



Council of the
European Union

Brussels, 9 July 2024
(OR. en)

12129/24

MAR 124
OMI 74

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	9 July 2024
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SWD(2024) 181 final
Subject:	COMMISSION STAFF WORKING DOCUMENT Union submission to the International Maritime Organization's 1st Intersessional Working Group on the Comprehensive Review of the STCW Convention and Code on identified gaps related to inconsistencies and different interpretations of the STCW Convention and Code

Delegations will find attached document SWD(2024) 181 final.

Encl.: SWD(2024) 181 final



Brussels, 9.7.2024
SWD(2024) 181 final

COMMISSION STAFF WORKING DOCUMENT

Union submission to the International Maritime Organization's 1st Intersessional Working Group on the Comprehensive Review of the STCW Convention and Code on identified gaps related to inconsistencies and different interpretations of the STCW Convention and Code

Union submission to the International Maritime Organization's 1st Intersessional Working Group on the Comprehensive Review of the STCW Convention and Code on identified gaps related to inconsistencies and different interpretations of the STCW Convention and Code

PURPOSE

This Staff Working Document contains a draft Union submission to the International Maritime Organization's (IMO) 1st Intersessional Working Group on the Comprehensive Review of the STCW Convention and Code (ISWG/STCW 1). The IMO has indicatively ISWG/STCW 1 scheduled from 7 to 11 October 2024.

The draft submission includes in its Annexes gaps addressing inconsistencies and different interpretations in the STCW Convention and Code. The co-sponsors have prepared a separate document addressing issues related to the majority of the specific areas identified for the comprehensive review of the STCW Convention and Code.

EU COMPETENCE

The training and certification of seafarers is regulated at international level by the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW Convention) of the International Maritime Organization (IMO), which was subject to a major revision at a Conference of Parties to the STCW Convention held in Manila in 2010 (Manila amendments). Further amendments to the STCW Convention were adopted in 2015 and in 2016.

Directive (EU) 2022/993¹ on the minimum level of training of seafarers incorporates the STCW Convention into Union law. It requires Member States to ensure that seafarers are trained as a minimum in accordance with the requirements of the STCW Convention as laid down in Annex I to the Directive (Article 3 of Directive (EU) 2022/993), including, where appropriate, the applicable provisions of the STCW Code (Article 1(21) of Directive (EU) 2022/993).

In light of all of the above, the present draft Union submission falls under EU exclusive competence, pursuant to article 3(2) TFEU as the review of the STCW Convention and Code, which, once finalised and related amendments are adopted, risks affecting or altering Union legislation and in particular Directive (EU) 2022/993.² This Staff Working Document is presented to establish an EU position on the matter and to transmit the document to the IMO prior to the required deadline of 6 September 2024.

¹ OJ L 169, 27.6.2022, p. 45.

² An EU position under Article 218(9) TFEU is to be established in due time should the IMO Maritime Safety Committee eventually be called upon to adopt an act having legal effects as regards the subject matter of the said draft Union submission. The concept of '*acts having legal effects*' includes acts that have legal effects by virtue of the rules of international law governing the body in question. It also includes instruments that do not have a binding effect under international law, but that are '*capable of decisively influencing the content of the legislation adopted by the EU legislature*' (Case C-399/12 Germany v Council (OIV), ECLI:EU:C:2014:2258, paragraphs 61-64). The present submission, however, does not produce legal effects and thus the procedure for Article 218(9) TFEU is not applied.

COMPREHENSIVE REVIEW OF THE 1978 STCW CONVENTION AND CODE

Identified gaps and provisions related to inconsistencies and different interpretations of the STCW Convention and Code

Submitted by Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands (Kingdom of the), Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the European Commission, acting jointly in the interest of the European Union

SUMMARY

Executive summary: Based on the methodology established by HTW 10, this document provides gaps identified by the co-sponsors while conducting a review of the STCW Convention and Code. It includes in its Annexes gaps addressing inconsistencies and different interpretations in the STCW Convention and Code. The co-sponsors have prepared a separate document addressing issues related to the majority of the specific areas identified for the comprehensive review of the STCW Convention and Code.

Strategic direction, if applicable: 6

Output: 6.17

Action to be taken: Paragraph 11

Related documents: HTW 6/13; MSC 104/15/5; MSC 105/20; HTW 9/15; MSC 107/20; HTW 10/10 and HTW 10/WP.3, ISWG/STCW 1/2/X

Background

1 The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, was adopted with the objective of promoting safety of life and property at sea and the protection of the marine environment by establishing international standards of training, certification and watchkeeping for seafarers. Parties and their administrations, as defined in Article 2 of the STCW Convention, undertake to meet the obligations prescribed therein.

2 The 1978 STCW Convention entered into force on 28 April 1984. Amendments thereto were adopted in 1991, 1994, 1995, 1997, 1998, 2004, 2006, 2010, 2014, 2015, 2016, 2017, 2018 and 2020. Major amendments were adopted in 1995 and 2010.

3 MSC 105 considered document MSC 104/15/5 (Australia et al.) which proposed a new output concerning a comprehensive review of the STCW Convention and Code.

Following consideration, MSC 105:

- .1 agreed to include in the biennial agenda of the HTW Sub-Committee for 2022-2023 and the provisional agenda for HTW 9 an output on "Comprehensive review of the 1978 STCW Convention and Code", with a target completion year of 2026;
- .2 recalled its earlier decision to prioritize the development and finalization of STCW training provisions on bullying and harassment in the maritime sector, including sexual assault and sexual harassment, as part of this output; and
- .3 instructed the HTW Sub-Committee to start with a preliminary assessment of the scope of the work to be conducted, identifying specific areas to be reviewed, and to prepare a road map for approval by the Committee before initiating the development of draft amendments.

4 At its 9th session, the HTW Sub-Committee agreed to draft aims and principles to guide the work of the comprehensive review which also constituted a preliminary assessment of the scope of the work to be conducted during the comprehensive review of the STCW Convention and Code (HTW 9/15 Paragraph 7.24). MSC 107 subsequently approved the draft aims and principles to guide the work on the comprehensive review of the STCW Convention and Code, prepared at HTW 9.

5 At its 10th session, the HTW Sub-Committee finalized a list of specific areas for the comprehensive review, including the articles of the Convention, prepared a draft methodology, including the prioritization of the areas to be addressed in the comprehensive review and finalized a road map for the comprehensive review (HTW 10/WP.3, paragraph 31), which were approved at MSC 108, in conjunction with the approval of the establishment of an intersessional working group on the Comprehensive review of the 1978 STCW Convention and Code to take place in the third quarter of 2024 to further progress the work of the comprehensive review, subject to endorsement by C 132.

Discussion

6 Based on the methodology for a structured approach to the comprehensive review of the STCW Convention and Code established by HTW 10, the co-sponsors have engaged with national stakeholders to conduct a review of the STCW Convention and Code to identify existing gaps and provisions that should be addressed.

7 As a result of this review, issues emanating/resulting from external factors including trends and new developments, (Criterion 1) and/or issues emanating/resulting from existing provisions based on implementation experiences, (Criterion 2), are set out in the annex.

8 During the deliberation of the review of the STCW Convention and Code, the co-sponsors have identified several gaps, which affect simultaneously provisions found in the Articles and the Annex to the STCW Convention, as well as the STCW Code (part A and part B). In particular, the annexes focus on gaps related to inconsistencies and different interpretations of the STCW Convention and Code.

9 In parallel, the co-sponsors have prepared a separate document ISWG/STCW 1/2/X by Austria et. al, which contains gaps related to the majority of the specific areas for the comprehensive review, as agreed by HTW 10.

10 The co-sponsors have included the identified gaps into the following four annexes for consideration by the ISWG:

Annex 1: Gaps identified in the articles of the STCW Convention
Annex 2: Gaps identified in the annex to the STCW Convention
Annex 3: Gaps identified in the part A of the STCW Code
Annex 4: Gaps identified in the part B of the STCW Code

Action requested of the ISWG/STCW 1

11 The ISWG is invited to consider the information provided in the document and the annex and take action, as appropriate.

