SAINT VINCENT AND THE GRENADINES

SHIPPING (TRAINING CERTIFICATION SAFE MANNING HOURS OF WORK AND WATCHKEEPING) REGULATIONS 2016

ARRANGEMENT OF REGULATIONS

SAINT VINCENT AND THE GRENADINES
STATUTORY RULES AND ORDERS

2016 NO. 29

(Gazetted 20th December, 2016)

IN EXERCISE of the powers conferred by sections 99 and 400 of the Shipping Act the Minister makes the following Regulations:

SHIPPING (TRAINING CERTIFICATION SAFE MANNING HOURS OF WORK AND WATCHKEEPING) REGULATIONS, 2016

Citation

1. These Regulations may be cited as the Shipping (Training Certification Safe Manning Hours of Work and Watchkeeping) Regulations, 2016

Interpretation

Cap. 363

2. (1) In these Regulations, unless the context otherwise requires—

"Act" means the Shipping Act;

"appropriate certificate" means a certificate of competency or certificate of proficiency;

"approved" means approved by the Government of Saint Vincent and the Grenadines;

"certificate of competency" means a certificate issued and endorsed for masters, officers and GMDSS radio operators in accordance with the provisions of chapters II, III, IV or VII of the STCW Convention and entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level of responsibility specified therein for the type of ship, tonnage or power and means of propulsion indicated by the endorsement while engaged on the particular voyage concerned;

"certificate of proficiency" means a certificate, other than a certificate of competency issued to a seafarer, stating that the relevant requirements of training, competencies or seagoing service in the STCW Convention have been met;

"chemical tanker" means a ship construed or adapted and used for the carriage in bulk of any liquid product listed under Chapter 17 of the International Bulk Chemical Code;

"chief engineer officer" means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;

"chief mate or first mate" means the officer next in rank to the master and upon whom the command of the ship will fall in the event of the incapacity of the master;

"deck officer" means an officer qualified to carry out the functions of an officer of a navigational watch;

"Director" means the Director for Maritime Administration or his appointed delegate and where applicable the Commissioner for Maritime Affairs;

"endorsement attesting the recognition of a certificate" means a document of the said entitlement issued under the provisions of the STCW Convention, 1978, as amended;

"function" means a group of tasks, duties and responsibilities as specified in the Schedule 1 to these Regulations, necessary for ship operation, safety of life at sea or protection of the marine environment;

"g.t." means gross tonnage;

"Merchant Shipping Notice" means a notice issued by the Director, a Saint Vincent and the Grenadines agency or

a person duly authorised by the Director in accordance with the provisions of these Regulations;

"Minister" means the Minister charged with responsibility for shipping and seafarers;

"near coastal voyages" has the meaning given to it in Schedule 8;

"officer" with respect to a seafarer means an individual other than the master, serving at the management level or the operational level;

"operational level" means the level of responsibility associated with–

(a) serving as officer in charge of a navigational or engineering watch or as designated duty engineer for periodically unmanned machinery spaces or radio operator or as electro-technical officer on board a seagoing ship; and

(b) maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction of an individual serving in the management level for that area of responsibility;

"Party or other party" means a State which is a party to the STCW Convention, 1978, as amended and has been found to give full and complete effect to the Convention requirements;

"propulsion power" means the total maximum continuous rated output power in kilowatts of all the ships main propulsion machinery which appear on the ship's certificate of registry or other official document;

"radio duties" include watchkeeping and technical maintenance and repairs conducted in accordance with the Radio Regulations, the International Convention

for the Safety of Life at Sea and the provisions of these Regulations;

"rating" means a seafarer serving at the support level;

"Registrar" means the Registrar of Ships, or the Director, or a proper officer;

"ro-ro passenger ship" means a passenger ship with ro-ro cargo spaces or specified category cases, as defined in the International Convention for the Safety of Life at Sea, 1974, as amended;

"sea-going service" means service on board a ship relevant to the issue of a certificate or other qualifications;

"sea-going ship" means a ship other than those which navigate exclusively in inland waters within, or closely adjacent to, shelter waters or areas where port regulations apply;

"second engineer" or "second class engineer" means the engineer officer next in rank to the chief engineer officer and upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the chief engineer;

"STCW Code" means the Seafarers' Training, Certification and Watchkeeping (STCW) Code annexed to the STCW Convention;

"STCW Convention" means the International Convention on the Standards of Training, Certification and Watchkeeping 1978, as amended.

"support level" means the level of responsibility associated with performing assigned tasks, duties, or responsibilities on board a sea going ship under the direction of an individual serving on the operational or management level;

"third engineer" means an officer qualified to carry out the functions of an officer in charge of an engineering watch.

(2) In the event that a term has not been defined in the Act or in these Regulations such term shall be interpreted in accordance with the STCW Convention.

Application

3. These Regulations apply to all sea-going ships registered in Saint Vincent and the Grenadines except—

(a) fishing vessels; and

(b) pleasure vessels which are less than 80 g.t or under 24 meters in length or wooden ships of primitive build.

Responsibility of company and master

4. (1) Each company and master, on board a Saint Vincent and the Grenadines ship shall be responsible for—

(a) the proper application of the provisions of these Regulations regarding—

(i) proper certification,

(ii) maintenance and proper availability of documentation on training,

(iii) medical fitness, and

(iv) competency of all sea-farers;

(b) the familiarisation of the officers and ratings with their specific duties and all ship arrangements, installation, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties;

(c) ensuring that the ship's complement can effectively co-ordinate; their activities in an emergency situation and in performing functions vital to the safety or the prevention or mitigation of pollution.

(2) In addition to the duties prescribed under sub regulation (1), the master of every ship shall be on board the vessel at all times during the voyage and shall be responsible for—

(a) the safety of the vessel, crew and passengers and the protection of the environment;

(b) the proper management and navigation of the vessel;

(c) applying the company's policy to ensure that safe continuous watches are maintained;

(d) arranging watch systems and organizing duties in the proper way so that every watchkeeping officer and rating are sufficiently rested in accordance with the provisions of these Regulations;

(e) the prompt receipt and storage, care and discharge of cargo;

(f) ensuring that on-board familiarisation and training of crew members take place in a proper and efficient manner;

(g) the maintenance of discipline on board in accordance with the provisions of the Act.

(3) Any company or master, who fails to comply with the provisions of this regulation commits an offence and shall be liable upon conviction to a fine as prescribed by the Director or any other duly authorised person.

