



SUB-COMMITTEE ON STANDARDS OF  
TRAINING AND WATCHKEEPING  
41st session  
Agenda item 16

STW 41/16  
22 January 2010  
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## REPORT TO THE MARITIME SAFETY COMMITTEE

### Table of contents

|  | <b>Page</b> |
|--|-------------|
| 1 GENERAL  | 3           |
| 2 DECISIONS OF OTHER IMO BODIES  | 5           |
| 3 VALIDATION OF MODEL TRAINING COURSES   | 8           |
| 4 UNLAWFUL PRACTICES ASSOCIATED WITH<br>CERTIFICATES OF COMPETENCY   | 8           |
| 5 TRAINING FOR SEAFARER SAFETY REPRESENTATIVES   | 9           |
| 6 CASUALTY ANALYSIS  | 10          |
| 7 COMPREHENSIVE REVIEW OF THE STCW CONVENTION AND CODE   | 10          |
| 8 REVIEW OF THE PRINCIPLES FOR ESTABLISHING<br>THE SAFE MANNING LEVEL OF SHIPS, INCLUDING<br>MANDATORY REQUIREMENTS FOR DETERMINING SAFE MANNING | 42          |
| 9 MEASURES TO ENHANCE MARITIME SECURITY  | 44          |
| 10 DEVELOPMENT OF AN E-NAVIGATION STRATEGY<br>IMPLEMENTATION PLAN  | 45          |
| 11 REVISION OF THE RECOMMENDATIONS FOR ENTERING<br>ENCLOSED SPACES ABOARD SHIPS  | 46          |
| 12 DEVELOPMENT OF MODEL PROCEDURES FOR<br>EXECUTING SHIPBOARD EMERGENCY MEASURES   | 46          |
| 13 WORK PROGRAMME AND AGENDA FOR STW 42  | 47          |

|    | <b>Page</b>                                     |    |
|----|---|----|
| 14 | ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2011 | 49 |
| 15 | ANY OTHER BUSINESS                              | 49 |
| 16 | REPORT TO THE MARITIME SAFETY COMMITTEE         | 51 |

#### **LIST OF ANNEXES**

|         |  |
|---------|--|
| ANNEX 1 | DRAFT AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED   |
| ANNEX 2 | DRAFT AMENDMENTS TO PART A OF THE SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE  |
| ANNEX 3 | DRAFT AMENDMENTS TO PART B OF THE SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE  |
| ANNEX 4 | DRAFT CONFERENCE RESOLUTIONS   |
| ANNEX 5 | DRAFT ASSEMBLY RESOLUTION ON PRINCIPLES OF MINIMUM SAFE MANNING  |
| ANNEX 6 | DRAFT AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED (REGULATION V/14)                                 |
| ANNEX 7 | DRAFT BIENNIAL AGENDA AND POST-BIENNIAL AGENDA OF THE SUB-COMMITTEE AND PROVISIONAL AGENDA FOR STW 42  |
| ANNEX 8 | STATUS OF PLANNED OUTPUT OF THE HIGH-LEVEL ACTION PLAN OF THE ORGANIZATION AND PRIORITIES FOR THE 2010-2011 BIENNIUM RELEVANT TO THE SUB-COMMITTEE |

## 1 GENERAL

1.1 The Sub-Committee on Standards of Training and Watchkeeping (STW) held its forty-first session from 11 to 15 January 2010 under the chairmanship of Rear Admiral Peter Brady (Jamaica). The Vice-Chairman, Mr. A.H. Kayssi (Lebanon), was also present.

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

|  |                                       |
|--|---------------------------------------|
| ALGERIA                                  | LIBERIA                               |
| ANTIGUA AND BARBUDA                      | LIBYAN ARAB JAMAHIRIYA (THE)          |
| ARGENTINA                                | LUXEMBOURG                            |
| AUSTRALIA                                | MADAGASCAR                            |
| BAHAMAS                                  | MALAWI                                |
| BELGIUM                                  | MALAYSIA                              |
| BELIZE                                   | MALTA                                 |
| BOLIVIA (PLURINATIONAL<br>STATE OF)      | MARSHALL ISLANDS                      |
| BRAZIL                                   | MEXICO                                |
| CANADA                                   | MOROCCO                               |
| CHILE                                    | NETHERLANDS                           |
| CHINA                                    | NIGERIA                               |
| COOK ISLANDS                             | NORWAY                                |
| CROATIA                                  | PANAMA                                |
| CUBA                                     | PAPUA NEW GUINEA                      |
| CYPRUS                                   | PHILIPPINES                           |
| DEMOCRATIC PEOPLE'S<br>REPUBLIC OF KOREA | POLAND                                |
| DENMARK                                  | PORTUGAL                              |
| DOMINICA                                 | QATAR                                 |
| ECUADOR                                  | REPUBLIC OF KOREA                     |
| EGYPT                                    | ROMANIA                               |
| ESTONIA                                  | RUSSIAN FEDERATION                    |
| FINLAND                                  | SAINT KITTS AND NEVIS                 |
| FRANCE                                   | SAUDI ARABIA                          |
| GERMANY                                  | SINGAPORE                             |
| GREECE                                   | SOUTH AFRICA                          |
| ICELAND                                  | SPAIN                                 |
| INDIA                                    | SURINAME                              |
| INDONESIA                                | SWEDEN                                |
| IRAN (ISLAMIC REPUBLIC OF)               | SWITZERLAND                           |
| IRELAND                                  | THAILAND                              |
| ISRAEL                                   | TURKEY                                |
| ITALY                                    | TUVALU                                |
| JAMAICA                                  | UKRAINE                               |
| JAPAN                                    | UNITED KINGDOM                        |
| KENYA                                    | UNITED STATES                         |
| KUWAIT                                   | URUGUAY                               |
| LATVIA                                   | VANUATU                               |
| LEBANON                                  | VENEZUELA (BOLIVARIAN<br>REPUBLIC OF) |

and the following Associate Members of IMO:

FAROE ISLANDS (DENMARK)  
HONG KONG, CHINA

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

INTERNATIONAL LABOUR ORGANIZATION (ILO)  
EUROPEAN COMMISSION (EC)  
LEAGUE OF ARAB STATES  
INTERNATIONAL CHAMBER OF SHIPPING (ICS)  
INTERNATIONAL MOBILE SATELLITE ORGANIZATION (IMSO)  
INTERNATIONAL SHIPPING FEDERATION (ISF)  
INTERNATIONAL UNION OF MARINE INSURANCE (IUMI)  
INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF)  
INTERNATIONAL RADIO MARITIME COMMITTEE (CIRM)  
BIMCO  
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)  
OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)  
INTERNATIONAL MARITIME PILOTS' ASSOCIATION (IMPA)  
INTERNATIONAL ASSOCIATION OF DRILLING CONTRACTORS (IADC)  
INTERNATIONAL ASSOCIATION OF MARITIME UNIVERSITIES (IAMU)  
INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS (IFSMA)  
INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS  
(INTERTANKO)  
SOCIETY OF INTERNATIONAL GAS TANKER AND TERMINAL OPERATORS  
LIMITED (SIGTTO)  
CRUISE LINES INTERNATIONAL ASSOCIATION (CLIA)  
INTERNATIONAL ASSOCIATION OF DRY CARGO SHIPOWNERS  
(INTERCARGO)  
INTERNATIONAL MARITIME LECTURERS ASSOCIATION (IMLA)  
THE INSTITUTE OF MARINE ENGINEERING, SCIENCE AND TECHNOLOGY  
(IMarEST)  
INTERNATIONAL SHIP MANAGERS' ASSOCIATION (InterManager)  
INTERNATIONAL PARCEL TANKERS ASSOCIATION (IPTA)  
THE INTERNATIONAL MARINE CONTRACTORS ASSOCIATION (IMCA)  
INTERNATIONAL HARBOUR MASTERS' ASSOCIATION (IHMA)  
INTERNATIONAL MARITIME HEALTH ASSOCIATION (IMHA)  
GLOBAL MARITIME EDUCATION AND TRAINING ASSOCIATION (GlobalMET)  
THE NAUTICAL INSTITUTE (NI)

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

1.4 The Secretary-General welcomed the participants and delivered his opening address, the full text of which is reproduced in document STW 41/INF.2.

#### **Chairman's remarks**

1.5 In response, the Chairman thanked the Secretary-General for his words of guidance, encouragement and advice. He further assured the Secretary-General that his advice and requests

on other matters would also 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. 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, at which the comprehensive review of the STCW Convention and Code had to be finalized.

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

1.6 The Sub-Committee adopted the agenda (STW 41/1) 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 41/1/1), as amended. The agenda of the session, including a list of documents submitted under each agenda item, is given in STW 41/INF.3.

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

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

2.1 The Sub-Committee was informed (STW 41/2) of the decisions and comments pertaining to its work of the eighty-sixth session of the Maritime Safety Committee and took action thereon as under the relevant agenda items.

### **Communication of information**

2.2 The Sub-Committee noted, in particular, that the Committee had received the Secretary-General's report on two STCW Parties pursuant to STCW regulation I/7; had confirmed that the procedures for assessment of information had been followed correctly in respect of those Parties, and had issued MSC/Circ.1163/Rev.4 on Parties to the STCW Convention confirmed by MSC 86 as having demonstrated to be giving "full and complete effect" to the relevant provisions of the STCW Convention, as amended.

2.3 The Committee had also received the Secretary-General's reports on eight 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.6 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 Committee to have communicated information which demonstrated that Parties are giving full and complete effect to the relevant provisions of the Convention.

### **Approval of competent persons**

2.4 The Sub-Committee noted that the Committee had approved additional competent persons nominated by Governments, as listed in the annex to MSC/Circ.797/Rev.18.

## APPLICATION OF THE COMMITTEE'S GUIDELINES

### Guidelines on the application of the Strategic Plan and the High-level Action Plan

2.5 The Sub-Committee further noted that MSC 86 had recalled the agreement of MSC 85 that the sub-committees should focus their deliberations on the technical or operational aspects of the work assigned. Furthermore, the Committee had agreed that the Chairmen's meeting should consider amending the Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC-MEPC.1/Circ.2) to address the issue to avoid repetition of similar cases in future and to encourage submitters of new work programme items to submit relevant information and data to support their proposals at the sub-committee level (MSC 85/26, paragraph 23.40).

2.6 MSC 86 has also discussed the draft amendments set out in annex 3 to document MSC 86/WP.11 and remained evenly divided between the option to keep the text of the two new paragraphs 2.12.1 and 2.12.2, as proposed, and the option to introduce a certain degree of flexibility allowing, in certain cases, discussion on the need for the work programme item, and a more stringent guidance on the provision of information by proponent(s) to facilitate the technical work of the subsidiary body.

2.7 The following guiding principles had been highlighted in the course of the discussion to serve as the basis for further consideration of the matter:

- .1 the consideration of the need and compelling need for new work programme items remains entirely with the Committees and should not be reopened by sub-committees, as such;
- .2 the Committees filter the proposals and decide on the inclusion of new items in the work programme and agenda of the sub-committees, without pre-deciding on the outcome of the technical or operational consideration, which may bring the sub-committees to recommend that the work cannot be completed;
- .3 sub-committees should carry out the work on substance and should not deviate from the instructions received from Committees; and
- .4 as much information as possible should be gathered by the proponent(s) when putting forward proposals for new work programme items but it should not be assumed that sufficient information is always available at the time of the proposals.

2.8 Following the above discussion, MSC 86 had agreed to revisit the matter at its next session and invited interested Member Governments to consider how the text of the draft amendments could be improved to address the above views. In this context, the Committee had requested the Secretariat to inform MEPC 59 accordingly.

**STATUS OF PLANNED OUTPUTS FOR THE 2008-2009 BIENNIUM AND PROPOSALS FOR THE HIGH-LEVEL ACTION PLAN OF THE ORGANIZATION AND PRIORITIES FOR PLANNED OUTPUTS OF THE COMMITTEES FOR THE 2010-2011 BIENNIUM**

2.9 MSC 86 had recalled that, in the context of the requests of the Assembly made in resolution A.989(25) on the Strategic Plan for the Organization (for the six-year period 2008 to 2013) and resolution A.990(25) on the High-level Action Plan of the Organization and priorities for the 2008-2009 biennium, MSC 84 had instructed the Secretariat to submit the information concerning review of progress made in implementing the High-level Action Plan and priorities for the 2008-2009 biennium and prepare proposals for the High-level Action Plan for the 2010-2011 biennium, as may be updated following the outcome of MSC 86, for submission to C 102.

2.10 Having considered document MSC 86/23/5 (Secretariat) on the status of the Committees' planned outputs for the 2008-2009 biennium, in the context of the outputs listed in resolution A.990(25), and recommendations made by the Chairmen's meeting (MSC 86/WP.11), MSC 86 had endorsed the status of the MSC planned outputs for the current biennium, which included updates by the Chairman and the Secretariat, as authorized by the Committee, taking into account the outcome of MSC 86, for submission to C 102.

2.11 MSC 86, having considered document MSC 86/23/16 (Secretariat), proposing modifications to the planned output of the Committees for the 2010-2011 biennium, which took into account the progress made by the sub-committees during the 2008-2009 biennium, and the recommendations made by the Chairmen's meeting (MSC 86/WP.11), had endorsed the proposals for High-level Action Plan of the Organization and priorities for the 2010-2011 biennium, which included updates by the Chairman and the Secretariat, as authorized by the Committee, taking into account the outcome of MSC 86, for submission to C 102, and requested the Secretariat to submit any changes to the annexed proposals emanating from NAV 55 and DSC 14 to CWGSP 9 or C/ES.25, as appropriate.

**OUTCOME OF THE FIFTY-NINTH SESSION OF THE MARINE ENVIRONMENT PROTECTION COMMITTEE**

2.12 The Sub-Committee was informed (STW 41/2/1) of the decisions and comments pertaining to its work of the fifty-ninth session of the Marine Environment Protection Committee and took action thereon as reported under the relevant agenda items.

**DECISIONS OF SUB-COMMITTEES**

2.13 The Sub-Committee was also informed (STW 41/2/2) of the decisions and comments pertaining to its work of FP 52, DE 51, NAV 55 and DSC 14 and took action thereon as reported under the relevant agenda items.

**OUTCOME OF THE TWENTY-SIXTH SESSION OF THE ASSEMBLY**

2.14 The Sub-Committee was informed orally by the Secretariat that the twenty-sixth session of the Assembly had approved:

- .1 the Strategic Plan for the Organization (for the six-year period 2010 to 2015), as set out in resolution A.1011(26);

- .2 the High-level Action Plan of the Organization and priorities for the 2010-2011 biennium, as set out in resolution A.1012(26); and
- .3 the Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization, as set out in resolution A.1013(26).

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

3.1 The Sub-Committee noted the information provided by the Secretariat (STW 41/3) 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, 31 had been published in French and 34 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 previously reported.

#### **Review of model courses related to the implementation of the STCW Convention and Code**

3.2 GlobalMET (STW 41/3/1) reiterated its offer to undertake the review of, and update, the model courses related to the STCW Convention and Code following the completion of the ongoing review in co-operation with International Association of Maritime Institutions, International Association of Maritime Universities, International Maritime Lecturers' Association and International Maritime Simulation Forum. They also proposed a new model course on Leadership and management training for ships' officers.

3.3 The observer from ISF appreciated the continued work done in the production of model courses and in the efforts being made to provide these in the working languages of the Organization. They also appreciated the proposal by GlobalMET to develop model courses on Leadership and management training for ships' officers as this was one of the essential components of the proposed revised STCW Convention. However, they urged caution to put quality control measures into place to ensure that all new courses were properly evaluated and reviewed to accurately reflect the intent of the revised Convention.

3.4 The Sub-Committee appreciated the renewed offer and instructed the Secretariat to liaise with GlobalMET and others, to review and update the STCW model courses in a phased manner, as set out in annex 2 to document STW 40/WP.5, and to submit them in due course to the Sub-Committee for validation.

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

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

4.1 The Sub-Committee noted the information provided by the Secretariat (STW 41/4 and addenda), detailing fraudulent certificates found on board ships during inspections or reportedly being used, as reported to the Secretariat for the year 2008, 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 13,142 times during the year 2009.



4.3 The delegation of Denmark requested that statistics were also provided by the Secretariat in addition to the information on fraudulent certificates detected to enable the Sub-Committee to determine if any trend could be detected to facilitate any further action that may be considered necessary. Furthermore, the observer from ITF, supported by the delegation of Nigeria, urged Member Governments to prosecute those individuals holding fraudulent certificates which, in their view, would discourage fraudulent practices.

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

5.1 The Sub-Committee recalled that STW 39 had agreed to await the outcome of the Joint MSC/MEPC Working Group on Human Element relating to amendments to the ISM Code before finalizing the training requirements for a ship's seafarer safety representative. In this context, the Sub-Committee noted that MSC 84 had noted that several delegations expressed the view that, although there might be a need for including the requirements for a seafarer safety representative in the ISM Code, they had concerns relating to:

- .1 small ships with small crews;
- .2 ships with multi-ethnic crews;
- .3 training;
- .4 the relationship with the role of shipboard safety officer; and
- .5 the relationship with the master.

Accordingly, MSC 84 had agreed that the proposal should be reconsidered at the next session of the Joint MSC/MEPC Working Group on Human Element.

5.2 The Sub-Committee further recalled that STW 40 had agreed to await the outcome of the Joint MSC/MEPC Working Group on the Human Element scheduled to be convened at MEPC 59 and invited both Committees to note the Sub-Committee's ongoing discussions on the issue with a view to MEPC 59 referring the outcome of the consideration of that group on the matter and its own decision thereon directly to STW 41 to enable the Sub-Committee to consider relevant training requirements for SSR, if required, and extend the target completion date to 2010.

5.3 MEPC 59 decided that there was no need to include the requirements for a seafarer safety representative in the ISM Code and invited Member Governments and international organizations to submit comments and proposals relating to the revision of existing guidelines to include consideration of the seafarer safety representative to the next session of the group, scheduled to be convened during MSC 87. In the context of training for the SSR, MEPC 59 noted STW 40's ongoing discussions regarding training for a seafarers' safety representative (SSR). After an in-depth discussion, MEPC 59 agreed to develop guidance to address the training requirements for the SSR and disseminate it by means of an MSC-MEPC.7 circular to be finalized by the Joint MSC/MEPC Working Group on the Human Element, subject to the concurrent decision of MSC 87. Accordingly, MEPC 59 instructed the Sub-Committee not to consider this issue further.

5.4 In light of the instructions of MEPC 59, the Sub-Committee noted that there was no need for further action by the Sub-Committee and invited the Committee to delete this item from the work programme (see paragraph 13.3.2.2).

## 6 CASUALTY ANALYSIS

6.1 The Sub-Committee recalled that MSC 77 (MSC 77/26, paragraph 18.10) had decided that the item on “Casualty analysis” should remain on the work programme of the sub-committees. This decision was reaffirmed by MSC 78 (MSC 78/26, paragraph 24.8).

6.2 The Sub-Committee (STW 41/6) noted that MSC 86, having considered the recommendations of FSI 17 based on its review of the investigation report on the fire on the fishing factory vessel **Hercules**, agreed to refer the report to this session for consideration.

