

# 1995 INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR FISHING VESSEL PERSONNEL

Adopted in London, United Kingdom on 7 July 1995

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THE PARTIES TO THIS CONVENTION,

NOTING the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (hereinafter referred to as the "1978 STCW Convention"),

DESIRING to further promote safety of life and property at sea and the protection of the marine environment by establishing in common agreement international standards of training, certification and watchkeeping for personnel employed on board fishing vessels,

CONSIDERING that this end may be best achieved by the conclusion of an International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, hereinafter referred to as "the Convention",

HAVE AGREED as follows:

## ARTICLE 1. GENERAL OBLIGATIONS

1. The Parties undertake to give effect to the provisions of the Convention and the annex thereto, which shall constitute an integral part of the Convention. Every reference to the Convention constitutes at the same time a reference to the annex thereto.

2. The Parties undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the Convention full and complete effect, so as to ensure that, from the point of view of safety of life and property at sea and the protection of the marine environment, seagoing fishing vessel personnel are qualified and fit for their duties.

## ARTICLE 2. DEFINITIONS

For the purpose of the Convention, unless expressly provided otherwise:

1. *Party* means a State for which the Convention has entered into force.
2. *Administration* means the Government of the Party whose flag the vessel is entitled to fly.
3. *Certificate* means a valid document, by whatever name it may be known, issued or recognized in accordance with the provisions of the Convention, authorizing the holder to serve as stated in this document or as authorized by national regulations.
4. *Certificated* means properly holding a certificate.
5. *Organization* means the International Maritime Organization.
6. *Secretary-General* means the Secretary-General of the Organization.
7. *Fishing vessel* or *vessel* means any vessel used commercially for catching fish or other living resources of the sea.
8. *Seagoing fishing vessel* means a fishing vessel other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply.

### **ARTICLE 3. APPLICATION**

The Convention shall apply to personnel serving on board seagoing fishing vessels entitled to fly the flag of a Party.

### **ARTICLE 4. COMMUNICATION OF INFORMATION**

Each Party shall communicate to the Secretary-General the following information:

1. a report on the measures it has taken to give full and complete effect to the provisions of the Convention, including a specimen of certificates issued in compliance with the Convention; and
2. other information which may be specified or provided for in regulation I/5.

### **ARTICLE 5. OTHER TREATIES AND INTERPRETATION**

1. All prior treaties, conventions and arrangements relating to standards of training, certification and watchkeeping for fishing vessel personnel in force between the Parties, shall continue to have full and complete effect during the terms thereof as regards:

1. fishing vessel personnel to whom this Convention does not apply; and
2. fishing vessel personnel to whom this Convention applies, in respect of matters for which it has not expressly provided.

2. To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the Convention, the Parties shall review their commitments under such treaties, conventions and arrangements with a view to ensuring that there is no conflict between these commitments and their obligations under the Convention.

3. All matters which are not expressly provided for in the Convention remain subject to the legislation of Parties.

### **ARTICLE 6. CERTIFICATION**

Fishing vessel personnel shall be certificated in accordance with the provisions of the annex to this Convention.

### **ARTICLE 7. NATIONAL PROVISIONS**

1. Each Party shall establish processes and procedures for the impartial investigation of any reported incompetency, act or omission, that may pose a direct threat to safety of life or property at sea or to the marine environment, by the holders of certificates or endorsements issued by that Party in connection with their performance of duties related to their certificates and for the withdrawal, suspension and cancellation of such certificates for such cause and for the

prevention of fraud.

2. Each Party shall prescribe penalties or disciplinary measures for cases in which the provisions of its national legislation giving effect to this Convention are not complied with in respect of vessels entitled to fly its flag or of fishing vessel personnel duly certificated by that Party.

3. In particular, such penalties or disciplinary measures shall be prescribed and enforced in cases in which:

1. an owner, owner's agent or skipper has engaged a person not holding a certificate as required by this Convention;
2. a skipper has allowed any function or service in any capacity required by these regulations to be performed by a person holding an appropriate certificate to be performed by a person not holding an appropriate certificate or dispensation; or
3. a person has obtained by fraud or forged documents an engagement to perform any function or serve in any capacity required by these regulations to be performed or filled by a person holding a certificate or dispensation.

4. A Party within whose jurisdiction there is based an owner or owner's agent or any person who is believed on clear grounds to have been responsible for, or to have knowledge of, any apparent non-compliance with the Convention specified in paragraph 3, shall extend all co-operation possible to any Party which advises it of its intention to initiate proceedings under its jurisdiction.

## **ARTICLE 8. CONTROL**

1. Fishing vessels, while in the port of another Party, are subject to control by officers duly authorized by that Party to verify that all persons serving on board who are required to be certificated by this Convention are so certificated or hold an appropriate dispensation.

2. In the event of failure to correct any deficiency referred to in paragraph 3 of regulation I/4 in so far as it poses a danger to persons, property or the environment, the Party carrying out the control shall take steps to ensure that the vessel will not sail unless and until these requirements are met to the extent that the danger has been removed. The facts concerning the action taken shall be reported promptly to the Secretary-General and to the Administration.

3. When exercising control:

1. all possible efforts shall be made to avoid a vessel being unduly detained or delayed. If a vessel is unduly detained or delayed, it shall be entitled to compensation for any loss or damage resulting therefrom; and
2. the discretion allowed in the case of the personnel of foreign fishing vessels shall not be less than that afforded to the personnel of vessels flying the flag of the port State.

4. This article shall be applied as may be necessary to ensure that no more favourable treatment is given to a vessel entitled to fly the flag of a non-Party than is given to a vessel

entitled to fly the flag of a Party.

## **ARTICLE 9. PROMOTION OF TECHNICAL CO-OPERATION**

1. Parties to the Convention shall promote, in consultation with and with the assistance of the Organization, support for those States which request technical assistance for the:

1. training of administrative and technical personnel;
2. establishment of institutions for training of fishing vessel personnel;
3. supply of equipment and facilities for training institutions;
4. development of adequate training programmes, including practical training on seagoing fishing vessels; and
5. facilitation of other measures and arrangements to enhance the qualifications of fishing vessel personnel,

preferably on a national, sub-regional or regional basis, to further the aims and purposes of the Convention, taking into account the special needs of developing countries in this regard.

2. On its part, the Organization shall pursue the aforesaid efforts, as appropriate, in consultation or association with other international organizations, particularly the International Labour Organization and the Food and Agriculture Organization of the United Nations.

## **ARTICLE 10. AMENDMENTS**

1. The Convention may be amended by either of the procedures specified in this article.

2. Amendments after consideration within the Organization:

1. Any amendment proposed by a Party shall be submitted to the Secretary-General, who shall then circulate it to all Members of the Organization, to all the Parties and to the Directors-General of the International Labour Office and of the Food and Agriculture Organization of the United Nations respectively, at least six months prior to its consideration.
2. Any amendment proposed and circulated as above shall be referred to the Maritime Safety Committee of the Organization for consideration.
3. Parties whether or not Members of the Organization shall be entitled to participate in the proceedings of the Maritime Safety Committee for the consideration and adoption of amendments.
4. Amendments shall be adopted by a two-thirds majority of the Parties present and voting in the Maritime Safety Committee, expanded as provided for in paragraph 2.3 (hereinafter referred to as "the expanded Maritime Safety Committee"), on condition that at least one-third of the Parties shall be present at the time of voting.
5. Amendments adopted in accordance with paragraph 2.4 shall be communicated by the

Secretary-General to all the Parties.

6. An amendment to an article shall be deemed to have been accepted on the date on which it is accepted by two thirds of the Parties.
7. An amendment to the annex or to an appendix to the annex shall be deemed to have been accepted:

- 7.1 at the end of two years from the date of adoption; or

- 7.2 at the end of a different period, which shall not be less than one year, if so determined at the time of its adoption by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee.

If, within the specified period, more than one third of the Parties notify the Secretary General that they object to the amendment, it shall be deemed not to have been accepted.

8. An amendment to an article shall enter into force, with respect to those Parties which have accepted it, six months after the date on which it is deemed to have been accepted, and with respect to each Party which accepts it after that date, six months after the date of that Party's acceptance.
9. An amendment to the annex and to an appendix to the annex shall enter into force with respect to all Parties, except those which have objected to the amendment under paragraph 2.7 and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force any Party may give notice to the Secretary-General that it exempts itself from giving effect to that amendment for a period not longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee at the time of the adoption of the amendment.

### 3. Amendment by a Conference:

1. Upon the request of a Party concurred with by at least one third of the Parties, the Organization shall convene, in association or consultation with the Directors-General of the International Labour Office and of the Food and Agriculture Organization of the United Nations respectively, a Conference of the Parties to consider amendments to the present Convention.
2. Every amendment adopted by such a Conference by a two-thirds majority of the Parties present and voting shall be communicated by the Secretary-General to all the Parties for acceptance.
3. Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in paragraphs 2.6 and 2.8 or 2.7 and 2.9 respectively, provided that references in those paragraphs to the expanded Maritime Safety Committee shall be taken to mean references to the Conference.