(4) Any company who knowingly or without having so ascertained employs any person who is not so qualified as an officer or rating of any description commits an offence and upon conviction shall be liable to a fine not less than three thousand dollars which shall be paid to the Director or any duly authorised person.

Complement of officers

5. (1) Every Saint Vincent and the Grenadines ship when going to sea from any place shall be manned by the following officers—

(a) a master holding an endorsement attesting the recognition of his certificate appropriate to the capacity of the ship;

(b) in the case of a ship having more than one deck officer, each officer shall hold an endorsement attesting the recognition of his certificate relevant to his capacity;

(c) where the propulsion power of any ship is seven hundred and fifty kilowatts, or more, there shall be two qualified engineers, one of whom shall possess a chief engineer's endorsement attesting the recognition of

his certificate and the other, a chief or second engineer's endorsement attesting of his recognition of his certificate.

(2) The Director may prescribe the strength and nature of the crew required to be carried on every Saint Vincent and the Grenadines ship when going to sea from any place and different standards may be provided for different categories of ships.

(3) In the event of failure to comply with any of the provisions of this regulation the company or master shall be liable to a fine pursuant to section 101 of the Act.

(4) Where a master fails to settle the payment of a fine as prescribed under subregulation (3) the company shall be duly responsible for the settlement of the fine.

Issuance of endorsement attesting the recognition of certificates of competency

6. (1) Appropriate certificates of competency may be recognised by the Director in accordance with the provisions of these Regulations upon the receipt of any fee which may be payable; and the certificates of competency may be granted or recognised for each of the following grades, namely—

(a) master of a sea-going ship;

(b) chief officer or mate of a sea-going ship;

(c) officer of sea-going ship or officer in charge of a navigational watch;

(d) chief engineer;

(e) second engineer;

(f) third engineer or officer in charge of an engine room watch; and

(g) radio operator;

(h) electro-technical officer.

(2) The Director may recognise the authenticity of the endorsement of a certificate, if he is satisfied that such certificate was issued by another Party to the STCW Convention:

Provided that no person shall be granted an appropriate certificate unless such person—

(a) is at least eighteen years of age or twenty years in the case of a master for near coastal voyages;

(b) meets the required medical standards;

(c) is in possession of a valid appropriate certificate issued by another Party to the STCW Convention; and

(d) meets the conditions required for the issuance of a Certificate of Service as stated in Article VII (2) of the STCW Convention

(3) Prior to the issue of any endorsement attesting the recognition of a certificate, the Director shall contact the issuing Party found to give full and complete effect to the STCW Convention in order to ensure that prompt notification be given by the Party of any significant change in the arrangements for training and certification provided in compliance with the STCW Convention.

(4) Where the Director recognises a certificate pursuant to subregulation (2) he shall endorse the certificate to attest to its recognition provided that he is satisfied that the certificate complies with STCW Convention and such endorsement shall be in the form of a separate document entitled "Endorsement attesting the recognition of a certificate under the provision of the International Convention on Standards of Training, Certification and Watchkeeping, 1978, as amended".

(5) A person serving in any capacity as set out in the Schedule 2 to these Regulations shall hold an endorsement attesting the recognition of his certificate and such certificate shall be in compliance with the appropriate certificates issued for that capacity by any Party to the STCW Convention.

(6) A certificate shall only be issued if it complies with the criteria set out in the Schedule 2 to these Regulations.

(7) The validity of the certificate referred to in subregulation (4) shall not exceed the validity of the appropriate certificate to which it relates and the certificate shall not be valid for more than five years unless it is revalidated at intervals not exceeding five years to establish continued professional competence.

(8) The Director may withdraw an endorsement attesting the recognition of a certificate after notice to show cause has been provided to the person to whom the certificate has been issued.

(9) (a) The Director may, if the circumstance require allow a seafarer to serve on board a Saint Vincent and the Grenadines ship in a capacity other than just a radio officer for a period not exceeding three months:

Provided that the seafarer shall hold a valid certificate issued and endorsed as required by another Party to the STCW but which has not yet been endorsed so as to render the certificate appropriate for service on board any Saint Vincent and the Grenadines ship.

(b) Documentary proof shall be made readily available to the Director by the seafarer that an application for endorsement of this certificate has been submitted to the Maritime Administration.

Deck and Engineering Officer Qualifications

7. (1) Officer of the watch deck 500 GT or more must comply with section A-II/1 of the STCW Code.

(2) Masters and Chief mate 500 GT or more must comply with section A-II/2 of the STCW Code.

(3) Master and Officers of the watch deck less than 500 GT must comply with section A-II/3 of the STCW Code.

(4) Engineers officer of the watch engine 750 KW or more must comply with A-III/1 of the STCW Code.

(5) Chief engineer and second engineer propulsion power 3,000 KW or more must comply with section A-III/2 of the STCW Code.

(6) Chief engineer and second engineer officers propulsion power 750 KW to 3,000 KW must comply with section A-III/3 of the STCW Code.

(7) Electro-technical officers must comply with section A-III/6 of the STCW Code.

Rating qualifications for deck ratings

8. (1) Every rating forming part of a navigational watch other than ratings under training whose duties while on watch are of an unskilled nature, shall hold an appropriate certificate issued under the provisions of these Regulations.

(2) Every seafarer intending to serve on board a Saint Vincent and the Grenadines ship as rating forming part of a navigational watch shall—

(a) be not less than sixteen years of age;

(b) have completed approved seagoing service including not less than six months training and experience or special training, either pre-sea or on board ship, and such training shall include an approved period of sea-going service which shall not be for less than two months; and

(c) meet the standards of competence specifies in section A-II/4 of the STCW Code by providing an appropriate certificate of having achieved the required standards of competence, issued by another Party to the provisions to the STCW Convention;

(d) have a valid certificate of medical fitness.

(3) Every able seafarer deck serving on a seagoing ship of 500 gross tonnage or more shall—

(a) be not less than eighteen years of age;

(b) meet the requirements for certification as a rating forming part of a navigational watch;

(c) have completed approved seagoing service in the deck department of—

(i) not less than eighteen months; or

(ii) not less than twelve months and have completed approved training; and

(d) meet the standard of competence specified in section A-II/5 of the STCW Code.

Rating qualifications forming part of engine room watch

9. (1) Every rating forming part of an engine room watch or designated to perform duties in a periodically unmanned engine room on a ship of 750 kilowatts propulsion or more, except for ratings under training and ratings whose duties while on watch are of an unskilled nature; shall

hold an appropriate certificate issued under the provisions of this regulation pursuant to regulation III/4 of the STCW Convention.

