

# Shipping Consultative Committee

## **Implementation of the Amendments to the STCW Convention and the STCW Code in HKSAR**

### **Introduction**

1. The International Maritime Organization (IMO) initiated a comprehensive review of the STCW Convention and the STCW Code in 2006 under the following basic principles:
  - i) to retain the structure and goals of the 1995 revision;
  - ii) to ensure that existing standards are not scaled down;
  - iii) to retain unaltered the articles of the Convention;
  - iv) to address inconsistencies, interpretations and outdated provisions, along with clarifications of certain provisions agreed to by the Maritime Safety Committee;
  - v) to cover technological advances;
  - vi) to address requirements for effective communication;
  - vii) to provide, in the interests of innovation in technology, flexibility in terms of compliance and for required levels of training and certification and watchkeeping arrangements;
  - viii) to include provisions addressing the special characteristics and circumstances of short sea shipping and the offshore industry; and
  - ix) to address security-related issues.
  
2. In June 2010, IMO held a Diplomatic Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 and adopted amendments to the STCW Convention and the STCW Code. These amendments, now known as “The Manila amendments to the STCW Convention and Code” are set to enter into force on 1 January 2012 under the tacit acceptance procedure.

## **The Amendments**

3. There are a number of important changes to each chapter of the STCW Convention and the STCW Code, namely:
  - i) improved measures to prevent fraudulent practices associated with certificates of competency and strengthen the evaluation process;
  - ii) revised requirements on hours of work and rest and new requirements for the prevention of drug and alcohol abuse, as well as updated standards relating to medical fitness standards for seafarers;
  - iii) new certification requirements for able seafarers;
  - iv) new requirements relating to training in modern technology such as electronic charts and information systems (ECDIS);
  - v) new requirements for marine environment awareness training and training in leadership and teamwork;
  - vi) new training and certification requirements for electro-technical officers;
  - vii) updating of competence requirements for personnel serving on board all types of tankers, including new requirements for personnel serving on liquefied gas tankers;
  - viii) new requirements for security training, as well as provisions to ensure that seafarers are properly trained to cope if their ship comes under attack by pirates;
  - ix) introduction of modern training methodology including distance learning and web-based learning;
  - x) new training guidance for personnel serving on board ships operating in polar waters; and
  - xi) new training guidance for personnel operating Dynamic Positioning Systems.

## **Impact of the amendments**

4. From 1 January 2012, all seafarers working on board HK registered ships are required to meet the standards and certified in accordance with the amended STCW Convention and the STCW Code.

5. The following sub-legislation under CAP. 478 - MERCHANT SHIPPING (SEAFARERS) ORDINANCE need to be amended to give effect to the amended STCW Convention and Code in HKSAR, namely:
- i) \* CAP 478D - *MERCHANT SHIPPING (SEAFARERS) (HOURS OF WORK) REGULATION*
  - ii) CAP 478J - *MERCHANT SHIPPING (SEAFARERS) (CERTIFICATION OF OFFICERS) REGULATION;*
  - iii) CAP 478K - *MERCHANT SHIPPING (SEAFARERS) (TANKERS - OFFICERS AND RATINGS) REGULATION;*
  - iv) \*CAP 478O - *MERCHANT SHIPPING (SEAFARERS) (MEDICAL EXAMINATION) REGULATION;*
  - v) CAP 478T - *MERCHANT SHIPPING (SEAFARERS) (CERTIFICATION AND WATCHKEEPING) REGULATION;*
  - vi) CAP 478V - *MERCHANT SHIPPING (SEAFARERS) (ENGINE ROOM WATCH RATINGS) REGULATION;*
  - vii) CAP 478W - *MERCHANT SHIPPING (SEAFARERS) (NAVIGATIONAL WATCH RATINGS) REGULATION;*
  - viii) CAP 478Y - *MERCHANT SHIPPING (SEAFARERS) (CERTIFICATES OF COMPETENCY AS A.B.) RULES;*
  - ix) CAP 478Z - *MERCHANT SHIPPING (SEAFARERS) (CERTIFICATES OF PROFICIENCY IN SURVIVAL CRAFT, RESCUE BOATS AND FAST RESCUE BOATS) RULES;*
  - x) CAP 478AC - *MERCHANT SHIPPING (SEAFARERS) (SAFETY TRAINING) REGULATION;*
  - xi) CAP 478AD - *MERCHANT SHIPPING (SEAFARERS) (RO-RO PASSENGER SHIPS-TRAINING) REGULATION;*  
and
  - xii) CAP 478AE - *MERCHANT SHIPPING (SEAFARERS) (PASSENGER SHIPS OTHER THAN RO-RO PASSENGER SHIPS-TRAINING) REGULATION.*
- (\* amendments to this sub-legislation was taken care of by the legal process of adopting the Maritime Labour Convention 2006);
6. It is essential for HKSAR to adopt the STCW amendments to maintain its status on the STCW White List.

## **Proposal**

7. If agreeable, MPD will start to prepare the necessary legislative process to extend the Amendments of the STCW Convention and the STCW Code to HKSAR.

## **Consultation**

8. Members are requested to give comments/views on the proposed acceptance of the Amendments to the STCW Convention and the STCW Code by Hong Kong.
9. A copy of the following conference documents are enclosed for your easy reference:
  - i) Attachment 1 to the Final Act of the Conference - *The Manila Amendments to the annex to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978*; and
  - ii) Attachment 2 to the Final Act of the Conference - *The Manila Amendments to the Seafarers' Training, Certification and Watchkeeping (STCW) Code*.

Marine Department  
Multi-Policy Division  
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**Encl.**