4. Any declaration of acceptance of, or objection to, an amendment or any notice given under paragraph 2.9 shall be submitted in writing to the Secretary-General, who shall inform all Parties of any such submission and the date of its receipt.

5. The Secretary-General shall inform all the Parties of any amendments which enter into force, together with the date on which each such amendment enters into force.

## **ARTICLE 11. SIGNATURE, RATIFICATION, ACCEPTANCE, APPROVAL AND ACCESSION**

1. The Convention shall remain open for signature at the Headquarters of the Organization from 1 January 1996 until 30 September 1996 and shall thereafter remain open for accession. States may become Parties to the Convention by:

1. signature without reservation as to ratification, acceptance or approval; or
2. signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
3. accession.

2. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

## **ARTICLE 12. ENTRY INTO FORCE**

1. The Convention shall enter into force 12 months after the date on which not less than 15 States have either signed it without reservation as to ratification, acceptance, or approval, or have deposited the requisite instruments of ratification, acceptance, approval or accession in accordance with article 11.

2. For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of the Convention after the requirements for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the Convention or three months after the date of deposit of the instrument, whichever is the later date.

3. For States which have deposited an instrument of ratification, acceptance, approval or accession after the date on which the Convention entered into force, the Convention shall become effective three months after the date of deposit of the instrument.

4. After the date on which an amendment to the Convention is deemed to have been accepted under article 10, any instrument of ratification, acceptance, approval or accession deposited shall apply to the Convention as amended.

## **ARTICLE 13. DENUNCIATION**

1. The Convention may be denounced by any Party at any time after the expiry of five years

from the date on which the Convention enters into force for that Party.

2. Denunciation shall be effected by notification in writing to the Secretary-General.

3. A denunciation shall take effect 12 months after receipt of the denunciation by the Secretary-General or after the expiry of any longer period which may be indicated in the notification.

## **ARTICLE 14. DEPOSITARY**

1. The Convention shall be deposited with the Secretary-General of the Organization (hereinafter referred to as "the depositary").

2. The depositary shall:

1. inform the Governments of all States which have signed the Convention or acceded thereto of:

1.1 each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

1.2 the date of entry into force of the Convention;

1.3 the deposit of any instrument of denunciation of the Convention, together with the date on which it was received and the date on which the denunciation takes effect; and

2. transmit certified true copies of the Convention to the Governments of all States which have signed the present Convention or acceded thereto.

3. As soon as the Convention enters into force a certified true copy thereof shall be transmitted by the depositary to the Secretary-General of the United Nations, for registration and publication in accordance with Article 102 of the Charter of the United Nations.

## **ARTICLE 15. LANGUAGES**

The Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed the Convention.\*

DONE AT LONDON, this seventh day of July, one thousand nine hundred and ninety five.

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\* Signatures omitted.

## ANNEX

### CHAPTER I GENERAL PROVISIONS

#### Regulation 1. Definitions

For the purpose of this annex the following definitions apply.

1. *Regulations* means regulations contained in the annex to the Convention.
2. *Approved* means approved by the Party in accordance with the regulations.
3. *Skipper* means the person having command of a fishing vessel.
4. *Officer* means a member of the crew, other than the skipper, designated as such by national law or regulations or, in the absence of such designation, by collective agreement or custom.
5. *Officer in charge of a navigational watch* means an officer qualified in accordance with regulation II/2 or II/4 of this Convention.
6. *Engineer officer* means an officer qualified in accordance with regulation II/5 of this Convention.
7. *Chief engineer officer* means the senior engineer officer responsible for the mechanical propulsion and operation and maintenance of mechanical and electrical installations of the vessel.
8. *Second engineer officer* means the engineer officer next in rank to the chief engineer officer and upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the vessel will fall in the event of the incapacity of the chief engineer officer.
9. *Radio operator* means a person holding an appropriate certificate issued or recognized by an Administration under the provisions of the Radio Regulations.
10. *Radio Regulations* means the Radio Regulations annexed to, or regarded as being annexed to, the most recent International Telecommunication Convention which may be in force at any time.
11. *1978 STCW Convention* means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.
12. *1993 Torremolinos Protocol* means the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977.
13. *Propulsion power* means the total maximum continuous rated output power in kilowatts of all the vessel's main propulsion machinery which appears on the vessel's certificate of registry or other official document.
14. *Limited waters* means those waters in the vicinity of a Party as defined by its Administration within which a degree of safety is considered to exist which enables the standards of

qualification and certification for skippers and officers of fishing vessels to be set at a lower level than for service outside the defined limits. In determining the extent of limited waters the Administration shall take into consideration the guidelines developed by the Organization.\*

15. *Unlimited waters* means waters beyond limited waters.

16. *Length (L)* shall be taken as 96% of the total length on a waterline at 85% of the least moulded depth measured from the keel line, or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In vessels designed with rake of keel the waterline on which this length is measured shall be parallel to the designed waterline.

17. *Moulded depth* is the vertical distance measured from the keel line to the top of the working deck beam at side.

## **Regulation 2. Application**

The Administration of a Party, if it considers it unreasonable or impracticable to apply the full requirements of regulations II/3, II/4 and II/5 and the requirement of the use of English language to personnel serving on board a fishing vessel of less than 45 metres in length operating exclusively from its ports and fishing within its limited waters, may determine which of these regulations should not apply, wholly or in part, to such personnel, without derogation from the principles of safety in the Convention. In such a case, the Administration concerned shall report to the Secretary-General on the details of the measures it has taken with respect to the training and certification of such personnel.

## **Regulation 3. Certificates and endorsements**

1. Certificates for fishing vessel personnel shall only be issued if the requirements for service, age, medical fitness, training, qualification and examinations are met in accordance with these regulations.

2. A certificate issued by a Party in compliance with paragraph 1 shall be endorsed by that Party attesting the issue of that certificate in the form as prescribed in appendix 1 or appendix 2.

3. Certificates and endorsements shall be issued in the official language or languages of the issuing country. If the language used is not English, the text shall include a translation into that language.

4. In respect of radio operators, Parties may:

1. include the additional knowledge required by regulation II/6 in the examination for the issue of a certificate complying with the Radio Regulations; or
2. issue a separate certificate indicating that the holder has the additional knowledge

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\* Reference is made to annex 1 of resolution A.539(13) - Certification of skippers and officers in charge of a navigational watch on fishing vessels of 24 metres in length and over, adopted by the Organization.

required by regulation II/6.

5. The Administration which has recognized a certificate issued by or under the authority of another Party in compliance with regulation 7 shall issue an endorsement attesting the recognition of that certificate in the form prescribed in appendix 3.

6. The endorsement shall expire as soon as the certificate endorsed expires or is withdrawn, suspended or cancelled by the Party which issued it and, in any case, not more than five years after the date of issue.

7. Any appropriate certificate issued under the provisions of the 1978 STCW Convention, for the holder to serve as a Chief Engineer Officer, an Engineer Officer or Radio Operator, shall be deemed to be a corresponding certificate for the purposes of paragraph 1 with regard to fishing vessels.

8. Subject to the variations permitted under appendices 1, 2 and 3, Administrations may use a format different from the format given in those appendices provided that such format contains, as a minimum, the required information and that the particulars are inserted in Roman characters and Arabic figures.

#### **Regulation 4. Control procedures**

1. Control exercised by a duly authorized officer under article 8 shall be limited to the following:

1. verification that all fishing vessel personnel serving on board who are required to be certificated by this Convention are so certificated or hold the required dispensation. Such certificates shall be accepted unless there are clear grounds for believing that a certificate has been fraudulently obtained or that the holder of a certificate is not the person to whom that certificate was originally issued; and
2. assessment of the ability of the fishing vessel personnel to maintain watchkeeping standards as required by the Convention if there are clear grounds for believing that such standards are not being maintained, because the following have occurred:
  - 2.1 the vessel has been involved in a collision, grounding or stranding; or
  - 2.2 there has been a discharge of substances from the vessel when under way, at anchor or at berth which is illegal under international conventions; or
  - 2.3 the vessel has been manoeuvred in an erratic or unsafe manner, whereby routing measures adopted by the Organization, or safe navigation practices and procedures, have not been followed; or
  - 2.4 the vessel is otherwise being operated in such a manner as to pose a danger to persons, property or the environment.

2. In the event that deficiencies are found under paragraph 1, the officer carrying out the control shall forthwith inform, in writing, the skipper of the vessel and the Administration, so that appropriate action may be taken. Such notification shall specify the details of the deficiencies found and the grounds on which the Party determines that these deficiencies pose a danger to

persons, property or the environment.

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

1. failure of persons, required to hold a certificate, to have an appropriate certificate or dispensation;
2. failure of navigational or engineering watch arrangements to conform to the requirements specified for the vessel by the Administration;
3. absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radiocommunications or the prevention of pollution; or
4. inability to provide rested persons for the first watch at the commencement of a voyage, and for subsequent relieving watches.

### **Regulation 5. Communication of information**

1. The Secretary-General shall, on request, provide Parties with any information communicated to him under article 4.

2. A Party which fails to communicate information required by article 4 within twenty-four months after the date of entry into force of the Convention for a Party shall not be entitled to claim the privileges of this Convention until such time as the information has been received by the Secretary-General.