6.3 The delegation of the Faroe Islands informed the Sub-Committee that the causes of the accidents were due to electric lamp fixtures of poor quality that got overheated as a consequence of their design which ignited large amounts of combustible cardboard stored on board for packaging purposes. Furthermore, the report had also highlighted the fact that, if a compressor for refilling air bottles had been carried on board **Hercules**, some lives might have been saved. The need for a common working language to ensure effective communication on board was also highlighted. Subsequently MSC 86, on submissions by Denmark and the Faroe Islands, had included new items on “Means for recharging air bottles for air breathing apparatus” and “General requirements on electrical installations” on the work programmes of the FP and DE Sub-Committees.

6.4 The delegation of Denmark, referring to the Secretary-General’s opening remarks and supported by the delegation of Spain, highlighted the need for Member Governments to ratify the Torremolinos Protocol and the STCW-F Convention which, in their opinion, would contribute to the enhancement of the safety of the personnel and vessels engaged in the fishing industry. They also highlighted the fact that, should a Convention not enter into force within a reasonable time, it could then be outdated.

6.5 In this context, the Sub-Committee noted that the reported global loss of some 24,000 fishermen every year continued to be a cause of concern and that the entry into force of the **Torremolinos Protocol** and the **STCW-F Convention** would be helpful in this respect. Accordingly, the Sub-Committee urged Member Governments that have not yet done so to ratify these instruments at the earliest possible time.

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

### 7.1 GENERAL

7.1.1 The Sub-Committee recalled that:

- .1 MSC 81, following the invitation of STW 37, 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 MSC 83 approved the list of areas in the STCW Convention and the STCW Code that STW 38 had 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.

7.1.2 The Sub-Committee further recalled that MSC 86 had:

- .1 approved the convening of an *ad hoc* intersessional meeting of the STW Working Group on the Comprehensive review of the STCW Convention and Code from 7 to 11 September 2009 in accordance with the terms of reference, as set out in annex 4 to document STW 40/14;
- .2 approved, in principle, the preliminary draft revised text of the STCW Convention and Code, as set out in annexes 1 to 3 to document STW 40/14, developed by the Sub-Committee, and authorized STW 41 to finalize the draft revised text of amendments with a view to their circulation by the Secretary-General for consideration by the Diplomatic Conference;
- .3 having noted the consultations of the Secretary-General with the Director-General of ILO and the latter's concurrence thereof, requested the Secretary-General to take appropriate action to convene the Diplomatic Conference in the Philippines in June 2010 to adopt the amendments to the STCW Convention and Code, pending decisions by the Council and Assembly on the budget for the biennium 2010-2011; and
- .4 requested the Secretary-General to circulate the text of the proposed amendments, finalized by STW 41, to the conference for consideration with a view to adoption and to issue, at the appropriate time, a note verbale inviting representation at the conference, and all other relevant documentation.

7.1.3 In this context, the Sub-Committee noted that the Secretariat had issued the notes verbales inviting representation at the Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping (STCW), 1978 scheduled to be held in Manila, The Philippines, from 21 to 25 June 2010.

#### **Report of the second *Ad hoc* Intersessional meeting of the STW Working Group on the comprehensive review of the STCW Convention and Code**

7.1.4 The Sub-Committee approved the report of the second *Ad hoc* Intersessional meeting of the STW Working Group (ISWG 2) on the comprehensive review of the STCW Convention and Code (STW 41/7/1) in general and, in particular:

- .1 noted that the Group had agreed the draft amended text of chapters I, II, III, V, VI, VII and VIII of the STCW Convention and Code should be submitted for further consideration under the corresponding sub-item of the agenda (paragraph 9.1);

- .2 approved the terms of reference for the working and drafting groups to be established at this session, as amended by document STW 41/1/2, after taking into account the progress of work relating to the ongoing comprehensive review; and
- .3 agreed that the plenary should only consider issues which require a decision in principle, so that the working groups could start their work using the draft amended text prepared by ISWG 2, so as to provide them maximum working time.

### **Establishment of the working and drafting groups**

7.1.5 The Sub-Committee formally established Working Group 1 (WG 1) to consider the comprehensive review of chapters I and III of the STCW Convention and the STCW Code under the chairmanship of Ms. Mayte Medina (United States) with the following amended terms of reference (STW 41/1/2, annex):

Taking into account the comments and decisions made in the plenary, in particular on issues of principle, the Working Group should consider relevant proposals in documents submitted under agenda items 7.1 and 7.3 referred to it by the plenary and:

- .1 review the amended draft text of chapters I and III of the STCW Convention and part A and part B of the STCW Code, as prepared by the second *Ad hoc* intersessional STW Working Group on the comprehensive review of the STCW Convention and Code and finalize the text;

and submit its report to the plenary on Thursday, 14 January 2010.

7.1.6 The Sub-Committee formally established Working Group 2 (WG 2) to consider the comprehensive review of chapters V and VI under the chairmanship of Capt. M.A. Shahba (Islamic Republic of Iran) with the following terms of reference (STW 41/1/2, annex):

Taking into account the comments and decisions made in the plenary, in particular on issues of principle, the Working Group should consider relevant proposals in documents submitted under agenda items 7.5 and 7.6 referred to it by the plenary and:

- .1 review the draft amended text of chapters V and VI of the STCW Convention and part A and part B of the STCW Code, as prepared by the second *Ad hoc* intersessional STW Working Group on the comprehensive review of the STCW Convention and Code and finalize the text;

and submit its report to the plenary on Thursday, 14 January 2010.

7.1.7 The Sub-Committee formally established Drafting Group 1 (DG 1) to consider the comprehensive review of chapter II and draft Conference resolutions under the chairmanship of Mr. A.H. Kayssi (Lebanon) with the following terms of reference (STW 41/1/2, annex):

Taking into account the comments and decisions made in the plenary, the Drafting Group should consider relevant proposals in documents referred to it by the plenary submitted under agenda item 7 relating to draft Conference resolutions and agenda item 7.2:

- .1 review the draft amended text of chapter II of the STCW Convention and part A and part B of the STCW Code, as prepared by the second *Ad hoc* intersessional STW Working Group on the comprehensive review of the STCW Convention and Code and finalize the text;
- .2 review the draft Conference resolutions submitted to this session and finalize the text with a view to submission to the Conference for adoption;

and submit its report to the plenary on Thursday, 14 January 2010.

7.1.8 The Sub-Committee formally established Drafting Group 2 (DG 2) to consider the comprehensive review of chapters IV, VII and VIII under the chairmanship of Mr. S. Hassing (Netherlands) with the following terms of reference (STW 41/1/2, annex):

Taking into account the comments and decisions made in the plenary, the Drafting Group should consider relevant proposals in documents referred to it by the plenary submitted under agenda items 7.4, 7.7 and 7.8:

- .1 review the preliminary revised draft text of chapter IV of the STCW Convention, part A and part B of the STCW Code, as prepared by STW 40 and finalize the text;
- .2 review the draft amended text of chapters VII and VIII of the STCW Convention and part A and part B of the STCW Code, as prepared by the second *Ad hoc* intersessional STW Working Group on the comprehensive review of the STCW Convention and Code and finalize the text;

and submit its report to the plenary on Thursday, 14 January 2010.

7.1.9 Before releasing the working groups, the Sub-Committee considered those proposals which needed a decision in principle before referring them to the relevant working group, as set out in the ensuing paragraphs. All those proposals which did not require a decision in principle were referred directly to the relevant working group.

## **7.2 CHAPTER I – GENERAL PROVISIONS**

### **Regulation I/1 (Definitions and clarifications)**

7.2.1 The Sub-Committee agreed that this regulation should be considered after the completion of the review so that all the definitions identified could be considered together.

### **Regulation I/2 (Certificates and endorsements)**

7.2.2 The Sub-Committee recalled that paragraphs 6, 12 and 12.1 to 12.4 in regulation I/2, paragraphs 8, 9 and 9.4, and table A-I/2 in section A-I/2 and paragraphs 5, 5.9 and 5.11 in section B-I/2 contained square brackets.

#### ***Regulation I/2***

7.2.3 The Sub-Committee considered the text in square brackets in paragraph 6. In this context, the delegation of the Islamic Republic of Iran, supported by others, expressed the opinion to retain the original text and to use the term “ensuring” instead of the term “verifying”.

7.2.4 The delegation of India, supported by others, supported the use of the term “certificate of competency” instead of the original text.

7.2.5 The delegation of Singapore expressed the opinion that the term “ensure” would result in a more onerous obligation than the term “verify” although the intentions may appear similar. Furthermore, the term “verify” meant “to make a formal affirmation” and would be more pragmatic for Administrations. In their view the use of the term “ensure” would impose very onerous obligations which could delay the process of recognition of certificates issued by any country and impose hardship on the shipping community.

7.2.6 After some discussion, the Sub-Committee agreed to the use of the terms “certificate of competency” and “ensuring” and to delete the terms “certificate” and “verifying”.

7.2.7 With respect to the text in square brackets in paragraph 12, the Sub-Committee agreed to address it when considering regulation I/9 (see paragraph 7.2.58).

***Document STW 41/7/37***

7.2.8 The Philippines (STW 41/7/37 (part)) proposed amendments to paragraph 13 requiring Parties to maintain electronic databases of all certificates and endorsements issued by them to eliminate delays relating to verification of the authenticity and validity of certificates.

7.2.9 The delegation of the Bahamas, while supporting the proposal in principle, expressed the opinion that the proposed database did not need to be in electronic format.

7.2.10 The delegation of Dominica, supported by others, supported the proposal because not all Administrations were prompt in responding to requests for verification of authenticity.

7.2.11 The delegation of Belgium, supported by Denmark, expressed the opinion that the access to the proposed database should be limited to ensure that the individual rights were protected.

7.2.12 The delegation of the Netherlands, supported by others, expressed the opinion that the database should be limited to only those certificates which required to be endorsed for recognition.

7.2.13 After some discussion, the Sub-Committee agreed to refer this proposal to WG 2 for detailed consideration but limited to certificates which require endorsement for recognition, with a view to finalize the text, taking into account comments and decisions in plenary.

***Document STW 41/7/47 (part)***

7.2.14 Austria *et al.* (STW 41/7/47 (part)) proposed amendments to paragraph 6 in order to ensure the involvement of the Administration at the time of issuance for tanker certificates and that such certificates are recognized by endorsement.

7.2.15 After a brief discussion, the Sub-Committee agreed to refer the proposal to WG 2 for detailed consideration with a view to finalize the text, taking into account comments and decisions in plenary.

***Section A-I/2***

7.2.16 The Sub-Committee considered the text in square brackets in paragraphs 8, 9 and 9.4 and agreed to retain the text and delete the square brackets.

7.2.17 The Philippines (STW 41/7/35) proposed amended table A-I/2 and a format for the certificate of proficiency.

7.2.18 Consequent to a corresponding proposal under regulation I/2, the Philippines (STW 41/7/37 (part)) proposed amendments to paragraph 7 relating to the level of access to be provided to Administrations and companies to verify the authenticity and validity of certificates.

7.2.19 Australia (STW 41/7/54) proposed an amended table A-I/2.

7.2.20 The Sub-Committee, noting that these proposals did not require any decision in principle, referred them to WG 1 for consideration in detail with a view to finalizing the text.

***Section B-I/2***

7.2.21 The Sub-Committee considered the text in square brackets in paragraphs 5, 5.9 and 5.11 and after a brief discussion agreed to:

- .1 delete the text and square brackets in paragraph 5; and
- .2 delete the square brackets and retain the text in paragraphs 5.9 and 5.11.

**Regulation I/3 (Principles governing near-coastal voyages)**

7.2.22 The Sub-Committee recalled that there were no square brackets in this regulation and the associated parts of the STCW Code and noted that no further proposals had been submitted for this regulation to the current session.

**Regulation I/4 (Control procedures)**

***Regulation I/4***

7.2.23 The Sub-Committee considered the text in square brackets in paragraph 2.1 and agreed to delete the first set of square brackets together with the text and the second set of square brackets while retaining that text.

***Section A-I/4***

7.2.24 The Philippines (STW 41/7/36) proposed amendments to the proposed paragraph 6 to provide clarifications to port State control authorities and Administrations.

7.2.25 The Sub-Committee, noting that this proposal did not require any decision in principle, referred it to WG 1 for detailed consideration with a view to finalize the text.

***Linkages between chapters II and VI and basic safety training requirements for deck officers – Section B-I/4***

7.2.26 Consequent to their corresponding proposals under chapters II, III and VI, the Islamic Republic of Iran (STW 41/7/21 (part)) proposed amendments to section B-I/4 in order to clarify the linkage between chapters II and VI.

7.2.27 After a brief discussion, the Sub-Committee agreed that there was a need to include a new competence in tables A-II/1, A-II/3 and A-III/1 to address basic safety training. However, it did not agree to the deletion of the draft text in paragraph 2.6 of regulation II/1, paragraphs 4.5 and 6.4 of regulation II/3 and paragraph 2.5 of regulation III/1 to address linkages between chapters II and III, and chapter VI. Furthermore, it also did not agree to the proposed amendments to section B-I/4.

**Regulation I/5 (National provisions)**

7.2.28 The Sub-Committee considered the text in square brackets in paragraph 4.2 and agreed to delete the first set of square brackets together with the text and the second set of square brackets while retaining that text.

7.2.29 The Sub-Committee noted that no further proposals had been submitted for this regulation to the current session.

**Regulation I/6 (Training and assessment)**

7.2.30 The Sub-Committee recalled that there were no square brackets in this regulation and the associated parts of the STCW Code and noted that no further proposals had been submitted for this regulation to the current session.

**Regulation I/7 (Communication of information)**

***Text in square brackets***

7.2.31 The Sub-Committee recalled that paragraphs 4, 6.5 and 12.1 of section A-I/7 contained square brackets and agreed to delete the square brackets together with the text in paragraph 6.5 and the square brackets in paragraph 12.1 of section A-I/7 while retaining the text.

7.2.32 The Sub-Committee further recalled that ISWG 2 had instructed the Secretariat to evaluate the consequences and the implications for the Organization in case the text of paragraph 4, presently in square brackets ([The report is made available by the Organization to the Parties upon request.]), was included in the revised text and submit it to STW 41.

7.2.33 The Secretariat (STW 41/7/18) provided its evaluation of the consequences and the implications for the Organization in case the reports of independent evaluation submitted by STCW Parties were to be provided to other STCW Parties on request.

7.2.34 The delegation of Spain, supported by others, expressed the opinion that, in the interest of transparency and to improve the supervision of the system, it was necessary to make the reports available to Parties on request.



7.2.35 The delegation of the Islamic Republic of Iran, supported by others, expressed the opinion that, in case the report was made available to Parties, it could lead to duplication of efforts and may result in two parallel systems in place.

7.2.36 After an in-depth discussion, the Sub-Committee, recognizing that the divergence of opinions could not be resolved at this stage, agreed to retain the proposal in square brackets for a decision by the Conference.

***Document STW 41/7/45***

7.2.37 Austria *et al.* (STW 41/7/45) proposed amendments to paragraph 3 of regulation I/7 to further specify the action that the Maritime Safety Committee should take, following receipt of the report by the Secretary-General.

7.2.38 The delegation of the United States, supported by others, expressed the view that there was no need for the proposed amendments as the procedural issue had been discussed in detail and resolved at STW 34.

7.2.39 The delegation of Germany, supported by others, expressed the opinion that the proposed amendments were necessary to ensure full compliance by all Parties with the relevant provisions of the STCW Convention and Code.

7.2.40 After an in-depth discussion and an indicative vote, the Sub-Committee agreed to the proposal and referred it to WG 1 for detailed consideration with a view to finalize the text, taking into account comments and decisions in plenary.

***Document STW 41/7/53***

7.2.41 The Islamic Republic of Iran (STW 41/7/53) proposed amendments to section A-I/7 in order to encompass the requirements emanating from the new paragraph 3.1 of section A-I/8.

7.2.42 The delegation of the United States, supported by others, expressed the view that there was a need to include the principles of section A-I/8 in section A-I/7.

7.2.43 The delegation of Canada, supported by others, expressed the view that there was a need to provide instructions to the panel of competent persons to ensure that “the actions being taken to correct any noted non-conformities are timely and appropriate” and that appropriate guidance should be developed.

7.2.44 After a brief discussion, the Sub-Committee agreed to refer the proposal to WG 1 for detailed consideration with a view to finalize the text, taking into account comments and decisions in plenary.

**Regulation I/8 (Quality standards)**

7.2.45 The Sub-Committee recalled that there were no square brackets in this regulation and the associated parts of the STCW Code and noted that no further proposals had been submitted for this regulation to the current session.

**Regulation I/9 (Medical standards)**

7.2.46 The Sub-Committee recalled that this regulation together with the associated parts of the STCW Code contained a number of square brackets which could be considered by WG 1, taking into account the comments and decision in plenary and proposals submitted for this regulation to the current session.

**Document STW 41/7/32**

7.2.47 Australia (STW 41/7/32) proposed amended text for section B-I/9.

7.2.48 After a brief discussion, the Sub-Committee referred this proposal to WG 2 for detailed consideration with a view to finalize the text, taking into account comments and decisions in plenary.

**Document STW 41/7/43**

7.2.49 ISF and ITF (STW 41/7/43) proposed that the revised tables for assessment of minimum entry levels in service eyesight standards and physical abilities, as specified in STW 41/7/2, should be included as guidance in section B-I/9 and that new generic standards, as set out in the annex to document STW 41/7/43, should be included in section A-I/9.

7.2.50 The delegations of India, the Philippines, South Africa and Singapore along with the observer from CLIA supported the proposal.

7.2.51 The delegation of Germany, supported by others, expressed the opinion that there was a clear need for specific mandatory medical standards in order to recognize medical certificates issued by other countries.

7.2.52 After an in-depth discussion, the Sub-Committee did not agree with the proposal.

**Document STW 41/7/46**

7.2.53 Austria *et al.* (STW 41/7/46) proposed amendments to section A-I/9, table A-I/9-1 and section B-I/9 of the STCW Code relating to medical standards.

7.2.54 The delegation of the United States, supported by others, expressed the view that there was a need to include in section A-I/9:

- .1 a grandfather clause applicable to serving seafarers; and
- .2 discretion for medical practitioners when applying the standards.

7.2.55 The delegation of Japan expressed the view that the colour vision standards developed by C.I.E. should be used.

7.2.56 The delegation of the Islamic Republic of Iran expressed the view that colour vision standards should be adopted for both deck and engineer officers.

7.2.57 The observer from IMHA informed the Sub-Committee that various colour vision testing methods were available and advised that functional requirements should be considered when finalizing the eyesight standards.

***Text in square brackets in regulation I/9***

7.2.58 With reference to the text in square brackets in paragraph 12 of the regulation, the Sub-Committee recalled that it had agreed to consider it after discussing regulation I/9. In this context, the Sub-Committee agreed to delete the square brackets and retain the text (see paragraph 7.2.7).

7.2.59 After an in-depth discussion, the Sub-Committee referred this proposal to WG 1 to finalize the text, taking into account comments and decisions in plenary.