(2) Every seafarer intending to serve on board a Saint Vincent and the Grenadines ship as rating forming part of a watch in a manned engine room or a rating designated to perform duties in a periodically unmanned engine room, shall—

(a) be not less than sixteen years of age;

(b) complete an approved seagoing service training either pre-sea or on board a ship for not less than six months and such training shall include an approved period of sea-going service for not less than two months;

(c) meet the standards of competence specified in the STCW Code by providing an appropriate certificate attesting such requirement issued by another Party of the STCW Convention;

(d) have a valid certificate of medical fitness.

Rating qualifications able seafarer engine

10. Every able seafarer engine serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more shall—

(a) be not less than eighteen years of age;

(b) meet the requirements for certification as a rating forming part of a watch in a manned engine-room or designated to perform duties in a periodically unmanned engine-room;

(c) have completed approved seagoing service in the engine department of—

(i) not less than twelve months; or

(ii) not less than six months and have completed approved training; and

(d) meet the standard of competence specified in section A-III/5 of the STCW Code.

Rating qualifications electro-technical

11. Every electro-technical rating serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more shall—

(a) be not less than eighteen years of age;

(b) have—

(i) completed approved seagoing service including not less than twelve months training and experience, or

(ii) completed approved training, including an approved period of seagoing service which shall not be less than six months, or

(iii) qualifications that meet the technical competences specified in table A-III/7 of the STCW Code and an approved period of seagoing service, which shall not be less than three months; and

(c) meet the standard of competence specified in section A-III/7 of the STCW Code.

Acceptance of Certificates

12. (1) An appropriate certificate for a rating forming part of a navigational watch, or certificate for a rating forming part of a watch in a manned engine room or designated to perform duties in a periodically unmanned engine room, issued by another Party shall be accepted as equivalent certificate for the employment of the holders of these certificates on board a Saint Vincent and the Grenadines ship.

(2) The Director shall maintain a record of the Parties whose certificates have been accepted by Saint Vincent and the Grenadines and such record shall include the details as stated in the Schedule 3 to these Regulations.

Registration of Certificates

13. (1) The Director shall keep a complete record and details of every certificate reconveyed by Saint Vincent and the Grenadines in accordance with the STCW Code, and such record shall include the details specified in the Schedule 3 to these Regulations.

(2) Every certificate recognised under this regulation shall be in duplicate, form one part to be delivered to the person in whose favour the certificate is granted and the other to be kept on record.

(3) The Director or any person authorised by him shall maintain a record of all certificates issued by them, and the record shall also show, if the certificate at any time has been revalidated, suspended, scheduled, lost, or destroyed and of any dispensation issued.

(4) Any certificate granted in accordance with these Regulations may after notice to show cause has been given to the person to whom the certificate has been issued, be suspended or cancelled by such authority as the Director may prescribe—

(a) for the prevention of fraud; or

(b) for reasons and subject to conditions that derive from any act or omission by the holder which may have posed a direct threat to the safety of life or property at sea or to the marine environment; such act or omission having been committed during the performance of his duties in relation to the certificate which he holds.

(5) Any person who—

(a) forges or fraudulently alters or assists in forging or procures to do same;

(b) makes, assists in making, or procure to be made;

(c) fraudulently uses an endorsement or recognition which has been forged, altered, cancelled or suspended;

(d) fraudulently lends his endorsement of recognition, or allows it to be used by any other person,

commits an offence and shall be liable upon conviction to a fine of not less than three thousand dollars, and a term of imprisonment of one year.

(6) Every certificate and record suspended or cancelled under subregulation (4) shall be admissible as *prima facie* evidence of the facts stated therein and shall have the same status as an official record for that purpose.

(7) The Director shall make available to any other Party or company information as the status of any certificate referred to in subregulation (4).

Medical fitness and medical certificates

14. (1) Every sea-farer either to be engaged for employment on board a Saint Vincent and the Grenadines flagged sea-going vessel or entitled to hold an endorsement of a recognition of a certificate issued by the Director or any duly authorised person shall produce a certificate of medical fitness for the work which the seafarer shall be employed to do at sea.

(2) The medical certificate shall describe the age of the person concerned and the duties to be performed.

(3) Pursuant to subregulation (2) the certificate shall attest that the hearing and eyesight of the person examined are satisfactory and where the person so examined is to be employed in the deck department the certificate shall also attest that the colour vision of the person is satisfactory.

(4) The medical certificate shall be signed by a general practitioner who shall be authorised by the Minister to issue such a certificate.

(5) The Director shall maintain a list of general practitioners whose medical certificates are accepted and such acceptance shall be based on an authorised list by any other Party to the STCW Convention.

(6) The Director shall on request to do so, make the list available to any other Party, or company.

(7) The validity of the medical certificate shall not exceed a period of two years from the date it was issued save that a medical certificate relating to colour-vision shall be valid for a period not exceeding six years.

(8) Any medical examination or any medical certificate required for the purpose of these Regulations shall cover as minimum the requirements as stipulated in the Schedule 4 to this regulation.

(9) Every Saint Vincent and the Grenadines ship shall have on board as part of her complement at least one dully qualified medical practitioner.

Application and Port State Control Procedures

15. (1) This regulation shall apply only to Port and Flag State Control with specific reference to the guidelines of Article B-¼ of the STCW Code.

(2) An adult authorised officer to whom an order is given shall while a ship is in a port of Saint Vincent and the Grenadines verify that—

(a) all seafarers entered in the ship's document of safe manning of the ship and in the crew list, have the relevant valid certificates of competence;

(b) either an appropriate or valid certificate or a valid dispensation or an endorsement by a flag state administration for recognition in accordance with the

STCW Convention has been issued for every seafarer who is serving on board and is required to be certified in accordance with the STCW Convention;

(c) the organisation and established order of watchkeeping on board the ship comply with the requirements and principles of watchkeeping on the bridge in the engine room at sea and at port according to the STCW Code in a manner which shall not endanger persons, property, or the environment;

(d) the master has provided the first watch staff able to perform it's obligations when commencing voyage, and the staff for following schedule watches according to the STCW Code;

(e) documented evidence exists that crew members have been duly instructed and acquainted with respect to their general obligations and those in relation with the general alarm schedules.

(3) In exercising Port State Control, a duly authorised officer shall ensure that all possible efforts are made to avoid any foreign ship from being unduly detained or delayed—

Provided that if any deficiencies are found in contravention of the STCW Convention and the deficiencies remain uncorrected in such a way that it poses danger to any person, property or the environment the duly authorised officer shall take the necessary steps to ensure that the ship will not sail until the requirements are met to the extent that the danger has been removed and all the facts taken in relation to the action shall be reported to the Director who shall communicate this information to the Secretary-General.