### **Regulation 6. Administration of certification arrangements**

1. Each Party undertakes to establish and maintain a means of ensuring that pro-programmes incorporating such instruction and practical training as is necessary to achieve the competency standards are regularly monitored to ensure their effectiveness.

2. Each Party undertakes, to the extent practicable, to maintain a register or registers of all certificates and endorsements specified in regulations 3 and II/1 to II/6 which are issued, have expired, or have been revalidated, reported lost, suspended or cancelled, and of dispensations issued, and provide information on the status of such certificates, endorsements and dispensations when so requested by another Party.

### **Regulation 7. Recognition of certificates**

1. Each Administration shall ensure, in order to recognize, by endorsement in accordance with regulation 3, a certificate issued by or under the authority of another Party, that the requirements for standards of competence, as well as the issue and endorsement of certificates by that Party, are fully complied with.

2. Certificates issued by or under the authority of a non-Party shall not be recognized.

3. Notwithstanding the requirement of paragraph 1 of this regulation and paragraph 5 of

regulation 3, an Administration may, if circumstances require, allow a person to serve for a period not exceeding three months on board a vessel entitled to fly its flag while holding an appropriate and valid certificate issued by another Party without it being endorsed as required by paragraph 5 of regulation 3 provided that documented proof is made available that application for an endorsement has been submitted to the Administration.

### **Regulation 8. Transitional provisions**

1. A certificate of competency or of service in a capacity for which this Convention requires a certificate and which before entry into force of the Convention for a Party is issued in accordance with the laws of that Party or the Radio Regulations, shall be recognized as valid for service after entry into force of the Convention for that Party.

2. After the entry into force of the Convention for a Party, it may continue to issue certificates of competency in accordance with its previous practices for a period not exceeding five years. Such certificates shall be recognized as valid for the purpose of the Convention. During this transitional period such certificates shall be issued only to persons who had commenced their sea service before entry into force of the Convention for that Party within the specific ship department to which those certificates relate. The Party shall ensure that all other candidates for certification shall be examined and certificated in accordance with the Convention.

3. A Party may, within two years after entry into force of the Convention for that Party, issue a certificate of service to fishing vessel personnel who hold neither an appropriate certificate under the Convention nor a certificate of competency issued under its laws before entry into force of the Convention for that Party but who have:

1. served in the capacity for which they seek a certificate of service for not less than three years at sea within the last seven years preceding entry into force of the Convention for that Party;
2. produced evidence that they have performed that service satisfactorily; and
3. satisfied the Party as to medical fitness, including eyesight and hearing, taking into account their age at the time of application.

For the purpose of the Convention, a certificate of service issued under this paragraph shall be regarded as the equivalent of a certificate issued under the Convention.

### **Regulation 9. Dispensation**

1. In circumstances of exceptional necessity, an Administration, if in its opinion this will not cause danger to persons, property or the environment, may issue a dispensation permitting a person to serve in a specified fishing vessel for a specified period not exceeding six months in a capacity, other than that of the radio operator, except as provided by the relevant Radio Regulations, for which the person does not hold the appropriate certificate, provided that the person to whom the dispensation is issued shall be adequately qualified to fill the vacant post in a safe manner, to the satisfaction of the Administration.

2. Any dispensation granted for a post shall be granted only to a person properly certificated to fill the post immediately below it. Where certification of the post below is not required by the Convention, a dispensation may be issued to a person whose competence and experience are, in the opinion of the Administration, clearly equivalent to the requirements for the post to be filled, provided that, if such a person holds no appropriate certificate, the person shall be required to pass a test accepted by the Administration as demonstrating that such a dispensation may safely be issued. In addition, the Administration shall ensure that the post in question is filled by the holder of an appropriate certificate as soon as possible.

3. Each Party shall as soon as possible after 1 January each year send a report to the Secretary-General giving information of the total number of dispensations in respect of each capacity for which a certificate is required, including nil returns.

### **Regulation 10. Equivalentents**

1. The Convention shall not prevent a Party from retaining or adopting other educational and training arrangements, including those involving seagoing service and shipboard organization especially adapted to technical developments and to special types of vessels, provided that the level of seagoing service, knowledge and efficiency as regards navigational and technical handling of vessels ensures a degree of safety at sea and has a preventive effect as regards pollution at least equivalent to the requirements of the Convention.

2. Details of such arrangements shall be included in the report under article 4.

## **CHAPTER II CERTIFICATION OF SKIPPERS, OFFICERS, ENGINEER OFFICERS AND RADIO OPERATORS**

### **Regulation 1. Mandatory minimum requirements for certification of skippers on fishing vessels of 24 metres in length and over operating in unlimited waters**

1. Every skipper on a fishing vessel of 24 metres in length and over operating in unlimited waters shall hold an appropriate certificate.

2. Every candidate for certification shall:

1. satisfy the Party as to medical fitness, particularly regarding eyesight and hearing;
2. meet the requirements for certification as an officer in charge of a navigational watch on fishing vessels of 24 metres in length and over operating in unlimited waters, and have approved seagoing service of not less than 12 months as an officer in charge of a navigational watch or skipper on fishing vessels of not less than 12 metres in length. However, the Party may allow the substitution of a period not exceeding six months of approved seagoing service as an officer in charge of a navigational watch on seagoing ships covered by the 1978 STCW Convention; and
3. have passed an appropriate examination or examinations for assessment of

competence to the satisfaction of the Party. Such examination or examinations shall include the material set out in the appendix to this regulation. A candidate for examination who holds a valid certificate of competency issued in accordance with the provisions of the 1978 STCW Convention need not be re-examined in those subjects listed in the appendix which were passed at a higher or equivalent level for issue of the Convention certificate.

## **Appendix to regulation 1. Minimum knowledge required for certification of skippers on fishing vessels of 24 metres in length and over operating in unlimited waters**

1. The syllabus given below is compiled for examination of candidates for certification as skippers on fishing vessels of 24 metres in length and over operating in unlimited waters. Bearing in mind that the skipper has ultimate responsibility for the safety of the vessel and its crew at all times including during fishing operations, examination in these subjects shall be designed to test that the candidate has assimilated properly all available information that affects the safety of the vessel and its crew in accordance with the syllabus.

### **2. Navigation and position determination**

2.1 Voyage planning and navigation for all conditions:

1. by acceptable methods of determining ocean tracks;
2. within restricted waters;
3. where applicable, in ice;
4. in restricted visibility;
5. where applicable, in traffic separation schemes; and
6. in areas affected by tides or currents.

2.2 Position determination:

1. by celestial observations;
2. by terrestrial observations, including the ability to use bearings from landmarks and aids to navigation such as lighthouses, beacons and buoys in conjunction with appropriate charts, notices to mariners and other publications to assess the accuracy of the resulting position fix; and
3. by using, to the satisfaction of the Party, modern ship electronic navigational aids as provided in fishing vessels, with specific reference to knowledge of their operating principles, limitations, sources of error, detection of misrepresentation of information and methods of correction to obtain accurate position fixing.

### **3 Watchkeeping**

3.1 Demonstrate thorough knowledge of the content, application and intent of the International Regulations for Preventing Collisions at Sea, 1972, especially annexes II and IV concerned with

safe navigation.

3.2 Demonstrate knowledge of Basic Principles to be Observed in Keeping a Navigational Watch as prescribed in chapter IV.

#### **4 Radar navigation**

4.1 Demonstrate, using a radar simulator or, when not available, manoeuvring board, knowledge of the fundamentals of radar and ability in the operation and use of radar, and in the interpretation and analysis of information obtained from the equipment,\* including the following:

1. factors affecting performance and accuracy;
2. setting up and maintaining displays;
3. detection of misrepresentation of information, false echoes, sea return;
4. range and bearing;
5. identification of critical echoes;
6. course and speed of other ships;
7. time and distance of closest approach of crossing, meeting or overtaking ships;
8. detecting course and speed changes of other ships;
9. effect of changes in own vessel's course or speed or both; and
10. application of the International Regulations for Preventing Collisions at Sea, 1972.

#### **5 Magnetic and gyro-compasses**

5.1 Ability, using terrestrial and celestial means, to determine and apply the errors of the magnetic and gyro-compasses.

#### **6 Meteorology and oceanography**

6.1 Knowledge of meteorological instruments and their application.

6.2 Ability to apply meteorological information available.

6.3 Knowledge of characteristics of various weather systems, including, at the discretion of the Party, tropical revolving storms and avoidance of storm centres and the dangerous quadrants.

6.4 Knowledge of weather conditions, such as fog, liable to endanger the vessel.

6.5 Ability to use appropriate navigational publications on tides and currents.

6.6 Ability to calculate times and heights of high and low water and estimate the direction and rate of tidal streams.

#### **7 Fishing vessel manoeuvring and handling**

7.1 Manoeuvring and handling of a fishing vessel in all conditions, including the following:

1. berthing, unberthing and anchor work under various conditions of wind and tide;

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\* Reference is made to resolution 2 of the 1995 STCW-F Conference.

