knowledge, understanding and proficiency		Method for demonstrating competence	
1	Fire-fighting procedures at sea and in port with particular emphasis on organization, tactics and command	Yes	Practical exercises and instruction conducted under approved and truly realistic training conditions (e.g., simulated shipboard conditions) and, whenever possible and practicable, in darkness.	Due to safety considerations it is not possible to conduct the exercise truly and realistic on board.  Due to safety or practical reasons use of some equipment/systems (e.g., fixed fire-extinguishing system) is restricted aboard to only in real emergency.
	Use of water for fire-extinguishing, the effect on ship stability, precautions and corrective procedures	No		
	Communication and co-ordination during fire-fighting operations	Yes		
	Ventilation control, including smoke extractor	Yes		
	Control of fuel and electrical systems	Yes		
	Fire-fighting process hazards (dry distillation, chemical reactions, boiler uptake)	Yes		
	Fire fighting involving dangerous goods	No		
	Fire precautions and hazards associated with the storage and handling of materials	Yes		
	Management and control of injured persons	Yes		
	Procedures for co-ordination with shore-based fire fighters	Yes		
2	Fire detection systems; fixed fire-extinguishing systems; portable and mobile fire extinguishing equipment including appliances, pumps and rescue, salvage, life-support, personal protective and communication equipment	No	Practical exercises using approved equipment and systems in a realistic training environment.	

\*\*\*

## ANNEX 3

**DRAFT REVISED WORK PROGRAMME OF THE SUB-COMMITTEE  
AND PROVISIONAL AGENDA FOR STW 40**

**DRAFT REVISED WORK PROGRAMME OF THE SUB-COMMITTEE**

		<b>Target completion date/number of sessions needed for completion</b>	<b>Reference</b>
1	<b>Validation of model training courses</b>  Strategic Direction: 5.2 High-level Action: 5.2.2 Planned output: NA	Continuous	STW 31/17, paragraph 14.4; <del>STW 38/17</del> STW 39/12, section 3
2	<b>Casualty analysis</b> (co-ordinated by FSI)  Strategic Direction: 2 High-level Action: 12.1.2 Planned output: 12.1.2.1 to .2	Continuous	MSC 70/23, paragraphs 9.17 and 20.4; MSC 77/26, paragraphs 18.10 and 23.40.2; <del>STW 38/17</del> STW 39/12, section 10
H.1	<b>Unlawful practices associated with certificates of competency</b>  Strategic Direction: 5.2 High-level Action: 5.2.1 Planned output: NA	Continuous	MSC 71/23, paragraph 20.55.2; <del>STW 38/17</del> STW 39/12, section 4
H.2	<b>Measures to enhance maritime security</b>  Strategic Direction: 6 High-level Action: 6.3.2 Planned output: 6.3.2.1	<del>2 sessions</del> 2010	MSC 75/24, paragraphs 22.9 and 22.45; STW 38/17, section 6

- 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 40.

		<b>Target completion date/number of sessions needed for completion</b>	<b>Reference</b>
H.3	<b>Comprehensive review of the STCW Convention and Code</b> Strategic Direction: 5 High-level Action: 5.2.2 Planned output: 5.2.2.1	2010	STW 37/18, section 15; MSC 81/25, paragraphs 23.57.2, 23.40.2, 23.62 and 23.63; <del>STW 38/17, section 12</del> STW 39/12, section 7
	<b>.1 Chapter I of the STCW Convention and Code</b>	2010	STW 39/12, section 9
	<b>.2 Chapter II of the STCW Convention and Code</b>	2010	STW 39/12, section 9
	<b>.3 Chapter III of the STCW Convention and Code</b>	2010	STW 39/12, section 9
	<b>.4 Chapter IV of the STCW Convention and Code</b>	2010	STW 39/12, section 9
	<b>.5 Chapter V of the STCW Convention and Code</b>	2010	STW 39/12, section 9
	<b>.6 Chapter VI of the STCW Convention and Code</b>	2010	STW 39/12, section 9
	<b>.7 Chapter VII of the STCW Convention and Code</b>	2010	STW 39/12, section 9
	<b>.8 Chapter VIII of the STCW Convention and Code</b>	2010	STW 39/12, section 9
H.4	<b>Review of the principles for establishing the safe Manning level of ships</b> (in co-operation with NAV) Strategic Direction: 5 High-level Action: 5.2.2 Planned output: 5.2.2.2	<del>2008</del> 2010	MSC 81/25, paragraphs 23.58 to 23.60 <del>STW 38/17</del> STW 39/12, section <del>13</del> 8



		<b>Target completion date/number of sessions needed for completion</b>	<b>Reference</b>
H.5	Development of training standards for recovery systems Strategic direction: 5.1 High-level action: 5.1.1 Planned output: 5.1.1.1	2 sessions	MSC 81/25, paragraph 23.64
H.6	<b>Training for seafarer safety representatives</b> Strategic Direction: 12 High-level Action: 12.2.1 Planned output: 12.2.1.2	2009	MSC 82/24, paragraph 21.23 STW 39/12, section 5
L.1	Review of the implementation of STCW chapter VII Strategic Direction: 5 High-level Action: 5.2.2 Planned output: 5.2.2.1	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 Strategic Direction: 5 High-level Action: 5.2.1 Planned output: 5.2.1.3	2 sessions	STW 34/14, paragraph 11.8

**DRAFT PROVISIONAL AGENDA FOR STW 40\***

- 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:
    - .1 Chapter I of the STCW Convention and Code
    - .2 Chapter II of the STCW Convention and Code
    - .3 Chapter III of the STCW Convention and Code
    - .4 Chapter IV of the STCW Convention and Code
    - .5 Chapter V of the STCW Convention and Code
    - .6 Chapter VI of the STCW Convention and Code
    - .7 Chapter VII of the STCW Convention and Code
    - .8 Chapter VIII of the STCW Convention and Code
  - 8 Review of the principles for establishing the safe manning levels of ships
  - 9 Measures to enhance maritime security
  - 10 Work programme and agenda for STW 41
  - 11 Election of Chairman and Vice-Chairman for 2010
  - 12 Any other business
  - 13 Report to the Maritime Safety Committee

---

\* Agenda item numbers do not necessarily indicate priority.