Mandatory minimum requirements for seafarers on board Saint Vincent and the Grenadines passenger and ro-ro vessels

16. (1) Every seafarer travelling on board a Saint Vincent and the Grenadines passenger and ro-ro vessel shall be required to provide documentary evidence of having achieved the required standards of competence, as stated in the Schedule 5 to these Regulations prior to being assigned shipboard duties on board the vessel.

(2) Pursuant to subregulation (1) the documentary evidence shall be issued by a training institute duly recognised by any Party to the STCW Convention.

(3) A seafarer who is required to be trained in accordance with the requirements of the Schedule 5 shall at intervals not exceeding five years, undertake appropriate refresher training or be required to provide evidence of having achieved the required standard of competence within the previous five years.

Mandatory minimum requirements for the qualification of masters, officers, rating and other personnel on Saint Vincent and the Grenadines passenger and ro-ro vessels

17. (1) This regulation shall apply to masters, officers, ratings and other personnel serving on-board ro-ro passenger vessels engaged in international voyages.

(2) Every seafarer travelling on board a Saint Vincent and the Grenadines passenger and ro-ro vessel shall be required to provide documentary evidence of having achieved the required standards of competence, in accordance with the requirements stipulated in the Schedule 5 prior to being assigned ship-board duties on board a passenger or ro-ro passenger vessel.

(3) The documentary evidence as stated in the Schedule 5 of these Regulations shall be issued by a training institute duly recognised by any Party to the STCW Convention.

Mandatory minimum requirements for seafarers on Saint Vincent and the Grenadines tankers

18. (1) The regulations shall apply to masters, officers, rating and other personnel on board Saint Vincent and the Grenadines tankers.

(2) Every officer and rating assigned specific duties in relation to cargo and cargo equipment on tankers shall provide documentary evidence of having achieved the required standard of competence in accordance with the provisions of the STCW Code.

(3) Every master, chief engineer officer, chief mate, second mate, second engineer and any other person with immediate responsibility for loading, discharging and care in transit or handling of cargo on tankers shall in addition to meeting the requirements as provided in subregulation (2) provide documentary evidence of having achieved the required standard of competence or proficiency appropriate to their duties on an oil tanker or a liquefied tanker on which they served in accordance with the provisions of the STCW Code.

(4) An appropriate certificate shall be provided by every master and officer who intend to serve on Saint Vincent and the Grenadines tankers and the certificate shall only be recognised and endorsed by the Director if he is satisfied that the requirements under subregulations (2) and (3) have been met.

(5) Any rating that is so qualified shall be required to provide an appropriate certificate in accordance with subregulations (1) and (2) in order to be accepted as equivalent for service on board a Saint Vincent and the Grenadines tanker.

(6) The appropriate certificates and documentary evidence as required by this regulation shall be those issued by any other Party to the STCW Convention.

Mandatory minimum requirements for familiarisation, basic training and instructions for all seafarers

19. (1) The following mandatory minimum requirements shall be required by all seafarers in the following instances—

(a) with respect to familiarisation training or instructions the training or instructions shall be in accordance with the STCW Convention and it shall be a requirement that all seafarers serving on board a ship:

Provided that certificate or documentary evidence shall be required for familiarisation training conducted in accordance with the STCW Code and the relevant entries shall be appropriately recorded in a training book of the vessel's log book;

(b) with respect to basic training, every seafarer and member of a ship's crew designated to carry out the tasks relevant to safety or pollution functions of the ships shall, before being assigned to their ship-board duties provide documentary evidence of the training issued within the last five years by any other Party to the STCW;

(c) with respect to a proficiency in survival craft, rescue boats and fast rescue boats, every seafarer and any other person involved in functions relevant to survival craft and rescue boats other than fast rescue boats, shall not be less than eighteen years old and shall hold a certificate of proficiency in survival crafts and rescue boats in accordance with the standard of competence issued by any other Party to the STCW Convention and every seafarer shall be required to produce documentary evidence of having received the required standard of competence under the STCW Convention;

(d) with respect to advanced fire-fighting a seafarer serving on board any Saint Vincent and the Grenadines flagged vessel prior to being designated to control fire fighting operations shall be required to produce documentary evidence issued by any other Party to the STCW Convention of having achieved the required standard of competence, in accordance with the STCW Code within the last five years;

(e) with respect to medical first aid and medical care, a seafarer designated to provide medical first aid or to take charge of medical care on board a Saint Vincent and the Grenadines flagged vessel must meet the standard of competence in medical first aid specified in section A-VI/4, paragraphs 1 to 3 of the STCW Code and shall provide corresponding documentary evidence, issued by a duly authorised body in Saint Vincent and the Grenadines or another Party to the STCW Convention.

(f) with respect to ship security a seafarer designated as a ship security officer or to take charge of ship security must hold a certificate of proficiency for the performance of the duties or functions of such roles. A certificate of proficiency may only be issued to a person who meets the criteria specified in STCW Regulation VI/5, paragraph 1.

(2) For the purpose of subregulation (1) (f), the role of the seafarer would include the person on board a ship, accountable to the master, designated by the company as responsible for the security of the ship including implementation and maintenance of the ship security plan and liaison with the company security officer and port facility security officers.

Revalidation of Certificates

20. (1) Any certificate held by a master, officer, or radio operator issued in accordance with the provisions of the STCW Convention shall be revalidated at intervals not exceeding five years in order to establish professional competence in accordance with the STCW Code.

(2) Pursuant to subregulation (1) the Director shall require as a minimum for the revalidation of certificates, the following—

(a) a valid seafarer's identification book;

(b) a valid medical certificate issued by a recognised practitioner;

(c) knowledge of the recent changes in National and International Regulations concerning the safety of life at sea and the protection of the marine environment;

(d) a revalidation appropriate certificate by an issuing Party to the STCW Convention.

(3) The certificate referred to under subregulation (1) shall not remain valid where the appropriate certificate issued by another Party has expired.

(4) For the purpose of the Safety of Life at Sea Convention, all ships that are within the scope of this regulation shall be in compliance with the requirements of the International Maritime Organisation.

(5) A company shall ensure that all personnel involved in the company's safety management at sea have adequate knowledge and understanding of the relevant rules, regulations, and guidelines with respect to the company's plan for providing all personnel involved in safety and pollution prevention with information on mandatory requirements along with the relevant legislation Convention rules and guidelines which may be applicable.