2. manoeuvring in shallow water;
3. management and handling of fishing vessels in heavy weather, including appropriate speed, particularly in following and quartering seas, assisting a ship or aircraft in distress, means of keeping an unmanageable vessel out of a sea trough and lessening drift;
4. manoeuvring the vessel during fishing operations, with special regard to factors which could adversely affect the vessel's safety during such operations;
5. precautions in manoeuvring for launching rescue boats or survival craft in bad weather;
6. methods of taking on board survivors from rescue boats or survival craft;
7. where applicable, practical measures to be taken when navigating in ice, icebergs or conditions of ice accretion on board the vessel;
8. the use of, and manoeuvring in, traffic separation schemes;
9. the importance of navigating at reduced speed to avoid damage caused by own vessel's bow or stern wave;
10. transferring fish at sea to factory ships or other vessels; and
11. refuelling at sea.

## **8 Fishing vessel construction and stability**

8.1 General knowledge of the principal structural members of a vessel and the proper names of the various parts.

8.2 Knowledge of the theories and factors affecting trim and stability and measures necessary to preserve safe trim and stability.

8.3 Demonstrate ability to use stability data, stability and trim tables and pre-calculated operating conditions.

8.4 Knowledge of effects of free surfaces and ice accretion, where applicable.

8.5 Knowledge of effects of water on deck.

8.6 Knowledge of the significance of weathertight and watertight integrity.

## **9 Catch handling and stowage**

9.1 The stowage and securing of the catch on board vessels, including fishing gear.

9.2 Loading and discharging operations, with special regard to heeling moments from gear and catch.

## **10 Fishing vessel power plants**

10.1 Operating principles of marine power plants in fishing vessels.

10.2 Vessel's auxiliary machinery.

10.3 General knowledge of marine engineering terms.

## **11 Fire prevention and fire-fighting appliances**

- 11.1 Organization of fire drills.
- 11.2 Classes and chemistry of fire.
- 11.3 Fire-fighting systems.
- 11.4 Participation in an approved fire-fighting course.
- 11.5 Knowledge of provisions concerning fire-fighting equipment.

## **12 Emergency procedures**

- 12.1 Precautions when beaching a vessel.
- 12.2 Action to be taken prior to, and after, grounding.
- 12.3 Action to be taken when the gear becomes fast to the ground or other obstruction.
- 12.4 Floating a grounded vessel, with and without assistance.
- 12.5 Action to be taken following a collision.
- 12.6 Temporary plugging of leaks.
- 12.7 Measures for the protection and safety of crew in emergencies.
- 12.8 Limiting damage and salving the vessel following a fire or explosion.
- 12.9 Abandoning ship.
- 12.10 Emergency steering, rigging and use of jury steering and the means of rigging a jury rudder, where practicable.
- 12.11 Rescuing persons from a ship in distress or from a wreck.
- 12.12 Man-overboard procedures.
- 12.13 Towing and being towed.

## **13 Medical care**

- 13.1 Knowledge of first-aid procedures.
- 13.2 Knowledge of procedures for obtaining medical advice by radio.
- 13.3 A thorough knowledge of the use of the following publications:
  - .1 International Medical Guide for Ships or equivalent national publications; and
  - .2 Medical section of the International Code of Signals.

## **14 Maritime law**

14.1 A knowledge of international maritime law as embodied in the international agreements and conventions as they affect the specific obligations and responsibilities of the skipper, particularly those concerning safety and the protection of the marine environment. Particular regard shall be paid to the following subjects:

- 1. certificates and other documents required to be carried on board fishing vessels by

international conventions, how they may be obtained and the period of their legal validity;

2. responsibilities under the relevant requirements of the 1993 Torremolinos Protocol;
3. responsibilities under the relevant requirements of chapter V of the International Convention for the Safety of Life at Sea, 1974;
4. responsibilities under Annex I and Annex V of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 thereto;
5. maritime declarations of health and the requirements of the international health regulations;
6. responsibilities under the Convention on International Regulations for Preventing Collisions at Sea, 1972; and
7. responsibilities under other international instruments affecting the safety of the ship and crew.

14.2 The extent of knowledge of national maritime legislation is left to the discretion of the Party, but shall include national arrangements for implementing applicable international agreements and conventions.

## **15 English language**

Adequate knowledge of the English language enabling the skipper to use charts and other nautical publications, to understand meteorological information and measures concerning the vessel's safety and operation, and to communicate with other ships or coast stations. Ability to understand and use the IMO Standard Marine Communication Phrases.

## **16 Communications**

16.1 General knowledge of the principles and basic factors necessary for the safe and efficient use of all sub-systems and equipment required by the global maritime distress and safety system (GMDSS).

16.2 Knowledge of navigational and meteorological warning systems and the selection of the appropriate communication services.

16.3 Knowledge of the adverse effect of misuse of such communication equipment.

16.4 Where the Party has examined candidates in these subjects at lower levels of certification, they may have the option of not re-examining in these subjects.

16.5 Ability to transmit and receive signals by Morse light and to use the International Code of Signals.

## **17 Life-saving**

17.1 A thorough knowledge of life-saving appliances and arrangements.

17.2 A thorough knowledge of emergency procedures, musters and drills.

## **18 Search and rescue**

18.1 A thorough knowledge of the Merchant Ship Search and Rescue Manual (MERSAR).

## **19 The FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels**

19.1 Knowledge of part A of the FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels

## **20 Methods for demonstration of proficiency**

20.1 Navigation

20.1.1 Demonstrate the use of sextant, pelorus, azimuth mirror and ability to plot position, course and bearings.

20.2 Demonstrate thorough knowledge of the content, application and intent of the Convention on the International Regulations for Preventing Collisions at Sea, 1972.

20.2.1 By the use of small models displaying proper signals or lights or by the use of a navigation light simulator.

20.3 Radar

20.3.1 By observation of radar simulators or manoeuvring boards.

20.4 Fire fighting

20.4.1 By participation in an approved fire-fighting course.

20.5 Communications

20.5.1 By practical test.

20.6 Life-saving

20.6.1 By handling of life-saving appliances, including the donning of lifejackets and, as appropriate, immersion suits.

## **Regulation 2. Mandatory minimum requirements for certification of officers in charge of a navigational watch on fishing vessels of 24 metres in length and over operating in unlimited waters**

1. Every officer in charge of a navigational watch on a fishing vessel of 24 metres in length and over operating in unlimited waters shall hold an appropriate certificate.

2. Every candidate for certification shall:

1. be not less than 18 years of age;
2. satisfy the Party as to medical fitness, particularly regarding eyesight and hearing;
3. have approved seagoing service of not less than two years in the deck department on fishing vessels of not less than 12 metres in length. However, the Administration may allow the substitution of the seagoing service by a period of special training not exceeding one year, provided that the period of the special training programme shall be at least equivalent in value to the period of the required seagoing service it substitutes or

by a period of approved seagoing service evidenced by an approved record book covered by the 1978 STCW Convention.

4. have passed an appropriate examination or examinations for the assessment of competency to the satisfaction of the Party. Such examination or examinations shall include the material set out in the appendix to this regulation. A candidate for examination who holds a valid certificate of competency issued in accordance with the provisions of the 1978 STCW Convention need not be re-examined in those subjects listed in the appendix which were passed at a higher or equivalent level for issue of the Convention certificate;
5. meet the applicable requirements of regulation 6, as appropriate for performing designated radio duties in accordance with the Radio Regulations.

## **Appendix to regulation 2. Minimum knowledge required for certification of officers in charge of a navigational watch on fishing vessels of 24 metres in length and over operating in unlimited waters**

1 The syllabus given below is compiled for examination of candidates for certification as officers in charge of a navigational watch on fishing vessels of 24 metres in length and over operating in unlimited waters.

### **2 Celestial navigation**

Ability to use a celestial body to determine compass errors.

### **3 Terrestrial and coastal navigation**

3.1 Ability to determine the vessel's position by the use of:

1. landmarks;
2. aids to navigation, including lighthouses, beacons and buoys; and
3. dead reckoning, taking into account winds, tides, currents, speed by propeller revolutions per minute and by log.

3.2 Thorough knowledge of and ability to use navigational charts and publications such as sailing directions, tide tables, notices to mariners and radio navigational warnings.

### **4 Radar navigation**

4.1 Demonstrate using a radar simulator or, when not available, manoeuvring board knowledge of the fundamentals of radar and ability in the operation and use of radar, and in the interpretation and analysis of information obtained from the equipment,\* including the following:

1. factors affecting performance and accuracy;
2. setting up and maintaining displays;

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\* Reference is made to resolution 2 of the 1995 STCW-F Conference

3. detection of misrepresentation of information, false echoes, sea return;
4. range and bearing
5. identification of critical echoes;
6. course and speed of other ships;
7. time and distance of closest approach of crossing, meeting or overtaking ships;
8. detecting course and speed changes of other ships;
9. effect of changes in own vessel's course or speed or both; and
10. application of the International Regulations for Preventing Collisions at Sea, 1972.

## **5 Watchkeeping**

5.1 Demonstrate thorough knowledge of the content, application and intent of the International Regulations for Preventing Collisions at Sea, 1972, especially Annexes II and IV concerned with safe navigation.

5.2 Demonstrate knowledge of the content of the Basic Principles to be Observed in Keeping a Navigational Watch as prescribed in chapter IV.

