



Council of the European Union  
General Secretariat

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**Brussels, 23 July 2018**

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### WORKING PAPER

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#### **CONTRIBUTION**

From:	Council of the European Union
To:	Working Party on Shipping
N° Cion doc.:	ST 9123/18 + ADD 1
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/106/EC on the minimum level of training of seafarers and repealing Directive 2005/45/EC - Comments by Germany

Delegations will find attached comments by **Germany** on the above proposal.

## **Comments by Germany**

*German comments with regard to the Commissions' "Proposal for a Directive of the European Parliament and of the Council amending Directive 2008/106/EC on the minimum level of training of seafarers and repealing Directive 2005/45/EC:*

### § 5b para. 1 and para. 3:

*We would like to ask the Commission for clarification about the purpose of inserting regulation § 5b para. 1 and para. 3 into the directive.*

*According to our understanding of STCW, certificates of proficiency, documentary evidence and medical certificates shall be accepted by administrations of MS if the certificates comply with the requirements of STCW.*

*What are the legal consequences and/or changes that come along with the insertion of § 5b para. 1 and para. 3 for national administrations regarding the verification and acceptance of certificates of proficiency, documentary evidence and medical certificates, compared to the legal situation today?*

### §5b para. 2:

*We suggest the inclusion of a passage clarifying that certificates of competency shall only be endorsed by administrations if all requirements of the Convention have been complied with, as stated in Regulation I/2 para. 7 STCW.*

### §5 para. 6

*We would like to ask the Commission for clarification why the provision contained in § 5b para. 6 does not apply to radio officers and radio operators. In our understanding this new provision refers to Regulation I/10 para. 5 of the STCW Convention, where on the contrary, no such exclusion is contained in.*