Application and radio, personnel and radio watchkeeping on a Saint Vincent and the Grenadines vessel

21. (1) This regulation applies to all ships of 300 g.t. or more engaged in international voyages and to all passenger ships engaged in international voyages carrying more than twelve passengers.

(2) Every ship as from the first of February, 1999, and depending on the area in which the ship sails shall be fitted with a radio installation in accordance with the SOLAS Convention, 1971, as amended in 1998, depending on the sea area in which the ship sails:

Provided that a ship not bound to comply with this regulation, the ship shall be fitted with a radio installation to the satisfaction of the Director.

(3) Every ship shall carry in accordance with the provisions of this regulation personnel properly certified by another Party in accordance with Chapter IV of the STCW Convention as amended, and the provisions of the Radio Regulations issued by a Party to the STCW Convention.

(4) The master of every vessel shall ensure that the radio watchkeeping arrangements are at all times in accord with Chapter VII of the STCW Code, the provisions of Chapter IV of the SOLAS Convention, and the Telecommunications Communications Act along with any other requirements.

Fitness for duty

22. (1) Each company and master shall—

(a) establish and enforce a watch system and work schedule to ensure that fatigue does not impair the efficiency of the watch keeping seafarers;

(b) establish and maintain procedures to ensure that a table with the ship's working arrangement for every

watchkeeping position be posted in a conspicuous place;

(c) establish and maintain procedures in order to ensure that a record file including the hours of work arranged in accordance with the requirements of the company for all watchkeeping and crew members is kept on board the ship.

(d) ensure that no seafarer shall take over a watch or perform designated safety, security or marine environmental duties, while impaired by alcohol or drugs.

(2) For the purpose of subregulation (1) (d) it shall be taken that any seafarer with a blood alcohol level greater than 0.05% or greater than 0.25mg/1 in breath shall be classed as impaired.

General duty of company, employers and masters

23. Subject to regulation 25(4) it shall be the duty of every company to ensure, as far as is reasonably practicable that the masters and seamen on board a ship do not work more hours than is safe in relation to the safety of the ship, and the performance of their duties.

Duties of master and seamen

24. Every master and seaman shall, so far as is reasonably practicable, ensure that he is properly rested on commencement of his duty on a ship and that he obtains adequate rest during the period when he is not on duty.

Schedule of duties, and need to record

25. (1) Every company shall produce a schedule of duties in compliance with this regulation.

(2) Pursuant to subregulation (1) the company shall seek and convey the views of the Safety Committee of the ship, the seamen or their respectives before producing the schedule.

(3) A schedule shall comply with subregulation (1) where—

(a) it set out the hours of work for—

(i) masters and seamen whose work includes regular watchkeeping duties or ship handling, and

(ii) it provides that the chief engineer, chief officer and second engineer officer of the ship do not work more hours than is safe in relation to the

safety of the ship and the performance of the master and seamen performance of their duties;

(b) it specifies the maximum period of continuous watchkeeping, the minimum rest period between watches, and the total daily, weekly, and monthly hours of work;

(c) it provided a minimum of ten hours of rest in any twenty-four hour period which may be divided into no more than twenty-seven periods, one of which shall be at least six hours in length.

(4) The company shall in arranging the hours of work give consideration to the category of shipping operation to be undertaken.

(5) The schedule may be changed by the company on condition that—

(a) the views of the master after his consultation with the ship's safety committee, the seamen or their representatives on the proposed changes have been sought;

(b) such company schedule as arranged complies with subregulation (3).

(6) The company shall ensure that the schedule is conspicuously written and permanently displayed in the crew accommodation for the information of all the seamen.

(7) The master shall ensure as far as is reasonably practicable, that the hours of work specified in the schedule are not exceeded.

(8) The company and the master shall maintain on the ship a copy of the schedule and a record of all deviation from the proposed requirements.

(9) The company shall for the time being ensure that a copy of the schedule and a record of all deviations from its requirements are preserved for five years from the date of introduction of the schedule and that the Schedule 2 be made available for inspection by a Superintendent of the company, a person authorised by the Director and the Surveyor of ships:

Provided that if during the five year period there ceases to be a company in relation to the ship, the duty to preserve the copies of the schedule and record shall remain with the subsequent company.

Exception for emergencies

26. (1) The requirements for rest period specified in regulation 25, subregulation (3)(*c*) shall not be maintained in the case of any emergency drill or in other overriding operational conditions.

(2) Notwithstanding subregulation (1), a master of a ship or a seaman may participate in a navigational, engine room or machinery watch although he has not had the rest period required by the schedule under regulation 2(3), and the master may exceed, and a seaman may be required to exceed the schedule's work in duty periods, where in the opinion of the master it is necessary in a situation of an emergency the safety of the ship, the life of any person, or damage to the environment.

(3) Pursuant to subregulation (1), where the master or seaman has worked with a rest period provided for by the schedule, his name shall be entered in the record required to be maintained.

(4) Where in the opinion of the master, it is necessary in the situation of an emergency which may threaten the safety and life of any person on board the ship at sea, or damage to the environment the master may exceed, and a seaman may be required to exceed his scheduled work or duty period.

Watchkeeping arrangements and principles to be observed

27. (1) Every master of a ship shall ensure that watchkeeping arrangements are adequate for maintaining a safe watch or watches, taking into consideration to circumstances and conditions which may prevail.

(2) A master shall ensure that under his general direction—

(a) officers in charge of the navigational watch shall navigate the ship safely during their periods of duty and that the said officers be on the navigating bridge or in a directly associated location such as the chartroom or bridge control room at all times;

(b) radio operators shall maintain a continuous radio watch on appropriate frequencies during their periods of duty;

(c) officers in charge of an engineering watch, as defined in STCW Code and under the direction of the chief

engineer officer, shall be immediately available and on call to attend to the machinery spaces and shall be physically present in the machinery space when required, during their periods of responsibility;

(d) appropriate and effective watch or watches be maintained for the purpose of safety at all times, while the ship is at anchor or moored and where the ship is carrying hazardous cargo the organisation of such watch or watches shall take full account of the nature, quantity, packing and storage of the hazardous cargo and any special conditions prevailing on board, afloat or ashore.

(3) Any deficiencies in keeping a safe watch at all times which may pose an anger to, property of the ship or the environment such as—

(a) failure to comply with the requirements for arranging a safe navigational, engineering and radio watch at all times;

(b) absence on a watch by a person who is properly qualified; and

(c) the inability of the master to provide adequately rested persons for the first watch at the commencement of the voyage and for subsequent relieving watches,

shall be considered an offence and the master, chief engineer and any other person responsible shall be liable to a fine as may be prescribed by the Director or duly authorised person and the ship may be detained.