## **6 Electronic systems of position-fixing and navigation**

Ability to determine the ship's position by the use of electronic navigational aids to the satisfaction of the Party.

## **7 Meteorology**

7.1 Knowledge of shipborne meteorological instruments and their application.

7.2 Knowledge of the characteristics of the various weather systems.

## **8 Magnetic and gyro-compasses**

Care and use of compasses and associated equipment.

## **9 Communications**

9.1 General knowledge of the principles and basic factors necessary for the safe and efficient use of all sub-systems and equipment required by the Global Maritime Distress and Safety System (GMDSS).

9.2 Knowledge of navigational and meteorological warning systems and the selection of the appropriate communication circuits.

9.3 Knowledge of the adverse effect of misuse of such communication equipment.

## **10 Fire prevention and fire-fighting appliances**

10.1 Knowledge of classes and chemistry of fire.

10.2 Knowledge of fire-fighting systems and procedures.

10.3 Participation in an approved fire-fighting course.

## **11 Life-saving**

Ability to direct abandon ship drills and knowledge of the operations of life-saving appliances and their equipment, including the two-way radio-telephone apparatus. Survival at-sea techniques including participation in an approved survival at-sea course.

## **12 Emergency procedures and safe working practices for fishing vessel personnel**

Knowledge of the items listed in the appropriate sections of the FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels, part A, and in chapter VIII of the Annex to the 1993 Torremolinos Protocol.

## **13 Fishing vessel manoeuvring and handling**

13.1 Basic knowledge of manoeuvring and handling a fishing vessel, including the following:

1. berthing, unberthing, anchoring and manoeuvring alongside other vessels at sea;
2. manoeuvring during fishing operations with special regard to factors which could adversely affect the vessel's safety during such operations;
3. effects of wind, tide and current on ship handling;
4. manoeuvring in shallow water;
5. management of fishing vessels in heavy weather;
6. rescuing persons and assisting a ship or aircraft in distress;
7. towing and being towed;
8. man-overboard procedure; and
9. where applicable, practical measures to be taken when navigating in ice or in conditions of ice accretion on board the vessel.

## **14 Fishing vessel construction**

General knowledge of the principal structural members of a vessel.

## **15 Vessel stability**

Demonstrate ability to use stability data, stability and trim tables and pre-calculated operating conditions.

## **16 Catch handling and stowage**

Knowledge of safe handling and stowage of catch and the effect of these factors on the safety of the vessel.

## **17 English language**

Adequate knowledge of the English language enabling the officer to use charts and other nautical publications, to understand meteorological information and messages concerning ship's safety and operation. Ability to understand and use the IMO Standard Marine Communication Phrases.

## **18 Medical aid**

Knowledge of first aid procedures. Practical application of medical guides and advice by radio.

### **19 Search and rescue**

Adequate knowledge of search and rescue procedures based on the Merchant Ship Search and Rescue Manual (MERSAR).

### **20 Prevention of pollution of the marine environment**

Knowledge of the precautions to be observed to prevent pollution of the marine environment.

### **21 Methods to demonstrate proficiency**

The Party shall prescribe methods for the demonstration of proficiency in relevant requirements of this appendix.

## **Regulation 3. Mandatory minimum requirements for certification of skippers on fishing vessels of 24 metres in length and over operating in limited waters**

1 Every skipper on a fishing vessel of 24 metres in length and over operating in limited waters shall, unless they hold certificates issued in compliance with regulation 1, hold an appropriate certificate issued in compliance with at least the provisions of this regulation.

2 Every candidate for certification shall:

1. satisfy the Party as to medical fitness, particularly regarding eyesight and hearing;
2. meet the requirements for certification as an officer in charge of a navigational watch on fishing vessels of 24 metres in length and over operating in limited or unlimited waters, and have approved seagoing service of not less than 12 months as an officer in charge of a navigational watch or skipper on fishing vessels of not less than 12 metres in length. However, a Party may allow the substitution of a period not exceeding six months of approved seagoing service as officer in charge of a navigational watch on merchant ships;
3. have passed an appropriate examination or examinations for the assessment of competency to the satisfaction of the Party. Such examination or examinations shall include the material set out in the appendix to this regulation.

3 The Party, bearing in mind the effect on the safety of all ships and structures which may be operating in the same limited waters, should consider the limited waters it has defined in accordance with the definition given in regulation I/1 and determine any additional material that should be included in the examination or examinations.

4 A candidate for examination who holds a valid certificate of competency issued in accordance with the provision of the 1978 STCW Convention need not be re-examined in those subjects listed in the appendix which were passed at a higher or equivalent level for issue of the Convention certificate.

## **Appendix to regulation 3. Minimum knowledge required for certification of skippers on fishing vessels of 24 metres in length and over operating in limited**

## **waters**

1 The syllabus given below is compiled for examination of candidates for certification as skippers on fishing vessels of 24 metres in length and over operating in limited waters. Bearing in mind that the skipper has ultimate responsibility for the safety of the vessel and its crew at all times including during fishing operations, examination in these subjects shall be designed to test that the candidate has assimilated properly all available information that affects the safety of the vessel and its crew in accordance with the syllabus.

### **2 Navigation and position determination**

2.1 Voyage planning and navigation for all conditions:

1. by acceptable methods of determining tracks;
2. within restricted waters;
3. where applicable, in ice;
4. in restricted visibility;
5. where applicable, in traffic separation schemes; and
6. in areas affected by tides or currents.

2.2 Position determination:

1. by terrestrial observations, including the ability to use bearings from landmarks and aids to navigation such as lighthouses, beacons and buoys in conjunction with appropriate charts, notices to mariners and other publications, and assessment of the accuracy of the resulting position fix; and
2. by using, to the satisfaction of the Party, modern ship electronic navigational aids as provided in the fishing vessels concerned.

### **3 Watchkeeping**

3.1 Demonstrate thorough knowledge of the content, application and intent of the International Regulations for Preventing Collisions at Sea, 1972, especially Annexes II and IV concerned with safe navigation.

3.2 Demonstrate knowledge of Basic Principles to be Observed in Keeping a Navigational Watch as prescribed in chapter IV.

### **4 Radar navigation**

4.1 The Party shall decide whether or not to incorporate the radar syllabus below in the general requirements for certification of skippers. If the Party decides not to include the syllabus in the general requirements, it shall ensure that the syllabus is taken into account for purposes of certification of skippers serving on vessels fitted with radar equipment and plying within limited waters.

4.2 Demonstrate using a radar simulator or, when not available, manoeuvring board, knowledge of the fundamentals of radar and ability in the operation and use of radar, and in the

interpretation and analysis of information obtained from the equipment,\* including the following:

1. factors affecting performance and accuracy;
2. setting up and maintaining displays;
3. detection of misrepresentation of information, false echoes, sea return;
4. range and bearing;
5. identification of critical echoes;
6. course and speed of other ships;
7. time and distance of closest approach of crossing, meeting or overtaking ships;
8. detecting course and speed changes of other ships;
9. effect of changes in own vessel's course or speed or both; and
10. application of the International Regulations for Preventing Collisions at Sea, 1972.

## **5 Compasses**

5.1 Ability to determine and apply compass errors.

## **6 Meteorology and oceanography**

6.1 Knowledge of meteorological instruments and their application.

6.2 Ability to apply meteorological information available.

6.3 Knowledge of characteristics of various weather systems affecting the limited waters concerned, at the discretion of the Party.

6.4 Knowledge of weather conditions affecting the limited waters concerned liable to endanger the vessel, at the discretion of the Party.

6.5 Where applicable, ability to use appropriate navigational publications on tides and currents.

## **7 Fishing vessel manoeuvring and handling**

7.1 Manoeuvring and handling of a fishing vessel in all conditions including the following:

1. berthing, unberthing and anchor work under various conditions of wind and tide;
2. manoeuvring in shallow water;
3. management and handling of fishing vessels in heavy weather, including appropriate speed, particularly in following and quartering seas, assisting a ship or aircraft in distress, means of keeping an unmanageable vessel out of a sea trough and lessening drift;
4. manoeuvring the vessel during fishing operations with special regard to factors which could adversely affect the vessel's safety during such operations;
5. precautions in manoeuvring for launching rescue boats or survival craft in bad weather;

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\* Reference is made to resolution 2 of the 1995 STCW-F Conference.

6. methods of taking on board survivors from rescue boats or survival craft;
7. where applicable, practical measures to be taken when navigating in ice or conditions of ice accretion on board the vessel;
8. where applicable, the use of, and manoeuvring in, traffic separation schemes;
9. the importance of navigating at reduced speed to avoid damage caused by own vessel's bow or stern wave; and
10. transferring fish at sea to factory ships or other vessels.

## **8 Fishing vessel construction and stability**

8.1 General knowledge of the principal structural members of a vessel and the proper names of the various parts.

8.2 Knowledge of the theories and factors affecting trim and stability and measures necessary to preserve safe trim and stability.

