

Shipping Consultative Committee

Proposal for the amendments to the Minimum Safe Manning Certificate

Purpose

1. The purpose of this paper is to seek members' view on the proposal to revise the existing Minimum Safe Manning (MSM) Certificate issued to Hong Kong registered ships. The proposed changes have taken into consideration the relevant regulations of the STCW Convention, the 2010 Manila amendments to the STCW Convention and Code, IMO Resolution A.1047(27) – “Principles of Minimum Safe Manning” and the recent review of the MSM requirements on Hong Kong registered ships.

Background

2. The Manila amendments to the STCW Convention and Code were adopted on 25 June 2010 and entered into force on 1 January 2012. There is a 5 year transitional arrangement leading up to full implementation of 2010 Manila Amendments until 1 January 2017. The 2010 amendments introduce various new requirements and harmonize the provisions of STCW with other IMO instruments that have been introduced or amended since 1995 such as establishes new grades of “Able Seafarer Deck” and “Able Seafarer Engine”. In addition, new competence standards and certification for the position of “Electro-Technical Officer” and “Electro-Technical Rating” have been established, in recognition of a position already widely established, particularly in the passenger ship industry. The aims of these amendments are to ensure that STCW standards stay relevant and to raise standards of professionalism of seafarers and to enhance navigational safety, security and protection of marine environment. In particular some new requirements have been added to ensure consistency with the Maritime Labour Convention (MLC) adopted in 2006.

3. The 27th session of the IMO Assembly adopted Resolution A.1047(27), which contains the Guidelines for the application of principles of minimum safe manning; Guidelines for determination of minimum safe manning; Responsibilities in the application of principles of minimum safe manning; Guidance on contents and model form of minimum safe manning document and Framework for determining minimum

safe manning. The model form of the minimum safe manning document requires that the Operating Company has to be included in the minimum safe manning document.

4. At its 90th session in May 2012, the Maritime Safety Committee of the IMO adopted Resolution MSC.325(90) to amend SOLAS Regulation V/14 on ships' manning, to require Administrations, for every ship, to establish appropriate minimum safe manning levels, taking into account the guidance adopted by IMO Resolution A.1047(27); and issue an appropriate minimum safe manning document or equivalent as evidence of the minimum safe manning considered necessary. This amendment will enter into force on 1 January 2014.

5. Recently, Marine Department has received some requests from shipowners and ship operators to review our existing minimum safe manning level/requirements on Hong Kong registered ships. After the review, the following proposed amendments to the MSM Certificate are made.

The Proposal

6. As the STCW Convention is applicable to Hong Kong, it is our obligation to ensure any certificates issued under this Convention complies with not only the Convention but also the general principles and guidelines as set out in the relevant IMO Resolutions, Circulars etc. In order to ensure our MSM Certificate in meeting the Guidelines for the application of principles of minimum safe manning, Guidelines for determination of minimum safe manning and also the Guidance on contents and model form of the minimum safe manning document, as set out in Annexes 1, 2 and 4 to the IMO Resolution A.1047(27) as well as to avoid problems with PSCOs, a MSM Certificate with a new format is proposed to be issued to all Hong Kong registered ships before 1 January 2014.

7. Taking this opportunity, it is also suggested to change the existing grades of ratings from Seaman I, II, III and Motorman I, II, III to "Ratings forming part of a navigational watch" and "Other Deck Ratings" and "Ratings forming part of an engineering watch" and "Other Engine Room Ratings". The use of these grades is simple, more in line with the STCW Convention and thus avoiding unnecessary PSC problems. The new MSM certificate also contains new grade of "Electro-technical Officer", "Electro-technical Ratings", "Able Seafarer Deck" and "Able Seafarer Engine" as defined by the STCW Convention. In applying the principles and the MLC 2006 Convention, ship's cook may be included in the MSM Certificate to deal with the food and personal hygiene as well as handling and storage of food on board ship.

8. Two additional standard conditions –
- (i) “Requirements relating to minimum period of rest (STCW A – VIII/1) must be complied with.” and
- (ii) Personnel assigned to the following responsibilities shall comply with the respective regulations of the STCW Condition:-
“(c) Seafarers designated to perform security duties – Reg. VI/6.”
are proposed to be included as the Special Requirements or Conditions of the certificate.