Annex 1

Gaps identified in the articles of the STCW Convention

1. Inconsistency found in Article VIII

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Article VIII
	The text of paragraph (3) refers to ships above and below “1,600 gross register tons”. While such register unit is obsolete, consideration may be given to add a note in a proper part of the Annex to the Convention or of the Code, without having to amend the article.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

2. Clarify the reporting requirements of dispensations

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Article VIII, Regulation I/16
	<u>STCW Code:</u> Section A-I/16
	Article VIII requires that Parties shall, as soon as possible after 1 January of 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 that have been issued during the year to sea-going ships, together with information as to the numbers of those ships above and below 1,600 gross register tons respectively. STCW Regulation I/16 states that “Parties shall use the provisions of the Code for Implementation in the execution of their obligations and responsibilities contained in the present Convention. Every Party shall be subject to periodic audits by the Organization in accordance with the audit standard to verify compliance with and implementation of the present Convention.”

	<p>Section A-I/16 of the STCW Code regarding verification of compliance (IMSAS audits) has the following text in the tables: Has the Administration issued any dispensation? If yes, are reports related to dispensations issued during each year sent to the Secretary-General?</p> <p>IMO auditors are looking for evidence of NIL reports to the Secretary General where no dispensations have been issued. Clarification is required to make it clear that a NIL report is not required to be submitted to the Sec Gen. In the event of an Administration not sending in a report this means that the Administration had NIL dispensations that year.</p> <p>Clarify if there is a need for a NIL report to be submitted to the Sec Gen</p>
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>6. Seek the reduction of unnecessary administrative burdens</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p> <p>14. Ensure that reporting and monitoring of implementation under the Convention and Code are appropriately transparent, robust and dynamic</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	<p>10. Addressing inconsistencies</p> <p>11. Addressing different interpretations</p>

Annex 2

Gaps identified in the Annex of the STCW Regulation

1. Inconsistencies found in Regulation I/2

<p>Identified gap, with references to the existing provision, if applicable</p>	<p><u>STCW Convention:</u> Regulation I/2</p>
	<p>Several inconsistencies have been identified in Regulation I/2. More specifically:</p> <ul style="list-style-type: none"> • The provisions in paragraph 1 only refer to the act of issuing a Certificate of Competency (CoC) and do not refer to the act of revalidation. • The text in paragraph 12 of the existing Regulation I/2 requires Parties to ensure that certificates are issued “to candidates who comply with the requirements of this Regulation”, i.e. Regulation I/2, but not if all other requirements of the Convention have been complied with. • The Certificates of Proficiency (CoP) issued to masters and officers in accordance with the provisions of regulations V/1-1 and V/1-2, being CoPs, are not required to include a date of expiry. However, the provision in Regulation I/11, paragraph 3, requires masters and officers certified in accordance with the provisions of Regulations V/1-1 and V/1-2 to establish continued professional competence for tankers “at intervals not exceeding five years”. It is therefore unclear how masters and officers holding Certificates of Proficiency for tankers with indefinite validity should establish continued professional competence at intervals not exceeding five years. • The provision in the existing paragraph 13.4 requires candidates for certification to provide satisfactory proof of having completed “any related compulsory training required by these Regulations for the certificate applied for”. However, the provisions in Regulations II/1, II/2.2.2, III/1, III/2, III/3, III/6, IV/2, VII/1, require candidates for the relevant certificates to have completed approved education and training. • The text in the existing paragraph 13.5, which requires candidates for certification to provide satisfactory proof of having met “the standards of competence prescribed by these regulations for the capacities, functions and levels that are to be identified in the endorsement to the certificate”, does not apply to candidates to CoPs as an endorsement is not required to be issued, although those candidates are also required by the relevant regulations to meet the standards of competence concerned. • The existing provision in paragraph 15, which require each Party to make available information on the status of certificates of competency, endorsements and dispensations to other Parties and companies for verification of their authenticity and validity when seafarers seek recognition of their certificates under Regulation I/10 or employment on board, does not apply to CoPs issued to masters and officers on tankers, while these CoPs are also required to be recognised by endorsement under Regulation

	<p>I/10 in accordance with the provisions of Regulation I/2, paragraph 7.</p> <ul style="list-style-type: none"> The text in sections A-VI/1, paragraph 3, on basic safety training, A-VI/2, paragraphs 5 and 11, on survival craft and rescue boats other than fast rescue boats, and on fast rescue boats, and A-VI/3, paragraph 5, on advanced fire-fighting, establishes that “seafarers qualified in accordance with [...] shall be required, every five years, to provide evidence of having maintained the required standards of competence”. However, the Convention does not require CoPs to be issued with a validity date. It is therefore unclear how seafarers holding CoPs issued with indefinite validity should provide evidence of having maintained the required standard of competence every five years. The text in the existing paragraph 16, which reads “the information on the status of information required to be available in accordance with paragraph 15 shall be made available [...] through electronic means”, is unclear and inconsistent with the text of paragraph 15. <p>Ensure that the inconsistencies in the above provisions are addressed.</p>
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

2. Clarify the principles of near-coastal voyages and the establishing of undertakings

Identified gap, with references to the existing provision, if applicable	<p><u>STCW Convention</u>: Regulation I/3</p> <p><u>STCW Code</u>: Section A-I/3</p>
	<p>The existing requirements set out in the STCW Convention and Code governing near coastal voyages (NCV) create legislative burden for the seafarers and Administrations and do not facilitate the mobility of seafarers, especially taking into account shortage of qualified seafarers.</p> <p>The main principles governing near-coastal voyages (Regulation I/3) had been defined decades ago. Since that time the industry has been changed significantly.</p> <p>Today we can talk about more than 35 000 of small vessels engaged in coastal trade. Accordingly, more and more seafarers are demanded</p>

	<p>for the offshore industry worldwide (wind-energy and oil production sectors). Most of them are relatively small vessels.</p> <p>There is not clear methodology and standards on how to define near coastal areas and these areas differs significantly from Party to Party.</p> <p>Special undertakings are required to be entered into between the Parties whose near coastal voyage areas overlap. From practical point of view and from safety point of view, the importance of such undertakings is questionable. There is no obvious benefit to the countries which have entered into such undertakings. Also, countries are facing the difficulties to conclude the undertakings.</p> <p>There are also several elements that are unclear, for example paragraph 2 requires Parties having defined near-coastal voyages areas that overlap with the near-coastal voyage areas defined by other Parties and relating to ships to which the near-coastal voyage provisions of the Convention apply, to enter into an undertaking specifying the details of both involved “trading areas and other relevant conditions”. However, the text does not specify what those details shall be.</p>
	<p>Clarify the provisions to establish a clear methodology and standards on how to define near coastal areas since these areas differ significantly from Party to Party, as well as the common standards</p>
Principle(s)	<p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p> <p>6. Seek the reduction of unnecessary administrative burdens</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p> <p>13. Take into account different approaches to organizing and structuring education, training and certification, including formats of delivery of training</p> <p>15. Ensure that the standards within the Convention and Code for the training and certification of seafarers facilitate, to the extent possible, the mobility of seafarers across different ship types and trades</p>
Criterion	<p>Issues emanating/resulting from existing provisions based on implementation experiences</p>
Specific area(s)	<p>10. Addressing inconsistencies</p> <p>11. Addressing different interpretations</p> <p>16. Flexibility</p>

3. Inconsistency found in Regulation I/4

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention: Regulation I/4</u>
	Article X of the Convention allows a Party to exercise controls on ships in its ports by duly authorised control officers. Such controls are limited to verifications and assessments which are identified in Regulation I/4.
	However, a lack of familiarity of the seafarers on board with their specific duties and with all ship arrangements, installations, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties is not, under this Regulation, a deficiency that may pose a danger to persons, property or the environment, nor is the ability for the ship's complement to effectively coordinate their activities in an emergency situation and to have effective oral communication.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

