



CONFERENCE OF PARTIES TO THE
INTERNATIONAL CONVENTION ON
STANDARDS OF TRAINING
CERTIFICATION AND WATCHKEEPING
FOR SEAFARERS, 1978
Agenda item 7

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**CONSIDERATION OF THE DRAFT AMENDMENTS TO THE SEAFARERS'
TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE**

Review of section A-VIII/1 – Fitness for Duty

Submitted by Liberia, the International Shipping Federation (ISF) and BIMCO

SUMMARY

<i>Executive summary:</i>	This document proposes text for paragraph 9 of section A-VIII/1
<i>Strategic direction:</i>	5.2
<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>	STCW/CONF.2/4 and STCW/CONF.2/20

Background

1 The Sub-Committee on Standards of Training and Watchkeeping at its forty-first session (from 11 to 15 January 2010), STW 41, considered draft amendments relating to fitness for duty of seafarers and in particular an exception clause for hours of rest limits. Two proposed options for paragraph 9 of section A-VIII/1 were considered. The Sub-Committee, recognizing that the divergence of opinion could not be resolved at that stage, agreed to retain both proposals in square brackets for a decision by the Conference.

Proposal

2 The co-sponsors of STCW/CONF.2/20 highlight the requirement for both daily and weekly flexibility with safeguards. Recognizing this requirement, the text in the annex is proposed as an alternative option to both the current proposals in square brackets for a decision by the Conference.

Action requested of Conference

3 The Conference is invited to consider the information provided and take action as deemed appropriate.

ANNEX

DRAFT AMENDMENTS TO PART A OF THE SEAFARERS' TRAINING,
CERTIFICATION AND WATCHKEEPING (STCW) CODE

Note: The draft amended text of the STCW Code (STCW/CONF.2/4) has been used as the base text. The proposed new text is shown *shaded* and proposed deleted text is shown as *strikethrough*.

Section A-VIII/1

~~[9. — Nothing in this Convention shall prevent Parties from applying exceptions to the above limits in paragraph 2 as provided for by other relevant international Conventions. These exceptions shall under no circumstances be less than 70 hours of rest in any 7-day period. —]~~

~~9 bis — Such exceptions shall, as far as possible, follow the standards set out, while taking into account the guidance regarding prevention of fatigue laid down in section B-VIII/1.]~~

~~[9 — Parties may grant exemptions from the required hours of rest in paragraph 2.2 above provided that the rest period under no circumstances is less than 70 hours in any 7-day period. Such exemptions shall not be given for more than two consecutive weeks and shall, as far as possible, take into account the guidance regarding prevention of fatigue laid down in section B-VIII/1.]~~

9 Parties may apply exceptions to the minimum rest periods set in paragraph 2 above, which shall not be less than 70 hours of rest in any 7-day period and shall not be applied on a continuous basis on board. Such exceptions shall only be applied on condition that the hours of rest in any 24-hour period shall include at least 8 hours of rest and such daily exceptions shall not extend beyond two days. Such exceptions shall take into account the guidance regarding prevention of fatigue laid down in section B-VIII/1.