STCW - Manila Amendments to the STCW Convention and Code

29th November 2011

In June 2010 significant changes to the STCW (Standards of Training, Certification and Watchkeeping for seafarers) Convention and Code were agreed at an IMO Diplomatic Conference in Manila in order to bring the Convention and Code up to date with new developments. These changes, known as “The Manila amendments to the STCW Convention and Code” are due to enter into force on 1 January 2012 and are the first major revisions since the Convention and Code were updated in 1995.

The IMO has advised that amongst the amendments adopted, the important changes include:

- Improved measures to prevent fraudulent practices associated with certificates of competency and strengthen the evaluation process (monitoring of Parties’ compliance with the Convention);
- Revised requirements on hours of work and rest and new requirements for the prevention of drug and alcohol abuse, as well as updated standards relation to medical fitness standards for seafarers;
- New certification requirements for able seafarers;
- New requirements relating to training in modern technology such as electronic charts and information systems (ECDIS);
- New requirements for marine environment awareness training and training in leadership and teamwork;
- New training and certification requirements for electro-technical officers;
- Updating of competence requirements for personnel serving on board all types of tankers, including new requirements for personnel serving on liquefied gas tankers;
- New requirements for security training, as well as provisions to ensure that seafarers are properly trained to cope if their ship comes under attack by pirates;
- Introduction of modern training methodology including distance learning and web-based learning;
- New training guidance for personnel serving on board ships operating in polar waters; and
- New training guidance for personnel operating Dynamic Positioning Systems.

The full text of the revised Convention and Code can be found on the IMO website.

Transitional Provisions

Although the new regulations come into effect on 1 January 2012, there are two transitional arrangements concerning certification issued under previous Convention requirements:

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

Until 1 January 2017, a Party may continue to renew and revalidate certificates and endorsements in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012.”

Fitness for Duty Regulations

One of the main changes to the Code directly affecting shipboard operations concerns the requirements for fitness for duty and hours of rest as contained in Chapter VIII – Standards regarding watchkeeping. These have
been harmonised with the requirements of the International Labour Organisation Maritime Labour Convention, which is expected to enter into force during the first half of 2013.

At present the fitness for duty requirements contained within the STCW Code 1995 require that:

“1. All persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch shall be provided with a minimum of 10 hours of rest in any 24 hour period.

2. The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length.

3. The requirements for rest periods laid down in paragraphs 1 and 2 need not be maintained in the case of an emergency drill or in other overriding operational conditions.

4. Notwithstanding the provisions of paragraphs 1 and 2, the minimum period of ten hours may be reduced to not less than 6 consecutive hours provided that any such reduction shall not extend beyond two days and not less than 70 hours of rest are provided each seven day period.”

A number of changes have been made and additional requirements have been added to the revised fitness for duty regulations in the STCW Code 2010. From 1 January 2012 seafarers will have to comply with the following regulatory requirements:

“1. Administrations shall take account of the danger posed by fatigue of seafarers, especially those whose duties involve the safe and secure operation of a ship.

2. All persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch and those whose duties involve designated safety, prevention of pollution and security duties shall be provided with a rest period of not less than:

.1 A minimum of 10 hours rest in any 24 hour period; and

.2 77 hours rest in any 7 day period.

3. The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length, and the intervals between consecutive periods of rest shall not exceed 14 hours.

4. The requirements for rest periods laid down in paragraphs 2 and 3 need not be maintained in the case of an emergency, or in other overriding operational conditions. Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations and by international instruments, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.

5. Administrations shall require that watch schedules be posted where they are easily accessible. The schedules shall be established in a standardized format in the working language or languages of the ship and in English.

6. When a seafarer is on call, such as when a machinery space is unattended, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.

7. Administrations shall require that records of daily hours of rest of seafarers be maintained in a standardized format, in the working language or languages of the ship and in English, to allow monitoring and verification of compliance with the provisions of this section. The seafarers shall receive a copy of the records pertaining to them, which shall be endorsed by the master or by a person authorized by the master and by the seafarers.

8. Nothing in this section shall be deemed to impair the right of the master of a ship to require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. Accordingly, the master may suspend
the schedule of hours of rest and require a seafarer to perform any hours of work necessary until the normal situation has been restored. As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest.

9. Parties may allow exceptions from the required hours of rest in paragraphs 2.2 and 3 above provided that the rest period is not less than 70 hours in any 7 day period.

Exceptions from the weekly rest period provided for in paragraph 2.2 shall not be allowed for more than two consecutive weeks. The interval between two periods of exception on board shall not be less than twice the duration of the exception.

The hours of rest provided for in paragraph 2.1 may be divided into no more than three periods (during exceptions), one of which shall be at least 6 hours in length and neither of the other two periods shall be less than one hour in length. The intervals between consecutive periods of rest shall not exceed 14 hours. Exceptions shall not extend beyond two 24 hour periods in any 7 day period.

Exceptions shall, as far as possible, take into account the guidance regarding prevention of fatigue in section B-VIII/1”

It must be noted that several administrations do not consider “overriding operational conditions” to include routine activities associated with the normal operation of the vessel, such as arriving and departing port, and cargo operations.

Breaches of the STCW Code fitness for duty provisions may lead to deficiencies being raised against a vessel by a Port State Control Officer, and depending on the severity of the offence, may lead to the detention of a vessel. Significant violations of the fitness for duty regulations may result in prosecution in some states.

Refresher Training for Statutory Short Courses

Another significant development in the revised Convention and Code concerns the requirement to undergo refresher training in a number of key areas.

Previously the STCW requirements in respect of refresher training for a number of statutory short courses were interpreted in a number of ways by various Administrations. Any loopholes in the regulations have now been removed and courses concerning the safety and survival of crew and passengers will require refresher training every five years.

The following statutory courses will, under the new STCW Convention and Code require refresher training at least every five years:

- Basic Safety Training;
- Crisis Management and Human Behaviour;
- Crowd Management;
- Passenger Safety, Cargo Safety and Hull Integrity;
- Proficiency in Fast Rescue Boats;
- Proficiency in Survival Craft and Rescue Boats, other than Fast Rescue Boats;
- Training in Advanced Fire Fighting.

It is a possibility that such refresher training may be in an abbreviated form of the training scope covered by the initial course; this may be met by web based learning, shipboard training or drills, or the more traditional shore based training. The exact requirements will be determined by individual Administrations.

If Members require any further guidance they should contact the Loss Prevention department.