**Regulation I/10 (Recognition of certificates)**

7.2.60 The Sub-Committee recalled that there were no square brackets in this regulation and the associated parts of the STCW Code.

7.2.61 Panama (STW 41/7/28), commenting on the proposed text of this regulation relating to recognition of certificates, recommended that the original text without the proposed amendments should be retained.

7.2.62 The Sub-Committee, noting that this proposal did not require any decision in principle, referred it to WG 1 for detailed consideration with a view to finalizing the text.

**Regulation I/11 (Revalidation of certificates)**

7.2.63 The Sub-Committee recalled that this regulation together with the associated parts of the STCW Code contained a number of square brackets and agreed that these would be considered by WG 1, taking into account the comments and decision in plenary and proposal submitted for this regulation to the current session.

7.2.64 The Islamic Republic of Iran proposed amendments to:

- .1 regulation I/11 to clarify the intent of paragraph 2 and avoid problems of different interpretations (STW 41/7/19 (part)); and
- .2 sections A-I/11 and B-I/11 of the STCW Code in order to redress the duplication of three months' seagoing service option for establishing continued professional competence (STW 41/7/14).

7.2.65 The proposal set out in document STW 41/7/14 was supported by the delegations of the United States and the Bahamas. In this context, the delegation of Denmark, supported by others, expressed the opinion that there was no duplication, nor had there been any problems experienced in this respect and therefore they could not support the proposal.

7.2.66 With reference to the proposal set out in document STW 41/7/19 (part), the delegation of Spain, supported by others, expressed the opinion that there were no inconsistencies, nor had there been a problem with different interpretations.

7.2.67 After a brief discussion, the Sub-Committee did not agree with these proposals.

### ***Maintaining professional competence***

7.2.68 The Islamic Republic of Iran (STW 41/7/22 (part)) proposed amendments to regulation I/11 of the STCW Convention in order to ensure that professional competence in areas of chapter VI of the STCW Code, where training cannot be conducted on board, was maintained.

7.2.69 The delegation of the United States, while supporting the proposal in principle, did not agree that masters and chief engineers should not be exempted from these proposed provisions.

7.2.70 After a brief discussion, the Sub-Committee agreed to refer this proposal to WG 1 to finalize the text, taking into account comments and decision in plenary.

### **Regulation I/12 (Use of simulators)**

7.2.71 The Sub-Committee recalled that paragraphs 48.3, 53.2 and the footnotes of paragraphs 68 and 72 of section B-I/12 contained square brackets and agreed to delete the square brackets in paragraph 48.3 and retain the text as a footnote.

7.2.72 Furthermore the Sub-Committee, noting that as performance standards adopted by the Organization were being published in IMO Publication *Performance Standards for Shipborne radiocommunications and navigational equipment*, agreed to replace details of performance standards in the footnote to paragraphs 53.2, 68 and 72 with the following text:

“See relevant/appropriate performance standards adopted by the Organization and set out in IMO publication *Performance Standards for Shipborne radiocommunications and navigational equipment*.”

7.2.73 The Sub-Committee noted that no further proposals had been submitted for this regulation to the current session.

### **Regulation I/13 (Conduct of trials)**

7.2.74 The Sub-Committee recalled that there were no square brackets in this regulation and the associated parts of the STCW Code and noted that no further proposals had been submitted for this regulation to the current session.

### **Regulation I/14 (Responsibilities of companies)**

7.2.75 IMLA (STW 41/7/51) proposed amendment to paragraph 1.7 of regulation I/14 relating to enhancing reliable communication on board.

7.2.76 The Sub-Committee, noting that this proposal did not require any decision in principle, referred it to WG 1 for detailed consideration with a view to finalizing the text.

7.2.77 The observer from CLIA recalled that the training requirements for officers on passenger ships and ro-ro passenger ships had been harmonized. Accordingly, there was a need to revisit the requirements set out in section A-I/14 to ensure that officers on passenger ships were not required to meet the training requirements set out in paragraph 3 of section A-V/2. In this context, the Sub-Committee instructed WG 1 to consider this issue while finalizing the text.

### **Regulation I/15 (Transitional provisions)**

7.2.78 The Sub-Committee recalled that the entire text of this regulation had been placed in square brackets pending the completion of the review process.

7.2.79 The United States (STW 41/7/26) proposed amendments to regulation I/15 of the STCW Convention to provide the transitional provisions for implementation of the 2010 amendments to the STCW Convention and Code.

7.2.80 After a brief discussion, the Sub-Committee referred the proposal to WG 1 to finalize the text, taking into account comments and decision in plenary.

### **Regulation I/1 (Definitions and clarifications)**

7.2.81 The Sub-Committee recalled that paragraphs 1.11, 1.14, 1.27, 1.27-1, 1.29 to 1.40, 1.42 and 4 of regulation I/1 and paragraph 1.5 of section A-I/1 contained square brackets and agreed that, since these did not require a decision in principle, WG 1 could consider them and finalize the text, taking into account decisions in plenary, in particular those relating to certificates issued in accordance with provisions of chapters V and VI.

7.2.82 The Islamic Republic of Iran (STW 41/7/19 (part)) proposed an amendment to definition of the term “Seagoing service”. In this context, the Sub-Committee, noting that this proposal did not require any decision in principle, referred it to WG 1 for detailed consideration with a view to finalizing the text.

7.2.83 Austria *et al.* (STW 41/7/47 (part)) proposed amendments to new paragraph 4 of regulation I/1 to ensure that certificates, in accordance with the provisions of regulations V/1-1 and V/1-2 to masters and officers, were only issued by Administrations.

7.2.84 The Sub-Committee recalled that the Islamic Republic of Iran (STW 40/7/30 (part)) had proposed a new definition of the term “GMDSS radio operator” which would need to be considered by WG 1 at the current session.

7.2.85 After a brief discussion, the Sub-Committee referred these proposals to WG 1 to finalize the text, taking into account comments and decision in plenary.

### **Instructions to the working group**

7.2.86 In light of the foregoing, the Sub-Committee instructed WG 1 to finalize the text of chapter I of the STCW Convention and Code, taking into account comments and decisions in plenary.

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

7.3.1 The Sub-Committee noted the draft amended text of chapter II (STW 41/7/3), as prepared by ISWG 2.

**Text in square brackets**

7.3.2 The Sub-Committee recalled that paragraph 1 of regulation II/1, paragraphs 1 and 3 of regulation II/2, paragraphs 1, 2, 3 and 5 of regulation II/3, paragraphs 3, 4 and 5 of regulation II/5, paragraphs 1.2 and 1.3 of section A-II/1 and paragraphs 1.2, 1.3 and 4 of section II/3 contained square brackets.

7.3.3 In this context, the Sub-Committee agreed that, consequent to a corresponding decision under chapter III, in:

- .1 regulations II/1, II/2, II/3 and paragraphs 1.2 and 1.3 of sections A-II/1 and II/3 to delete “an appropriate certificate” along with the square brackets and retain “certificate of competency” and delete the square brackets around it;
- .2 paragraphs 1.2 and 1.3 of sections A-II/1 and II/3 to delete “certificate of competency” along with the square brackets and retain “an appropriate certificate” and delete the square brackets around it;
- .3 regulation II/5 to replace the text in square brackets in paragraphs 3 and 4 with “date of entry into force” and in paragraph 5 with “five years from the date of entry into force” and that the actual dates will be entered after the Conference has decided on the date of entry into force; and
- .4 paragraph 4 of section A-II/3 to delete the square brackets and retain the text.

**Review of SOLAS regulation V/19.2.2.2 relating to carriage of daylight signalling lamp and annex 4 of COLREGs and appendix 1 of the International Code of Signals, and Correct generic term to replace the terms “Decca” and “Loran”**

7.3.4 The Sub-Committee recalled that the advice from NAV 55 relating to:

- .1 carriage of daylight signalling lamp and annex 4 of COLREGs and appendix 1 of the International Code of Signals; and
- .2 correct generic term to replace the terms “Decca” and “Loran”

had already been addressed by ISWG 2.

**Leadership and managerial skills**

7.3.5 ISF and ICS (STW 41/7/13) proposed to amend tables A-II/1 and A-II/2 of chapter II of the STCW Code to include elements relating to leadership and managerial skills, situational awareness and decision-making.

7.3.6 After a brief discussion, the Sub-Committee agreed with the proposal and referred it to DG 1 to finalize the text.

## **Duplication of requirements in chapters II and V**

7.3.7 The Islamic Republic of Iran (STW 41/7/16) proposed amendments to tables A-II/1 and A-II/2 of the STCW Code in order to redress the duplication of requirements in the mentioned tables and chapter V of the STCW Convention and Code in respect of passenger and tanker cargo operations' training.

7.3.8 After a brief discussion, the Sub-Committee did not agree with the proposal.

## **Linkages between chapters II and VI and basic safety training requirements for deck officers**

7.3.9 The Islamic Republic of Iran (STW 41/7/21) proposed amendments to regulations II/1 and II/3, tables A-II/1 and A-II/3 in order to resolve the inconsistency between the mentioned regulations and tables and sections B-I/4, B-VI/1, B-VI/2, B-VI/3 and B-VI/4 and to address the linkage between chapters II and VI. They also proposed similar consequential amendments to chapter III. In this context, the Sub-Committee recalled that it had also considered this issue under regulation I/4 in chapter I.

7.3.10 The Sub-Committee recalled that, when considering chapter I, it had agreed that there was a need to include a new competence in tables A-II/1, A-II/3 and A-III/1 to address basic safety training. However, it had not agreed to the deletion of the draft text in paragraph 2.6 of regulation II/1, paragraphs 4.5 and 6.4 of regulation II/3 and paragraph 2.5 of regulation III/1 to address linkages between chapters II and III, and chapter VI. The Sub-Committee had instructed DG 1 to finalize the text accordingly (see paragraph 7.2.27).

7.3.11 After some discussion, the Sub-Committee referred the proposals to DG 1 to finalize the text of chapter II of the STCW Convention and Code, taking into account comments and decisions in plenary.

7.3.12 The delegation of Australia requested the Sub-Committee to consider harmonizing terminology for nautical charts and publication as used in the SOLAS Convention. The Sub-Committee agreed to harmonize the terminology in chapters I, II and VII and instructed WG 1, DG 1 and DG 2 accordingly.

## **Instructions to the drafting group**

7.3.13 In light of the foregoing, the Sub-Committee instructed DG 2 to finalize the text of chapter II of the STCW Convention and Code, taking into account comments and decisions in plenary.

## **7.4 CHAPTER III – ENGINE DEPARTMENT**

7.4.1 The Sub-Committee noted the draft amended text of chapter III (STW 41/7/4), as prepared by ISWG 2.

### **Text in square brackets**

7.4.2 The Sub-Committee recalled that paragraphs 1 and 2.3 of regulation III/1, paragraph 1 of regulations III/2 and III/3, paragraph 3 of regulation III/5, paragraphs 1 and 3 of regulation III/6,

all of regulation III/7 and sections A-III/7 and B-III/7 and paragraph 3 of regulation III/8 contained square brackets.

7.4.3 In this context, the Sub-Committee agreed that, with reference to square brackets in:

- .1 paragraph 1 of regulations III/1, III/2, III/3 and III/6 to delete the term “an appropriate certificate” along with the square brackets and retain the term “certificate of competency” and delete the square brackets around it;
- .2 paragraph 3 of regulations III/5, III/6 and III/8 to replace the text in square brackets with “date of entry into force” for the actual dates to be entered after the Conference has decided on the date of entry into force; and
- .3 paragraph 2.3 of regulation III/1 to delete the term “officer” along with the square brackets and replace the term “engineer” with “engineer officer”, and delete the square brackets around it,

and to consider the full text of regulation III/7 and sections A-III/7 and B-III/7 in detail in plenary for a decision.

#### **Section A-III/1**

7.4.4 The Islamic Republic of Iran (STW 41/7/15) proposed amendments to the text of section A-III/1 in order to address the inconsistency between section A-III/1 and sections A-III/2 and A-III/3 in respect of the certification requirements for different types of propulsion machinery.

7.4.5 The Sub-Committee, noting that this proposal did not require any decision in principle, referred it to WG 1 for detailed consideration with a view to finalizing the text.

#### **Consideration of changes to the propulsion power limitations for the near-coastal provisions**

7.4.6 India *et al.* (STW 41/7/41) proposed increasing the propulsion power threshold for near-coastal voyages to 6000 kW. Additionally, they also proposed changes to near-coastal provisions of section A-III/1 to harmonize it with A-III/2.

7.4.7 In this context, the Sub-Committee recalled that this issue had been discussed at STW 40 and ISWG 2 when it had been agreed to retain the existing power limitations in sections A-III/1 and A-III/2.

7.4.8 After some discussion, the Sub-Committee did not agree with this proposal.

#### **Emerging and contemporary technologies – Tables A-III/1 and A-III/2**

7.4.9 Consequent to their proposals to STW 40 and ISWG 2, Japan *et al.* (STW 41/7/17) proposed revised amendments to tables A-III/1 and A-III/2 of the STCW Code in order to meet contemporary technologies and with improved texts of the tables and consequential deletion of paragraph 1 of section B-III/1.



7.4.10 After a brief discussion, the Sub-Committee referred the proposal to WG 1 for detailed consideration, after all other issues had been considered and if there was sufficient time to do so.

### **Teamwork and resource management**

7.4.11 ICS and ISF (STW 41/7/31) proposed amendments to tables A-III/I and A-III/2 of chapter III of the STCW Code relating to teamwork and resource management.

7.4.12 The Sub-Committee, noting that this proposal did not require any decision in principle, referred it to WG 1 for detailed consideration with a view to finalizing the text.

### **Electro-technical officers (ETOs)**

#### ***Regulation III/6***

7.4.13 ISF, ITF and BIMCO (STW 41/7/44) proposed a new paragraph 5 to ensure that the current and well-established practice of employing electrical officers or utilizing engineer officers for certain electrical duties on board was not affected in the future by the provisions of the newly proposed non-mandatory certification of “Electro-technical Officer”.

7.4.14 The delegation of the Bahamas, supported by others, expressed the view that:

- .1 there was a need to provide flexibility, since not all ships may require a fully qualified ETO;
- .2 larger ships with complex machinery would require fully qualified ETOs; and
- .3 care should be taken to ensure that, while providing the flexibility, the competence standards were maintained.

In this context, they supported the proposal.

7.4.15 The delegation of the Russian Federation, supported by the delegation of the Islamic Republic of Iran, questioned the intent of the proposal and expressed the view that this issue should be considered very carefully by the working group.

7.4.16 After some discussion, the Sub-Committee referred the proposal to WG 1 to finalize the text.

#### ***Regulation III/7***

7.4.17 The Sub-Committee recalled that, after an in-depth discussion, ISWG 2 had agreed that:

- .1 there was a need for two levels of training, i.e. support and operational; and
- .2 the proposed training of ETOs at management level developed by the last intersessional meeting should be retained in square brackets for further consideration and decision at STW 41.

Accordingly, ISWG 2 had only finalized the training and certification requirements for support and operational levels.

7.4.18 The delegation of Norway, supported by others, expressed the view that there should only be two levels of training, i.e. support and operational.

7.4.19 The delegation of China, supported by others, expressed the view that there should be three levels of training, i.e. support, operational and management. This, in their view, would provide for a career path for those entering as ETOs, as well as provide an incentive to attract new entrants to the profession.

7.4.20 A number of delegations expressed the view that, in case only two levels of training were accepted, some competences from the proposed management level training should be transferred to the operational level.

7.4.21 After detailed discussion, the Sub-Committee agreed that there was no need for training for ETOs at the management level and that some competences from the proposed management level should be transferred to the operational level. The Sub-Committee instructed WG 1 accordingly.

### ***Regulation III/8***

7.4.22 The Islamic Republic of Iran (STW 41/7/23) commented on the proposed new regulation III/8 and section A-III/8 in respect of the training and certification requirements for Able seafarer electro-engineering.

7.4.23 The delegation of India, supported by others, expressed the view that, since ETOs at support level could come from different sources, they agreed with the proposal.

7.4.24 The delegation of Germany agreed that there was a need to change the title of proposed regulation III/8 as well as to delete the mandatory requirements relating to watchkeeping service. Furthermore, they expressed the view that the sea service requirements were necessary.

7.4.25 After some discussion, the Sub-Committee referred the proposal to WG 1 to finalize the text.

### **Linkages between chapters III and VI and basic safety training requirements for deck officers**

7.4.26 The Sub-Committee recalled that the decisions relating to linkages between chapters II and VI were also applicable to chapter III and should be included in the final text of this chapter and instructed WG 1 accordingly (see paragraph 7.2.27).

### **Instructions to the working group**

7.4.27 In light of the foregoing, the Sub-Committee instructed WG 1 to finalize the text of chapter III of the STCW Convention and Code, taking into account comments and decisions in plenary.

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

7.5.1 The Sub-Committee recalled that the preliminary draft revised text of chapter IV (STW 41/7), as prepared by STW 40, did not contain any text in square brackets.

7.5.2 In this context, the Sub-Committee recognized that some of the footnotes needed to be amended, as well as to replace the term “appropriate certificate” with the term “certificate of competency” to maintain consistency with other chapters. Accordingly, the Sub-Committee instructed DG 2 to amend the footnotes and finalize the text of chapter IV of the STCW Convention and Code.

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

7.6.1 The Sub-Committee noted the draft amended text of chapter V (STW 41/7/5), as prepared by ISWG 2.

### **Text in square brackets**

7.6.2 The Sub-Committee noted that paragraphs 4.2.2.2, 6.2.2.2 and 7 of regulation V/1-1, paragraphs 4.2.2.2 and 5 of regulation V/1-2, paragraph 14 of section B-V/1-2 and paragraph 7.2.2.6 of section B-V/f contained square brackets. In addition, the entire text of related guidance on one-month onboard training programme was in square brackets.

7.6.3 In this context, the Sub-Committee agreed to consider the text in square brackets in paragraph 7.2.2.6 of section B-V/f at this stage, while all other texts in square brackets would be considered together with the relevant proposals submitted to the current session.

7.6.4 In considering the text in square brackets in paragraph 7.2.2.6 of section B-V/f, the Sub-Committee agreed to delete the square brackets and retain the text.

### **Tanker training**

#### ***Entry into enclosed spaces***

7.6.5 The Sub-Committee (STW 41/2/2 (part)) was informed that FP 53 had discussed the cargo-specific element of the training for chemical tanker endorsements and had agreed that more training on the specifics of hazardous chemicals, including low-flash point cargoes, was necessary, and to invite the STW Sub-Committee to reconsider document STW/ISWG 1/5/12 in the context of the revision of the STCW Convention, in particular the draft amendments to chapter V proposed in the document so that enhanced training regarding tank entry and cargo operating procedures could be included in the revision. In this context, the Sub-Committee recalled that ISWG 1 had considered this document in detail when the appropriate training requirements had been addressed.

7.6.6 The delegation of the Cook Islands expressed deep concern that the Sub-Committee had not given due consideration to training requirements relating to entry into enclosed spaces. A number of delegations shared the same concerns.