4. Inconsistency found in Regulation I/9

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention: Regulation I/9</u>
	The provisions of Regulation I/9 concerning medical standards do not incorporate elements of the Guidelines on the medical examination of seafarers issued under STCW.7/Circ.19/Rev.1 (5 September 2018), in particular, the requirements for authorizing medical practitioners and examination procedures.
	Include elements of the Guidelines on the medical examination of seafarers issued under STCW.7/Circ.19/Rev.1.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by

	relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

5. Clarify the requirements for medical fitness certificates

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation I/9 <u>STCW Code:</u> Section A-I/9
	In Regulation I/9 paragraphs 6 and 7, the text for medical fitness certificates states that "if the period of validity of a medical certificate expires in the course of a voyage, then the medical certificate shall continue in force until the next port of call where a medical practitioner recognized by the Party is available, provided that the period shall not exceed three months. In urgent cases the Administration may permit a seafarer to work without a valid medical certificate until the next port of call where a medical practitioner recognized by the Party is available, provided that.....".
	In the case of a medical certificate expiring in the course of a voyage it is not clearly understood which one is the Party: is it the one that recognises the medical practitioner that issued the original certificate or the Party of the flag State Administration or possibly a medical practitioner recognised in the next port of call if that port is located in a Party to STCW.
	The same should be clarified in paragraph 7 for the urgent cases, as well: does Party mean the flag State Party or the port State Party? Specifically, recognition of medical certificates is not provided for by the Convention. However, that does not mean recognition of medical certificates is not allowed. Therefore, in principle, when the medical provision in the Convention refers to a Party, it can be inferred that the Party is the one issuing the medical certificate since, in the Convention, only the issue, and not the recognition, of medical fitness certificates is considered. When the Convention refers to "Administration", it means the flag State of the ship concerned (Art. II(b)). This, of course, may be different from the Party that issued the medical certificate. However, the issue comes from the text of Regulation I/9.3. This provides that every seafarer holding a certificate under the Convention, who is serving at sea, shall also hold a medical certificate. The provision does not state the flag of the ship in which the seafarer is serving and which Party is responsible for ensuring this provision: is it the Party that issued the certificate under the Convention? Is it the Party the flag of which the ship on which the seafarer is serving at sea is flying? It seems that the answer to these questions about the Party is the Administration (the flag State) since paragraph 7 of Regulation I/9 provides: "In urgent cases the Administration may permit a seafarer to work without a valid medical

	<p>certificate...". So it can be inferred that the flag State should ensure that all certificated seafarer hold a medical certificate when serving on board a ship flying its flag, and the flag State (the Administration in the Convention) is responsible, as a Party, that all those seafarers hold a valid medical certificate, irrespective if that has been issued by the flag State or by another Party. Be it issued either by the flag State or by the Party is not provided. In conclusion, the text of the provisions above is quite prone to different interpretations and Parties have applied these in different ways.</p> <p>Clarify the provisions on who is responsible in the above cases of Regulation I/9</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p> <p>15. Ensure that the standards within the Convention and Code for the training and certification of seafarers facilitate, to the extent possible, the mobility of seafarers across different ship types and trades</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	<p>11. Addressing different interpretations</p> <p>16. Flexibility</p> <p>19. Alignment of STCW with requirements placed on ships, seafarers, and shipowners by other IMO and relevant international instruments</p>

6. Inconsistency found in Regulation I/10

Identified gap, with references to the existing provision, if applicable	<p><u>STCW Convention:</u> Regulation I/10</p> <p>The amendments to regulation I/9 "Medical standards" of the STCW Convention and section A-I/9 of the STCW Code, which entered into force on 1 January 2012 (Manila amendments) introduced a set of minimum medical standards. However, the evaluation required by Regulation I/10, paragraph 1.1, for the recognition by endorsement of certificates of master, officer or radio operator does not include under its scope the medical standards that shall be implemented by the Party issuing the certificates to be recognised.</p> <p>Ensure that the above inconsistency is addressed.</p>
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences

Specific area(s)	10. Addressing inconsistencies
------------------	--------------------------------

7. Inconsistency found in Regulation I/11

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation I/11
	The provisions in paragraphs 3 and 4 of Regulation I/11 are redundant, since paragraph 1 refers to certificates “issued or recognized under any chapter of the Convention other than regulation V/3 or chapter VI”, and, therefore, it also applies to certificates issued or recognized under regulations V/1-1, V/1-2 and V/4.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

8. No clear understanding of the length of the period ashore for revalidation

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation I/11 <u>STCW Code:</u> Section A-I/11
	Regulation I/11 requires that every master, officer and radio operator holding a certificate issued or recognized under any chapter of the Convention other than regulation V/3 or chapter VI, 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 intervals not exceeding five years, to meet the standards of medical fitness prescribed by regulation I/9 and establish continued professional competence in accordance with section A-1/11 of the STCW Code.
	The words 'who is serving at sea or intends to return to sea after a period ashore' are misleading and convey the impression that you must be a serving officer to revalidate a certificate of competency. Code A-I/11 allows revalidation for those having performed functions considered to be equivalent to the seagoing service required. The length of the period ashore is not specified and the intention to

	<p>return to sea can not be objectively determined. Nevertheless, Regulation I/11 may have additional interpretations. The objective of Regulation I/11 is to enable the seafarers concerned to continue being professionally competent at intervals not exceeding five years. The provision states that seafarers holding the certificates identified thereto are required to demonstrate they continue being professionally competent, although it does not clarify whether or not such certificates are required to be still valid, meaning, not expired. The expression used, "continued professional competence", seems to imply that only seafarers that are professionally competent at a given date (who have their certificates still valid, i.e., before the expiry date) can continue being competent if they meet the requirements of Section A-I/11. Therefore, it can be interpreted that those whose certificates have expired, have their competence discontinued, i.e., they do not continue being competent. While the Convention and Code would leave such situation unaddressed, the matter, as it is not expressly provided, would remain subject to the legislation of the Party, in line with Article V(3) of the Convention. However, this situation should merit clarification.</p> <p>Clarify the provisions on 'who is serving at sea or intends to return to sea after a period ashore' which might be deleted.</p>
Principle(s)	<p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	<p>4. Address the possibilities of digitalization and emerging technologies and their impact on ships and ship operations</p> <p>10. Address training, in principle, related to safety of life and property at sea, security and the protection of the marine environment</p> <p>11. Ensure that the Convention and Code are fully aligned with the IMO standards on ship's operation, construction and equipment</p> <p>16. Consider the cumulative impact of requirements for seafarer education, training and certification</p>

9. Clarification of the phrase refresher training

Identified gap, with references to the existing provision, if applicable	<p><u>STCW Convention</u>: Regulations I/11, V/2</p> <p><u>STCW Code</u>: Sections A-I/7, A-I/11 and I/14</p> <p>Depending on the STCW context, refresher training has different meanings and is also used colloquially to refer to chapter VI training to maintain the required standard of competence. Regulation I/11 refers to refresher and update training as may be required for certificates issued prior to 1 January 2017 whereas refresher training referred to in V/2 is with reference to maintaining the standard of</p>
--	--

	competence. Regulation I/14 holds Companies responsible for ensuring that seafarers assigned to any of its ships have received refresher and updating training as required by the Convention, thus this should be clarified.
	Clarify the meaning of refresher training and use the same terminology
Principle(s)	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
	8. Seek to use a consistent terminology and taxonomy throughout the Convention and Code
	10. Address training, in principle, related to safety of life and property at sea, security and the protection of the marine environment
	13. Take into account different approaches to organizing and structuring education, training and certification, including formats of delivery of training
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies
	11. Addressing different interpretations
	12. Addressing taxonomy and terminologies

10. Inconsistency found in Regulation I/12

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation I/12
	The term “mandatory” used in provision 1.1 requiring the performance standards and other provisions laid down in Section A-I/12 to be complied with in respect of “all mandatory simulator-based training” leaves such training unspecified.
	While some Parties have interpreted that the mandatory training referred to in this provision is the training considered in accordance with the national provisions, few other Parties interpret that the reference to mandatory training means the training explicitly required by the STCW Code to be conducted or carried out by means of a simulator.
	Ensure that the above inconsistency is addressed.

Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

11. Clarify the meaning of appropriate certificate

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention</u> : Regulation I/14.1, Regulation IV/2 <u>STCW Code</u> : Section IV/2
	Regulation I/14.1 requires that each seafarer assigned to any of its ships holds an appropriate certificate in accordance with the provisions of the Convention and as established by the Administration
	Regulation IV/2 requires that every person in charge of or performing radio duties on a ship required to participate in the GMDSS shall hold an appropriate certificate related to the GMDSS, issued or recognized by the Administration under the provisions of the Radio Regulations.
	The term appropriate certificate is no longer defined. In STCW 1995 a definition was provided for appropriate certificate. This definition was removed in 2010 and replaced by a Certificate of Competency.
	The text has led to different interpretations. The most common interpretation observed is that the certificates are those defined by the Radio Regulations in its article 47. The text at the end of the sentence "... issued or recognised by the Administration under the Radio Regulation" leads the reader to infer that the certificates meant are those issued under the Radio Regulations. The term "appropriate certificate" may also be misleading; nevertheless, although as it does not have a definition anymore, it can be interpreted by the common meaning of the words. Nevertheless, there is no definition of the term "Radio Regulations" in the Convention text, in the Annex to the Convention or in part A of the STCW Code, while section B-IV/2.2 refers to the provisions of "the Radio Regulations annexed to the International Telecommunication Convention (Radio Regulations)". It is considered that a definition of the "Radio Regulations" should be included accordingly in the Annex to the Convention.
	Clarify the meaning of appropriate certificate or delete it.
Principle(s)	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by

	relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies
	11. Addressing different interpretations

12. Inconsistencies found in Regulation II/1

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation II/1
	The text in Regulation II/1 paragraph 2.2, does not indicate the department in which the seagoing service shall be performed, as it is in the text in regulations II/3, paragraph 4.2.2 and III/1, paragraph 2.2.
	In addition, the term “qualified” used in paragraph 2.3 when referring to those guiding [supervising] on-board training, is not linked to the provisions in section A-I/6, paragraph[s] 4 [3 and 5], which, in addition to requiring to “have an [a full] understanding of [the training programme and] the specific training objectives”, they also require to “be [appropriately qualified for the particular types and levels of training as required by the Convention] qualified in the task for which training is being conducted”. Therefore, all those responsible for supervising the training of cadets on-board, including the master, should be “qualified”.
	Furthermore, an officer certified under the provisions in chapter VII and entitled to perform functions, or group of functions specified in tables A-II/1, A-II/2 or A-II/3 may not be called “deck officer”.
Principle(s)	Ensure that the above inconsistencies are addressed.
	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
Criterion	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

13. Inconsistencies found in Regulation II/2

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention: Regulation II/2</u>
	The existing text in Regulation II/2 paragraph 4.1 is missing an “and” at the end to make it consistent with the text in Regulations II/2, paragraph 2, III/2, paragraph 2.1 and III/3, paragraph 2.1. In addition, paragraph 4.3 is missing the word “education” to be aligned with all other similar paragraphs in chapters II and III.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

14. Inconsistencies found in Regulations II/4, II/5 and Sections A-II/4, A-II/5

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention: Regulations II/4, II/5</u>
	<u>STCW Code: Sections A-II/4, A-II/5</u>
	The text in regulations II/4, paragraph 1, and II/5, paragraph 1, requires “every rating forming part of a navigational watch” and “every able seafarer deck”, respectively, to “be duly certificated”. Article II (d) defines the term “certificated” as “properly holding a certificate”. However, the above provisions do not specify the type of certificate the seafarers concerned should hold and they do not refer to the definition of “certificate of proficiency” given in Regulation I/1, paragraph 1.31. In addition, the associated sections of the STCW Code do not specify the certificate these seafarers should hold and do not include any reference that would clarify the type of certificate that should be issued.
Principle(s)	Ensure that the above inconsistencies are addressed.
	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
Principle(s)	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies

Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

15. Interpretation of ‘while qualified’

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention</u> : Regulations II/5, III/3, III/5 and V/1-1
	In Chapter V Regulation V/1-1 the phrase ‘while qualified’ is used for advanced tanker training in oil, chemical and gas.
	“Every candidate for a certificate in advanced training for oil/chemical/gas tanker cargo operations shall:
	.1 meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and .2 while qualified for certification in basic training for oil and chemical tanker cargo operations, have: .2.1 at least three months of approved seagoing service on oil tankers, or .2.2 at least one month of approved onboard training on oil tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and .3 have completed approved advanced training for oil tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 2 of the STCW Code”.
	In paragraph .1 the candidate has to meet the requirements for certification in basic training but not hold a certificate. In paragraph .2 the candidate must be qualified for certification in basic training but it is not clear if this also means that they must also hold a certificate. The same wording “while qualified to serve as ...” is found in regulations II/5 paragraph 2.3, III/3 paragraph 2.1.2 and III/5 paragraph 2.3. Nevertheless, the texts in regulations II/2, III/2 and III/3 also use wording such as “meet the requirements for certification as ...”, but these regulations further require having seagoing service in “that capacity” and therefore the obligation to hold the relevant certificate is embedded in this requirement. Therefore, the difference between meeting the requirements for certification and being qualified for certification should be clarified. Clarify what “while qualified” means and what is the difference between meeting the requirements for certification and being qualified for certification

Principle(s)	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
	8. Seek to use a consistent terminology and taxonomy throughout the Convention and Code
	10. Address training, in principle, related to safety of life and property at sea, security and the protection of the marine environment
	13. Take into account different approaches to organizing and structuring education, training and certification, including formats of delivery of training
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies
	11. Addressing different interpretations

16. Inconsistencies found in Regulation III/1 and Section B-III/1

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention: Regulation III/1</u>
	<u>STCW Code: Section B-III/1</u>
	<p>The existing title of Regulation III/1 and the text in paragraph 1 refer to “officers in charge of an engineering watch in a manned engine-room or designated duty engineers in a periodically unmanned engine-room”.</p> <p>Nevertheless, from a competence point of view, the “designated duty engineer in a periodically unmanned engine-room” is equivalent to the “officer in charge of an engineering watch in a manned engine-room”. These generic names are linked to the specific duties assigned on board and not to the competence.</p> <p>Whether a person qualified as “officer in charge of an engineering watch” could be assigned on board a specific ship to perform duties as “officer in charge of an engineering watch in a manned engine-room” or as “designated duty officer in a periodically unmanned engine-room” depends on the safe manning document of the ship issued by the Administration.</p> <p>In addition, when referring to such qualification, the provisions in regulation III/2, paragraph 2.1 and III/3, paragraph 2.1, refer to “officer in charge of an engineering watch”.</p> <p>The same inconsistency is found in Section B-III/1.</p> <p>Moreover, the “12 months” and “36 months” referred to in the existing text in regulation III/1 paragraph 2.2, might be understood as referring only to the “approved seagoing service” period and not to the “combined duration of workshop skills and approved seagoing service”. In addition, the term “approved” associated to the “workshop skills training” is not stated as it is for the “seagoing service”.</p>
	Ensure that the above inconsistencies are addressed.

Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

17. Inconsistencies found in Regulation III/2

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation III/2
	The wording “as qualified engineer officer” in Regulation III/2 paragraph 2.1.1 is inconsistent with the text in the previous paragraph 2.1, which requires candidates to have approved seagoing service in the capacity of an “officer in charge of an engineering watch on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more”. In addition, it is redundant with the definition of the “engineer officer” given in Regulation I/1 paragraph 1.7. Moreover, the text is not consistent with the existing text in paragraph 2.1.2.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

18. Inconsistency found in Regulation III/3

Identified gap,	<u>STCW Convention:</u> Regulation III/3
-----------------	--

with references to the existing provision, if applicable	The text in Regulation III/3, paragraph 2.1, which refers to an “officer in charge of an engineering watch” does not include the expression “on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more” immediately after, as it is in stated in paragraph 2.1 of regulation III/2.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

19. Inconsistencies found in Regulations III/4, III/5 and III/7

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulations III/4, III/5 and III/7
	The text in Regulations III/4 paragraph 1, III/5 paragraph 1 and III/7 paragraph 1 requires, respectively, “every rating forming part of an engineering watch”, “every able seafarer engine” and “every electro-technical rating” to “be duly certificated”. Article II (d) defines the term “certificated” as “properly holding a certificate”.
	However, the above provisions do not specify the type of certificate the seafarers concerned should hold and they do not refer to the definition of “certificate of proficiency” given in Regulation I/1, paragraph 1.31. In addition, the associated sections of the STCW Code do not specify the certificate these seafarers should hold and do not include any reference that would clarify the type of certificate that should be issued.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences

Specific area(s)	10. Addressing inconsistencies
------------------	--------------------------------

20. Inconsistencies found in Regulation III/6

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation III/6
	The word “completed” in Regulation III/6 paragraph 2.2 is redundant. In addition, the term “approved” associated to the “workshop skills training” is not stated as it is for the “seagoing service”.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

21. Radio Operator training

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Chapter IV <u>STCW Code:</u> Section IV/2
	STCW Code Section A-IV/2 Table A-IV/2 specifies competence for radio operators in addition to the knowledge required for obtaining each type of certificate defined in the Radio Regulations.
	<p>The KUP for the competence ‘provide radio services in emergencies’ requires the provision of radio services in emergencies such as:</p> <ul style="list-style-type: none"> .1 abandon ship .2 fire on board ship <p>STCW Code Section A-VI/1 requires the four elements of basic training to be completed for seafarers with designated safety or pollution-prevention duties in the operation of the ship.</p> <p>In Part B Section B-IV/2 the guidance for each type of radio certificate</p>

	<p>refers to knowledge of and/or practical training in:</p> <p>.3 survival at sea, the operation of lifeboats, rescue boats, liferafts, buoyant apparatus and their equipment, with special reference to radio life-saving appliances;</p> <p>.4 fire prevention and firefighting, with particular reference to the radio installation;</p> <p>.6 first aid, including heart-respiration revival techniques.</p> <p>Clarify if the four elements of basic training mandatory for the issue of a Radio Operator Certificate of Competency.</p>
Principle(s)	<p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p> <p>10. Address training, in principle, related to safety of life and property at sea, security and the protection of the marine environment</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	<p>10. Addressing inconsistencies</p> <p>11. Addressing different interpretations</p>

22. Inconsistencies found in Regulation V/3

Identified gap, with references to the existing provision, if applicable	<p><u>STCW Convention:</u> Regulation V/3</p> <p>The text in Regulation V/3 paragraph 5 requires candidates for certification in basic training for service on ships subject to the IGF Code to complete “basic training in accordance with provisions of section A-V/3, paragraph 1 of the STCW Code” but it does not require them to meet the standard of competence specified therein.</p> <p>In addition, the text in Regulation V/3 paragraph 8 does not require candidates for certification in advance training for service on ships subject to the IGF Code to meet requirements for certification in basic training for service on ships subject to the IGF Code.</p> <p>Ensure that the above inconsistencies are addressed.</p>
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences

Specific area(s)	10. Addressing inconsistencies
------------------	--------------------------------

23. Inconsistencies found in Regulation V/4

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation V/4
	The text in Regulation V/4 paragraph 4 requires every candidate for a certificate in advanced training for ships operating in polar waters to have relevant approved seagoing service at management level or while performing watchkeeping duties at the operational level “within polar waters or other equivalent approved seagoing service” and to complete relevant approved advanced training. However, it does not require candidates to complete the above requirements while qualified for certification in basic training for ships operating in polar waters.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

24. Interpretation of evidence of having achieved the required standard of competence

Identified gap, with references to the existing provision, if applicable	<u>STCW Regulation:</u> Chapter VI
	<u>STCW Code:</u> A-VI
	Code A-VI requires under the various sections that seafarers be required to provide evidence of having achieved the required standard of competence to undertake the tasks, duties and responsibilities listed in the relevant columns of the tables every five years and to provide evidence of having maintained the required standard of competence.
	The requirement in STCW is to 'provide evidence every five years'. If a CoP for Chapter VI training does not have an expiry date, it should be clarified what is meant by 'every five years'. For example, if a training course is undertaken 3 years after the issue of the first CoP is this evidence valid to update the CoP for a further five years from the five year anniversary date.

	Clarify the evidence to be demonstrated.
Principle(s)	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	6. Seek the reduction of unnecessary administrative burdens
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
	13. Take into account different approaches to organizing and structuring education, training and certification, including formats of delivery of training
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	4. Facilitation, flexibility and quality of onboard, shore-based and workshop skills training, including use of simulators
	10. Addressing inconsistencies
	11. Addressing different interpretations
	13. Flexibility in revalidation of certificates and endorsements

25. Inconsistencies found in Regulations VI/1, VI/3, VI/4 and VI/6

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulations VI/1, VI/3, VI/4 and VI/6
	The existing text in Regulations VI/1 paragraph 2, VI/3 paragraph 2, VI/4 paragraph 3, and VI/6 paragraphs 2 and 5 includes wording such as “a course in ... training”, “the course in ... training” or “a course of training in ...”, which is not harmonised.
	Moreover, although Regulations VI/1, VI/3, VI/4 and VI/6 require candidates to meet the standards of competence specified in the relevant sections of the STCW Code, in addition to completing the relevant training, the text in Regulations VI/1 paragraph 2, VI/3 paragraph 2, VI/4 paragraph 3, and VI/6 paragraphs 2 and 5 requires issuing a certificate of proficiency “indicating that the holder has attended a course ...”, which is inconsistent. Stating in a certificate of proficiency that the holder has attended a course does not ensure that the holder also demonstrated his/her competence, because a simple attendance to a course does not involve any assessment or evaluation.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive

	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

26. Inconsistencies found in Regulation VI/2

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention: Regulation VI/2</u>
	The text in Regulation VI/2 paragraphs 1 and 2 specifies the requirements to be complied with by “every candidate for a certificate of proficiency in survival craft and rescue boats other than fast rescue boats” and for “every candidate for a certificate of proficiency in fast rescue boats”, respectively. However, those candidates are not specified as they are in other regulations, for example, in Regulation VI/3 for “seafarers designated to control fire-fighting operations [...]” or in Regulation VI/4 paragraphs 1 and 2 for “seafarers designated to provide medical first aid [...]” or for “seafarers designated to take charge of medical care [...]”, respectively.
	Moreover, the provisions of Regulations II/1 paragraph 2.6, II/3 paragraphs 4.5 and 6.4, III/1 paragraph 2.5 and III/6 paragraph 2.4 require the candidates concerned to meet the standard of competence specified in section A-VI/2 paragraphs 1 to 4, in survival craft and rescue boats other than fast rescue boats. However, the provisions of Regulation VI/2 paragraph 1 are not consistent with the above provisions, since Regulation VI/2 paragraph 1 requires candidates not only to meet the standard of competence specified in section A-VI/2, paragraphs 1 to 4, but also to have approved seagoing service or/and attend an approved training course.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

27. Inconsistencies found in Regulation VI/4

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation VI/4
	The existing provisions in Regulation VI/4 paragraphs 1 and 2 do not require seafarers designated to provide medical first aid or medical care on board ship to complete approved training, but only to demonstrate meeting the relevant standard of competence. This is not consistent with paragraph 3 of Regulation VI/4, which refers to “training in medical first aid or medical care”. In addition, the above is not consistent with the methods of demonstration competence listed in column 3 of tables A-VI/4-1 and A-VI/4-2, which refer to “practical instruction”. It is also not consistent with the MLC (Guideline B4.1.1 – Provision of Medical Care), which recommends that “ships which ordinarily are capable of reaching qualified medical care and medical facilities within eight hours should have at least one designated seafarer with the approved medical first-aid training required by STCW”, that “all other ships should have at least one designated seafarer with approved training in medical care required by STCW, including practical training and training in life-saving techniques [...]”, and that seafarers responsible for medical care “should undergo, at approximately five year intervals, refresher courses to enable them to maintain and increase their knowledge and skills and to keep up-to-date with new developments”.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

28. Inconsistency found in Regulation VI/5

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention:</u> Regulation VI/5
	The heading of this Regulation refers to “mandatory minimum requirements for the issue of certificates of proficiency for ship security officers”. However, only paragraph 2 includes the requirements for the issue of the corresponding certificate of proficiency while the requirements for certification as ship security officer are established in paragraph 1.