8.3 Demonstrate ability to use stability data, stability and trim tables and pre-calculated operating conditions.

8.4 Where applicable, knowledge of effects of free surfaces and ice accretion.

8.5 Knowledge of effects of water on deck.

8.6 Knowledge of the significance of weathertight and watertight integrity.

## **9 Catch handling and stowage**

9.1 The stowage and securing of catch on board vessels, including fishing gear.

9.2 Loading and discharging operations, with special regard to heeling moments from gear and catch.

## **10 Fishing vessel power plants**

10.1 Operating principles of marine power plants in fishing vessels.

10.2 Vessel's auxiliary machinery.

10.3 General knowledge of marine engineering terms.

## **11 Fire prevention and fire-fighting appliances**

11.1 Organization of fire drills.

11.2 Classes and chemistry of fire.

11.3 Fire-fighting systems.

11.4 Participation in an approved fire-fighting course.

11.5 Knowledge of provisions concerning fire-fighting equipment.

## **12 Emergency procedures**

12.1 Precautions when beaching a vessel.

12.2 Action to be taken prior to, and after, grounding.

12.3 Action to be taken when the gear becomes fast to the ground or other obstruction.

12.4 Floating a grounded vessel, with and without assistance.

12.5 Action to be taken following a collision.

12.6 Temporary plugging of leaks.

12.7 Measures for the protection and safety of crew in emergencies.

12.8 Limiting damage and salving the vessel following a fire or explosion.

12.9 Abandoning ship.

12.10 Emergency steering, rigging and use of jury steering and the means of rigging a jury rudder, where practicable.

12.11 Rescuing persons from a ship in distress or from a wreck.

12.12 Man-overboard procedures.

12.13. Towing and being towed.

### **13 Medical care**

13.1 Knowledge of first aid procedures. Practical application of medical guides and advice by radio.

13.2 Practical application of medical guides and advice by radio, including the ability to take effective action based on such knowledge in the case of accidents or illnesses that are likely to occur on board the vessel.

### **14 Maritime law**

14.1 Taking into account the limited waters as defined by the Party, a knowledge of international maritime law as embodied in the international agreements and conventions as they affect the specific obligations and responsibilities of the skipper in the waters concerned, particularly those related to safety and the protection of the marine environment.

14.2 The extent of knowledge of national maritime legislation is left to the discretion of the Party, but should include national arrangements for implementing applicable international agreements and conventions.

### **15 Life-saving**

Knowledge of life-saving appliances provided on fishing vessels. Organization of abandon ship drills and the use of the equipment.

### **16 Search and rescue**

Knowledge of search and rescue procedures.

### **17 The FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels, Part A**

Knowledge of such sections of the FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels as may be required by the Party.

## **18 Methods for demonstration of proficiency**

The Party shall prescribe appropriate methods for the demonstration of proficiency in relevant requirements of this appendix.

### **Regulation 4. Mandatory minimum requirements for certification of officers in charge of a navigational watch on fishing vessels of 24 metres in length and over operating in limited waters**

1. Every officer in charge of a navigational watch on a fishing vessel of 24 metres in length and over operating in limited waters shall either hold a certificate issued in compliance with regulation 2 or hold an appropriate certificate issued in compliance with at least the provisions of this regulation.

2. Every candidate for certification shall:

1. be not less than 18 years of age;
2. satisfy the Party as to medical fitness, particularly regarding eyesight and hearing;
3. have approved seagoing service of not less than two years in the deck department on fishing vessels of not less than 12 metres in length. However, the Administration may allow the substitution of the seagoing service by a period of special training not exceeding one year, provided that the period of the special training programme shall be at least equivalent in value to the period of the required seagoing service it substitutes or by a period of approved seagoing service evidenced by an approved record book covered by the 1978 STCW Convention;
4. have passed an appropriate examination or examinations for assessment of competency to the satisfaction of the Party. Such examination or examinations shall include the material set out in the appendix to this regulation. A candidate for examination who holds a valid certificate of competency issued in accordance with the provisions of the 1978 STCW Convention need not be re-examined in those subjects listed in the appendix which were passed at a higher or equivalent level for issue of the Convention certificate; and
5. meet the applicable requirements of regulation 6, as appropriate for performing designated radio duties in accordance with the Radio Regulations.

### **Appendix to regulation 4. Minimum knowledge required for certification of officers in charge of a navigational watch on fishing vessels of 24 metres in length and over operating in limited waters**

1. The syllabus given below is compiled for examination of candidates for certification as officers in charge of a navigational watch on fishing vessels of 24 metres in length and over operating in limited waters.

#### **2. Terrestrial and coastal navigation**

## 2.1 Ability to determine the vessel's position by the use of:

1. landmarks;
2. aids to navigation, including lighthouses, beacons and buoys; and
3. dead reckoning, taking into account winds, tides, currents and speed by propeller revolutions per minute and by log.

2.2 Thorough knowledge of and ability to use navigational charts and publications such as sailing directions, tide tables, notices to mariners and radio navigational warnings.

## 3 Radar navigation

3.1 The Party shall decide whether or not to incorporate the radar syllabus below in the general requirements for certification of officers in charge of a navigational watch. If the Party decided not to include the syllabus in the general requirements, it shall ensure that the syllabus is taken into account for purposes of certification of officers in charge of a navigational watch serving on vessels fitted with radar equipment and plying within limited waters.

3.2 Demonstrate, using a radar simulator or, when not available, manoeuvring board, knowledge of the fundamentals of radar and ability in the operation and use of radar, and in the interpretation and analysis of information obtained from the equipment\* including the following:

1. factors affecting performance and accuracy;
2. setting up and maintaining displays;
3. detection of misrepresentation of information, false echoes, sea returns;
4. range and bearing;
5. identification of critical echoes;
6. course and speed of other ships;
7. time and distance of closest approach of crossing, meeting or overtaking ships;
8. detecting course and speed changes of other ships;
9. effect of changes in own vessel's course or speed or both; and
10. application of the International Regulations for Preventing Collisions at Sea, 1972.

## 4 Watchkeeping

4.1 Demonstrate thorough knowledge of the content, application and intent of the International Regulations for Preventing Collisions at Sea, 1972, specially Annexes II and IV concerned with safe navigation.

4.2 Demonstrate knowledge of the content of Basic Principles to be Observed in Keeping a Navigational Watch as prescribed in chapter IV.

## 5 Electronic systems of position-fixing and navigation

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\* Reference is made to resolution 2 of the 1995 STCW-F Conference

5.1 Ability to determine the ship's position by the use of electronic navigational aids, where applicable, to the satisfaction of the Party.

## **6 Meteorology**

6.1 Knowledge of shipborne meteorological instruments and their application.

6.2 Knowledge of the characteristics of the various weather systems affecting the limited waters concerned.

## **7 Compasses**

7.1 Ability to determine and apply compass errors.

## **8 Fire fighting**

8.1 Knowledge of fire prevention and use of fire-fighting appliances.

8.2 Participation in an approved fire-fighting course.

## **9 Life-saving**

9.1 Knowledge of life-saving appliances provided on fishing vessels. Organization of abandon ship drills and the use of the equipment.

9.2 Participation in an approved survival at sea course.

## **10 Emergency procedures and safe working practices for fishing vessel personnel**

10.1 Knowledge of the items listed in the appropriate sections of the FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels, part A, and in chapter III of the Annex to the 1993 Torremolinos Protocol.

## **11 Fishing vessel, manoeuvring and handling**

11.1 Basic knowledge of manoeuvring and handling a fishing vessel, including the following:

1. berthing, unberthing, anchoring and manoeuvring alongside other vessels at sea;
2. manoeuvring during fishing operations with special regard to factors which could adversely affect the vessels during such operations;
3. effects of wind and tide/current on ship handling;
4. manoeuvring in shallow water;
5. management of fishing vessels in heavy weather;
6. rescuing persons and assisting a ship or aircraft in distress;
7. towing and being towed;
8. man-overboard procedure; and
9. where applicable, practical measures to be taken when navigating in ice or in conditions of ice accretion on board the vessel.

## **12 Vessel stability**

12.1 Demonstrate ability to use stability data, stability and trim tables and pre-calculated operating conditions.

### **13 Catch handling**

13.1 Knowledge of safe handling and stowage of catch and the effect of these factors on the safety of the vessel.

### **14 Fishing vessel construction**

14.1 General knowledge of the principal structural members of a vessel.

### **15 Medical aid**

15.1. Knowledge of first-aid procedures. Practical application of medical guides and advice by radio.

### **16 Search and rescue**

16.1 Knowledge of search and rescue procedures.

### **17 Prevention of pollution of the marine environment**

17.1 Knowledge of the precautions to be observed to prevent pollution of the marine environment.

### **18 Methods to demonstrate proficiency**

18.1 The Party shall prescribe methods for the demonstration of proficiency in relevant requirements of this appendix.

## **Regulation 5. Mandatory minimum requirements for certification of chief engineer officers and second engineer officers of fishing vessels powered by main propulsion machinery of 750 kW propulsion power or more**

1. Every chief engineer officer and second engineer officer serving on a seagoing fishing vessel powered by main propulsion machinery of 750 kW propulsion power or more shall hold an appropriate certificate.