7.6.7 The delegation of the Bahamas advised the Sub-Committee that they had made a proposal to the DSC Sub-Committee to make drills relating to entry into enclosed spaces mandatory under the provisions of the SOLAS Convention. They further drew the attention of the Sub-Committee to the fact that the training requirements relating to entry into enclosed spaces had already been addressed in tables A-V/1-1 and A-VI/1-4.

7.6.8 The delegation of Norway expressed the view that the proposal submitted to the DSC Sub-Committee should address this issue.

7.6.9 The observer from INTERTANKO suggested that, since a number of sub-committees were involved in revising the recommendations for entry into enclosed spaces and met between now and MSC 87, the Committee, when considering the reports of the various sub-committees concerned could, if necessary, invite the STCW Conference to include the appropriate training requirements for entry into enclosed spaces.

7.6.10 In light of the foregoing, the Sub-Committee agreed to request the Committee to decide whether any additional training was necessary for entry into enclosed spaces, after consideration of the reports of sub-committees concerned with this issue and, if so, invite the STCW Conference to include additional training measures in the proposed amendments to the STCW Convention and Code, taking into account that the proposed texts in chapters V and VI already provide the basic knowledge requirements for entry into enclosed spaces.

### ***Onboard training***

7.6.11 The Islamic Republic of Iran (STW 41/7/20) proposed guidance relating to one-month onboard training, as set out in paragraphs 4.2.2 and 6.2.2 of regulation V/1-1 and 4.2.2 of regulation V/1-2, for certification in advanced training for tanker cargo operations.

7.6.12 Australia (STW 41/7/33) proposed alternative text to replace the term “supernumerary” in paragraphs 4.2.2 and 6.2.2 of regulation V/1-1 and 4.2.2 of regulation V/1-2.

7.6.13 The United Kingdom and OCIMF (STW 41/7/40) clarified the difference between a three-month and a one-month onboard tanker training regime and proposed modified guidance for onboard tanker training.

7.6.14 The Sub-Committee, noting that these proposals did not require any decision in principle, referred them to WG 2 for detailed consideration with a view to finalizing the text.

### ***Guidance relating to the term “immediate responsibility”***

7.6.15 OCIMF, INTERTANKO and SIGTTO (STW 41/7/27) proposed guidance for the term “immediate responsibility”.

7.6.16 The Sub-Committee, noting that this proposal did not require any decision in principle, referred it to WG 2 for detailed consideration with a view to finalizing the text.

### **Training requirements for personnel on ships operating in ice-covered waters**

7.6.17 The Sub-Committee recalled that after an in-depth discussion, and taking into account the relevant instructions of STW 40 and decisions of MSC 86 in this respect, ISWG 2 had agreed that:

- .1 the proposed training requirements should be included in part B of chapter V as guidance; and
- .2 the correspondence group should, taking account of the requirements in the Guidelines for ships operating in polar waters, approved at MSC 86, continue its work and submit a final report to STW 41.

7.6.18 The Sub-Committee further recalled that, at ISWG 2, the delegation of Germany, taking into account the views expressed by a number of delegations that the training requirements should be mandatory, had proposed that interested Governments could submit a resolution to the forthcoming Diplomatic Conference, proposing that the Organization should develop mandatory training standards immediately after the mandatory code for ships operating in polar waters had been adopted. Accordingly, ISWG 2 had invited interested Governments to consider submitting such a resolution to STW 41 with a view to adoption by the Conference.

7.6.19 Norway (STW 41/7/39) advised that the correspondence group (CG) had noted that ISWG 2 had agreed, subject to the approval by STW 41, that the training guidance should follow the same application as the revised guidelines for polar waters. In this context, the CG had agreed that there would be a need to revisit the training guidance at a later stage in order to harmonize it with the requirements of the future code. The CG, taking into account the views expressed at ISWG 2, had developed draft guidance relating to training of personnel in both deck and engine departments. Furthermore, the CG had agreed, in principle, to include a paragraph underlining the importance of proper experience, as set out in paragraph 1.3 of the proposed guidance. However, due to lack of time, the CG could not agree on a final text which therefore needed to be considered further at this session.

In light of the foregoing, the CG invited the Sub-Committee to:

- .1 agree to apply the guidance relating to training requirements for personnel on ships operating in ice-covered waters, as defined in the Guidelines on ships operating in polar waters (paragraphs 3 to 8);
- .2 agree to include training requirements for both deck and engine departments (paragraph 9);
- .3 agree, in principle, to the inclusion of paragraph 1.3 in the draft Guidance and instruct the working group to finalize the text (paragraph 10); and
- .4 approve the draft Guidance relating to training requirements for personnel on ships operating in polar waters, as set out in the annex of document STW 41/7/39, for inclusion in part B of chapter V in the STCW Code (paragraph 11 and annex).

7.6.20 The delegation of the Russian Federation expressed the opinion that there was a need to resolve the various definitions used in the report to ensure that the proposed guidelines were not interpreted differently.

7.6.21 The delegations of Denmark and Norway expressed the view that, while they were in support of the mandatory provisions, they supported the guidance developed by the CG.

7.6.22 After some discussion, the Sub-Committee referred the report to WG 2 to finalize the text, taking into account comments and decisions made in plenary.

### **Guidance regarding training of personnel in charge of, or involved in, tug-barge operations**

7.6.23 The Republic of Korea (STW 41/7/12) proposed amendments to section B-V of the STCW Code relating to Guidance on training and qualifications of personnel on tug-barges.

7.6.24 The delegation of the Islamic Republic of Iran supported the proposal and expressed the opinion that the scope should be limited to masters and officers.

7.6.25 The delegation of Germany, supported by others, expressed the opinion that, since many industry standards were available on this issue, there was a need for a complete review of the proposal including harmonization of terminology.

7.6.26 After a brief discussion, the Sub-Committee, noting the time constraints and that this new proposal had been submitted towards the completion stage of the comprehensive review, referred the proposal to WG 2 for detailed consideration, after all other issues had been considered and if there was sufficient time to do so.

### **Instructions to the working group**

7.6.27 In light of the foregoing, the Sub-Committee instructed WG 2 to finalize the text of chapter V of the STCW Convention and Code, taking into account comments and decisions in plenary.

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

7.7.1 The Sub-Committee noted the draft amended text of chapter VI (STW 41/7/6), as prepared by ISWG 2.

### **Text in square brackets**

7.7.2 The Sub-Committee recalled that paragraph 3 of regulation VI/1, paragraphs 2-2, 4 and 5 of section A-VI/1, paragraphs 5, 6, 9 and 10 of section A-VI/2, paragraph 5 of section A-VI/3, paragraph 4 of section A-VI/6 and paragraphs 3 and 4 of section B-VI/2 contained square brackets.

7.7.3 In this context, the Sub-Committee agreed to retain the proposed text in square brackets in paragraph 2-2 of section A-VI/1 and paragraph 4 of section A-VI/6 and that the actual dates be entered after the Conference has decided on the date of entry into force. All other texts in square brackets would be considered when discussing the relevant proposals relating to maintaining professional competence in areas where training could not be conducted on board.

### **Linkage between chapters II and VI and basic safety training requirements for deck officers**

7.7.4 The Islamic Republic of Iran (STW 41/7/21 (part)) proposed amendments to sections B-I/4, B-VI/1, B-VI/2, B-VI/3 and B-VI/4 in order to resolve the inconsistency between regulations II/1 and II/3 and tables A-II/1 and A-II/3, and to address the linkage between chapters II and VI.

7.7.5 In this context, the Sub-Committee recalled that, when considering chapter I, it had agreed that there was a need to include a new competence in tables A-II/1, A-II/3 and A-III/1 to address basic safety training. However, it had not agreed to the deletion of the draft text in paragraph 2.6 of regulation II/1, paragraphs 4.5 and 6.4 of regulation II/3 and paragraph 2.5 of regulation III/1 to address linkages between chapters II and III, and chapter VI. Accordingly, the

Sub-Committee agreed that there was no need to amend sections B-VI/1, B-VI/2 and B-VI/3 (see paragraph 7.2.27).

### **Maintaining professional competence**

7.7.6 Consequent to their proposed amendments to regulation I/11, the Islamic Republic of Iran (STW 41/7/22 (part)) proposed amendments to chapter VI of the STCW Convention and Code in order to ensure that professional competence, in areas of chapter VI of the STCW Code where training could not be conducted on board, was maintained. In this context, the Sub-Committee recalled that it had also considered the proposed amendments to regulation I/11 under chapter I relating to this issue.

7.7.7 The United States (STW 41/7/25) proposed amendments to chapter VI of the Convention and the associated parts of the STCW Code to require assessment of competence for those areas, contained in the tables of competence, where training could not be conducted on board ship.

7.7.8 The Philippines (STW 41/7/34) expressed the opinion that some form of refresher training was necessary in some areas where it could not be conducted on board and that the following should be included in refresher training:

- .1 right an inverted liferaft while wearing a lifejacket and board a survival craft from ship and water while wearing a lifejacket (regulation VI/1);
- .2 extinguish small fires, e.g., electrical fires, oil fires, propane fires and fight fire in smoke-filled enclosed spaces wearing self-contained breathing apparatus (regulation VI/1); and
- .3 right a capsized rescue boat (regulation VI/2).

7.7.9 The delegation of Norway supported the proposal by the Islamic Republic of Iran.

7.7.10 The delegation of Spain, supported by others, expressed their preference for the proposal by the United States.

7.7.11 Some delegations expressed concern relating to the proposed refresher training and were of the view that other means of maintaining competence apart from mandatory refresher training should be acceptable. In their opinion, the scope for flexibility by the Administration/Party in accepting onboard training and experience in maintaining competence should be increased. The overall scope of the competencies required which would be subject to refresher training ashore was also discussed with particular reference to the age and experience of existing seafarers including the possible risks of personal injury associated with them. The Sub-Committee agreed that this should be discussed by the working group in the context of the proposal by the United States.

7.7.12 In considering the proposal by the Philippines, the Sub-Committee recognized that it did not fit in with either proposal and agreed not to consider it further.

7.7.13 After some discussion, the Sub-Committee agreed to refer the proposal by the United States together with the text presently in square brackets to WG 2 to finalize the text.

### **Piracy prevention training**

7.7.14 The United States (STW 41/7/24) proposed amendments to tables A-VI/1-5, A-VI/5 and A-VI/6 of the STCW Code to include training for seafarers on matters relating to the prevention and suppression of acts of piracy and armed robbery against ships. They also recommended that the existing model courses 3.19 (Ship Security Officer) and 3.20 (Company Security Officer) should be updated accordingly.

7.7.15 Austria *et al.* (STW 41/7/48) proposed amendments to sections A-VI/1 and A-VI/6, and tables A-VI/1-5, A-VI/5 and A-VI/6 to enhance the seafarers' awareness on measures against piracy and armed robbery against ships.

7.7.16 The delegation of the Bahamas, supported by others, expressed their preference for the proposal by the United States.

7.7.17 The delegation of Denmark, supported by others, expressed their preference for the proposal by Austria *et al.*

7.7.18 After an in-depth discussion, the Sub-Committee agreed that there was merit in both proposals and referred them to WG 2 to finalize the text, using the proposal contained in document STW 41/7/48 as the basic document, and taking into account comments and decisions made in plenary.

### ***Development of a model course to create awareness among seafarers to face situations when their ship is under attack by pirates***

7.7.19 The Sub-Committee noted with appreciation the information orally provided by the Secretariat relating to the development of a model course to create awareness among seafarers relating to piracy and armed robbery against ships and how to act in situations when their ship is under attack by pirates.

### **Security-related training**

7.7.20 ISF and ITF (STW 41/7/52) expressed the opinion that all security-related training should be covered under a separate regulation and should not be included within the current regulation VI/1. Accordingly, they proposed to reorganize regulations VI/1 and VI/6 along with the associated sections of the STCW Code.

7.7.21 In this context, the Sub-Committee recalled that ISF had made a similar proposal to STW 40 (STW 40/7/39). This had been considered by the working group and, using the preliminary text developed by STW 38 and endorsed by MSC 83, it had finalized the text relating to security-related training, which was endorsed by STW 40.

7.7.22 The delegation of the Islamic Republic of Iran, supported by others, agreed with the proposal as it would separate safety and security issues under separate regulations.

7.7.23 The delegation of Spain, supported by others, expressed the view that the text as drafted should be retained.



7.7.24 After an in-depth discussion, the Sub-Committee agreed to refer the proposal to WG 2 for detailed consideration, after all other issues had been considered and if there was sufficient time to do so.

### **Instructions to the working group**

7.7.25 In light of the foregoing, the Sub-Committee instructed WG 2 to finalize the text of chapter VI of the STCW Convention and Code, taking into account comments and decisions in plenary.

## **7.8 CHAPTER VII – ALTERNATIVE CERTIFICATION**

7.8.1 The Sub-Committee noted the draft amended text of chapter VII (STW 41/7/7), prepared by ISWG 2.

7.8.2 The Sub-Committee recalled that paragraph 1 of regulation VII/2 and paragraphs 4.2 and 4.2.2.1 of section A-VII/2 contained square brackets. In this context, the Sub-Committee agreed to delete the square brackets in paragraph 1 of regulation VII/2 and retain the text, while all other texts in square brackets would be considered together with the relevant proposals submitted to the current session.

### ***Document STW 41/7/10***

7.8.3 The Islamic Republic of Iran (STW 41/7/10) proposed amendments to chapter VII of the STCW Convention and Code aiming at encompassing the requirements of new regulations II/5, III/5 and mitigating the problem of different interpretations in respect of the training and seagoing service requirements for alternative certification.

7.8.4 The observer from ITF did not support the proposal as it was against the basic principles of alternative certification.

7.8.5 The delegation of Belgium, supported by others, expressed the view that this proposal would lead to downscaling of standards and remove the flexibility.

7.8.6 After a brief discussion, the Sub-Committee did not agree with the proposal.

### ***Document STW 41/7/49***

7.8.7 Austria *et al.* (STW 41/7/49) proposed the introduction of a third option for certification of able seafarers in section A-VII/2, paragraph 4, as set out in document STW/ISWG 2/7. In addition, in order to further clarify their proposal, they also proposed specific guidance to be included in section B-VII/2.

7.8.8 The delegation of the United States expressed the opinion that there was no need to amend the text to allow for integrated training of ratings.

7.8.9 The delegation of the United Kingdom, supported by others, expressed their support for the proposal.

7.8.10 After a brief discussion, the Sub-Committee referred this proposal to DG 2 to finalize the text of chapter VII of the STCW Convention and Code.

**Instructions to the drafting group**

7.8.11 In light of the foregoing, the Sub-Committee instructed DG 2 to finalize the text of chapter VII of the STCW Convention and Code, taking into account comments and decisions in plenary.

**7.9 CHAPTER VIII – WATCHKEEPING**

7.9.1 The Sub-Committee noted the draft amended text of chapter VIII (STW 41/7/8), as prepared by ISWG 2.

7.9.2 The Sub-Committee recalled that paragraph 9 of section A-VIII/1 contained square brackets and agreed to consider them along with the relevant proposals submitted to this session.

7.9.3 Norway (STW 41/7/38) proposed amendments to new paragraph 9 in section A-VIII/1, presently in square brackets to ensure fitness for duty.

7.9.4 Austria *et al.* (STW 41/7/50) provided clarifications relating to exceptions to limits for hours of work and consequently proposed amendments to sections A-VIII/1 and B-VIII/1.

7.9.5 ITF (STW 41/7/55), commenting on documents STW 41/7/38 and STW 41/7/50, expressed the opinion that any proposal to remove, exclude or exempt the provisions of paragraphs 1 and 2 of section A-VIII/1, should be rejected as sufficient flexibility within the 14-hour work was provided for in the proposed paragraph 4. Furthermore, reference to exemptions under other non-IMO conventions contained in the proposed paragraph 9 or section B-VIII was inappropriate and should not be included.

7.9.6 The delegation of the United States, supported by others, expressed their preference for the proposal by Norway.

7.9.7 The delegation of the Bahamas expressed the opinion that the regulations should be in harmony with those of MLC 2006, otherwise Administrations would have difficulties in implementing the conflicting requirements.

7.9.8 The delegation of Greece, supported by others, expressed their preference for the proposal by Austria *et al.*, as it would harmonize the requirements of different international conventions as well as provide the necessary flexibility.

7.9.9 After an in-depth discussion, the Sub-Committee, recognizing that the divergence of opinion could not be resolved at this stage, agreed to retain both proposals in square brackets for a decision by the Conference.

**Instructions to the drafting group**

7.9.10 In light of the foregoing, the Sub-Committee instructed DG 2 to finalize the text of chapter VIII of the STCW Convention and Code, taking into account comments and decisions in plenary.

## **7.10 OTHER ISSUES**

7.10.1 The Sub-Committee recalled that ISWG 2 had identified the following resolutions that should be submitted to the Conference of Parties to the STCW Convention with a view to adoption:

- .1 Contribution of the International Labour Organization;
- .2 Development of guidelines to implement international standards of medical fitness for seafarers;
- .3 Revision of model courses published by the International Maritime Organization;
- .4 Promotion of technical knowledge, skills and professionalism of seafarers;
- .5 Attracting new entrants to the maritime profession;
- .6 Promotion of technical co-operation;
- .7 Transitional provisions and early implementation; and
- .8 Promotion of the participation of women in the maritime industry,

and instructed the Secretariat to prepare and submit the aforementioned resolutions to the current session for consideration. Accordingly, the Secretariat prepared eight draft resolutions, as set out in document STW 41/7/9, for the consideration of the Sub-Committee.

### ***Attracting new entrants to the maritime profession***

7.10.2 The delegation of Norway drew the Sub-Committee's attention to the fact that the operative paragraph .6 recommended the provision of adequate accommodation for trainees on new building which was also included in draft resolution contained in document STW 41/7/11. Furthermore, the delegation of Spain expressed the view that this resolution should also include reference to the need for rapid and effective action by shipowners to retain seagoing personnel. In addition, the delegation of Italy proposed that reference to provide access to the internet should also be included.

7.10.3 The delegation of France expressed the opinion that comparison with other modes of transport was not suitable. In this context, the delegation of the United States proposed to replace this with "in an environmentally friendly manner".

7.10.4 After a brief discussion, the Sub-Committee agreed to delete proposed paragraph .6 and to include a reference, as proposed by the delegation of Spain, as well as references to shipowners' organizations and ship managers and instructed DG 1 accordingly.

***Accommodation for trainees***

7.10.5 India (STW 41/7/11) proposed a draft Conference resolution urging Member Governments to encourage shipowners to ensure adequate certified accommodation for trainees/cadets.

7.10.6 After a brief discussion, the Sub-Committee referred the proposal to DG 1 to finalize the text, taking into account comments and decisions in plenary.

***Verification of the authenticity and validity of certificates of competency and endorsements, Standards of training and certification, and manning level of ships***

7.10.7 Panama (STW 41/7/29) proposed two draft Conference resolutions relating to verification of the authenticity and validity of certificates of competency and endorsements, and Standards of training and certification, and manning level of ships.

7.10.8 The observer from ITF expressed the view that the proposed resolution relating to Standards of training and certification, and manning level of ships should include references to the IMO resolution on Safe manning as well as other relevant international conventions, i.e. MLC 2006.