	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

29. Inconsistencies found in Regulation VI/6

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention: Regulation VI/6</u>
	<p>Circular STCW.7/Circ.22 of 25 February 2014 recognises in its paragraph 2 that “in addition to security related familiarization, the security related training according to the STCW Convention and Code, leading to certification, consists of three levels of training: security awareness training, training for seafarers with designated security duties and training for ship security officers, with the training for ship security officer being the highest level”.</p> <p>It further recognises that “the training requirements for the three levels of security-related training were drafted so that the higher levels of training would include the competencies of the lower levels of training”.</p>
	<p>Therefore, although the familiarization training or instruction in Regulation VI/6 paragraph 1 addresses all seafarers, the obligation to be trained in security awareness should address only those seafarers who are not qualified as ship security officer or as seafarer with designated security duties.</p>
	<p>In addition, because the training requirements in Section A-VI/5 for ship security officer do not include any reference to the standards of competence in tables A-VI/6-1 (security awareness) and A-VI/6-2 (security designated duties), and the training requirements in Section A-VI/6, paragraphs 6 to 8 for seafarers with designated security duties do not contain any reference to the standards of competence in table A-VI/6-1 (security awareness), it is recommended not to use wording such as “where training in [...] is not included in the qualification for the certificate to be issued” in provisions where the referred training is not specifically included in any other qualification under the Convention.</p>
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive

	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

30. Inconsistencies found in Regulation VII/1

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention</u> : Regulation VII/1
	The text in paragraph 1 refers to chapters II and III. However, the text in sub-paragraph 1.1 and in Regulation VII/2, paragraph 1, refer to section A-IV/2 and chapter IV.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

31. Watchkeeping principles and arrangements

Identified gap, with references to the existing provision, if applicable	<u>STCW Convention</u> : Chapter VIII/2 <u>STCW Code</u> : Section VIII/2
	The officer in charge of the navigational watch may be the sole lookout in daylight.
	A common interpretation of the above is that the bridge may be manned by a single officer in charge of the navigational watch, with no other officers or ratings on the bridge during the hours of daylight but this is not explicit.

	The hours of daylight vary geographically and seasonally, this should be added as an additional relevant factor in paragraphs 16 and 17.
	Add the hours of daylight as an additional relevant factor in paragraphs 16 and 17.
Principle(s)	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
	9. Not address minimum safe manning levels which are regulated by the SOLAS Convention (regulation V/14)
	10. Address training, in principle, related to safety of life and property at sea, security and the protection of the marine environment
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies
	11. Addressing different interpretations
	18. Watchkeeping arrangements and principles to be observed (chapter VIII)
	19. Alignment of STCW with requirements placed on ships, seafarers, and shipowners by other IMO and relevant international instruments

Annex 3

Gaps identified in part A of the STCW Code

1. Inconsistencies found in Section A-I/2

<p>Identified gap, with references to the existing provision, if applicable</p>	<p><u>STCW Code</u>: Section A-I/2</p>
	<p>Several inconsistencies have been identified at Section A-I/2. More specifically:</p> <ul style="list-style-type: none"> • The text in paragraph 7 of regulation I/2 requires Administrations to issue endorsements attesting the recognition of certificates of competence and of certificates of proficiency issued to masters and officers in accordance with the provisions of regulations V/1-1 and V/1-2 to use the form of endorsement set forth in paragraph 3 of section A-I/2 of the STCW Code. However, this form is not consistent for endorsements attesting the recognition of certificates of proficiency issued to masters and officers in accordance with the provisions of regulations V/1-1 and V/1-2. • The provision in section A-I/2, paragraph 4.2, requires Parties using formats which might be different from those set forth in section A-I/2 to ensure that in all cases all information relating to “the capacity or capacities in which the holder is entitled to serve [...], as well as any limitations” are “prominently displayed and easily identified”. <p>Therefore, in using such formats, Parties are not obliged to ensure that all information related to the functions the holder is entitled to perform on board, together with their associated levels of responsibility and limitations, are displayed in the document. However, this is not consistent with regulation VII/1, paragraph 1, which requires stating on the certificates and in the endorsements the “associated functions and levels of responsibility”.</p> <ul style="list-style-type: none"> • The text in paragraph 5 of section A-I/2, which was moved from part B to part A of the Code in the context of the Manila amendments, includes the verb tense “should”, instead of “shall”, for establishing the requirement to ensure that the seagoing service to be approved for certification is relevant to the qualification being applied for. This is found inconsistent. • The existing paragraph 6 of section A-I/2, which was moved from part B to part A of the Code in the context of the Manila amendments, refers to “approval of training courses” and, therefore, it is not consistent in this section on “certificates and endorsements”. • The text in the existing paragraph 7 of section A-I/2 refers to “the maintenance of the electronic register in accordance with paragraph 15 of regulation I/2”. <p>However, paragraph 15 of regulation I/2 does not provide for establishing or maintaining an electronic registry but requires Parties to make available information to other Parties or companies on the status of certificates, endorsements and dispensations issued to seafarers seeking recognition under regulation I/10 or employment, while paragraph 16 of regulation I/2 requires that such information is</p>

	<p>made available through electronic means.</p> <ul style="list-style-type: none"> • In addition, the text in paragraph 9 of section A-I/2, which was taken from part B of the Code in the context of adoption of the Manila amendments, uses the verb tense “should”, instead of “shall”, to specify the items of information that are required to be recorded in the database for certificate registration. • Paragraph 6 of this section provides that in approving training courses and programmes, Parties should take into account that the relevant IMO Model Courses can assist in the preparation of such courses and programmes and ensure that the detailed learning objectives recommended therein are suitably covered. However, the development, updating and validation of the IMO Model Courses might be delayed in relation to the date of entry into force of amendments to the tables of competence in the STCW Code. Consequently, the detailed learning objectives recommended in the IMO Model Courses may become obsolete at a certain time. In addition, the existing paragraph 6 of section A-I/2 cannot be changed into a mandatory provision because of the recommended character of the IMO Model courses.
	Ensure that the above inconsistencies are addressed.
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

2. Inconsistencies found in Sections A-I/7 and B-I/2

	<p><u>STCW Code</u>: Section A-I/7 and B-I/2</p>
Identified gap, with references to the existing provision, if applicable	<p>Paragraph 3.3 of section A-I/7 refers to “seafarers holding alternative certificates issued under regulation VII/1”. In addition, paragraph 1.4.4 of section B-I/2 also refers to regulation VII/1. However, it is not regulation VII/1 but regulation VII/2 the one referring to “certification of seafarers”.</p>
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive

	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

3. Inconsistency found in Section A-I/8

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section A-I/8
	Paragraph 1 of this section provides requirements relevant to education and training objectives, examination and assessment of seafarers, and levels of knowledge, understanding and proficiency to be achieved, which are not directly associated with the requirement for implementing a quality standards system provided for by regulation I/8.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

4. Inconsistency found in Section A-I/11

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section A-I/11
	The existing text in paragraphs 1 and 3 of section A-I/11 do not clearly identify the types of certificates to which they refer to. In addition, paragraph 2 provides for refresher and updating courses, although the heading states "Professional competence".

