



## **Department of Economic Development**

### **Isle of Man Ship Registry**

#### **Consultation:**

#### **Proposed STCW Regulations up to and including the Manila Amendments**

This consultation paper sets out the Isle of Man Government's proposal to implement new Regulations in order to give effect to the International Convention on Standards of Training, Certification and Watchkeeping 1978 (STCW) up to and including the June 2010 amendments (known as the Manila Amendments). The Isle of Man intends the new Regulations to come into effect in March 2014.

Please examine the proposed implementation of the updated STCW Regulations as detailed in this consultation paper and if you have any comments please send them (preferably by email) to:

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**This consultation will close at 5.00pm on 19 December 2013**

A summary of the responses received to the consultation will be made available to the public via the Isle of Man Ship Registry website ([www.iomshipregistry.com](http://www.iomshipregistry.com)) within 3 months of the closing of the consultation.

## **1. Introduction**

The STCW Convention establishes basic requirements on training, certification and watchkeeping for seafarers on an international level. A comprehensive review of the STCW Convention (known as the Manila Amendments) adopted a significant number of amendments including new requirements for: training and certification, hours of work and rest, prevention of drug and alcohol abuse and medical fitness standards for seafarers.

The STCW Convention is already extended to the Isle of Man and the existing requirements are specified in the Merchant Shipping Manning and Training Regulations 1996. The Isle of Man proposes to make new STCW Regulations which will implement the STCW Convention up to and including the Manila Amendments. This consultation paper explains the main changes that have been introduced by the Manila Amendments and where necessary provides further detail on how the Isle of Man intends to implement those requirements.

There is a phase in period for the implementation of the Manila Amendments which is briefly summarised below and a more detailed explanation is contained in Section 9.

### 01/01/2012

The Manila Amendments entered into force and the use of Training Record Books for new trainees (ratings) is mandatory.

### 01/07/2013

New entrants must follow the new standard stated in the Manila Amendments.

### 01/01/2014

Mandatory security training is in place.

### Prior to 01/01/2017

The certificate issuing authority will decide how they will apply refresher training and may continue to renew and revalidate existing certificates and endorsements in accordance with the previous convention.

### After 01/01/2017

Full compliance in accordance with the Manila Amendments is required for all seafarers.

## **2. Proposed Isle of Man STCW Regulations**

### **Application**

The proposed Isle of Man STCW Regulations will apply to all seafarers working on an Isle of Man registered commercial ship and it is the responsibility of the ship's operator to ensure the requirements are being met. Section 10 of this consultation paper states the requirements for seafarers working on a foreign commercial ship visiting an Isle of Man port.

The training and certification requirements for seafarers working on a commercial yacht is stated in the Large Commercial Yacht Code's Isle of Man National Annex and is not included in this consultation paper. However a separate consultation will be issued on the latest version of the Large Commercial Yacht Code (LY3) which will include a revised Isle of Man National Annex.

The following sections of the STCW Manila Amendments have already been implemented by the Merchant Shipping (Maritime Labour Convention) Regulations 2013 (SD 0234/13) and are not included in this consultation paper:

- a. STCW Regulation VIII/1.2, Fitness for duty (Hours of work and rest); and
- b. STCW Regulation I/9, Medical standards.

### **3. Isle of Man endorsement requirements**

STCW requires Certificates of Competencies (CoC) for seafarers working in the capacity of a deck or engineering officer or a radio operator to be recognised by the Ship Registry. This is only required if the seafarer does not hold a CoC issued by the UK's Maritime & Coastguard Agency. This has been a long standing requirement and the seafarer's certification is inspected by the endorsement team at the Ship Registry and if found satisfactory an Isle of Man Endorsement recognising the seafarer's CoC is issued. The main changes we intend to make to this service are -

- a. The existing Isle of Man Regulations require the endorsement to be delivered to the ship within 30 days of the seafarer joining. However STCW allows a maximum of 3 months for this process and this is the timeframe we intend to include in the new Regulations; please note this will not affect the current endorsement process.
- b. One of the requirements for recognising a CoC is that senior officers must have appropriate knowledge of the Isle of Man's maritime legislation relevant to the function they are permitted to perform on board. The Ship Registry proposes to require senior officers to have an understanding of those requirements and procedures as detailed in the Isle of Man Ship Registry publication 'Master's handbook'. A copy of the handbook is available on the Ship Registry website -

<http://www.gov.im/ded/shipregistry/formsdocs/documents/>

- c. The Ship Registry intends to stop issuing navigational and engineering watch rating certificates from March 2014. Seafarers who require these certificates will have to contact their national issuing authority after this date.