2. Every candidate for certification shall:

1. be not less than 18 years of age;
2. satisfy the Party as to medical fitness, including eyesight and hearing;
3. for certification as second engineer officer, have not less than 12 months approved seagoing service in the engine-room; however, this period may be reduced to not less than 6 months if the Party requires special training which it considers to be equivalent to the approved seagoing service it replaces;
4. for certification as chief engineer officer, have not less than 24 months approved seagoing service, of which not less than 12 months shall be served while qualified to serve as second engineer officer;

5. have participated in an approved practical fire-fighting course; and
  6. have passed an appropriate examination for the assessment of competency to the satisfaction of the Party. Such examination shall include the material set out in the appendix to this regulation, except that the Party may vary the requirements for examination and seagoing service for officers of fishing vessels engaged in voyages in limited waters bearing in mind the power of the propulsion machinery and the effect on the safety of all fishing vessels which may be operating in the same waters.
3. Training to achieve the necessary theoretical knowledge and practical experience shall take into account relevant international regulations and recommendations.
4. The level of knowledge required under the different paragraphs of the appendix may be varied according to whether the certificate is being issued at chief engineer officer or second engineer officer level.

**Appendix to regulation 5. Minimum knowledge required for certification of chief engineer officers and second engineer officers of fishing vessels powered by main propulsion machinery of 750 kW propulsion power and more**

1. The syllabus given below is compiled for examination of candidates for certification as chief engineer officer or second engineer officer of fishing vessels powered by main propulsion machinery of 750 kW propulsion power or more. Bearing in mind that a second engineer officer will be in a position to assume the responsibilities of the chief engineer officer at any time, examination in these subjects shall be designed to test that the candidate has assimilated properly all available information that affects the safe operation of the fishing vessel's machinery.
2. With respect to paragraphs 3.4 and 4.1 below, the Party may omit knowledge requirements for types of propulsion machinery other than machinery installations for which the certificate to be awarded is to be valid. A certificate awarded on such a basis shall not be valid for any category of machinery installation which has been omitted until the engineer officer proves to be competent in these items to the satisfaction of the Party. Any such limitation shall be stated in the certificate.
3. Every candidate shall possess sufficient elementary theoretical knowledge to understand the basic principles involved in the following subjects:
  1. combustion processes;
  2. heat transmission;
  3. mechanics and hydromechanics,
  4. as appropriate:
    - 4.1 marine diesel engines;
    - 4.2 marine steam propulsion plant;
    - 4.3 marine gas turbines;

5. steering gear systems;
  6. properties of fuels and lubricants;
  7. properties of materials;
  8. fire-extinguishing agents;
  9. marine electrical equipment;
  10. automation, instrumentation and control systems;
  11. fishing vessel construction, including stability and damage control;
  12. auxiliary systems; and
  13. refrigeration systems.
4. Every candidate shall possess adequate practical knowledge in at least the following subjects:
1. operation and maintenance of, as appropriate:
    - 1.1 marine diesel engines;
    - 1.2 marine steam propulsion plant;
    - 1.3 marine gas turbines;
  2. operation and maintenance of auxiliary machinery systems, including steering gear systems;
  3. operation, testing and maintenance of electrical and control equipment;
  4. maintenance of catch handling equipment and deck machinery;
  5. detection of machinery malfunction, location of faults and action to prevent damage;
  6. organization of safe maintenance and repair procedures;
  7. methods of, and aids for, fire prevention, detection and extinction;
  8. regulations to be observed regarding operational or accidental pollution of the marine environment and methods and aids to prevent such pollution;
  9. first aid related to injuries which might be expected in machinery spaces and use of first-aid equipment;
  10. functions and use of life-saving appliances;
  11. methods of damage control with specific reference to action to be taken in the event of flooding of seawater into the engine-room; and
  12. safe working practices.
5. Every candidate shall possess a knowledge of international law as embodied in international agreements and conventions as they affect the specific obligations and responsibilities of the engine department, particularly those concerning safety and the protection of the marine environment. The extent of knowledge of national maritime legislation is left to the discretion of

the Party, but shall include arrangements for implementing international agreements and conventions.

6. Every candidate shall possess a knowledge of personnel management, organization and training aboard fishing vessels.

### **Regulation 6. Mandatory minimum requirements for certification of personnel in charge of or performing radiocommunication duties on board fishing vessels**

#### Explanatory note

Mandatory provisions relating to radio watchkeeping are set forth in the Radio Regulations and the 1993 Torremolinos Protocol. Provisions for radio maintenance are set forth in the 1993 Torremolinos Protocol and the guidelines adopted by the Organization.\*

#### **Application**

1. Except as provided in paragraph 2, the provisions of this regulation shall apply to personnel in charge of, or performing, radiocommunication duties on a vessel required by international agreement or national law to carry radio equipment using the frequencies and techniques of the Global Maritime Distress and Safety System (GMDSS).

2. Personnel on vessels for which carriage of radio equipment is not compulsory under international agreements or national law are not required to meet the provisions of this regulation, but are nevertheless required to comply with the Radio Regulations. The Administration shall ensure that the appropriate certificates meeting the requirements of the Radio Regulations are issued or recognised in respect of such personnel.

#### **Minimum requirements for certification of GMDSS radio personnel**

1. Every person in charge of, or performing, radiocommunication duties on a vessel shall hold an appropriate certificate or certificates issued or recognised by the Administration under the provisions of the Radio Regulations.

2. The minimum knowledge, understanding and proficiency required for certification under this regulation shall be sufficient for radio personnel to carry out their radio duties safely and efficiently.

3. Every candidate for certification shall:

1. be not less than 18 years of age;
2. satisfy the Party as to medical fitness, particularly regarding eyesight and hearing; and
3. meet the requirements of the appendix to this regulation.

4. Every candidate for certification shall be required to pass an examination or examinations to the satisfaction of the Party.

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\* Reference is made to the Recommendation on radio maintenance guidelines for the global maritime distress and safety system related to sea areas A3 and A4 adopted by the Organization by resolution A.702(17).

5. For endorsement of all types of certificates issued under the provisions of the Radio Regulations as meeting the requirements of the Convention, the required knowledge, understanding and proficiency is given in the appendix to this regulation. In determining the appropriate level of knowledge and training the Party shall also take into account the relevant recommendations of the Organization.\*

### **Appendix to regulation 6. Minimum additional knowledge and training requirements for GMDSS radio personnel**

1. In addition to satisfying the requirements for the issue of a certificate in compliance with the Radio Regulations, every candidate for certification shall have knowledge of:

1. provision of radio services in emergencies;
2. search and rescue radiocommunications, including procedures in the Merchant Ship Search and Rescue Manual (MERSAR);
3. The means to prevent the transmission of false distress alerts and the procedures to mitigate the effects of false distress alerts;
4. ship reporting systems;
5. radio medical services;
6. use of the International Code of Signals and the Standard Marine Communication Phrases; and
7. preventive measures for the safety of the vessel and personnel in connection with hazards related to radio equipment, including electrical and non-ionizing radiation hazards.

### **Regulation 7. Mandatory minimum requirements to ensure the continued proficiency and updating of knowledge for skippers, officers and engineer officers**

1. Every skipper or officer holding a certificate who is serving at sea or intends to return to sea after a period ashore shall, in order to continue to qualify for seagoing service, be required at regular intervals not exceeding five years, to satisfy the Administration as to:

1. medical fitness, particularly regarding eyesight and hearing; and
2. seagoing service as skipper or officer of at least one year during the preceding five years; or
3. ability to perform fishing vessel operational duties relating to the duties appropriate to the grade of certificate held which are considered to be at least equivalent to the seagoing

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\* Reference is made to the Recommendations on training for radio personnel (GMDSS) adopted by the Organization by resolution A.703(17).

service required in paragraph 1.2, or by:

- 3.1 passing an approved test; or
  - 3.2 successfully completing an approved course or course appropriate, for skippers and officers who are serving on fishing vessels, especially for re-entrants to seagoing service on these vessels; or
  - 3.3 having completed approved seagoing service as an officer for a period of not less than three months on a fishing vessel in a supernumerary capacity, immediately prior to taking up the position for which the certificate is valid.
2. The refresher and updating courses required by this regulation shall be approved by the Administration and include the text of recent changes in international regulations concerning the safety of life at sea and the protection of the marine environment.
  3. The Administration shall ensure that the texts of recent changes in international regulations concerning the safety of life at sea and the protection of the marine environment are made available to ships under its jurisdiction.

### **Regulation 8. Mandatory minimum requirements to ensure the continued proficiency and updating of knowledge for GMDSS radio personnel**

1. Every GMDSS radio personnel holding a certificate or certificates issued or recognized by the Party shall, in order to continue to qualify for seagoing service, be required to satisfy the Party as to the following:

1. medical fitness, particularly regarding eyesight and hearing, at regular intervals not exceeding five years; and
  2. professional competence:
    - 2.1 by approved seagoing service involving radiocommunication duties of at least one year in total during the preceding five years; or
    - 2.2 by virtue of having performed functions relating to the duties appropriate to the grade of certificate held which are considered to be at least equivalent to the seagoing service required in paragraph 1.2.1; or
    - 2.3 by passing an approved test or successfully completing an approved training course or courses at sea or ashore which shall include those elements which are of direct relevance to the safety of life at sea, and which are applicable for the certificate that the person is holding, in accordance with the requirements of the 1993 Torreniolinos Protocol.
2. When new modes, equipment or practices are to become mandatory aboard vessels entitled to fly the flag of a Party, the Party may require GMDSS radio personnel to pass an approved test or successfully complete an appropriate training course or courses, at sea or ashore, with particular reference to safety duties.
  3. The Administration shall ensure that the texts of recent changes in international regulations

relating to radiocommunications and relevant to the safety of life at sea are available to ships entitled to fly its flag.