7.10.9 Some delegations expressed the view that there was no need for this resolution since it stated the obvious and the purpose of the STCW Convention was clear.

7.10.10 After a brief discussion, the Sub-Committee referred the proposal to DG 1 to finalize the text, taking into account comments and decisions in plenary.

***Future adoption of amendments to the STCW Convention and Code***

7.10.11 IFSMA and ITF (STW 41/7/30) proposed a draft Conference resolution on future adoption of amendments to the STCW Convention and Code in a five-yearly cycle and to conduct a comprehensive review every ten years which were formally supported by Belize and Croatia.

7.10.12 The delegation of Greece, supported by others, while expressing sympathy with the proposed resolution, expressed the view that there should be a provision to allow for any amendments that may be necessary if there was compelling need and not have to adhere to the five-year cycle.

7.10.13 The delegation of the Bahamas, supported by others, expressed the view that proposed resolution provided stability to not only the shipping industry but also to the training institutions to plan and implement the requirements.

7.10.14 After some discussion, the Sub-Committee referred the proposal to DG 1 to finalize the text, taking into account comments and decisions in plenary.

***Recommendation on measures to ensure the competency of masters and officers on ships operating in polar waters***

7.10.15 Argentina and Chile (STW 41/7/42) proposed a draft Conference resolution, encouraging Governments to take measures aimed at ensuring that those responsible for navigation watches on the bridges of ships operating in the polar areas, in particular on passenger vessels, are appropriately qualified.

7.10.16 The delegation of Norway, supported by others, expressed the opinion that reference to Assembly resolution A.1024(26) on Guidelines for ships operating in polar waters should be included. Furthermore, a reference that once the polar code was made mandatory, appropriate mandatory training requirements should also be developed.

7.10.17 The delegation of the United Kingdom expressed the opinion that not all officers should be required to have undergone the proposed training since, as in situations where the ship was under pilotage, it may be sufficient to have only one officer, perhaps in both deck and engine department, to be trained and certified accordingly.

7.10.18 After some discussion, the Sub-Committee referred the proposal to DG 1 to finalize the text, taking into account comments and decisions in plenary.

**7.11 REPORT OF THE WORKING AND DRAFTING GROUPS**

**Report of the working group to consider the comprehensive review of chapters I and III**

7.11.1 On receipt of the report of the working group (STW 41/WP.2, Add.1, Add.2 and Add.3), the Sub-Committee took action as summarized in the ensuing paragraphs.

***Chapter I***

**Medical issues**

7.11.2 The observer from ISF expressed concerns that the mandatory application of the standards for physical fitness, as currently drafted, would be difficult to justify and could give rise to potential claims of unlawful discrimination in conflict with national equality legislation and urged Member Governments to review this with appropriate departments within their respective countries. In this context, they were of the opinion that it would be prudent to await the outcome of the Joint ILO/IMO/WHO Working Group on Guidelines on medical examinations for seafarers. Furthermore, shipowners welcomed the idea of medical examinations, but these needed to be conducted in a responsible, justifiable and socially acceptable manner.

7.11.3 The delegation of the Bahamas, supported by others, expressed concern on the requirements, as set out in table A-I/9-2, and preferred that this table should be set out as guidance in part B of the STCW Code.

7.11.4 The delegation of the United Kingdom, supported by others, expressed the opinion that table A-I/9-2 should be retained in part A of the STCW Code.

7.11.5 After some discussion, the Sub-Committee agreed to retain the text in part A in square brackets for a decision by the Conference. In this context, the Sub-Committee invited Member Governments to submit comments and proposals to the Conference, with a view to develop more appropriate, mandatory language.

#### Revalidation issues

7.11.6 The Sub-Committee considered the revalidation requirements for tanker certificates and after a brief discussion agreed to the proposed text, as set out in the annex to document STW 41/WP.2/Add.3, as amended.

7.11.7 The observer from ISF expressed the opinion that, as the proposed requirements for maintaining professional competence under chapter VI was a stand-alone process, it might not be aligned with the revalidation process under I/11. This being the case, certificates of competency could no longer provide the documentary evidence that masters and officers are complying with the relevant requirements related to basic safety training, and that therefore related documentary evidence had to be carried by them. Furthermore, once the amendments were in force, in their opinion MSC/Circ.1030 would no longer be valid.

7.11.8 The Sub-Committee approved the amended draft text of chapter I, as set out in annexes 1, 2 and 3 of document STW 41/WP.2/Add.1, as amended, with a view to submission to the Conference for adoption.

### *Chapter III*

#### Use of the term “Party” or “Administration”

7.11.9 The Sub-Committee considered concerns expressed by some delegations regarding the use of the term “Party” or “Administration” in various chapters, given their respective definitions in article II of the Convention and which appeared to be used in an interchangeable manner. In this context, the representative of the Legal Office recalled that the term “Party” was defined in the Vienna Convention on the Law of Treaties as follows: “‘Party’ means a State which has consented to be bound by the treaty and for which the treaty is in force.” The Legal Office representative suggested that this referred broadly to the State as a political entity which had committed itself to undertake the duties and responsibilities under the treaty. On the other hand, the term “Administration” was defined in Article II of the STCW Convention as follows: “Administration means the Government of the Party whose flag the ship is entitled to fly.” The Legal office representative noted that this was identical to the definition in regulation 2 of chapter I of the SOLAS Convention and he suggested that “Administration” was a narrower term than “Party” and referred to the organizational entity or governmental apparatus which was in place for the Party to undertake the functions assigned to the flag State.

7.11.10 The delegation of the United States, supported by others, recalled that the 1995 STCW Conference of Parties had carefully considered this issue and included paragraph 3 in regulation I/1 to address this issue.

7.11.11 After some discussion, the Sub-Committee agreed to use the terms as was done so by the 1995 STCW Conference and be applicable to all chapters of the STCW Convention and Code, and instructed the Secretariat to ensure the same when submitting the basic text to the Conference for consideration.

7.11.12 The Sub-Committee also agreed to the definition for the term “*electro-technical rating*” to be included in regulation I/1.1.

#### Electro-technical officers

7.11.13 Referring to the decision of the Sub-Committee that there was no need for training requirements for ETOs at management level, the delegation of France, supported by others, expressed the opinion that, in order to provide a career path and attract new entrants to the profession, these could be provided as guidance in part B of the STCW Code. In response, the delegation of Germany, supported by others, expressed the opinion that this could be included within national legislations by countries that wished to provide for them.

7.11.14 The Sub-Committee approved the amended draft text of chapter III, as set out in annexes 4, 5 and 6 of document STW 41/WP.2/Add.2, as amended, with a view to submission to the Conference for adoption.

### **Report of the working group to consider the comprehensive review of chapters V and VI**

7.11.15 On receipt of the report of the working group (STW 41/WP.3 and Add.1), the Sub-Committee took action as summarized in the ensuing paragraphs.

#### ***Chapter V***

7.11.16 In considering the amended text of chapter V, the Sub-Committee agreed to transfer the guidance relating to training of engineering personnel having management responsibilities for operation and safety of electrical power plants above 1000 volts, as set out in proposed section B-V/e, to B-III/1 and renumber the paragraphs thereon.

7.11.17 The Sub-Committee approved the amended draft text of chapter V, as set out in annexes 1, 2 and 3 of document STW 41/WP.3/Add.1, as amended, with a view to submission to the Conference for adoption.

#### ***Chapter VI***

7.11.18 The delegation of Japan, supported by others, expressed concern that, with reference to the proposed refresher training, no exemption was provided for old seafarers and that, in their opinion, there was a need to provide flexibility to address this issue, otherwise a number of such seafarers would be forced to retire.

7.11.19 Furthermore, the Sub-Committee considered the issue relating to refresher training in the context of the list of items, as set out in proposed section A-VI/1, paragraph 4. Some delegations reiterated their concerns expressed prior to the commencement of the work of the working group and on the clarification by the Chairman of the working group that the list of items which could be accepted for onboard training had been agreed by STW 39 and approved by MSC 84. Other delegations agreed with that clarification. After some discussion, the Sub-Committee did not agree to a proposal to place the list of items, as set out in A-VI/1, paragraphs 4.1 and 4.2, in square brackets.

7.11.20 In this context, the delegation of Norway reserved its position on the outcome of the discussions relating to areas where training could not be conducted on board. In their opinion the Sub-Committee had not followed the instructions given to it by the Committee on this issue.

7.11.21 The Sub-Committee approved the amended draft text of chapter VI, as set out in annexes 4, 5 and 6 of document STW 41/WP.3, with a view to submission to the Conference for adoption.

**Report of the drafting group to consider the comprehensive review of chapter II and draft conference resolutions**

7.11.22 On receipt of the report of the drafting group (STW 41/WP.4 and Add.1), the Sub-Committee took action as summarized in the ensuing paragraphs.

***Chapter II***

7.11.23 The Sub-Committee approved the amended draft text of chapter II of the STCW Convention and Code, as authorized by MSC 86 and set out in annexes 1 to 3 of document STW 41/WP.4/Add.1, with a view to submission to the Conference for adoption.

***Draft Conference resolutions***

7.11.24 The Sub-Committee approved draft Conference resolutions relating to:

- .1 Contribution of the International Labour Organization;
- .2 Development of guidelines to implement international standards of medical fitness for seafarers;
- .3 Revision of model courses published by the International Maritime Organization;
- .4 Promotion of technical knowledge, skills and professionalism of seafarers;
- .5 Attracting new entrants and retaining seafarers for the maritime profession;
- .6 Promotion of technical co-operation;
- .7 Transitional provisions and early implementation;
- .8 Promotion of the participation of women in the maritime industry;
- .9 Accommodation for trainees;
- .10 Verification of certificates of competency and endorsements;
- .11 Standards of training and certification and ships' manning levels;
- .12 Future amendments and review of the STCW Convention and Code;
- .13 Recommendation on measures to ensure the competency of masters and officers on ships operating in polar waters,

as set out in annex 4 of document STW 41/WP.4 and instructed the Secretariat to make editorial improvements, as appropriate, and submit them to the Conference for adoption.



## **Report of the drafting group to consider the comprehensive review of chapters IV, VII and VIII**

7.11.25 On receipt of the report of the drafting group (STW 41/WP.5 and Add.1), the Sub-Committee took action as summarized in the ensuing paragraphs.

### ***Chapter IV***

7.11.26 The Sub-Committee approved amended draft text of chapter IV of the STCW Convention and Code, as authorized by MSC 86 and set out in annexes 1 to 3 of document STW 41/WP.5/Add.1, with a view to submission to the Conference for adoption.

### ***Chapter VII***

7.11.27 The Sub-Committee approved amended draft text of chapter VII of the STCW Convention and Code, as authorized by MSC 86 and set out in annexes 4 to 6 of document STW 41/WP.5/Add.1 with minor amendments, with a view to submission to the Conference for adoption.

### ***Chapter VIII***

7.11.28 The Sub-Committee approved amended draft text of chapter VIII of the STCW Convention and Code, as authorized by MSC 86 and set out in annexes 7 to 9 of document STW 41/WP.4/Add.1, with a view to submission to the Conference for adoption.

## **7.12 CONCLUSIONS**

7.12.1 In light of the foregoing, the Sub-Committee:

- .1 approved the draft amendments to:
  - .1 the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978 (annex 1);
  - .2 Part “A” of Seafarers’ Training, Certification and Watchkeeping Code (annex 2); and
  - .3 Part “B” of Seafarers’ Training, Certification and Watchkeeping Code (annex 3),to be submitted to the Conference of Parties to the STCW Convention as authorized by MSC 86 with a view to adoption;
- .2 approved 13 draft Conference resolutions to be submitted to the Conference of Parties to the STCW Convention with a view to adoption (annex 4);
- .3 requested the Secretary-General to circulate the draft amendments to the STCW Convention and Code, along with the associated draft Conference resolutions, to the Conference of Parties to the STCW Convention scheduled to be held in Manila from 21 to 25 June 2010, for adoption; and

- .4 invited the Committee to:
  - .1 endorse the draft amendments and associated draft Conference resolutions referred to in paragraphs 7.12.1.1 and 7.12.1.2 above, which the Sub-Committee, as authorized by MSC 86, has submitted directly to the Conference of Parties to the STCW Convention for adoption; and
  - .2 delete this item from the work programme as the work had been completed (see paragraph 13.3.2.1).

## **8 REVIEW OF THE PRINCIPLES FOR ESTABLISHING THE SAFE MANNING LEVELS OF SHIPS, INCLUDING MANDATORY REQUIREMENTS FOR DETERMINING SAFE MANNING**

### 8.1 The Sub-Committee recalled that:

- .1 STW 39 had established a working group to define and clarify the intent and terms of objectives for determining minimum safe manning levels 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 human system's integration, 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;
- .2 STW 40 had prepared a preliminary draft revised Assembly resolution on Principles of Safe Manning (resolution A.890(21), as amended), set out in annex 5 of document STW 40/14, which NAV 55 had been invited to review on a preliminary basis; and
- .3 STW 40 had also agreed that agenda items "Review of the principles for establishing the safe manning levels of ships" and "Mandatory requirements for determining safe manning" had common denominators and should be merged into one agenda item for a more holistic approach and invited MSC 86 to merge both these agenda items as "Review of the principles for establishing the safe manning levels of ships including mandatory requirements for determining safe manning". MSC 86 had subsequently concurred with this proposal (MSC 86/26, paragraph 9.10).

8.2 The Sub-Committee was informed that NAV 55 (STW 41/8) had reviewed the preliminary draft revised Assembly resolution on Principles of Safe Manning (resolution A.890(21), as amended) and was of the opinion that it appeared to be well drafted. However, with respect to the appendix and annex 5, NAV 55 had agreed to the following amendments:

- .1 "APPENDIX Issued under the provisions of regulation V/14(b) 2."
- .2 "Annex 5, section 1.2, Submission needs to take into account the requirements of Annexes 2 and 3 in the context of the management of the safety, security and protection of the marine environment functions of a ship."

- .3 “Annex 5, section 2.2, Having evaluated and approved the proposal the Administration should issue a safe manning document including special requirements and conditions [supported by a minimum safe manning assessment].”

8.3 Furthermore, NAV 55 had included the item “Review of the principles for establishing the safe manning levels of ships, including mandatory requirements for determining safe manning” in the provisional agenda for NAV 56.

8.4 The United Kingdom and France (STW 41/8/1) proposed amendments to SOLAS regulation V/14 to make the procedures for the determination of the safe manning mandatory.

8.5 The delegation of Ireland, supported by others, agreed with the proposal.

8.6 The delegation of Denmark, supported by others, agreed in principle with the proposal. Since only the process should be mandatory, they had some concerns as to which parts of the revised resolution were to be mandatory and that the relevant parts would have to have the proper mandatory language. Furthermore, the delegations of Denmark and the Netherlands expressed the opinion that they did not fully subscribe to the arguments and viewpoints, as set out in document STW 41/8/1.

8.7 The observer from IFSMA, supported by the observer from ITF and the delegation of Sweden, expressed the opinion that the process should be auditable and transparent, which could be achieved by amending the proposed paragraph 2.2 of the proposal and that some amendments were necessary to the proposed paragraph 2.1.

8.8 The delegation of Belgium, supported by others, expressed the opinion that, while they shared the concerns of the United Kingdom and France, a more holistic approach was needed, taking into account the provisions of resolution A.974(24) on Procedures and Framework for Voluntary IMO Member States Audit Scheme and the ISM Code.

8.9 The delegation of the Bahamas, supported by others, expressed the opinion that it would be extremely difficult for flag States to monitor, determine and maintain the safe manning of ships at all times, since it could change from trade to trade, cargo to cargo and climate to climate. Furthermore, whilst acknowledging the responsibility of the flag State to issue the safe manning document, it was the responsibility of the shipowner, under the provisions of the ISM Code, to keep the ship properly manned according to the changing trading and operational conditions.

8.10 After an in-depth discussion, the Sub-Committee referred the documents to the working group to be established under this agenda item for detailed consideration.

8.11 The delegation of Australia drew the Sub-Committee’s attention that section 2.2 of annex 5 of the draft revised resolution on Principles of safe manning contained square brackets. After a brief discussion, the Sub-Committee agreed to delete the square brackets including the text contained therein.

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

8.12 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, including

the decision to delete the square brackets as well as the text contained therein (section 2.2 of document STW 40/14, annex 5):

Taking into account the comments and decisions made in plenary, the working group should consider documents STW 41/8 and STW 41/8/1 (the United Kingdom and France) to:

- .1 based on the preliminary draft revised text of resolution A.890(21) on Principles of safe manning, as amended, developed at STW 40 (STW 40/14, annex 5), prepare a draft revised text of resolution on Principles of safe manning; and
- .2 prepare draft amendments to SOLAS regulation V/14,

and submit its report to the plenary on Thursday, 14 January 2010.

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

8.13 On receipt of the report of the working group (STW 41/WP.6), the Sub-Committee took action as summarized in the ensuing paragraphs.

8.14 The Sub-Committee endorsed the draft Assembly resolution on Principles of Minimum Safe Manning, as set out in annex 5, with a view to approval by MSC 88 and submission to A 27 for adoption, subject to comments made by NAV 56.

8.15 The Sub-Committee endorsed the draft amendments to regulation V/14 of the International Convention for the Safety of Life at Sea, 1974, as amended, as set out in annex 6, with a view to approval by MSC 88 and adoption by MSC 89, subject to comments made by NAV 56.

8.16 The delegations of the United Kingdom and France expressed the opinion that the fact that the Sub-Committee did not address the substantive issues relating to determining safe manning and, in particular, the decision to delete the word “auditable” was regrettable, specifically in light of the Secretary-General’s opening remarks relating to fatigue.

8.17 The Sub-Committee requested the NAV Sub-Committee, at its fifty-sixth session in July 2010, to review the draft Assembly resolution on Principles of Minimum Safe Manning and the draft amended text of SOLAS regulation V/14 and forward its comments thereon, if any, to MSC 88 for appropriate action.

8.18 The Sub-Committee invited the Committee to delete the agenda item from its work programme, as the work on this item had been completed (see paragraph 13.3.2.3). In this context, the delegation of Malta expressed the opinion that they did not believe that the development of a mandatory procedure had been completed and objected to the deletion of this item from the work programme.

## **9 MEASURES TO ENHANCE MARITIME SECURITY**

9.1 The Sub-Committee recalled that MSC 75 (MSC 75/24, paragraph 22.9) had decided to include, in the work programme of the Sub-Committee and provisional agenda for STW 34, a high-priority item on “Measures to enhance maritime security”.

9.2 The Sub-Committee also recalled that:

- .1 MSC 81 had authorized the Sub-Committee to start developing appropriate amendments to the STCW Convention and Code so as to include security-related provisions therein. This was on the understanding that the Sub-Committee would have the flexibility to include, in the list of issues which needed to be examined, any other related issues which transpired as a result of discussions at any stage, subject to informing the Committee; and
- .2 STW 38 had agreed that the required review of chapters I and VIII, so as to include therein appropriate security-related provisions, should be considered in the comprehensive review of the STCW Convention and Code.