### **4. Refresher training**

The new requirement for refresher training introduced by the Manila Amendments will have a significant impact on all seafarers. After 01/01/2017 all seafarers will be required to provide evidence every 5 years of maintaining the required standard of competence for the training listed below. This must be carried out to the satisfaction of the authority that issued the original certification and may include additional shore-side training or evidence of relevant sea service.

This new requirement applies to the following training –

- a. basic training (STCW Section A-VI/1.2) including –
  - i. personal survival techniques;
  - ii. fire prevention & fire fighting;
  - iii. elementary first aid; and
  - iv. personal safety and social responsibilities.
- b. advanced fire fighting (STCW A-VI/3);
- c. survival craft, rescue boats other than fast rescue boats (STCW A-VI/2-1); and
- d. fast rescue boats (STCW A-VI/2-7).

Until 01/01/2017 the requirements for refresher training will remain at the discretion of the issuing authority.

## 5. Requirements for the prevention of drug and alcohol abuse

The Manila Amendments have a new requirement for adequate measures to be established for the purpose of preventing drug and alcohol abuse on board ships. This requirement has been in force internationally since 01/01/2012.

In order to fulfil this obligation the new STCW Regulations will require that the maximum limits stated in the table below will apply to masters, officers and other seafarers while performing designated safety, security and marine environmental duties.

Alcohol Limit	STCW Section A-VIII/1.10	
In the blood	0.05% blood alcohol content	50mg of alcohol in 100ml
In the breath	0.25mg/l	25microgrammes of alcohol in 100ml

Companies will be required to have a clearly written policy of 'drug and alcohol abuse prevention' available to all seafarers and this will include procedures to ensure seafarers on their vessel do not exceed the limits stated in the table above.

## 6. Security training

The Manila Amendments have introduced new requirements for security training for seafarers on ships that must comply with the provisions of the ISPS Code (all commercially operated ships of 500gt and over). These new requirements will apply from 01/01/2014 and are explained below -

### 1. Security-related familiarisation training

All persons employed or engaged on a ship except passengers must receive security-related familiarisation training prior to being assigned duties on board. The instruction

must be delivered by the ship security officer, or an equally qualified person and provide guidance for the seafarer to at least be able to –

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

These procedures shall be included in the ship security plan.

2. Standard of competence for security awareness training (for seafarers without designated security duties)

Security awareness training only needs to be given once in the seafarer's career and must be given before the seafarer is assigned to any shipboard duties.

This training applies to seafarers employed or engaged in any capacity on the business of that ship as part of the ship's complement who do not have designated security duties. The Ship Registry considers this to apply (as a minimum) to all members of the deck, engine-room and catering departments on the vessel.

The training requirements are set out in table A-VI/6-1 of the STCW Code.

3. Standard of competence for seafarers with designated security duties

Security training for seafarers with designated security duties is only required to be given once in the seafarer's career.

This training applies to every seafarer who is designated to perform security duties as stated in the ship security plan and also includes anti-piracy and anti-armed robbery related activities. On completion of the training the seafarer must have sufficient knowledge to perform on board designated security duties, including anti-piracy and anti-armed robbery related activities.

The training requirements are set out in table A-VI/6-2 of the STCW Code.

4. Transitional provisions

There are transitional provisions for -

- a. security awareness training for seafarers who commenced sea service before 01/01/2012; and
- b. standard of competence for seafarers with designated security duties, for seafarers with designated security duties who commenced sea service before 01/01/2012.

In both cases these seafarers are not required to undertake further training if they can demonstrate they meet the requirements by –

- a. having approved seagoing service as shipboard personnel for a period of at least six months in total during the preceding three years. This may be verified by an

Isle of Man surveyor during ISM/ISPS inspections by checking the seafarer's discharge book or the record of employment issued by their employer. Alternatively the seafarer's employer can issue their own certificates to seafarers confirming the seafarer has accrued the necessary sea time to fulfil this requirement; or

- b. having performed security functions after 01/07/2004 considered to be equivalent to the seagoing service required by a. The Isle of Man will accept a seafarer qualified as a ship's security officer to meet this requirement; or
- c. passing an approved test (see paragraph 6. Training Centres); or
- d. successfully completing approved training (see paragraph 6. Training Centres).

#### 5. Recognising certificates issued by other Administrations

The Ship Registry will recognise Certificates of Proficiency issued for security awareness training or Certificates of Proficiency for seafarers with designated security duties that have been issued by another Administration in accordance with the STCW Convention.