9. The wordings “under regulation 14 of the Merchant Shipping (Seafarers) (Certification of Officers) Regulation,” is suggested to be removed from the last paragraph of the existing Certificate as this Regulation only applies to officers but not ratings.

10. The proposed new format of the Minimum Safe Manning Certificate is annexed as Appendix IV for members’ consideration.

11. Under the new proposal prior to 1 January 2017, a typical minimum safe manning level for a cargo ship of 10,000 grt and above, 3,000 kW registered power, with UMS engine room and + MOD mooring arrangement would be:

OFFICERS			RATINGS		
Grade	STCW Reg.	No.	Grade	STCW Reg.	No.
Deck Officer Class 1	II/2	1	Able Seafarer Deck	II/5	-
Deck Officer Class 2	II/2	1	Ratings forming part of a navigational watch	II/4	4
Deck Officer Class 3	II/1	2	Other Deck Ratings	-	1
Engineer Officer Class 1	III/2	1	Able Seafarer Engine	III/5	-
Engineer Officer Class 2	III/2	1	Ratings forming part of an engineering watch	III/4	2
Engineer Officer Class 3	III/1	1	Other Engine Room Ratings	-	0
Electro-Technical Officer	III/6	-	Electro-Technical Ratings	III/7	-
			Ship’s Cook	-	See Note ¹

¹ The decision to include or exclude the ship’s cook on the Certificate will base on the result of this consultation.

12. On or after 1 January 2017, the minimum safe manning level for the same ship in paragraph 11 above would be:

OFFICERS			RATINGS		
Grade	STCW Reg.	No.	Grade	STCW Reg.	No.
Deck Officer Class 1	II/2	1	Able Seafarer Deck	II/5	4
Deck Officer Class 2	II/2	1	Ratings forming part of a navigational watch	II/4	1
Deck Officer Class 3	II/1	2	Other Deck Ratings	-	0
Engineer Officer Class 1	III/2	1	Able Seafarer Engine	III/5	2
Engineer Officer Class 2	III/2	1	Ratings forming part of an engineering watch	III/4	0
Engineer Officer Class 3	III/1	1	Other Engine Room Ratings	-	0
Electro-Technical Officer	III/6	See Note ²	Electro-Technical Ratings	III/7	See Note ²
			Ship's Cook	-	See Note ¹

13. A copy of the following documents is also enclosed for your easy reference:

- i. Appendix I – IMO Resolution A.1047(27) – “Principles of Minimum Safe Manning”;
- ii. Appendix II – IMO Resolution MSC.325(90) – “Adoption of Amendments to the International Convention for the Safety of Life at Sea, 1974, as amended;
- iii. Appendix III - The existing Minimum Safe Manning Certificate;
- iv. Appendix IV – The proposed new format of the MSM Certificate;
- v. Appendix V - The proposed new entries to the new certificate before 1 January 2017; and
- vi. Appendix VI - The proposed new entries to the new certificate on or after 1 January 2017.

¹ The decision to include or exclude the ship's cook on the Certificate will base on the result of this consultation.

² Large passenger ships and other ships with a lot of electrical equipment and installations may require the services of a dedicated Electro-Technical Officer or Rating or both. Electro-Technical Officer or Rating is not normally required on board cargo ships unless the owner or the management company of the ship required.

Consultation

14. Members are invited to take note of the changes on the proposed new certificate, namely the name of the ship operator would be included in the certificate. Furthermore, the grades of ratings will be changed from Seaman I, II, III and Motorman I, II, III to Ratings forming part of a navigational watch and Other deck ratings and Ratings forming part of an engineering watch and Other engine-room ratings. Taking into account that the new grade of “Electro-Technical Officer”, “Electro-Technical Rating”, “Able Seafarer Deck” and “Able Seafarer Engine” will enter into force on 1 January 2017, the proposed MSM Certificate will include these new grade.

15. As far as the ship’s cook is concerned, some Administrations like UK, Bahamas, Cyprus, Cayman Islands have included the ship’s cook on their MSM Certificate but Liberia, Marshall Islands, Panama, and Singapore did not include the ship’s cook on their certificates. Your advice is sought as to whether our MSM Certificate should include the ship’s cook or not.

16. This paper is seeking the members’ supports for the above proposal. Subject to the agreement, the application form and the guidance note for the application of MSM Certificate will also be amended accordingly.

Marine Department
March 2013