Types of Certificates issued under the provisions of the STCW Convention

28. (1) The type of certificate issued by the Maritime Administration in accordance with the STCW Code shall be titled "Endorsement attesting the recognition of a certificate under the provisions of the STCW Convention, 1978, as amended".

(2) Section B-1/2 of the STCW Code as set out in the Schedule 6 to these Regulations shall form an integral part of this regulation with respect to guidelines on the completion of the form.

Marine Investigation Personnel action

29. (1) For the purposes of this regulation—

"charge" means the designation in general act supported by one or more specification and shall not constitute evidence nor shall any inference be drawn from the fact that the holder of a certificate and document has been the subject of a charge;

"Committee" means a body designated by the Director for the purpose of conducting investigations of marine casualties or matters pertaining to the conduct of persons issued a certificate and document by the Maritime Administration and such committee as established shall follow the procedural guidelines of resolution A 849(20) of the IMO code for the investigation of marine casualties and incidents;

"incompetence" means the inability on the part of a person to perform the required duties due to professional deficiencies, physical disability, mental incapacity, or any combination thereof;

"misconduct" means an act that is forbidden or failure to do such act as is required by rules found in any law, regulation or order, shipping articles or similar source;

"negligence" means the commission of an act that a reasonable and prudent person of the same station, under the same circumstances would not commit in the failure to perform an act that a reasonably and prudent person of the same circumstances would not fail to perform;

"specification" means the facts set forth which forms the basis of a charge and enables the respondent to identify the act or offence in preparation of a defence and such specification shall state the basis for jurisdiction, the date and place of the act or offences and the facts constituting the alleged act or offence.

Responsibility of the Committee

30. The Committee shall be responsible for the impartial investigation of—

(a) any reported incompetence act or omission which may result in an accident or pose a direct threat to the safety of life, property at sea, or the marine environment by the holders of certificates or endorsements issued by a Party in connection with their performance of duties relating to their certificates;

(b) the withdrawal, suspension and cancellation of a certificate for any cause;

(c) fraudulent actions.

Establishment of Committee

31. (1) The Committee shall establish policies and procedures for administrative actions against the holder of a certificate or a document issued by the Director or any duly authorised person and shall act as a guide for any officer who is to perform a marine investigation.

(2) Any administrative action taken against a holder of a certificate and document issued by the Maritime Administration shall be remedial and not penal in nature and such remedial action shall assist in maintaining the standards of competence and conduct essential to the provision of safety at sea.

Person acting under the authority of certificate and document

32. (1) A person employed in the service of a vessel shall for the purpose of this regulation be deemed to be in acting under the authority of a certificate and document if the certificate or document is—

(a) required by law or regulation; or

(b) required by an employer as a condition for employment;

(c) used while the person is engaged in official matters regarding the certificate and document and this shall include but shall not be limited to such acts as applying for the renewal of a certificate and documents, taking examinations for upgrading or endorsements, requesting duplicate or replacement certificates and documents or when appearing at a hearing under this regulation.

(2) A person shall not cease to act under the authority of a certificate and document while on unauthorised shore leave from the vessel.

Offences for which revocation of certificates and documents is mandatory

33. (1) The Director shall enter an order revoking a certificate and document of any person where—

(a) a charge of misconduct for wrongful possession, use, sale or association with a dangerous drug is found and proved and in cases involving marijuana:

Provided that the Director may enter an order less than revocation if he is satisfied that the use, possession or association of marijuana was as the result of experimentation by the person and that the respondent has submitted satisfactory evidence that he is cured of such use and that the possession or association shall not recur;

(b) the respondent has been a user of, or addicted to the use of a dangerous drug, or has been convicted for a violation of dangerous drugs laws, whether or not further court action in pending; and where the charge is found proved and the conviction becomes final.

(2) For the purposes of paragraph (*b*) above, a conviction becomes final when **no** issue of law or fact determinative of the respondent's guilt remains to be decided.

Acts or offences for which revocation of certificates and documents may be sought

34. (1) The Committee may seek revocation of a respondent's certificate and document where one of the following acts or offences is found proved—

(a) incompetence;

(b) interference with a master, an officer on the ship or any government official in the performance of his official duties;

(c) wrongful destruction of any property of the ship;

(d) cause of injury resulting in death;

(e) pollution of the environment.

(2) Where the circumstances of an act or offence found proved or consideration of any prior record of the person indicates that permitting the person to serve under the certificate and document would be a threat to the safety of life or property, or detrimental to good discipline the committee shall seek revocation of the person's certificate and document.

Standard of proof

35. (1) In proceedings conducted by the Committee, all finding must be supported by and in accordance with the reliable, probative and substantial evidence.

(2) For the purpose of subregulation (1), "evidence" means findings of such probative value as a reasonable, prudent and responsible

person is accustomed to rely upon when making decisions on important matters and includes admitted or no contest answers.

(3) The physician-patient privilege shall not exist between a physician and any person charged in the respondent in the conduct of these proceedings.

Conduct of investigations

36. (1) Investigations may be conducted by the Committee in any case where it appears to the Committee them that there are reasonable grounds to believe that the holder of a certificate and document issued by the Director or other duly authorised person may have—

(a) been incompetent, committed an act of misconduct, or negligence while acting under the authority of such certificate and document;

(b) violated or failed to comply with National and International Regulations, or any other laws or regulations intended to promote marine safety or to protect the navigable waters while acting under the authority of such certificate and document;

(c) been convicted of a dangerous drug law violation, or has been a user of or addicted to the use of a dangerous drug.

(2) In order to promote full disclosure and facilitate determinations as to the cause of marine casualties, no admission made by any person during an investigation shall be used against the person in any proceedings against him save for the investigation of an alleged impeachment against the said persons.

Powers of the Committee

37. The Committee may during an investigation administer oaths and issue subpoenas requiring any person having knowledge of the subject matter of the investigation to appear before them and answer questions.

Course of action available to Committee

38. The Committee may during an investigation take any of the appropriate action as follows—

(a) prefer the charges;

(b) accept a voluntary surrender of a certificate and document;

(c) accept a voluntary deposit of a certificate and document;

(d) refer the case to another authority for further action;

(e) where an adequate basis for the action is found and the person under investigation or any witnesses are required for questioning are not locally available;

(f) give a written warning to any person holding a certificate and document and refusal to accept the written may result in withdrawal of the warning, and the perferral of charges and an unrejected warning shall also become part of the record of the person charged;

(g) close to the case.