9.3 The Sub-Committee further recalled that, at STW 40, matters related to the inclusion of additional security-related provisions in the relevant parts of the STCW Convention and Code had been dealt with under agenda item 7 (Comprehensive Review of the STCW Convention and the STCW Code).

9.4 The Sub-Committee finally recalled that this issue had already been dealt with and finalized under agenda item 7.

9.5 In light of the foregoing, the Sub-Committee invited the Committee to delete this item from the work programme as the work had been completed (see paragraph 13.3.2.4).

## **10 DEVELOPMENT OF AN E-NAVIGATION STRATEGY IMPLEMENTATION PLAN**

10.1 The Sub-Committee recalled that MSC 86, having considered document MSC 86/23/4 (Secretariat), proposing a joint plan of work for the COMSAR, NAV and STW Sub-Committees for the period 2009-2012 for the implementation of the e-navigation strategy, had approved the joint plan for NAV 55 to set in motion the coordinated and planned development of an e-navigation strategy implementation plan, in co-operation with the COMSAR and STW Sub-Committees.

10.2 The Sub-Committee noted that NAV 55 (STW 41/2/2 (part)) had established a correspondence group to progress the work intersessionally under the coordination of Norway with the terms of reference as set out in annex 2 of document NAV 55/WP.5. In this context, NAV 55 had recognized that, bearing in mind that the deadline for submission of documents to STW 41 was 6 November 2009, it would not be possible for the correspondence group to submit any meaningful questions to STW 41. Accordingly, it would be more appropriate for the correspondence group to request STW 42 to answer any relevant questions that might have been identified by COMSAR 14 and NAV 56.

10.3 In light of the foregoing, the Sub-Committee agreed to defer further consideration of this item until STW 42.

## **11 REVISION OF THE RECOMMENDATIONS FOR ENTERING ENCLOSED SPACES ABOARD SHIPS**

11.1 The Sub-Committee recalled that MSC 85 had considered a proposal by DSC 13, suggesting to review and revise, as necessary, the specific provisions of the Recommendations for entering enclosed spaces aboard ships (resolution A.864(20)) and, following discussion on the need to expand the scope of the work to cover other ship types, agreed to include in the work programmes of the BLG, DSC, FP and STW Sub-Committees and the provisional agenda for DSC 14 and STW 41, a high-priority item on “Revision of the Recommendations for entering enclosed spaces aboard ships”, with a target completion date of 2010, assigning the DSC Sub-Committee as a coordinator.

11.2 The Sub-Committee noted that DSC 14 (STW 41/2/2 (part)), having acknowledged the importance of the information provided by MAIIF (DSC 14/INF.9), had noted it and agreed to take it into account while amending resolution A.864(20). Furthermore, DSC 14 had requested the Secretariat to issue document DSC 14/INF.9 as a DSC 15 working document and ensure its timely availability for consideration at BLG 15, FP 54 and STW 41.

11.3 The Sub-Committee further noted that the Secretariat had subsequently issued document DSC 15/10 and that DSC had only just commenced its work relating to amending resolution A.864(20) by establishing a correspondence group to progress the matter intersessionally. Accordingly, the Sub-Committee agreed that it was premature for it to consider this information and provide its advice without being able to review any details of the amended resolution A.864(20) which was presently under preparation by the correspondence group established by DSC 14.

11.4 In this context, the Sub-Committee recalled that matters relating to training requirements for entry into enclosed spaces had been discussed under agenda item 7 (see paragraphs 7.6.5 to 7.6.10).

11.5 In light of the foregoing, the Sub-Committee:

- .1 noted the information provided pending review of resolution A.864(20) by DSC 15;
- .2 deferred further consideration to STW 42; and
- .3 invited the Committee to extend the target completion to 2011 (see paragraph 13.3.1.2).

## **12 DEVELOPMENT OF MODEL PROCEDURES FOR EXECUTING SHIPBOARD EMERGENCY MEASURES**

12.1 The Sub-Committee recalled that:

- .1 MSC 84 had agreed to include, in the work programme of the STW Sub-Committee, a low-priority item on “Development of model procedures for executing shipboard emergency measures”, with two sessions needed to complete the item; and
- .2 STW 40 had included this item on the agenda for the current session.

12.2 The Republic of Korea (STW 41/12, STW 41/12/1, STW 41/12/2 and STW 41/12/3) proposed standard procedures for drills relating to:

- .1 abandon ship;
- .2 fire fighting;
- .3 emergency steering; and
- .4 person overboard rescue,

for ship personnel, PSC officers and other interested parties.

12.3 The observer from ISF expressed the view that one of the criteria for establishing a new work programme item was whether sufficient industry guidelines were available and that, in this case, a number of them, such as the ICS Bridge Procedure Guide were readily available. Furthermore, the scenarios identified by the Republic of Korea were ship, equipment, flag, company and operation specific. In their opinion, the creation of generic procedures for abandon ship drills could be dangerous and could have a negative effect. It could also lead to port State control inspectors using the same when inspecting ships with different types of equipment on board. In any case, shipping companies under the provisions of section 8 of the ISM Code already had the responsibility to establish procedures to identify, describe and respond to potential shipboard emergency situations on a ship and company specific basis. Hence, if considered necessary, generic guidance to assist companies to establish their own company specific procedures could be developed.

12.4 The delegation of Denmark, supported by others, expressed the opinion that the establishment of procedures to respond to emergency situations was the responsibility of the shipping company and that such level of detail was not acceptable.

12.5 The delegation of Malta expressed the view that, even though there were serious concerns relating to these proposals which might perhaps prompt the Sub-Committee not to pursue the issue further, the Republic of Korea should nevertheless be invited to submit revised proposals to the next session, taking into account the comments made in plenary.

12.6 After some discussions, the Sub-Committee invited the Republic of Korea to submit revised proposals to STW 42 and also invited international organizations to submit information on existing relevant industry standards that were available to that session. In this context, the observer from ISF offered to contact other industry organizations and submit the requested information to STW 42.

### **13 WORK PROGRAMME AND AGENDA FOR STW 42 (RENAMED BIENNIAL AGENDA AND POST-BIENNIAL AGENDA AND PROVISIONAL AGENDA FOR STW 42)**

13.1 Having noted the adoption of the High-level Action Plan of the Organization and priorities for the 2010-2011 biennium (resolution A.1012(26)), the Sub-Committee further noted that the Assembly, recognizing the need for a uniform basis for the application of the Strategic Plan and the High-level Action Plan throughout the Organization, and for the strengthening of existing working practices through the provision of enhanced planning and management

procedures, adopted Guidelines on the application of the Strategic Plan and the High-level Action Plan (resolution A.1013(26)). In particular, the Sub-Committee noted that the Assembly requested the Committee to review and revise, during the 2010-2011 biennium, the Committee's Guidelines on the organization and method of work (MSC-MEPC.1/Circ.2) with a view to bringing them in line with the Guidelines on the application of the Strategic Plan and the High-level Action Plan.

13.2 The Sub-Committee was informed that, in pursuance of the above request, the Secretariat, in consultation with the MSC and MEPC Chairmen, had prepared the draft revised Committee's Guidelines for consideration by MSC 87, which also took account of the provisions of the Migration Plan approved by the Council. In this regard, the Sub-Committee, in the context of this item, noted that, while the previous format for "work programme" had been replaced by the new format of "biennial agenda" and "post-biennial agenda", the existing format for the reporting on the status of planned outputs was replaced by a new format and that the Committee Chairmen had agreed to implement the use of the aforementioned new formats from the start of 2010, as set out in annexes 1 and 4 of document STW 41/WP.1.

13.3 Taking into account the progress made at the current session, the decisions of MSC 86 and the provisions of the agenda management procedure, the Sub-Committee prepared a draft biennial agenda and post-biennial agenda, and draft provisional agenda for STW 42 (STW 41/WP.1), based on those approved by MSC 86 (STW 41/2, annex 2), and set out in annex 7, for consideration and approval by the Committee. While reviewing the work programme, the Sub-Committee agreed to invite the Committee to:

- .1 extend the target completion date for the biennial agenda items:
  - .1 5.1.1.9 "Development of training standards for recovery systems" to 2012; and
  - .2 5.2.1.25 "Revision of the Recommendations for entering enclosed spaces aboard ships" to 2011 (paragraph 11.5); and
- .2 delete the biennial agenda items:
  - .1 5.2.2.1 "Comprehensive review of the STCW Convention and Code" (paragraph 7.12.4.2);
  - .2 5.2.2.6 "Training for seafarer safety representatives" (paragraph 5.4);
  - .3 5.2.2.3 and 12.1.2.3 "Review of the principles for establishing the safe manning level of ships including mandatory requirements for determining safe manning (paragraph 8.18); and
  - .4 6.3.2.1 "Measures to enhance maritime security" (paragraph 9.5).

#### **Arrangements for the next session**

13.4 The Sub-Committee anticipated that working and drafting groups on the following subjects might be established at STW 42:

- .1 Development of an e-navigation strategy implementation plan; and
- .2 Validation of model training courses.



## **High-level Action Plan of the Organization and priorities for the 2010-2011 biennium**

13.5 The Sub-Committee noted the information on the status of planned output of the High-level Action Plan of the Organization and priorities for the 2010-2011 biennium relevant to the Sub-Committee, as set out in annex 8, which the Committee is invited to consider and take action on, as appropriate.

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

13.6 The Sub-Committee noted that the forty-second session of the Sub-Committee had been tentatively scheduled to take place from 24 to 28 January 2011 at IMO Headquarters.

## **14 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2011**

14.1 In accordance with the Rules of Procedure of the Maritime Safety Committee, the Sub-Committee unanimously re-elected Rear Admiral Peter Brady (Jamaica) as Chairman and Mr. A.H. Kayssi (Lebanon) as Vice-Chairman for the year 2011.

## **15 ANY OTHER BUSINESS**

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

15.1 The Sub-Committee considered and noted the information provided (STW 41/15 and addenda) on the submissions made by the Parties in accordance with Article VIII of the STCW Convention on dispensations granted by them in the year 2008.

### **Lifeboat safety awareness**

15.2 The Sub-Committee (STW 41/2/2 (part)) noted the information relating to the lifeboat safety poster, intended to enhance the safety of seafarers by making them aware of the dangers of launching a lifeboat, as developed by ILAMA and as set out in document DE 52/6/4.

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

15.3 The Sub-Committee noted that, following the approval by MSC 81 of MSC.1/Circ.1209, requesting Member Governments to provide information on simulators available for use in maritime training, the Secretariat had received information from several Member Governments and added it to the GISIS database which could be viewed by the public on a "read-only" basis. Consequently, the Sub-Committee requested those Member Governments, who had not yet provided such 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 the second cycle of reports of independent evaluations pursuant to STCW regulation I/8**

15.4 The Sub-Committee recalled that, pursuant to the requirements of section A-I/8 of the STCW Code, STCW Parties are required to ensure that an independent evaluation of the knowledge, understanding, skills, competence acquisition and assessment activities, and 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 this date, 102 STCW Parties had communicated their reports of independent evaluation to the Secretary-General. In this context, the list annexed to MSC.1/Circ.1164/Rev.5 contained those STCW Parties, confirmed at various sessions of the Committee, which had 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 already 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.

15.5 Accordingly, the Sub-Committee urged 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 the 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.

### **2010 ISF/BIMCO Manpower Study**

15.6 The observer from ISF urged Member Governments to complete the questionnaire for the 2010 ISF/BIMCO Manpower Study which would be made available to all delegates. This would assist in ensuring accurate supply and demand projections in a timely manner. Furthermore, completion of the questionnaire online would facilitate speedy data analysis in order to provide feedback relating to the findings and proposed actions.

### **Expression of appreciations**

15.7 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 every success in their new duties:

- Admiral Carlos Saraiva Ribeiro of Brazil (on his impending retirement);
- Captain Otto Mrugalski of Chile (on his return home); and
- Captain Panayotis Pacoutas of Cyprus (on retirement).

### **Expression of condolences**

15.8 The Sub-Committee noted with sadness the catastrophic and devastating effects of the earthquake in Haiti and expressed its sincere condolences to the families and friends of all the victims who had either perished or had been affected by this tragedy.

## 16 ACTION REQUESTED OF THE COMMITTEE

16.1 The Maritime Safety Committee, at its eighty-seventh session, is invited to:

- .1 decide whether any additional training is necessary for entry into enclosed spaces, after consideration of the reports of Sub-Committees concerned with this issue and, if so, invite the STCW Conference to include additional training measures in the proposed amendments to the STCW Convention and Code, taking into account that the proposed texts in chapters V and VI already provide the basic knowledge requirements for entry into enclosed spaces (paragraph 7.6.10);
- .2 endorse the draft amendments to:
  - .1 the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978;
  - .2 Part “A” of Seafarers’ Training, Certification and Watchkeeping Code; and
  - .3 Part “B” of Seafarers’ Training, Certification and Watchkeeping Code,submitted to the Conference of Parties to the STCW Convention, as authorized by MSC 86, with a view to adoption (paragraph 7.12.4.1 and annexes 1 to 3); and
- .3 endorse the thirteen draft Conference resolutions submitted to the Conference of Parties to the STCW Convention with a view to adoption (paragraph 17.12.4.1 and annex 4).

16.2 In reviewing the biennial agenda and post-biennial agenda of the Sub-Committee, the Committee is invited to consider the revisions proposed by the Sub-Committee in general and, in particular, to:

- .1 extend the target completion date for the biennial agenda items:
  - .1 5.1.1.9 “Development of training standards for recovery systems” to 2012; and
  - .2 5.2.1.25 “Revision of the Recommendations for entering enclosed spaces aboard ships” to 2011 (paragraph 11.5); and
- .2 delete the biennial agenda and post-biennial agenda items:
  - .1 5.2.2.1 “Comprehensive review of the STCW Convention and Code” (paragraph 7.12.4.2);
  - .2 5.2.2.6 “Training for seafarer safety representatives” (paragraph 5.4);
  - .3 5.2.2.3 and 12.1.2.3 “Review of the principles for establishing the safe manning level of ships including mandatory requirements for determining safe manning (paragraph 8.18);

- .4 6.3.2.1 “Measures to enhance maritime security” (paragraph 9.5); and
- .5 STW 3 “Review of the implementation of STCW chapter VII”.

16.3 The Committee is also invited to approve the draft provisional agenda for the Sub-Committee’s forty-second session (paragraph 13.3 and annex 7).

16.4 The Committee is further invited to note the status of planned output of the High-level Action Plan relevant to the Sub-Committee (paragraph 13.5 and annex 8).

16.5 The Maritime Safety Committee, at its eighty-eighth session, is invited to approve:

- .1 the draft Assembly resolution on Principles of Minimum Safe Manning, subject to comments made by NAV 56 (paragraph 8.14 and annex 5) with a view to submission to A 27 for adoption; and
- .2 the draft amendments to regulation V/14 of the International Convention for the Safety of Life at Sea, 1974, as amended, subject to comments made by NAV 56 (paragraph 8.15 and annex 6) with a view to adoption by MSC 89.

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(Annexes 1 to 3 will be issued as an addendum)

## ANNEX 4

## DRAFT CONFERENCE RESOLUTIONS

## Resolution 1

## Transitional provisions and early implementation

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

[HAVING AGREED to include regulation I/15 on Transitional provisions, which allows for an interval of 5 years, or until the time of the next revalidation of certificate(s) of competency after the amendments have entered into force, whichever is later, before Parties will be required to issue, recognize and endorse certificates in accordance with the amendments adopted by the Conference,]

RECOGNIZING that, in order to achieve full compliance by [date of entry into force plus five years] [or] [the time of next revalidation of certificate(s) of competency after the amendments have entered into force, whichever is earlier], it is necessary for Parties to promptly begin taking appropriate measures to implement the STCW Convention and Code in their national training, certification and administration systems,

BEING CONCERNED that difficulties, which may arise in connection with the implementation of the requirements of the STCW Convention and Code, could undermine the objective of introducing the highest practicable standards of competence at the earliest possible time,

1. URGES each Party to keep the Maritime Safety Committee of the Organization informed of progress made in respect of the transitional provisions of regulation I/15 under its national system to implement the requirements of the amendments to the STCW Convention and Code, adopted by the Conference, as well as any difficulties encountered in this regard;
2. FURTHER URGES each Party to take appropriate steps for early implementation of the amendments to the STCW Convention and Code adopted by the Conference;
3. INVITES the Maritime Safety Committee of the International Maritime Organization, in order to promote the introduction of the highest practicable standards of competence as soon as possible, to monitor progress toward implementation of the STCW Convention and Code by all Parties, with the aim of encouraging an orderly transition and anticipating complications, which could otherwise undermine full and effective implementation.

## **Resolution 2**

### **Verification of certificates of competency and endorsements**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, and to the Seafarers' Training, Certification and Watchkeeping Code, as amended,

RECOGNIZING the importance of adequate education and training for, and experience acquired by, all seafarers,

RECOGNIZING ALSO the need for all ships to be manned and operated by properly trained and certified seafarers,

RECOGNIZING FURTHER that the verification of certificates of competency and endorsements issued to seafarers is essential also from the point of view of preventing unlawful practices associated with the issuance of such certificates as well as to supporting port State control activities,

RECOMMENDS that Administrations take appropriate steps to:

- .1 establish electronic databases to assist in verifying the authenticity and validity of certificates of competency and endorsements they issue; and
- .2 respond appropriately and in a timely manner to any request from other Administrations for verification of the authenticity and validity of certificates of competency and endorsements.

### **Resolution 3**

#### **Standards of training and certification and ships' manning levels**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

RECOGNIZING the importance of adequate education and training for, and experience acquired by, all seafarers,

RECOGNIZING ALSO the need for all ships to be manned and operated by properly trained and certified seafarers,

NOTING that the STCW Convention and Code establish standards of training, certification and watchkeeping for seafarers,

1. REAFFIRMS that the STCW Convention and Code are instruments concerned with standards of training and certification and do not determine ships' manning levels;
2. REAFFIRMS ALSO that any decision relating to ships' manning levels is the responsibility of the Administrations and shipowners concerned taking into account the principles of safe manning\* adopted by the International Maritime Organization.

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\* Refers to resolution A.890(21), as amended on Principles of safe manning, adopted by the Assembly of the International Maritime Organization on 25 November 1999.

## **Resolution 4**

### **Promotion of technical knowledge, skills and professionalism of seafarers**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

NOTING with concern the reported and anticipated shortage of qualified officers to effectively man and operate ships engaged in international trade,

APPRECIATING that the overall effectiveness of selection, training and certification processes can only be evaluated through the skills, abilities and competence exhibited by seafarers during the course of their service on board ship,

RECOMMENDS that Administrations make arrangements to ensure that shipping companies:

- .1 establish criteria and processes for the selection of seafarers exhibiting the highest practicable standards of technical knowledge, skills and professionalism;
- .2 monitor the standards exhibited by ships' personnel in the performance of their duties;
- .3 encourage all officers serving on their ships to participate actively in the training of junior personnel;
- .4 monitor carefully and review frequently the progress made by junior personnel in the acquisition of knowledge and skills during their service on board ship;
- .5 provide refresher and updating training at suitable intervals, as may be required;  
and
- .6 take all appropriate measures to instil pride in the maritime profession and encourage the creation of a safety culture and environmental conscience among all those who serve on their ships.



