



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**

**Amendments to part B of the Seafarers' Training,
Certification and Watchkeeping (STCW) Code**

Submitted by Norway

SUMMARY

Executive summary:	This document proposes an alternative text to section B-VIII/1.3bis
Strategic direction:	5.2
High-level action:	5.2.2
Planned output:	5.2.2.1
Action to be taken:	Paragraph 5
Related document:	STCW/CONF.2/5

Background

1 At STW 41, prevention of fatigue, hours of rest and possible exemptions from the requirements in section A-VIII/1 was debated at length, however the Sub-Committee could not reach an agreement on the issue and two proposals are currently up for discussion. One of these proposals is from Norway and we obviously support that proposal.

2 However, a new paragraph in section B-VIII/1 has also been proposed and was discussed at STW 41. This paragraph proposes to link the possibility of granting exemptions from the required hours of rest to the provisions of the ILO Convention on Seafarers' Hours of Work and the Manning of Ships, 1996 (No.180) or the Maritime Labour Convention, 2006, when it enters into force. No agreement was reached on this issue either.

Discussion

3 Norway in general supports the inclusion of the new paragraph in section B-VIII/1.3bis, should an agreement be reached to allow for exemptions, however it is recognized that a direct mentioning of regulations in conventions developed by another Organization is a sensitive matter and probably not in line with the guidelines in MSC/Circ.930-MEPC/Circ.364 on Methods for making reference to IMO and other instruments in IMO conventions and other mandatory instruments, even if conventions developed by other Organizations are not specifically mentioned in the guidelines.

Proposal

4 As an attempt to assist in solving this matter without losing, in Norway's view, the important link to ILO 180 and the MLC Convention in this particular matter, Norway proposes the following alternative to the proposed text in section B-VIII/1.3*bis*, currently in square brackets (it is provided that agreement is reached on the new subparagraph 9 of section A-VIII/1):

“3*bis*: The circumstances¹ under which exemptions provided for in section A-VIII/1, paragraph 9 are applied, should be defined by the Parties.”

Footnote 1: Reference is made to section 5 of the ILO Convention on Seafarers' Hours of Work and the Manning of Ships, 1996 (No.180) and Standard A2.3 of the MLC Convention, 2006 when entering into force.

Action requested of the Conference

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