Preparation and service of charges and specification

39. (1) The Committee shall when preferring charges prepare the charges with a notice of time, date and place of the hearing.

(2) The original copy of the charges and specifications and notice of the time, date and place for hearing shall be served upon the respondent, either by personal service or certified mail.

(3) Upon service being effected on the respondent; a return receipt shall be signed by the addressee only.

(4) A notice of service shall be made sufficiently in advance of the time set for hearing so as to give the respondent a reasonably opportunity to prepare his defence.

(5) At the time of service whether served on the respondent or by registered mail the respondent shall also be advised with respect to—

(a) the nature of suspension and revocation proceedings and the possible results thereof;

(b) the right to have representation by counsel at the hearing and that such counsel may be but need not be, a lawyer;

(c) the right to have witnesses, records, or other evidence subpoenaed; and that

(d) failure to appear at the time, date and place specified by the notice may result in the hearing proceeding in his absence.

(6) Where the alleged act involves mental, or physical incompetence, the Committee shall recommend to the respondent that he procures counsel and that evidence of a medical certificate shall be accepted.

Deposit or surrender of certificate and document

40. (1) A holder of a certificate and document may deposit the certificate and document with the Maritime Administration in any case where there is evidence of mental or physical incompetence and such voluntary deposit shall be accepted on the basis of a written agreement, specifying the conditions upon which the Maritime Administration shall return the original certificate and document to the holder.

(2) Where the mental or physical incompetence of a holder of a certificate and document is caused by use of or addiction to dangerous drugs or alcohol a voluntary deposit shall only be accepted contingent on the following circumstances—

(a) the holder is enrolled in a drug or alcohol abuse rehabilitation programme;

(b) the holder's incompetence did not cause or contribute to a marine casualty; and

(c) the incompetence was reported to the Maritime Administration by the holder or any other person and was not discovered as a result of investigations made by the Committee.

Voluntary surrender to avoid hearing

41. (1) A holder of a certificate and document may surrender to the Maritime Administration, in preference to appearing at a hearing.

(2) Any holder who voluntarily surrenders a certificate and document shall sign a written statement containing the stipulation that—

(a) the surrender is made voluntary in preference to appearing at a hearing;

(b) all rights to the certificate and document surrender are permanently relinquish; and

(c) any rights with respect to a hearing are waived:

Provided that a voluntary surrender of a certificate and document to the Committee in preference to appearing at a hearing shall not be accepted by the Committee unless the Committee is satisfied that the holder fully realises the effect of such surrender.

Return or assurance of documents of seafarer

42. (1) A seafarer of any documents may request the return of a voluntarily deposited certificate and document at any time, provided he can demonstrate—

(a) a satisfactory rehabilitation or cure of the condition which caused the incompetence;

(b) compliance with any other conditions of the written agreement executed at the time of deposit; and

(c) compliance with the physical and professional requirements of the insurance of a certificate and document.

(2) Where the voluntary deposit is based on incompetence as a result of drug abuse, the deposit agreement shall provide that the certificate and document shall not be returned to the holder until he—

(a) successfully completes a *bona fide* drug abuse rehabilitation programme;

(b) demonstrate complete non-association with dangerous drugs for a minimum of six months after completion of the rehabilitation programme; and

(c) is actively participating in a *bona fide* drug abuse monitoring programme.

(3) Where the voluntary deposit is based on incompetence due to alcohol abuse, the deposit agreement shall provide that the certificate and document shall not be returned until the person—

(a) successfully completes a *bona fide* alcohol abuse rehabilitation programme; and

(b) is actively participating in a *bona fide* alcohol control abuse monitoring programme.

(4) The voluntary surrender of a certificate and document shall be equivalent to the revocation of such papers.

Grant of dispensation

43. (1) The Maritime Administration of Saint Vincent and the Grenadines may in circumstances of exceptional necessity, and provided that in doing so, there will be no danger to persons property or the environment, issue a dispensation permitting a specified sea farer to serve on a specified ship for a period of no more than six months in a capacity for which he does not hold an appropriate certificate:

Provided that such a dispensation shall not be issued to personnel serving as radio operators.

(2) A dispensation may be granted to a master or chief engineer officer only in circumstances of "force majeure" and in no case shall it last longer than is necessary to either complete the voyage of the ship, or to reach the first port of call, whichever is earlier.

(3) All details with respect to grant of a dispensation by the Maritime Administration of Saint Vincent and the Grenadines in accordance with Article VIII of the STCW Convention shall be included in a circular providing information to every Party concerned through their respective Port Authorities, and other Parties to the Convention in lieu of accepting the dispensations.

(4) The Maritime Administration shall as soon as possible after January 1st of each year, send a report to the Secretary-General giving information of the total numbers of dispensations in respect of each capacity for which a certificate is required that have been issued during the year to sea going ships, together with information as to the number of those ships above and below one thousand, six hundred g.t. respectively.

Summary of procedures followed for the grant of dispensations under Article VIII

44. (1) An application for dispensation shall only be accepted from a company and the following information namely—

(a) the name of the ship, port of registry, international call sign, and other radio call sign such as MMSI and IMO number;

(b) the present location of the ship, estimated date of departure, ports of call during the dispensation period requested, the cargo on board at present and that expected to be back during the dispensation period;

(c) the name of the master or the chief engineer and the number of his STCW certificate;

(d) specification of the post concerned, the date and circumstances under which it becomes vacant and the efforts being made to locate a properly qualified replacement;

(e) the full name, date of birth and the previous five years experience of the seafarer;

(f) details of the STCW certificate held by the seafarer, including country, date issue, registered number and any date of expiry,

shall be requested by the company for reasons of control and so that the relevant registry may be kept by the authorities.

(2) On receipt of any application, action shall be taken by the duly authorised authorities to investigate—

(a) the accident and incident record of the ship over the previous two years;

(b) the frequency and the reasons for applications for dispensation made by the company within the previous two years provided that no more than one dispensation shall be used on board the ship at any time;

(c) the authenticity and validity of the STCW certificate held by the seafarer and his suitability to temporarily fill the post concerned, and the following measures shall be taken into account, that is—

(i) with respect to a dispensation issued for the post of chief mate, the seafarer concerned shall hold an STCW certificate of an officer in charge of a navigational watch on ships of 500 g.t. or more, and the reported recent experience of the seafarer in the relation to type of ship, tonnage and voyage type and the nature of cargo shall not be less than twelve months;

(ii) with respect to a dispensation issued for the post of second engineer officer, the seafarer concerned shall hold an STCW certificate of an officer or as a

designated duly officer in a periodically unmanned engine room and the recent reported experience of the seafarer on a seagoing ship powered by main propulsion machinery of 750 kilowatts propulsion power shall not be less than twelve months.