	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

5. Inconsistencies found in Sections A-II/1, A-II/2 and A-II/3

Identified gap, with references to the existing provision, if applicable	<u>STCW Code: Sections A-II/1, A-II/2 and A-II/3</u>
	Tables A-II/1 (function: Navigation at operational level), A-II/2 (function: Navigation at management level) and A-II/3 (function: Navigation at operational level) include in column 1 notes requiring inserting limitations in the respective endorsements in relation to competences "Use of radar and ARPA to maintain safety of navigation", "Use of ECDIS to maintain the safety of navigation", "Maintain safe navigation through the use of information from navigation equipment and systems to assist command decision making", "Maintain the safety of navigation through the use of ECDIS and associated navigation systems to assist command decision making" and "Plan and conduct a coastal passage and determine position", in cases where training and assessment in the use of Radar, ARPA or ECDIS is not required "for those who serve exclusively on ships not fitted with" those pieces of equipment.
	However, Section A-I/2 on "Certificates and endorsements" does not include specific provisions to ensure that those limitations identified in Tables A-II/1, A-II/2 and A-II/3 are inserted in the endorsements when required. In addition, although there may be ships which are not fitted with Radar, ARPA and ECDIS in accordance to the relevant SOLAS Convention regulations, those regulations restrict the applicability of those limitations since, for example, carriage of a Radar is required to all ships of 300 GT and upwards and to all passenger ships irrespective of the size, an automatic tracking aid or other means to plot automatically the range and bearing of other targets is required to all ships of 500 GT and upwards, an ARPA is required to all ships of 10000 GT and upwards, and an ECDIS is required to all passenger ships of 500 gross tonnage and upwards built on or after 1 July 2012, as well as cargo ships of 3,000 gross tonnage and upwards engaged on international voyages.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive

	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

6. Inconsistencies found in Sections A-II/1, A-II/2, A-II/3, A-III/2, A-IV/2, A-VI/2, A-VI/5

Identified gap, with references to the existing provision, if applicable	<u>STCW Code:</u> Sections A-II/1, A-II/2, A-II/3, A-III/2, A-IV/2, A-VI/2, A-VI/5
	The texts in sections A-II/1, paragraph 3, A-II/2, paragraph 4, A-II/3, paragraph 3, A-III/2, paragraph 4, A-IV/2, paragraph 3, A-VI/2, paragraphs 2 and 8, A-VI/3, paragraph 2, A-VI/4, paragraphs 2 and 5, A-VI/5, paragraph 2 and A-VI/6, paragraphs 4.2.2 and 7 refer to “the level of knowledge of the subjects listed in column 2 of table ...”. Nevertheless, the items listed in column 2 of the tables refer not only to knowledge but also to understanding and proficiency, many of them referring to abilities to do something.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

7. Inconsistency found in Section A-II/3

Identified gap, with references to the existing provision, if applicable	<u>STCW Code:</u> Section A-II/3
	Column 4 “criteria for evaluating competence” of Table A-II/3, includes the following text: “Interpretation and analysis of information obtained from radar is in accordance with accepted navigational practice and takes account of the limits and accuracy levels of radar”. In addition, column 3 for “methods for demonstrating competence” states “assessment of evidence obtained from approved radar simulator” as the method for the competence “plan and conduct a coastal passage and determine position in relation to the “knowledge, understanding and proficiency” (KUP) item on “navigational aids and equipment”.

	However, any specific KUP item on Radar navigation is included in column 2 of this Table.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

8. Inconsistencies found in Sections A-III/1, A-III/2 and A-III/3

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Sections A-III/1, A-III/2 and A-III/3
	The text in paragraph 8 of section A-III/1, paragraph 6 of section A-III/2, and paragraph 6 of section A-III/3 provides that “the Administration may omit knowledge requirements for types of propulsion machinery other than those machinery installations for which the certificate to be awarded shall 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 knowledge requirements. Any such limitation shall be stated on the certificate and in the endorsement”.
	However, Section A-I/2 on “Certificates and endorsements” does not include specific provisions to ensure that those limitations identified in sections A-III/1, A-III/2 and A-III/3 are inserted in the certificates and endorsements when required.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies

Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

9. Inconsistencies found in Section A-III/1

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section A-III/1
	<p>Several inconsistencies have been identified in Section A-III/1. More specifically:</p> <ul style="list-style-type: none"> The text in paragraph 7 of section A-III/1 provides that “candidates for certification for service in ships in which steam boilers do not form part of their machinery may omit the relevant requirements of table A-III/1. A certificate awarded on such a basis shall not be valid for service on ships in which steam boilers form part of a ship’s machinery until the engineer officer meets the standard of competence in the items omitted from table A-III/1. Any such limitation shall be stated on the certificate and in the endorsement”. <p>However, Section A-I/2 on “Certificates and endorsements” does not include specific provisions to ensure that such limitation identified in section A-III/1 is inserted in certificates and endorsements when required.</p> <ul style="list-style-type: none"> In addition, paragraph 2.1 requires the approved programme of onboard training to ensure that “during the required period of seagoing service, the candidate receives systematic practical training and experience in the tasks, duties and responsibilities of an officer in charge of an engine-room watch, taking into account the guidance given in section B-III/1 of this Code”. However, the guidance given in section B-III/1 concerning on board training is limited to recommend that the “onboard training should be adequately documented in a training record book by qualified assessors”, which is already required, and not recommended, in paragraphs 2.2 and 2.3 of section A-III/1. Moreover, paragraph 3 provides that candidates for certification as officer in charge of an engineering watch shall be required to demonstrate “ability” to undertake, at the operational level, the tasks, duties and responsibilities listed in column 1 of table A-III/1. However, this term is not consistent with the standard of competence of table A-III/1, which requires the demonstration of competence, as well as with the provisions of paragraph 9 of this section, of regulation III/1 and of section A-I/6, which provide for the achievement of the standard of competence concerned. When referring to the knowledge, understanding and proficiency listed in column 2 of the relevant tables of competence of the STCW Code, the text in section A-III/1, paragraph 5, refers to “the level of knowledge of the material

	<p>listed in column 2 of table ...”, while the texts in sections A-IV/2, paragraph 4.2, A-VI/2, paragraphs 4.2, and 10.2 and A-VI/6, paragraph 8.2 refer to “the material set out in column 2 of table ...”. In addition, the text in Table A-II/3, function ‘Navigation at operational level’, competence ‘Respond to emergencies’, requires in column 2 that “in addition, the following material should be included for certification as master ...”. However, in provisions similar to that of section A-III/1 paragraph 5, specified in sections A-II/1, paragraph 3, A-II/2, paragraph 4, A-II/3, paragraph 3, and A-III/2, paragraph 4, the text refers to “the level knowledge of the subjects listed in column 2”.</p>
	Ensure that the above inconsistencies are addressed.
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

10. Inconsistency found in Section A-III/6

Identified gap, with references to the existing provision, if applicable	<p><u>STCW Code</u>: Section A-III/6</p> <p>The existing text in paragraph 5 indicates that “every candidate for certification shall be required to provide evidence of having achieved the required standard of competence tabulated in columns 3 and 4 of table A-III/6”. However, those columns do not provide the standard of competence fully but only the methods for demonstrating competence and the criteria for evaluating competence.</p> <p>Similar provisions in section as A-III/1, A-III/2 and A-III/3 state that “every candidate for certification shall be required to provide evidence of having achieved the required standard of competence in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of table A-III/1, or A-III/2, or A-III/3”, as appropriate.</p>
	Ensure that the above inconsistencies are addressed.
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p>

	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

11. Inconsistencies found in Section A-V/3

Identified gap, with references to the existing provision, if applicable	<u>STCW Code: Section A-V/3</u>
	The headings “basic training for ships subject to the IGF Code” and “advanced training for ships subject to the IGF Code” included in this section are not consistent with the text in paragraphs 1 and 2 under them since that text establishes the standard of competence, which comprises both training and assessment of competence. In addition, paragraphs 1.1.1 and 2.1.1 provide that every candidate for a certificate in basic training or advanced training, as appropriate, shall have successfully completed the approved basic or advanced training required by regulation V/3, “in accordance with their capacity, duties and responsibilities as set out in table” A-V/3-1 or A-V/3-2, as appropriate. However, those tables do not specify any capacity, duties, or responsibilities.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

12. Inconsistencies found in Section A-VI/1

Identified gap, with references to the existing provision, if applicable	<u>STCW Code: Section A-VI/1</u>
	Several inconsistencies have been identified at Section A-VI/1. More specifically: <ul style="list-style-type: none"> The text in section A-VI/1, paragraph 1 refers to “familiarization training in personal survival techniques”. However, the items listed immediately below also refer to “the use of portable fire extinguishers”, “action upon a medical

	<p>emergency” and “close and open the fire, weathertight and watertight doors”, which go beyond the scope of the personal survival techniques.</p> <p>In addition, having regard to the provisions in regulation I/14, paragraph 1.5, the “familiarization training” is ship specific and is completed on board. Therefore, it is difficult to assume that all such training will be approved by the Administration. Moreover, as long as such “familiarization training” could be replaced by “sufficient information or instruction”, which, according to paragraph 1 of this section, is not required to be approved, it is doubtful that the ship-owners will apply for approval of such training.</p> <ul style="list-style-type: none"> Paragraph 5 of section A-VI/1 of the STCW Code provides an exemption clause under which an Administration may exempt seafarers from some of the requirements of section A-VI/1. <p>The application of the existing provision in paragraph 5 of section A-VI/1, which also applies to paragraph 3 of section A-VI/1, might downscale the requirement of maintaining the required standard of competence.</p>
	Ensure that the above inconsistencies are addressed.
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p> <p>7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies</p>
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