### **CHAPTER III**

#### **BASIC SAFETY TRAINING FOR ALL FISHING VESSEL PERSONNEL**

##### **Regulation 1. Basic safety training for all fishing vessel personnel**

1. Fishing vessel personnel shall, before being assigned to any shipboard duties, receive basic training approved by the Administration in the following areas:

1. personal survival techniques including donning of lifejackets and, as appropriate, immersion suits;
2. fire prevention and fire fighting;
3. emergency procedures;
4. elementary first aid;
5. prevention of marine pollution; and
6. prevention of shipboard accidents.

2. In implementing the provisions of paragraph 1, the Administration shall determine whether and, if so to what extent, these provisions shall apply to personnel of small fishing vessels or personnel already employed on fishing vessels.

### **CHAPTER IV**

#### **WATCHKEEPING**

##### **Regulation 1. Basic principles to be observed in keeping a navigational watch on board fishing vessels**

1. Administrations shall direct the attention of owners and operators of fishing vessels, skippers and watchkeeping personnel to the following principles, which shall be observed to ensure that a safe navigational watch is maintained at all times.

2. The skipper of every fishing vessel shall ensure that watchkeeping arrangements are adequate for maintaining a safe navigational watch. Under the skipper's general direction, the officers of the watch are responsible for navigating the fishing vessel safely during their periods of duty, when they will be particularly concerned with avoiding collision and stranding.

3. The basic principles, including but not limited to the following, shall be taken into account on all fishing vessels. However, a Party may exclude very small fishing vessels operating in limited waters from fully observing the basic principles.

##### **4. En route to or from fishing grounds**

#### 4.1 Arrangements of the navigational watch

4.1.1 The composition of the watch shall at all times be adequate and appropriate to the prevailing circumstances and conditions, and shall take into account the need for maintaining a proper look-out.

4.1.2 When deciding the composition of the watch the following factors, inter alia, shall be taken into account:

1. at no time shall the wheelhouse be left unattended;
2. weather conditions, visibility and whether there is daylight or darkness;
3. proximity of navigational hazards which may make it necessary for the officer in charge of the watch to carry out additional navigational duties;
4. use and operational condition of navigational aids such as radar or electronic position-indicating devices and of any other equipment affecting the safe navigation of the vessel;
5. whether the vessel is fitted with automatic steering; and
6. any unusual demands on the navigational watch that may arise as a result of special operational circumstances.

#### 4.2 Fitness for duty

The watch system shall be such that the efficiency of watchkeeping personnel is not impaired by fatigue. Duties shall be so organized that the first watch at the commencement of a voyage and the subsequent relieving watches are sufficiently rested and otherwise fit for duty.

#### 4.3 Navigation

4.3.1. The intended voyage shall, as far as practicable, be planned in advance taking into consideration all pertinent information, and any course laid down shall be checked before the voyage commences.

4.3.2 During the watch the course steered, position and speed shall be checked at sufficiently frequent intervals, using any available navigational aids necessary, to ensure that the vessel follows the planned course.

4.3.3 The officer in charge of the watch shall have full knowledge of the location and operation of all safety and navigational equipment on board the vessel, and shall be aware and take account of the operating limitations of such equipment.

4.3.4 The officer in charge of a navigational watch shall not be assigned or undertake any duties which would interfere with the safe navigation of the vessel.

#### 4.4 Navigational equipment

4.4.1 The officers in charge of the watch shall make the most effective use of all navigational equipment at their disposal.

4.4.2 When using radar the officer in charge of the watch shall bear in mind the necessity to comply at all times with the provisions on the use of radar contained in the applicable regulations for preventing collisions at sea.

4.4.3 In cases of need the officer of the watch shall not hesitate to use the helm, engines, sound and light signalling apparatus.

#### 4.5 Navigational duties and responsibilities

4.5.1 The officer in charge of the watch shall:

1. keep watch in the wheelhouse;
2. in no circumstances leave the wheelhouse until properly relieved;
3. continue to be responsible for the safe navigation of the vessel despite the presence of the skipper in the wheelhouse until informed specifically that the skipper has assumed that responsibility and this is mutually understood;
4. notify the skipper when in any doubt as to what action to take in the interest of safety; and
5. not hand over the watch to a relieving officer if there is reason to believe that the latter is not capable of carrying out the watchkeeping duties effectively, in which case the skipper shall be notified.

4.5.2 On taking over the watch the relieving officer shall confirm and be satisfied as to the vessel's estimated or true position and confirm its intended track, course and speed, and shall note any dangers to navigation expected to be encountered during the watch.

4.5.3 Whenever practicable a proper record shall be kept of the movements and activities during the watch relating to the navigation of the vessel.

#### 4.6 Look-out

4.6.1 A proper look-out shall be maintained in compliance with Rule 5 of the International Regulations for Preventing Collisions at Sea, 1972. It shall serve the purpose of:

1. maintaining a continuous state of vigilance by sight and hearing as well as by all other available means, with regard to any significant changes in the operating environment;
2. fully appraising the situation and the risk of collision, stranding and other dangers to navigation; and
3. detecting ships or aircraft in distress, shipwrecked persons, wrecks and debris.

4.6.2 In determining that the composition of the navigational watch is adequate to ensure that a proper look-out can continuously be maintained, the skipper shall take into account all relevant factors, including those described under paragraph 4.1 of this regulation, as well as the following factors:

1. visibility, state of weather and sea;
2. traffic density, and other activities occurring in the area in which the vessel is navigating;
3. the attention necessary when navigating in or near traffic separation schemes and other routing measures;
4. the additional workload caused by the nature of the vessel's functions, immediate

- operating requirements and anticipated manoeuvres;
5. rudder and propeller control and vessel manoeuvring characteristics;
  6. the fitness for duty of any crew members on call who may be assigned as members of the watch;
  7. knowledge of and confidence in the professional competence of the vessel's officers and crew;
  8. the experience of the officer of the navigational watch and the familiarity of that officer with the vessel's equipment, procedures, and manoeuvring capability;
  9. activities taking place on board the vessel at any particular time, and the availability of assistance to be summoned immediately to the wheelhouse when necessary;
  10. the operational status of instrumentation in the wheelhouse and controls, including alarm systems;
  11. the size of the vessel and the field of vision available from the conning position;
  12. the configuration of the wheelhouse, to the extent such configuration might inhibit a member of the watch from detecting by sight or hearing any external developments; and
  13. any relevant standards, procedures and guidelines relating to watchkeeping arrangements and fitness for duty which have been adopted by the Organization.

#### 4.7 Protection of the marine environment

The skipper and the officer in charge of the watch shall be aware of the serious effects of operational or accidental pollution of the marine environment, and shall take all possible precautions to prevent such pollution, particularly within the framework of relevant international and port regulations.

#### 4.8 Weather conditions

The officer in charge of the watch shall take relevant measures and notify the skipper when adverse changes in weather could affect the safety of the vessel, including conditions leading to ice accretion.

### **5 Navigation with pilot embarked**

The presence of a pilot on board does not relieve the skipper or officer in charge of the watch from their duties and obligations for the safety of the vessel. The skipper and the pilot shall exchange information regarding navigation procedures, local conditions and the vessel's characteristics. The skipper and the officer in charge of the watch shall co-operate closely with the pilot and maintain an accurate check of the vessel's position and movement.

### **6 Vessels engaged in fishing or searching for fish**

6.1 In addition to the principles enumerated in paragraph 4, the following factors shall be considered and properly acted upon by the officer in charge of the watch:

1. other vessels engaged in fishing and their gear, own vessel's manoeuvring characteristics, particularly its stopping distance and the diameter of turning circle at

sailing speed and with the fishing gear overboard;

2. safety of the crew on deck;
3. adverse effects on the safety of the vessel and its crew through reduction of stability and freeboard caused by exceptional forces resulting from fishing operations, catch handling and stowage, and unusual sea and weather conditions;
4. the proximity of offshore structures, with special regard to the safety zones; and
5. wrecks and other underwater obstacles which could be hazardous for fishing gear.

6.2 When stowing the catch, attention shall be given to the essential requirements for adequate freeboard, adequate stability and watertight integrity at all times during the voyage to the landing port, taking into consideration consumption of fuel and stores, risk of adverse weather conditions and, especially in winter, risk of ice accretion on or above exposed decks in areas where ice accretion is likely to occur.

## **7 Anchor watch**

The skipper shall ensure, with a view to the safety of the vessel and the crew, that a proper watch is maintained at all times from the wheelhouse or deck on fishing vessels at anchor.

## **8 Radio watchkeeping**

The skipper shall ensure that an adequate radio watch is maintained while the vessel is at sea, on appropriate frequencies, taking into account the requirements of the Radio Regulations.