



SUB-COMMITTEE ON STANDARDS OF
TRAINING AND WATCHKEEPING
40th session
Agenda item 7.1

STW 40/7/22
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COMPREHENSIVE REVIEW OF THE STCW CONVENTION AND THE STCW CODE

Chapter I of the STCW Convention and Code

Regulation I/9 (Medical standards – Issue and registration of certificates)

Submitted by India

SUMMARY

<i>Executive summary:</i>	This document contains a proposal to transfer certain sections of STCW regulation I/9 and the associated sections in the STCW Code to STCW regulation I/2, as agreed at the <i>ad hoc</i> intersessional meeting of the STW Working Group on the comprehensive review of the STCW Convention and Code
<i>Strategic direction:</i>	5
<i>High-level action:</i>	5.2
<i>Planned output:</i>	5.2.2.1
<i>Action to be taken:</i>	Paragraph 3
<i>Related documents:</i>	STW 40/7/3 and STW 40/7/4

1 The first *ad hoc* intersessional meeting of the STW Working Group on the comprehensive review of the STCW Convention and Code (8 to 12 September 2008) noted the views expressed by India, supported by the Bahamas, that regulation I/9 deals with two absolutely different issues, i.e. Medical standards and Issue and registration of certificates, and is therefore very confusing. The Working Group expressed the opinion that there was a need to transfer the relevant requirements of regulation I/9 to regulation I/2 wherein they fit in more appropriately as regulation I/2 is dealing with Certificates and endorsements. The requirements relating to medical standards may continue to remain in regulation I/9 along with other details regarding the same as well as the standards regarding medical examination of seafarers. In this context, India had informed the Group that they would be making an appropriate submission to STW 40.

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2 India has reviewed STCW regulation I/9 and the associated section of the STCW Code and proposes that paragraphs 2 to 4 of the regulation I/9 be transferred to regulation I/2. This would ensure that there is no confusion between the medical certificates and certificates as defined in the Convention. The proposed amended STCW regulations I/9 and I/2 are set out in annex 1. The associated section of the STCW Code can be developed from document STW 40/7/4 after discussion at STW 40.

Action requested of the Sub-Committee

3 The Sub-Committee is invited to take into account the information provided when preparing the revised draft text of chapter I of the STCW Convention and Code.

ANNEX 1

PROPOSED AMENDED REGULATIONS I/9 AND I/2 OF THE STCW CONVENTION

Regulation I/9

Medical standards —~~Issue and registration of certificates~~

- 1 Each Party shall establish standards of medical fitness for seafarers, particularly regarding eyesight and hearing.
- ~~2 Each Party shall ensure that certificates are issued only to candidates who comply with the requirements of this regulation.~~
- ~~3 Candidates for certification shall provide satisfactory proof:~~
- ~~.1 of their identity;~~
 - ~~.2 that their age is not less than that prescribed in the regulation relevant to the certificate applied for;~~
 - ~~.3 that they meet the standards of medical fitness, particularly regarding eyesight and hearing, established by the Party, and hold a valid document attesting to their medical fitness, issued by a duly qualified practitioner recognised by that Party;~~
 - ~~.4 of having completed the seagoing service and any related compulsory training required by these regulations for the certificate applied for; and~~
 - ~~.5 that they meet 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.~~
- ~~4 Each Party undertakes to:~~
- ~~.1 maintain a register or registers of all certificates and endorsements for masters, officers, and as appropriate, ratings which are issued, have expired or have been revalidated, suspended, cancelled or reported lost or destroyed and of dispensations issued; and~~
 - ~~.2 make available information on the status of such certificates, endorsements and dispensations to other Parties and companies which request verification of the authenticity and validity of certificates produced to them by seafarers seeking recognition of their certificates under regulation I/10 or employment on board ship.~~

Regulation I/2

Certificates and endorsements – ~~Issue and registration of certificates~~

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

- 2 In respect of radio operators, Parties may:
 - .1 include the additional knowledge required by the relevant regulations in the examination for the issue of a certificate complying with the Radio Regulations;
or
 - .2 issue a separate certificate indicating that the holder has the additional knowledge required by the relevant regulations.
- 3 The endorsement required by article VI of the Convention to attest the issue of a certificate shall only be issued if all the requirements of the Convention have been complied with.
- 4 At the discretion of a Party, endorsements may be incorporated in the format of the certificates being issued as provided for in section A-I/2 of the STCW Code. If so incorporated, the form used shall be that set forth in section A-I/2, paragraph 1. If issued otherwise, the form of endorsements used shall be that set forth in paragraph 2 of that section.
- 5 An Administration which recognizes a certificate under regulation I/10 shall endorse such certificate to attest its recognition. The endorsement shall only be issued if all requirements of the Convention have been complied with. The form of the endorsement used shall be that set forth in paragraph 3 of section A-I/2 of the STCW Code.
- 6 The endorsements referred to in paragraphs 3, 4 and 5:
 - .1 may be issued as separate documents;
 - .2 shall each be assigned a unique number, except that endorsements attesting the issue of a certificate may be assigned the same number as the certificate concerned, provided that number is unique; and
 - .3 shall expire as soon as the certificate endorsed expires or is withdrawn, suspended or cancelled by the Party which issued it and, in any case, not more than five years after their date of issue.
- 7 The capacity in which the holder of a certificate is authorized to serve shall be identified in the form of endorsement in terms identical to those used in the applicable safe manning requirements of the Administration.
- 8 Administrations may use a format different from the format given in section A-I/2 of the STCW Code, provided that, as a minimum, the required information is provided in Roman characters and Arabic figures, taking into account the variations permitted under section A-I/2.
- 9 Subject to the provisions of regulation I/10, paragraph 5, any certificate required by the Convention must be kept available in its original form on board the ship on which the holder is serving.
- 10 Each Party shall ensure that certificates are issued only to candidates who comply with the requirements of this regulation.

11 Candidates for certification shall provide satisfactory proof:

- .1 of their identity;
- .2 that their age is not less than that prescribed in the regulation relevant to the certificate applied for;
- .3 that they meet the standards of medical fitness, particularly regarding eyesight and hearing, established by the Party, and hold a valid document attesting to their medical fitness, issued by a duly qualified practitioner recognized by that Party;
- .4 of having completed the seagoing service and any related compulsory training required by these regulations for the certificate applied for; and
- .5 that they meet 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.

12 Each Party undertakes to:

- .1 maintain a register or registers of all certificates and endorsements for masters, officers, and as appropriate, ratings which are issued, have expired or have been revalidated, suspended, cancelled or reported lost or destroyed and of dispensations issued; and
- .2 make available information on the status of such certificates, endorsements and dispensations to other Parties and companies which request verification of the authenticity and validity of certificates produced to them by seafarers seeking recognition of their certificates under regulation I/10 or employment on board ship.

ANNEX 2

PROPOSED AMENDED SECTION A-I/9 AND SECTION A-I/2 OF THE STCW CODE

Section A-I/9

Medical standards --~~Issue and registration of certificates~~

No other change proposed.

Section A-I/2

Certificates and endorsements -- Issue and registration of certificates

No other change proposed.

ANNEX 3

PROPOSED AMENDED SECTION B-I/9 AND SECTION B-I/2 OF THE STCW CODE

Section B-I/9

Guidance regarding medical standards --~~Issue and registration of certificates~~

The entire text after paragraph 11 to be deleted.

Section B-I/2

Certificates and endorsements -- Issue and registration of certificates

The entire text after paragraph 11 of section B-I/9 to be added at the end of section B-I/2.