## **Resolution 5**

### **Development of guidelines to implement international standards of medical fitness for seafarers**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

RECOGNIZING the importance of the overall medical fitness of masters and ships' crews to the safety of life and property at sea and the protection of the marine environment,

TAKING COGNIZANCE OF the international standards of medical fitness for seafarers included in the STCW Convention and Code and the Maritime Labour Convention, 2006,

INVITES the International Maritime Organization, in co-operation with the International Labour Organization and the World Health Organization, to develop guidelines to implement the aforementioned standards.

## **Resolution 6**

### **Revision of model courses published by the International Maritime Organization**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

RECOGNIZING the significant contribution made to seafarers' training and certification through model courses, validated and published by the International Maritime Organization (IMO), providing core curricula based on the minimum requirements of the STCW Convention and Code,

APPRECIATING that the aforementioned model courses have assisted many training institutions to improve the quality of the training they provide and have been used to improve procedures for assessing competency,

DESIRING to achieve greater uniformity in the application of the training and assessment provisions of the STCW Convention and Code,

INVITES:

- .1 IMO to take steps to revise and update those model courses, which provide guidance on the implementation of the training and assessment provisions of the STCW Convention and Code; and
- .2 Governments and international organizations to provide funding for, and otherwise assist in, the revision and updating of such model courses.

## **Resolution 7**

### **Promotion of technical co-operation**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

RECOGNIZING the importance of adequate education and training for, and experience acquired by, all seafarers,

RECOGNIZING FURTHER that, in some cases, there may be limited facilities for providing specialized training programmes and obtaining the required experience, particularly in developing countries,

BELIEVING that the promotion of technical co-operation will assist countries lacking adequate expertise or facilities in providing proper training and experience to implement the STCW Convention and Code,

1. STRONGLY URGES Parties to provide, or arrange to provide, in co-operation with the International Maritime Organization (IMO), assistance to those States, which have difficulty in meeting the revised requirements of the STCW Convention and Code and which request such assistance;
2. INVITES IMO to intensify its endeavours to provide States with the assistance they may require and to make adequate provision for that purpose within its technical co-operation programme.

## Resolution 8

### Measures to ensure the competency of masters and officers on ships operating in polar waters

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

NOTING that, as a result of the increase in maritime traffic in polar waters, several accidents have occurred there in recent years,

NOTING FURTHER the remoteness and the singular hydrographic, oceanographic, meteorological and glaciological characteristics of polar waters, to the extent that search and rescue, care and evacuation of persons and addressing the consequences of pollution entail considerable operational and logistical problems,

RECOGNIZING that the operation of ships sailing in polar waters calls for specific education, training, experience and related qualifications for masters and officers on board such ships,

RECOGNIZING ALSO the efforts made by governments to train masters and officers through courses dedicated to this particular class of navigation,

RECOGNIZING FURTHER both the *Guidelines for ships operating in polar waters*<sup>\*</sup> and the need for mandatory training requirements when the Polar Code under development by the International Maritime Organization is adopted,

RECOMMENDS that governments adopt measures conducive to ensuring that masters and officers of ships, which operate in polar waters, have appropriate training and experience, so that they are able to:

- .1 plan voyages to polar waters, taking into account glaciological, hydrographic, oceanographic and meteorological factors;
- .2 navigate safely in polar waters, in particular in restricted ice-covered areas under adverse conditions of wind and visibility; and
- .3 supervise and ensure compliance with the requirements deriving from intergovernmental agreements and with those relating to safety of life at sea and protection of the marine environment.

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\* Refer to resolution A.1024(26) – Guidelines for ships operating in polar waters, adopted by the Assembly of the International Maritime Organization on 2 December 2009.

## **Resolution 9**

### **Attracting new entrants to, and retaining seafarers in, the maritime profession**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

BEING AWARE that more than 90% of world trade is carried by sea and that the shipping industry operates safely, securely, efficiently and in an environmentally-sound manner,

RECOGNIZING the vital service seafarers provide to shipping, an industry that contributes significantly to global and sustainable development and prosperity,

RECOGNIZING ALSO the need for today's increasingly sophisticated ships to be entrusted to seafarers who are competent in all respects to operate them in a safe, secure, efficient and environmentally-sound manner,

RECOGNIZING FURTHER that any discriminative legislation adopted and practices enacted have the potential to discourage young people from joining the profession and serving seafarers from remaining in it,

NOTING with concern the reported and anticipated shortage of qualified officers to effectively man and operate ships,

NOTING ALSO with appreciation the "Go to Sea!" campaign launched, in November 2008, by the Secretary-General of the International Maritime Organization, in co-operation with the International Labour Organization, BIMCO, International Chamber of Shipping, International Shipping Federation, INTERCARGO, INTERTANKO and the International Transport Workers' Federation,

APPRECIATING the overall efforts of the shipping industry to promote among young persons a career at sea,

RECOMMENDS that Administrations, shipping companies, shipowner, ship manager and seafarer organizations and any other entities concerned do their utmost to promote among young persons a career at sea and to retain existing seafarers within the industry by:

- .1 engendering a more favourable public perception, in particular among young people, of the maritime industry;
- .2 promoting a greater awareness and knowledge among young people of the opportunities offered by a career at sea;

- .3 improving the quality of life at sea by bringing it more closely in line with the career alternatives available ashore and by enhancing the facilities provided on board ships, including accessing the Internet;
- .4 encouraging all officers serving on their ships to participate actively in the training and mentoring of junior personnel during their service on board ship;
- .5 encouraging the provision of adequate accommodation for trainees on new buildings; and
- .6 taking all appropriate measures to instil pride in the maritime profession and encourage the creation of a safety culture and environmental conscience among all those who serve on their ships.

## **Resolution 10**

### **Accommodation for trainees**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

NOTING with concern the reported and anticipated shortage of qualified officers to effectively man and operate ships engaged in international trade,

RECOGNIZING the need for today's increasingly sophisticated ships to be entrusted to seafarers who are competent in all respects to operate them in a safe, secure, efficient and environmentally-sound manner,

RECOGNIZING ALSO that minimum mandatory seagoing service forms part of the requirements prescribed in the STCW Convention and Code for operational level and support level certification,

RECOGNIZING FURTHER that the lack of adequate accommodation for trainees on board ships constitutes a significant impediment to properly training them and subsequently retaining them at sea, thus adding to the aforementioned shortage,

URGES shipowners, ship managers and shipping companies to provide suitable accommodation for trainees on board their ships both existing and new.

## **Resolution 11**

### **Promotion of the participation of women in the maritime industry**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended,

NOTING the Long- and Medium-Term Plans for the Integration of Women in the Maritime Sector developed by the International Maritime Organization,

EXPRESSING SUPPORT for the latter's aims to promote the training of women in the maritime sector,

CONSIDERING HIGHLY DESIRABLE that both men and women have equal access opportunities to maritime training and to employment on board ship,

INVITES Governments:

- .1 to give special consideration to securing equal access by men and women in all sectors of the maritime industry; and
- .2 to highlight the role of women in the seafaring profession and to promote their greater participation in maritime training and at all levels in the maritime industry.



## **Resolution 12**

### **Future amendments and review of the STCW Convention and Code**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

NOTING that rapidly evolving technology and training methodologies require a consistent approach towards reviewing, amending and updating the STCW Convention and Code,

NOTING FURTHER, however, that frequent amendments to the STCW Convention and Code may be problematic to Maritime Administrations, shipowners, maritime training and education institutions and/or seafarers and should, therefore, be avoided,

1. RECOMMENDS that significant and extensive amendments to the STCW Convention and Code should preferably be developed and adopted on a five-yearly cycle basis;
2. RECOMMENDS FURTHER that a comprehensive review of the STCW Convention and Code should be carried out every ten years to address any inconsistencies identified in the interim; and to ensure that they are up-to-date with emerging technologies.

## **Resolution 13**

### **Contribution of the International Labour Organization**

THE 2010 MANILA CONFERENCE,

HAVING ADOPTED amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and to the Seafarers' Training, Certification and Watchkeeping Code, as amended (STCW Convention and Code),

RECOGNIZING the role, competence and expertise of the International Labour Organization (ILO) on matters relating to the occupational safety and health of seafarers,

RECOGNIZING ALSO the significant benefit to the achievement of the objective of the International Maritime Organization and the shipping industry from the Maritime Labour Convention, 2006 (MLC 2006), once in force and implemented,

1. EXPRESSES its appreciation for the contribution made by ILO during the development of the aforementioned amendments to the STCW Convention and Code; and
2. STRONGLY RECOMMENDS to Governments, which have not yet done so, to promptly ratify the MLC 2006 to enable its expeditious entry into force and, thereafter, to ensure its wide and effective implementation.

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## ANNEX 5

**DRAFT ASSEMBLY RESOLUTION A.[...] (27)****PRINCIPLES OF MINIMUM SAFE MANNING**

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

RECALLING ALSO Article 28(a) of that Convention which requires the Maritime Safety Committee to consider, *inter alia*, the manning of seagoing ships from a safety standpoint,

NOTING that safe manning is a function of the number of qualified and experienced seafarers necessary for the safety and security of the ship, crew, passengers, cargo and property and for the protection of the marine environment,

RECOGNIZING the importance of the requirements of the pertinent IMO instruments as well as those adopted by ILO, ITU and WHO relevant to maritime safety and protection of the marine environment,

MINDFUL of the provisions of SOLAS regulation V/14, as amended, with respect to the issue of an appropriate safe manning document or equivalent as evidence of minimum safe manning,

ALSO MINDFUL of the provisions of SOLAS chapter XI-2 and the International Ship and Port Facility Security (ISPS) Code relating to the security of ships and port facilities,

BEING AWARE that the ability of seafarers to maintain observance of these requirements is dependent upon their continued efficiency through conditions relating to training, hours of work and rest, occupational safety, health and hygiene and the proper provision of food,

BELIEVING that international acceptance of broad principles as a framework for administrations to determine the safe manning of ships would materially enhance maritime safety, security and protection of the marine environment,

HAVING CONSIDERED the recommendation made by the Maritime Safety Committee at its [eighty-eighth] session,

1. ADOPTS the Principles of minimum safe manning, the Guidelines for the application of principles of safe manning and the Guidance on contents and model form of minimum safe manning document, set out respectively in Annexes 1, 2, 3, 4 and 5 to the present resolution;
2. RECOMMENDS that Governments, in establishing the minimum safe manning for ships flying their countries' flag, observe the Principles set out in Annex 1 and the procedures as set out in Annex 5 and take into account the Guidelines set out in Annexes 2 and 3;

3. URGES Governments to ensure that minimum safe manning documents contain, as a minimum, the information set out in Annex 4;
4. URGES FURTHER Governments, when exercising port State control functions under international conventions in force with respect to foreign ships visiting their ports, to regard compliance with the minimum safe manning documents as evidence that such ships are safely manned;
5. REQUESTS the Maritime Safety Committee to keep this resolution under review;
6. REVOKES resolutions A.890(21) and A.955(23).

\* \* \*

## ANNEX 1

### **GUIDELINES FOR THE APPLICATION OF PRINCIPLES OF MINIMUM SAFE MANNING**

#### **1 INTRODUCTION**

1.1 These Guidelines should be used in applying the principles of minimum safe manning set out in section 3 to ensure the safe operation of ships to which article III of the 1978 STCW Convention, as amended, applies, and the security of ships to which chapter XI-2 of the 1974 SOLAS Convention, as amended, applies, and for the protection of the marine environment.

1.2 The Administration may retain or adopt arrangements which differ from the provisions herein recommended and which are especially adapted to technical developments and to special types of ships and trades. However, at all times the Administration should satisfy itself that the detailed manning arrangements ensure a degree of safety at least equivalent to that established by these Guidelines.

#### **2 OBJECTIVES**

2.1 The objectives of these Guidelines are to ensure that a ship is 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 can be achieved through the following:

- .1 adoption of a goal-based approach;
- .2 standard procedures for effective implementation; and
- .3 effective enforcement.

#### **3 PRINCIPLES OF MINIMUM SAFE MANNING**

3.1 The following principles should be observed in determining the minimum safe manning of a ship:

- .1 the capability to:
  - .1.1 maintain safe navigational, port, engineering and radio watches in accordance with regulation VIII/2 of the 1978 STCW Convention, as amended, and also maintain general surveillance of the ship;
  - .1.2 moor and unmoor the ship safely;
  - .1.3 manage the safety functions of the ship when employed in a stationary or near-stationary mode at sea;

- .1.4 perform operations, as appropriate, for the prevention of damage to the marine environment;
  - .1.5 maintain the safety arrangements and the cleanliness of all accessible spaces to minimize the risk of fire;
  - .1.6 provide for medical care on board ship;
  - .1.7 ensure safe carriage of cargo during transit;
  - .1.8 inspect and maintain, as appropriate, the structural integrity of the ship; and
  - .1.9 operate in accordance with the approved Ship's Security Plan; and
  - .2 the ability to:
    - .2.1 operate all watertight closing arrangements and maintain them in effective condition, and also deploy a competent damage control party;
    - .2.2 operate all onboard fire-fighting and emergency equipment and life-saving appliances, carry out such maintenance of this equipment as is required to be done at sea, and muster and disembark all persons on board; and
    - .2.3 operate the main propulsion and auxiliary machinery including pollution prevention equipment and maintain them in a safe condition to enable the ship to overcome the foreseeable perils of the voyage.
- 3.2 The following onboard functions, when applicable, should also be taken into account:
- .1 ongoing training requirements for all personnel, including the operation and use of fire-fighting and emergency equipment, life-saving appliances and watertight closing arrangements;
  - .2 specialized training requirements for particular types of ships and in instances where crew members are engaged in shipboard tasks that cross departmental boundaries;
  - .3 provision of proper food and drinking water;
  - .4 need to undertake emergency duties and responsibilities; and
  - .5 need to provide training opportunities for entrant seafarers to allow them to gain the training and experience needed.

\* \* \*

## ANNEX 2

### **GUIDELINES FOR DETERMINATION OF MINIMUM SAFE MANNING**

#### **1 DETERMINATION OF MINIMUM SAFE MANNING**

1.1 The minimum safe manning of a ship should be established taking into account all relevant factors, including the following:

- .1 size and type of ship;
- .2 number, size and type of main propulsion units and auxiliaries;
- .3 level of ship automation;
- .4 construction and equipment of the ship;
- .5 method of maintenance used;
- .6 cargo to be carried;
- .7 frequency of port calls, length and nature of voyages to be undertaken;
- .8 trading area(s), waters and operations in which the ship is involved;
- .9 extent to which training activities are conducted on board;
- .10 degree of shoreside support provided to the ship by the company;
- .11 applicable work hour limits and/or rest requirements; and
- .12 the provisions of the approved Ship's Security Plan.

1.2 The determination of the minimum safe manning of a ship should be based on performance of the functions at the appropriate level(s) of responsibility, as specified in the STCW Code, which include the following:

- .1 navigation, comprising the tasks, duties and responsibilities required to:
  - .1 plan and conduct safe navigation;
  - .2 maintain a safe navigational watch in accordance with the requirements of the STCW Code;
  - .3 manoeuvre and handle the ship in all conditions; and
  - .4 moor and unmoor the ship safely;

- .2 cargo handling and stowage, comprising the tasks, duties and responsibilities required to:
  - .1 plan, monitor and ensure safe loading, stowage, securing, care during the voyage and unloading of cargo to be carried on the ship;
- .3 operation of the ship and care for persons on board, comprising the tasks, duties and responsibilities required to:
  - .1 maintain the safety and security of all persons on board and keep life-saving, fire-fighting and other safety systems in operational condition;
  - .2 operate and maintain all watertight closing arrangements;
  - .3 perform operations, as appropriate, to muster and disembark all persons on board;
  - .4 perform operations, as appropriate, to ensure protection of the marine environment;
  - .5 provide for medical care on board the ship; and
  - .6 undertake administrative tasks required for the safe operation and the security of the ship;
- .4 marine engineering, comprising the tasks, duties and responsibilities required to:
  - .1 operate and monitor the ship's main propulsion and auxiliary machinery and evaluate the performance of such machinery;
  - .2 maintain a safe engineering watch in accordance with the requirements of the STCW Code;
  - .3 manage and perform fuel and ballast operations; and
  - .4 maintain safety of the ship's engine equipment, systems and services;
- .5 electrical, electronic and control engineering, comprising the tasks, duties and responsibilities required to:
  - .1 operate the ship's electrical and electronic equipment; and
  - .2 maintain the safety of the ship's electrical and electronic systems;
- .6 radiocommunications, comprising the tasks, duties and responsibilities required to:
  - .1 transmit and receive information using the radio equipment of the ship;
  - .2 maintain a safe radio watch in accordance with the requirements of the ITU Radio Regulations and the 1974 SOLAS Convention, as amended; and
  - .3 provide radio services in emergencies; and



- .7 maintenance and repair, comprising the tasks, duties and responsibilities required to:
  - .1 carry out maintenance and repair work to the ship and its machinery, equipment and systems, as appropriate to the method of maintenance and repair used.

1.3 In addition to the factors and functions in paragraphs 1.1 and 1.2, the determination of the minimum safe manning should also take into account:

- .1 the management of the safety, security and protection of the environment functions of a ship at sea when not under way;
- .2 except in ships of limited size, the provision of qualified deck officers to ensure that it is not necessary for the master to keep regular watches by adopting a three-watch system;
- .3 except in ships of limited propulsion power or operating under provisions for unattended machinery spaces, the provision of qualified engineer officers to ensure that it is not necessary for the chief engineer to keep regular watches by adopting a three-watch system;
- .4 the maintenance of applicable occupational health and hygiene standards on board; and
- .5 the provision of proper food and drinking water for all persons on board, as required.

1.4 In determining the minimum safe manning of a ship, consideration should also be given to:

- .1 the number of qualified and other personnel required to meet peak workload situations and conditions, with due regard to the number of hours of shipboard duties and rest periods assigned to seafarers; and
- .2 the capability of the master and the ship's complement to coordinate the activities necessary for the safe operation and for the security of the ship and for the protection of the marine environment.

\* \* \*

## ANNEX 3

### **RESPONSIBILITIES IN THE APPLICATION OF PRINCIPLES OF MINIMUM SAFE MANNING**

#### **1 Responsibilities of companies**

1.1 The Administration may require the company responsible for the operation of the ship to prepare and submit its proposal for the minimum safe manning of a ship in accordance with a form specified by the Administration.