13. Inconsistency found in Section A-VI/2

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section A-VI/2
	The heading of this section “mandatory minimum requirements for the issue of certificates of proficiency certification in survival craft, rescue boats and fast rescue boats” is not consistent with the requirements provided below since these are requirements for certification of having met the competences concerned and not for merely issuing the relevant certificate.
	Ensure that the above inconsistency is addressed.
Principle(s)	<p>1. Consider all provisions of the Convention and Code in order to be comprehensive</p> <p>2. Not to downscale existing minimum standards of training, certification and watchkeeping</p>

	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

14. Inconsistency found in Section A-VI/3

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section A-VI/3
	STW 44 agreed that the scope of the competence to fight and extinguish fires should be extended to address training requirements related to fire-fighting involving water-reactive materials (STW 44/19 – Report to the MSC, paragraphs 17.35 to 17.38).
	The existing Table A-VI/3 – Specification of minimum standard of competence in advanced fire-fighting, does not currently include any KUP, method for demonstrating competence or criteria for evaluating competence relevant to fire-fighting involving water-reactive materials.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

15. Inconsistency found in Section A-VI/4

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section A-VI/4
	This section does not include provisions in line with the text of the MLC (Guideline B4.1.1), which recommends that seafarers responsible for medical care should at approximately five year intervals, undertake refresher courses to enable them to maintain and increase their knowledge and skills and to keep up-to-date with new developments.
	Ensure that the above inconsistency is addressed.

Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

16. Inconsistency found in Section A-VI/5

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section A-VI/5
	The heading of this section “mandatory minimum requirements for the issue of certificates of proficiency certification for ship security officers” is not consistent with the requirements provided below since these are requirements for certification of having met the competences concerned and not for merely issuing the relevant certificate.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

17. Inconsistency found in Section A-VI/6

Identified gap,	<u>STCW Code</u> : Section A-VI/6
-----------------	-----------------------------------

with references to the existing provision, if applicable	<p>The existing provision in paragraph 4 referring to ship security awareness training is applicable to “seafarers without designated security duties”. Although holders of certificates of proficiency as “ship security officer” or “seafarer with designated security duties” can be considered qualified in security awareness, they might not be assigned to any security designated duties on board a specific ship or during a specific voyage.</p> <p>However, the existing text of paragraph 4 makes the security-awareness training mandatory for seafarers already qualified as “ship security officers” or as “seafarers with designated security duties”.</p>
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

18. Inconsistencies found in Section A-VII/2

Identified gap, with references to the existing provision, if applicable	<p><u>STCW Code:</u> Section A-VII/2</p> <p>The text in section A-VII/2, paragraph 2.2 does not include reference to table A-II/2 next to the reference to A-II/1. In addition, a candidate for qualification as person having “command or the responsibility for the mechanical propulsion of the ship” may perform the seagoing service not only at operational level but also at management level as “person other than having command or responsibility for the mechanical propulsion of the ship”. Therefore, the duties performed during the seagoing service should relate to functions set out in the tables of competence at operational and management level for both deck and engine departments.</p> <p>Furthermore, reference to the requirements of regulation VII/1, paragraph 1.3 is not included in the existing text in regulation A-VII/2, paragraph 2, to keep consistency.</p>
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by

	relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

Annex 4

Gaps identified in part B of the STCW Code

1. Inconsistencies found in Section B-I/2

Identified gap, with references to the existing provision, if applicable	<u>STCW Code:</u> Section B-I/2
	<p>Several inconsistencies have been identified in Section B-I/2:</p> <ul style="list-style-type: none"> Reference to regulation V/1 in section B-I/2, paragraph 1.4.4.5, is not correct since that regulation does not exist. The example given in paragraph 1.8 in section B-I/2 may be confusing. Guidance on relevant to the extension of validity of a certificate of proficiency when the application is made within six months before its expiry, and whereas the validity may be extended until the fifth anniversary of its date of expiry, or extension of validity, is not provided in the current text of this section. According to section B-I/2 paragraph 4, the validity of an endorsement can be of 5 years and 6 months. However, this is not consistent with regulation I/2, paragraph 8.4, which provides that endorsements cannot have a validity of more than 5 years from the date of issue.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

2. Interpretation of limitations

Identified gap, with references to the existing provision, if applicable	<u>STCW Code:</u> Sections B-I/2
	<p>In STCW Code Sections B-I/2 1.8, 1.10 are not in compliance with the Regulation I/2 and Section A-I/2.</p> <p>The given examples lead to incorrect interpretations which limitations can be entered on the certificate. The limitation to wear corrective lenses appears on the medical certificate it is not necessary to enter it to the limitations column.</p>

	It is not necessary to enter a limitation to any CoC if not qualified under chapter V. However, due to the unnecessary examples listed there, misinterpretations arise, and further limitations are entered that are not provided for in the STCW Convention, e.g. only on traditional ships, only on sailing ships or size limitations that are not 3000 GT or 3000 kW.
	Include general limitations, such as the requirement to wear corrective lenses when performing duties, at the top of the limitations column.
Principle(s)	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
	8. Seek to use a consistent terminology and taxonomy throughout the Convention and Code
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies
	11. Addressing different interpretations

3. Inconsistency found in Section B-III/1

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section B-III/1
	The recommendation in section B-III/1, paragraph 3 “to document the onboard training in a training record book” is redundant to the mandatory provision in section A-III/1, paragraph 2.3. In addition, the text that refers to “qualified assessors” as the persons responsible for documenting the onboard training in a training record book is incorrect.
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

4. Inconsistency found in Section B-III/4

Identified gap, with references to the existing provision, if applicable	<u>STCW Code:</u> Section B-III/4
	The reference in the title of this section to “an engineering watch in a manned engine-room or designated to perform duties in a periodically unmanned engine-room” is redundant since both activities are equivalent in terms of competence.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies

5. Inconsistency found in Section B-V/1

Identified gap, with references to the existing provision, if applicable	<u>STCW Code:</u> Section B-V/1
	The wording in section B-V/1, paragraph 9, which provides guidance concerning the master and officers of oil, chemical and liquefied gas tankers, includes terms referring the “appropriate certificate, issued or endorsed or validated” is not aligned with the terms used in the Annex to the Convention and in part A of the Code.
	Ensure that the above inconsistency is addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences

Specific area(s)	10. Addressing inconsistencies
------------------	--------------------------------

6. Inconsistencies found in Section B-V/1

Identified gap, with references to the existing provision, if applicable	<u>STCW Code</u> : Section B-V/1
	<p>Several inconsistencies have been identified in Section B-V/1. More specifically:</p> <ul style="list-style-type: none"> • The numbering of this section may be confusing as there is no section A-V/1. • The wording in section B-V/1, paragraph 9, which provides guidance concerning the master and officers of oil, chemical and liquefied gas tankers, includes terms referring the “appropriate certificate, issued or endorsed or validated” is not aligned with the terms used in the Annex to the Convention and in part A of the Code. • Paragraph 2.6 of section B-VI/1 does not include text relevant to fire-fighting involving water-reactive materials, as guidance following the agreement had in STW 44 as regards the extension of the scope of the competence to fight and extinguish fires in section A-VI/1 (STW 44/19 – Report to the MSC, paragraphs 17.35 to 17.38).
	Ensure that the above inconsistencies are addressed.
Principle(s)	1. Consider all provisions of the Convention and Code in order to be comprehensive
	2. Not to downscale existing minimum standards of training, certification and watchkeeping
	7. Address inconsistencies and different interpretations within the Convention and Code, including clarifications already issued by relevant IMO bodies
Criterion	Issues emanating/resulting from existing provisions based on implementation experiences
Specific area(s)	10. Addressing inconsistencies