



SUB-COMMITTEE ON STANDARDS OF
TRAINING AND WATCHKEEPING
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Agenda item 16

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ANY OTHER BUSINESS

Review of the STCW Code requirements regarding demonstration of competence

Submitted by Norway

SUMMARY

Executive summary: This document explains why it is essential to review the STCW Code regarding demonstration of competence as provided in the relevant regulations in chapter VI, so as to clarify minimum requirements in particular regarding refresher courses ashore. The document also explains why the viewpoints expressed during MSC 78 on a perceived conflict between such requirements on refresher training ashore and *other* provisions in STCW are not correct. In conclusion this document recommends the following advice be given to MSC 80: *There is a need for conducting a systematic review of the requirements of chapter VI of the STCW Code with a view to clarifying the minimum requirements, in particular regarding the need to demonstrate certain items of competence by attending training courses outside the ship itself*

Action to be taken: Paragraph 15

Related documents: STW 36/16/1, and the STCW Code sections A-VI/1 paragraph 2.2, A-VI/2 paragraphs 4 and 8, A-VI/3 paragraph 4 and A-VI/4

Introduction

1 The seventy-eighth session of the MSC considered document 78/24/6 (Norway) proposing to conduct a review of requirements regarding demonstration of competence in the STCW Code chapter VI. The background for proposing such a review was the following: In the view of Norway, some of the requirements of chapter VI can only be complied with by seafarers attending a refresher course ashore. We are aware, however, that other Flag States apply a different interpretation, and do not require such refresher courses ashore. On this basis we proposed such a review to be conducted by the STW Sub-Committee with the aim of clearly specifying minimum requirements for refresher training ashore.

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2 After a brief discussion at MSC 78, the Committee decided that STW 36 should only consider the possible need for review of the STCW chapter VI requirements and advise MSC 80 as appropriate. The following comments are submitted on that basis.

Comments on demonstration of competence

3 One of the key elements for maintaining a satisfactory safety level on any ship is to ensure that its crew regularly receive training and demonstrate adequate competence in accordance with relevant standards regarding safety training and emergency response. These standards are given in section A-VI of the STCW Code.

4 Holders of Certificates of Competency issued according to the STCW Convention may uphold the validity of their certificates through continued professional practice by approved seagoing service or alternatives listed in section A-I/11 in the STCW Code. However, such personnel also need to comply with relevant requirements of section A-VI in the STCW Code, as referred to above. These requirements in section A-VI include that seafarers have to *provide evidence* of having achieved the required standard of competence within the previous five years in various subjects depending on their duties and tasks on board the ship.

5 Seafarers employed on a ship regularly receive training, and will be able to demonstrate competence on various safety and emergency situations during practical shipboard training or drills. However, in practice there will be vital limitations when it comes to the possibilities for training and demonstration of competence on board a ship, in particular regarding fire fighting and certain subjects related to survival functions. As an example, we will refer to the requirements of section A-VI/1 regarding “Fight and extinguish fires”. These requirements are listed in the second row of Table A-VI/1-2. Under column 3 “Methods for demonstrating competence” ten separate items are listed including the following, used as example: “.4 extinguish extensive fires with water, using jet and spray nozzles”. In the lead-in text to these items it is required that each item has to be demonstrated “in spaces which provide truly realistic training conditions”. In our view, the requirements quoted in this example can NOT be complied with by training within the ship itself, without creating severe dangers to the ship and its crew. This also applies to *other* items regarding fire fighting.

6 Consequently, in the opinion of Norway the above mentioned requirements as well as other requirements in chapter VI, can *only* be fulfilled by requiring seafarers to attend a refresher course ashore. In view of this, seafarers employed on ships flying the flag of Norway, are required to attend certain refresher courses ashore at five years interval, depending on their duties and tasks on board each ship.