1.2 In preparing a proposal for the minimum safe manning of a ship, the company should apply the principles, recommendations and guidelines contained in this resolution and should be required to:

- .1 make an assessment of the tasks, duties and responsibilities of the ship's complement required for its safe operation, for its security, for protection of the marine environment, and for dealing with emergency situations;
- .2 ensure that fitness for duty provisions and record of hours are implemented;
- .3 make an assessment of numbers and grades/capacities in the ship's complement required for its safe operation, for its security, for protection of the marine environment, and for dealing with emergency situations;
- .4 prepare and submit to the Administration a proposal for the minimum safe manning based upon the assessment of the numbers and grades/capacities in the ship's complement required for its safe operation, for its security and for protection of the marine environment, justifying the proposal by explaining how the proposed ship's complement will deal with emergency situations, including the evacuation of passengers, where necessary;
- .5 ensure that the minimum safe manning is adequate at all times and in all respects, including meeting peak workload situations, conditions and requirements, and is in accordance with the principles, recommendations and guidelines contained in this resolution; and
- .6 prepare and submit to the Administration a new proposal for the minimum safe manning of a ship in the case of changes in trading area(s), construction, machinery, equipment, operation and maintenance or management of the ship, which may affect the safe manning.

#### **2 Approval by the Administration**

2.1 A proposal for the minimum safe manning of a ship submitted by a company to the Administration should be evaluated by the Administration to ensure that:

- .1 the proposed ship's complement contains the number and grades/capacities of personnel to fulfil the tasks, duties and responsibilities required for the safe

operation of the ship, for its security, for protection of the marine environment and for dealing with emergency situations; and

- .2 the master, officers and other members of the ship's complement are not required to work more hours than is safe in relation to the performance of their duties and the safety of the ship and that the requirements for work and rest hours, in accordance with applicable national regulations, can be complied with.

2.2 In applying such principles, Administrations should take proper account of existing IMO, ILO, ITU and WHO instruments in force which deal with:

- .1 watchkeeping;
- .2 hours of work or rest;
- .3 safety management;
- .4 certification of seafarers;
- .5 training of seafarers;
- .6 occupational safety, health and hygiene;
- .7 crew accommodation and food;
- .8 security;
- .9 radiocommunications.

2.3 The Administration should require a company to amend a proposal for the minimum safe manning of a ship if, after evaluation of the original proposal submitted by the company, the Administration is unable to approve the proposed composition of the ship's complement.

2.4 The Administration should only approve a proposal for the minimum safe manning of a ship and issue accordingly a minimum safe manning document if it is fully satisfied that the proposed ship's complement is established in accordance with the principles, recommendations and guidelines contained in this resolution, and is adequate in all respects for the safe operation and the security of the ship and for the protection of the marine environment.

2.5 The Administration may withdraw the minimum safe manning document of a ship if the company fails to submit a new proposal for the ship's minimum safe manning when changes in trading area(s), construction, machinery, equipment or operation and maintenance of the ship have taken place which affect the minimum safe manning.

2.6 The Administration should review and may withdraw, as appropriate, the minimum safe manning document of a ship which persistently fails to be in compliance with rest hours requirements.

2.7 The Administration should consider the circumstances very carefully before allowing a minimum 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.

\* \* \*

ANNEX 4

**GUIDANCE ON CONTENTS AND MODEL FORM OF  
MINIMUM SAFE MANNING DOCUMENT**

1 The following information should be included in the minimum safe manning document issued by the Administration specifying the minimum safe manning:

- .1 a clear statement of the ship's name, port of registry, distinctive number or letters, IMO number, gross tonnage, main propulsion power, type and trading area, whether or not the machinery space is unattended and company as defined in the ISM Code;
- .2 a table showing the number and grades/capacities of the personnel required to be carried, together with any special conditions or other remarks;
- .3 a formal statement by the Administration that, in accordance with the principles and guidelines set out in Annexes 1 and 2, the ship named in the document is considered to be safely manned if, whenever it proceeds to sea, it carries not less than the number and grades/capacities of personnel shown in the document, subject to any special conditions stated therein;
- .4 a statement as to any limitations on the validity of the document by reference to particulars of the individual ship and the nature of service upon which it is engaged; and
- .5 the date of issue and any expiry date of the document together with a signature for and the seal of the Administration.

2 It is recommended that the minimum safe manning document be drawn up in the form corresponding to the model given in the appendix to this Annex. If the language used is not English, the information given should include a translation into English.

APPENDIX

MODEL FORM OF MINIMUM SAFE MANNING DOCUMENT

MINIMUM SAFE MANNING DOCUMENT

(Official seal)

(State)

Issued under the provisions of regulation V/14.2.2 of the  
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended

under the authority of the Government of

.....  
(name of the State)

by

.....  
(Administration)

*Particulars of ship\**

Name of ship .....  
Distinctive number or letters .....  
IMO number .....  
Port of registry .....  
Gross tonnage:  
    National .....  
    International Tonnage Convention, 1969 .....  
Main propulsion power (kW) .....  
Type of ship .....

Periodically unattended machinery space                      yes/no

Operating Company .....  
.....

---

\* Alternatively the particulars of the ship may be placed horizontally.

|                |
|----------------|
| Trading area** |
|----------------|

The ship named in this document is considered to be safely manned if, when it proceeds to sea, it carries not less than the number and grades/capacities of personnel specified in the table(s) below.

| Grade/capacity | Certificate (STCW regulation) | Number of persons |
|----------------|-------------------------------|-------------------|
|                |                               |                   |
|                |                               |                   |
|                |                               |                   |
|                |                               |                   |

|   |
|---|
| Special requirements or conditions, if any: |
|---|

Issued at ..... on the ..... day of .....  
 (month and year)

Date of expiry (if any) .....

(Seal of the Administration)

.....  
 (Signature for and on behalf of the Administration)

\* \* \*

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\*\* Where a trading area other than unlimited is shown, a clear description or map of the trading area should be included in the document.

## ANNEX 5

### FRAMEWORK FOR DETERMINING MINIMUM SAFE MANNING

#### Preamble

This framework has been developed to assist Administrations and companies in determining minimum safe manning.

#### Steps for determining minimum safe manning

##### 1 Submission from the company

1.1 Submission of a proposal from the company for minimum safe manning defining the nature of the operation of the ship; ~~and~~

1.2 Submission needs to take into account the requirements of Annexes 2 and 3 in the context of the management of the safety, security and protection of the marine environment functions of a ship.

1.3 The process outlined below should enable companies to achieve greater depth and insight into the interdependencies and interactions of operational elements that influence the amounts of crew member workload and, ultimately, the proposed minimum safe manning level.

#### Operational functions

1.4 Beginning this process requires the breakdown of the operational elements into functions. Annex 2 provides guidance on the relevant functions that need to be considered, however, this list is not exclusive. Each function can then be broken down into a task list that includes the attributes listed below.

- .1 **Duration:** What is the time required to execute each task? Time in this case is measurement of total man hours versus the actual duration taken for task completion, since some tasks can be done in a shorter time by using multiple individuals.
- .2 **Frequency:** How often is the task performed? This can be categorized using some form of standard interval (i.e. hourly, daily, weekly, etc.).
- .3 **Competence:** What are the skills, training and qualifications needed to consistently perform the task properly?
- .4 **Importance:** What is the risk or consequence associated with improper performance?

#### Operational factors

1.5 Once a function is broken down into specific tasks and their attributes, it is then necessary to determine the specific personnel qualifications, operational policy and procedures, and infrastructure/technology necessary to perform each task. It is important to recognize that these

elements may increase or decrease manning levels depending on availability and appropriate procedures and of specific capability enabling technology/automation.

### **Task capability**

1.6 The information generated in defining the operational factors and functions should be used to determine how many tasks that can be executed by an individual under the possible range of operational conditions. Critical considerations, while conducting this step, are human element limitations and relevant standards and regulations. These include sleep and circadian requirements, physical and mental workload associated with each task, and exposure limits to shipboard environmental conditions such as noise, temperature and toxins.

### **Workload assessments**

1.7 Once steps relating to operational functions, operational factors and task capability have been conducted, the information is then used to determine whether workload will not exceed the minimum hours of rest and/or work as provided in relevant national and international regulations. Considerations, while performing this step, include work period lengths, work schedule designs and whether a single crew member can execute the tasks set in a specific work period or work period(s) per work day.

## **2 Evaluation by the Administration**

2.1 The Administration should evaluate/approve the submission of the company against relevant national and international regulatory requirements and guidelines.

2.2 Having evaluated and approved the proposal the Administration should issue a minimum safe manning document including special requirements and conditions.

## **3 Maintenance of minimum safe manning document**

A company should advise the Administration of any changes that would affect the minimum safe manning document, and in such circumstances prepare and submit a new proposal taking into account Annex 3.

## **4 Compliance monitoring**

The Administration should periodically review the minimum safe manning arrangements.

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## ANNEX 6

**DRAFT AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE  
SAFETY OF LIFE AT SEA, 1974, AS AMENDED****CHAPTER V****SAFETY OF NAVIGATION****REGULATION 14****Ships' manning**

1 The existing paragraph 2 is replaced by the following new paragraph:

2 Every ship to which chapter I applies the Administration shall:

.1 establish appropriate minimum safe manning following a transparent procedure taking into account the relevant guidance adopted by the Organization<sup>\*</sup>; and

.2 issue an appropriate minimum safe manning document or equivalent as evidence of the minimum safe manning considered necessary to comply with the provisions of paragraph 1.

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\* Refer to the Principles of Minimum Safe Manning adopted by the Organization by resolution A....(27).



## ANNEX 7

**DRAFT BIENNIAL AGENDA AND POST-BIENNIAL AGENDA  
OF THE SUB-COMMITTEE AND PROVISIONAL AGENDA FOR STW 42**

**BIENNIAL AGENDA\***

| <b>STANDARDS ON TRAINING AND WATCHKEEPING (STW)</b>      |   |                        |                              |                            |                                 |
|--|---|------------------------|------------------------------|----------------------------|---------------------------------|
| <b>PLANNED OUTPUTS 2010-2011 (resolution A.1013(26))</b> |   | <b>Parent organ(s)</b> | <b>Coordinating organ(s)</b> | <b>Associated organ(s)</b> | <b>Target completion year**</b> |
| <b>Number</b>  | <b>Description</b>  |                        |                              |                            |                                 |
| 5.1.1.9  | <b>Development of training standards for recovery systems</b>   | MSC                    | STW                          | DE                         | 2 Sessions<br><b>2012</b>       |
| 5.2.1.25   | <b>Revision of the Recommendations for entering enclosed spaces aboard ships</b>  | MSC                    | DSC                          | DSC<br>FP                  | <del>2010</del><br><b>2011</b>  |
| 5.2.2.1  | <del>Comprehensive review of the STCW Convention and Code</del>   | MSC                    | STW                          |                            | 2010                            |
| <del>5.2.2.3</del><br>12.1.2.3                           | <del>Review of the principles for establishing the safe manning level of ships including mandatory requirements for determining safe manning (in co-operation with NAV)</del> | MSC                    | STW                          | NAV                        | 2010                            |
| 5.2.2.4  | <b>Development of model procedures for executing shipboard emergency measures</b>   | MSC                    | STW                          |                            | 2011                            |
| 5.2.2.5  | <b>Validation of model training courses</b>   | MSC                    | STW                          |                            | Ongoing                         |

\* Items printed in bold letters have been selected for the provisional agenda for STW 42.

\*\* The term “ongoing” means that an output is a permanent or continuous task.

| <b>STANDARDS ON TRAINING AND WATCHKEEPING (STW)</b>      |  |                        |                              |                            |                                 |
|--|--|------------------------|------------------------------|----------------------------|---------------------------------|
| <b>PLANNED OUTPUTS 2010-2011 (resolution A.1013(26))</b> |  | <b>Parent organ(s)</b> | <b>Coordinating organ(s)</b> | <b>Associated organ(s)</b> | <b>Target completion year**</b> |
| <b>Number</b>  | <b>Description</b>   |                        |                              |                            |                                 |
| 5.2.2.6  | <del>Training for seafarer safety representatives</del>                  | MSC                    | STW                          |                            | 2010                            |
| 5.2.2.7  | <del>Unlawful practices associated with certificates of competency</del> | MSC                    | STW                          |                            | Ongoing                         |
| 5.2.6.1  | <del>Development of an e-navigation strategy implementation plan</del>   | MSC                    | NAV                          | COMSAR<br>STW              | 2012                            |
| 6.3.2.1  | <del>Measures to enhance maritime security</del>                         | MSC                    | MSC                          | STW                        | 2010                            |
| 12.1.2.2   | <del>Casualty analysis</del>   | MSC                    | FSI                          | STW                        | Ongoing                         |

POST-BIENNIAL AGENDA

| STANDARDS ON TRAINING AND WATCHKEEPING (STW) |                                   |                                 |   |                 |                   |                     |                      |  |
|--|-----------------------------------|---------------------------------|---|-----------------|-------------------|---------------------|----------------------|--|
| ACCEPTED POST-BIENNIAL OUTPUTS               |                                   |                                 |   | Parent organ(s) | Involved organ(s) | Associated Organ(s) | Timescale (sessions) | Remarks  |
| Number                                       | Reference to Strategic Directions | Reference to High-level Actions | Description   |                 |                   |                     |                      |  |
| STW 1  | 5.1                               | 5.1.1                           | Safety provisions applicable to tenders operating from passenger ships (coordinated by DE)                      | MSC             | DE                |                     | 3                    | MSC 84/24, paragraph 22.66                                       |
| STW 2  | 5.2                               | 5.2.1                           | Clarification of the STCW-F Convention provisions and follow-up action to the associated Conference resolutions | MSC             |                   |                     | 2                    | STW 34/14, paragraph 11.8  |
| <del>STW 3</del>                             | <del>5.2</del>                    | <del>5.2.2</del>                | <del>Review of the implementation of STCW chapter VII</del>   | <del>MSC</del>  |                   |                     | <del>2</del>         | <del>MSC 72/23, paragraph 21.56;<br/>STW 35/19, section 14</del> |

**DRAFT PROVISIONAL AGENDA FOR STW 42**

- 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 Casualty analysis
  - 6 Development of an e-navigation strategy implementation plan
  - 7 Revision of the Recommendations for entering enclosed spaces aboard ships
  - 8 Development of model procedures for executing shipboard emergency measures
  - 9 Development of training standards for recovery systems
  - 10 Biennial agenda, post-biennial agenda and provisional agenda for STW 43
  - 11 Election of Chairman and Vice-Chairman for 2012
  - 12 Any other business
  - 13 Report to the Maritime Safety Committee

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## ANNEX 8

**STATUS OF PLANNED OUTPUT OF THE HIGH-LEVEL ACTION PLAN OF THE ORGANIZATION AND PRIORITIES  
FOR THE 2010-2011 BIENNIUM RELEVANT TO THE SUB-COMMITTEE**

| Planned output number in the High-level Action Plan for 2010-2011 | Description   | Target completion year  | Parent Organ(s) | Coordinating organ(s) | Associated organ(s) | Status of output for Year 1 | Status of output for Year 2 | References   |
|---|---|---|-----------------|-----------------------|---------------------|-----------------------------|-----------------------------|--|
| 5.1.1.9   | Development of training standards for recovery systems                    | 2012 (for STW)  | MSC             | STW                   | DE                  | Postponed                   |                             | STW 41/16, section 13<br><br>To be undertaken next year subject to DE 53 finalizing the Performance Standards  |
| 5.2.1.25  | Revision of the Recommendations for entering enclosed spaces aboard ships | 2010 (for BLG)<br>2010 (for DSC)<br>2011 (for STW)<br>2010 (for FP)<br>2010 (for MSC) | MSC             | DSC                   | STW<br>FP<br>BLG    | Postponed                   |                             | STW 41/16, section 15<br><br>DSC as the coordinating Sub-Committee has just commenced its work by establishing a correspondence group. The Sub-Committee will commence its work after DSC 15 considers the recommendation of the correspondence group. Accordingly, TCY extended to 2011 |
| 5.2.2.1   | Comprehensive review of the STCW Convention and Code                      | 2010 (for STW)<br>2010 (for MSC)  | MSC             | STW                   |                     | Completed                   | Not applicable              | STW 41/16, section 7   |

| Planned output number in the High-level Action Plan for 2010-2011 | Description   | Target completion year                     | Parent Organ(s) | Coordinating organ(s) | Associated organ(s) | Status of output for Year 1 | Status of output for Year 2 | References  |
|---|---|--|-----------------|-----------------------|---------------------|-----------------------------|-----------------------------|---|
| 5.2.2.3<br>12.1.2.3   | Review of the principles for establishing the safe manning level of ships including mandatory requirements for determining safe manning | 2010 (STW)<br>2010 (for NAV)<br>2011 (MSC) | MSC             | STW                   | NAV                 | Completed                   | Not applicable              | STW 41/16, section 8  |
| 5.2.2.4   | Development of model procedures for executing shipboard emergency measures  | 2011 (STW)<br>2011 (MSC)                   | MSC             | STW                   |                     | In progress                 |                             | STW 41/16, section 12   |
| 5.2.2.5   | Validation of model training courses  | Continuous                                 | MSC             | STW                   |                     | Ongoing                     |                             | STW 41/16, section 3  |
| 5.2.2.6   | Training for seafarer safety representatives  | 2010 (STW)<br>2010 (MSC)                   | MSC             |                       | STW<br>JWGHE        | In progress                 |                             | STW 41/16, section 5<br><br>Work transferred to MSC/MEPC Joint Working Group on Human Element (JWGHE) |
| 5.2.2.7   | Unlawful practices associated with certificates of competency   | Continuous                                 | MSC             | STW                   |                     | Ongoing                     |                             | STW 41/16, section 4  |



| Planned output number in the High-level Action Plan for 2010-2011 | Description   | Target completion year                    | Parent Organ(s) | Coordinating organ(s) | Associated organ(s) | Status of output for Year 1  | Status of output for Year 2 | References   |
|---|---|---|-----------------|-----------------------|---------------------|------------------------------|-----------------------------|--|
| 5.2.6.1   | Development of an e-navigation strategy implementation plan | 2012 (NAV)<br>2012 (COMSAR)<br>2012 (STW) | MSC             | NAV                   | COMSAR<br><br>STW   | In progress<br><br>Postponed |                             | STW 41/16, section 10<br><br>The Sub-Committee will commence its work after receiving inputs from the correspondence group established by NAV 55 to progress the matter intersessionally |
| 6.3.2.1   | Measures to enhance maritime security                       | 2010 (STW)                                | MSC             | STW                   |                     | Completed                    | Not applicable              | STW 41/16, section 9   |
| 12.1.2.2  | Casualty analysis   | Continuous                                | MSC             | FSI                   | All Sub-Committees  | Ongoing                      |                             | STW 41/16, section 6   |

**Notes:**

- a When individual outputs contain multiple deliverables, the format should report on each individual deliverable.
- b The target completion date should be specified as a year, or indicate that the item is continuous. This should not indicate a number of sessions.
- c The entries under the “Status of output” columns are to be classified as follows:
  - “completed” signifies that the outputs in question have been duly finalized;
  - “in progress” signifies that work on the related outputs has been progressed, often with interim outputs (for example, draft amendments or guidelines) which are expected to be approved later in the same biennium;
  - “ongoing” signifies that the outputs relate to work of the respective IMO organs that is a permanent or continuous task; and
  - “postponed” signifies that the respective IMO organ has decided to defer the production of relevant outputs to another time (for example, until the receipt of corresponding submissions).
- d If the output consists of the adoption/approval of an instrument (e.g., resolution, circular, etc.), that instrument should be clearly referenced in this column.