#### 6. Training Centres

- Training Centres for security awareness training and/or training in designated security duties can be a shore based establishment or a shipping company.
- The following type of training is allowed: classroom instruction, in-service training, distance learning, computer-based training or a combination of these methods.
- The Ship Registry will verify training centres located on the Isle of Man to ensure they meet the requirements for STCW Regulation VI/6.
- The Isle of Man Ship Registry will accept training centres not located on the Isle of Man if another Administration or a Recognised Organisation has confirmed the training fulfils the STCW regulation VI/6 requirements.
- On successfully completing the training the training centre shall issue a Certificate of Proficiency to the seafarer.

#### 7. **New STCW training and certification**

The Manila Amendments introduced new STCW training and certification requirements. All seafarers serving in the following capacities will be required to have evidence that they are certificated in accordance with the new requirements from 01/01/2017 -

- a. able seafarer deck ratings serving on a seagoing ship of 500gt or more shall be certificated in accordance with Regulation II/5;
- b. able seafarer engine ratings serving on a seagoing ship powered by main propulsion machinery of 750kW propulsion power or more shall be certificated in accordance with Regulation III/5;

- c. electro-technical officers serving on a seagoing ship powered by main propulsion machinery of 750kW propulsion power or more shall be certificated in accordance with Regulation III/6; and
- d. electro-technical ratings serving on a seagoing ship powered by main propulsion machinery of 750kW propulsion power or more shall be certificated in accordance with Regulation III/7.

## 8. ECDIS

There are two new international requirements for Electronic Chart Display and Information Systems (ECDIS) which are -

- SOLAS requires the mandatory carriage of ECDIS on all ships over 500gt and this is being phased in from 01/07/2012 onwards; and
- the Manila Amendments state the training requirements in order for seafarers to be trained in using ECDIS.

To tie these two requirements together all masters and officers in charge of a navigational watch and sailing on a ship which uses ECDIS for navigation are required to have undergone an approved ECDIS training course.

## 9. Manila Amendments transitional provisions

The transitional provisions for the Manila amendments are complex and in order to provide clarification the IMO published further guidance in STCW.7/Circ.16. The following text has been taken directly from this publication.

- For seafarers holding certificates issued in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012 and who **have not met** the requirements of the 2010 Manila Amendments, the validity of any revalidated certificates should not extend beyond 1 January 2017.
- For seafarers holding certificates issued in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012 who **have met** the requirements of the 2010 Manila Amendments, the validity of any revalidated certificate can extend beyond 1 January 2017.
- For seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course **before 1 July 2013** the validity of any certificate issued should not extend beyond 1 January 2017, unless they meet the requirements of the 2010 Manila Amendments.
- For seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course **after 1 July 2013** the validity of any certificate issued may extend beyond 1 January 2017.

## 10. Port State control

Foreign (non-Isle of Man registered) commercial vessels visiting an Isle of Man port may be subject to a port State control inspection by an Isle of Man inspector. The STCW aspect of this inspection will be limited to verifying that all seafarers serving on board who are required to be certificated in accordance with STCW hold -

- a. an appropriate certificate; or
- b. a valid dispensation; or
- c. provide documentary proof that an application for an endorsement has been submitted to their national Administration.

The inspector may require an assessment (in accordance with section A-I/4 of the STCW Code) of the ability of the seafarers to maintain watchkeeping and security standards. This will only be required if the inspector has clear grounds for believing that such standards are not being maintained because any of the following have occurred -

- a. the ship has been involved in a collision, grounding or stranding; or
- b. there has been a discharge of substances from the ship when under way, at anchor or at berth which is illegal under any international Convention; or
- c. the ship has been manoeuvred in an erratic or unsafe manner whereby routing measures adopted by the International Maritime Organisation or safe navigation practices and procedures have not been followed; or
- d. the ship is otherwise being operated in such a manner as to pose a danger to persons, property, the environment, or a compromise to security.

Deficiencies which may be deemed to pose a danger to persons, property or the environment include the following-

- a. failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted;
- b. failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the Administration;
- c. absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radiocommunications or the prevention of marine pollution; and
- d. inability to provide, for the first watch at the commencement of a voyage and for subsequent relieving watches, persons who are sufficiently rested and otherwise fit for duty. *Otherwise fit for duty* may involve further testing to ensure the seafarers' alcohol limits are not greater than the limits stated in Section 5.

Failure to correct any of the deficiencies stated above are the only grounds on which the Ship Registry may detain the ship.