7 As noted in paragraph 1, some other States apparently interpret section A-VI of STCW differently, and do NOT require such refresher courses ashore. In Norway’s opinion, refresher courses as required for our seafarers at five years intervals are of vital importance for the safety of each ship. Only by attending such courses will the crew be able to maintain the competence needed to prevent serious accidents as well as to minimize the consequences in case an accident should occur. For this important question on how to maintain competence, different interpretations by individual parties to the STCW Convention need to be eliminated.

Comments on the perceived conflict between regulation I/11 and chapter VI of the STCW Convention

8 Norway has noted the comments made by the Russian Federation and supported by other delegations during MSC 78 in relation to the proposal by Norway referred to above. As quoted in document STW 36/16/1, the following comments were made: “... the proposed refresher training ashore would be in conflict with the existing provisions of regulation I/11 of the

STCW Convention, and section A-I/11 of the STCW Code (which requires refresher training and revalidation of competence only for holders of certificates for masters, officers and radio operators and specifically exclude from revalidation all the certificates issued under the STCW Code chapter VI requirements)”.

9 In the following we will explain why in our view the perceived conflict referred to above, does not exist. Firstly, it must be recognized that regulation I/11 of the STCW Convention and section A-I/11 of the STCW Code regulate revalidation of specific certificates, while STCW chapter VI and STCW Code chapter VI regulate a completely different issue; i.e. requirements on familiarization applicable to all seafarers, as well as basic safety training, training requirements for certain emergency tasks and medical care. In view of the fact that the two sets of regulations referred to regulate two separate subjects, the provisions in regulation I/11 and section A-I/11 can in no way “conflict” with regulations and sections of chapter VI.

10 Regarding the comment in parenthesis quoted in paragraph 8 above, we have the following comment: The words “specifically exclude from revalidation” are misleading, because the words used in regulation I/11 are the following: “.... holding a certificate issued or recognized under any other chapter of the Convention other than chapter VI...”. This wording only states that the provisions of regulation I/11 do NOT apply to the types of certificates specified in chapter VI. This wording in regulation I/11 therefore supports our view that the two sets of regulation under discussion are two completely different subjects.

Conclusions and recommendations

11 As explained in paragraphs 3 to 6 above, Norway considers that some of the requirements regarding fire prevision and fire fighting need to be verified by attending external training courses. We also consider that some of the items under “personal survival techniques” may need external training courses; e.g: “safely jump from a height into the water”; “swim while wearing a life jacket” and “right an inverted liferaft while wearing a lifejacket”. Norway is also of the opinion that similar periodical demonstration of competence is needed also for medical first aid and medical care according to section A-VI/4 in the STCW Code.

12 As explained in paragraph 7 above, Norway is of the opinion that there is a need for ensuring that provisions of vital importance for safety of life at sea, are given unified interpretations by all parties to the STCW Convention. One such subject is the need for attending refresher courses ashore. We are therefore of the opinion that there is a need for conducting a systematic review of *all requirements regarding demonstration of competence in chapter VI of the STCW Code* (section A-VI/1 to A-VI/4) with the aim of clearly specifying minimum requirements. Thus, it is necessary to identify *which* of the items listed under Column 3 “Methods for demonstrating competence” in the relevant tables that need to be demonstrated by *attending training courses outside the ship itself*.

13 As explained in paragraphs 8 to 10 above, we can not agree with the views expressed by some delegations during MSC 78 that any requirements on refresher training ashore in relation to chapter VI of the STCW Code would be in conflict with the existing provisions of regulation I/11 of the STCW Convention and section A-I/11 of the STCW Code. These viewpoints can therefore not be accepted as valid arguments against the review proposed in paragraph 12.

14 As noted earlier MSC 78 decided that STW 36 should only consider the need for a review of STCW chapter VI requirements and advise MSC 80 as appropriate. Referring to the above arguments and explanations, Norway recommends the following advice be given to MSC 80: *There is a need for conducting a systematic review of the requirements of chapter VI of the STCW Code with a view to clarifying the minimum requirements, in particular regarding the need to demonstrate certain competence items by attending training courses outside the ship itself.*

Action requested of the Sub-Committee

15 The Sub-Committee is invited to consider and support the viewpoints and proposals presented in this document.