(3) A specimen of a document issued for dispensation under the provisions of Article VII of the STCW shall be found in the Schedule 7 to these Regulations.

(4) Pursuant to subregulation (2) above—

(a) the validity of a dispensation shall never exceed a time period of more than six months;

(b) the circumstances for a dispensation shall be of an exceptional necessity and in any case appropriate action shall be taken to ensure that there will be no danger to persons, property or the environment;

(c) the issue of dispensations with respect to GMDSS radio communication functions shall not be permitted;

(d) dispensations may only be issued at the master or chief engineer level in circumstances of "force majeure".

Repeal of Regulations

45. The Merchant Shipping (Standards of Training, Certification and Watchkeeping for Seafarers) (No. 2) Regulations 2001, is repealed.

SCHEDULE 1

[Regulation 2]

Functions—

(1) Navigation

(2) Cargo handling and stowage

(3) Controlling the operation of the ship and care of persons on board

(4) Marine engineering

(5) Electrical, electronic and control engineering

(6) Maintenance and repair

(7) Radio communications.

Levels of responsibility—

(1) Management Level—

(a) Master

(b) Chief Mate

(c) Chief Engineer

(d) Second Engineer

(2) Operational Level—

(a) Officers in charge of a navigational watch

(b) Officers in charge of an engineering watch in a manned engine room of designated duty engineers in periodically unmanned engine room

(c) Radio personnel

(d) Electro-technical Officer

(3) Support Level—

(a) Able Seafarer Deck

(b) Able Seafarer Engine

(c) Ratings forming part of a navigational watch

(d) Ratings forming part of a watch in a manned engine room or designated to perform duties in a periodically unmanned engine room

(e) Electro-technical Rating

(4) Tasks, duties and responsibilities —

(a) Navigational officers must be qualified in functions 1, 2 and 3 (deck);

(b) Engine officers must be qualified in function 3 (engine) 4, 5 and 6;

(c) Electro-technical Officer

(d) Able Seafarer Deck

(e) Able Seafarer Engine

(f) Ratings forming part of a navigational watch must be qualified in function 1 at the support level (3)(*c*);

(g) Ratings forming part of a watch in a manned engine room must be qualified in function 4 of the support level (3)(*d*).

(h) Electro-technical Rating

SCHEDULE 2

[Regulation 6]

Deck Department	Deck Department
Officer in charge of a navigational watch on a vessel of 500 g.t. or more not limited to near coastal voyages.	Regulation 11/1.2
Officer in charge of a navigational watch on a vessel of 500 g.t. or more not limited to near coastal voyages.	Regulation 11/1.2
Officer in charge of an navigational watch in ship of less than 500 gross tonnage or near coastal voyages.	Regulation 11/3.4
Master of a vessel of less than 500 g.t. or near coastal voyages.	Regulation 11/3.6
Certificate of Service as Master of less 500GT on near coastal voyages	Article VII 3 (2)
Certificate of Service as OOW of less than 500GT on near Coastal Voyages	Article VII 3 (2)
Engine Department	**Criteria to be Complied With**
Third engineer on officer in charge of an engineering watch in a manned engine from a designated duty engineer officer in a periodically unmanned engine room on a ship powered by main propulsion machinery of 750 KW propulsion power or more.	Regulation 111/1.2
Chief engineer officer and second engineer officer on a ship powered by main propulsion machinery of 3000kw propulsion power or more.	Regulation 111/2.2

Certificate of Service as Chief Engineer on near Coastal Voyages	
Certificate of Service as OOW engineer, on near Coastal Voyages	Article VII (2) Article VII (2)
Radio Department	Criteria to be Complied With
Radio operators on GMDSS Vessels	Regulation IV/2
Radio operators on non-GMDSS Vessels	Regulation IV/1
Deck/Engine Department	Deck/Engine Department
Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on tanks.	Regulation V/1.2
Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging and care in transit or handling of cargo on tankers.	Regulation V/2
Mandatory minimum requirements for the training and qualifications of masters, officers, ratings and other personnel on passenger ships other than ro-ro passenger ships.	Regulation V/2
Deck/Engine Department	Criteria to be Complied With
Mandatory minimum requirements for the training and qualifications of masters, officers, ratings and other personnel on passenger ships other than ro-ro passenger ships.	Regulation V/3

SCHEDULE 3

[Regulations 12 and 13]

Record details shall include the following details for every certificate—

(*a*) Certificate details—

Seafarers' full name

Date of birth

Nationality

Sex

Photograph (preferable)

Relevant document number

Date of issue

Date of expiry

Last revalidation date

Details of dispensation(s)

(*b*) Status of certificate—

Valid

Suspended

Cancelled

Reported Lost

Destroyed

(*c*) Competency details—

STCW competency standard (relevant regulation)

Capacity

Function

Level of responsibility

Endorsement(s)

Limitations

(*d*) Medical status—

Date of issue of latest medical certificate relating to the issue of revalidation of an endorsement of recognition certificate.

SCHEDULE 4

[Regulation 14]

Minimum Medical Examination Requirements

1. General physical examination including an X-ray of the chest

2. Condition of the nervous system

3. Condition of the cardiovascular system

4. Condition of the respiratory system

5. Oral health

6. Condition of the digestive system

7. Condition of the genitor urinary system

8. Condition of the skin

9. Condition of the musculo-skeletal system

10. Vision

11. Minimum in-service-eye-sight standards are those provided by the STCW Code, Annex II, Section B, Guidance regarding medical standards – issues and registration of certificates paragraphs 7 to 11 and table B-I/9

12. ***Hearing.***—Hearing capacity for experienced seafarers shall be—

Frequency	500	1,000	2,000	ips
One ear	20	20	20	db
Other	20	30	40	cps
Ear	3,000	4,000	6,000	db

(Speech hearing 3 metres and 2 metres respectively)

13. Medical disorders

14. Disease of the blood and blood forming organs

Medical certificates shall contain as a minimum the following data—

(1) Name and surname of the seafarer

(2) Nationality of the seafarer

(3) Date of birth of the seafarer

(4) Signature of the seafarer

(5) Capacity of the seafarer

(6) Date of issue

(7) Signature of the physician

(8) Limitations, if any.

SCHEDULE 5

[Regulations 16 and 17]

	Training Requirements	STCW 1995 Code ro-ro Passengers	STCW 1995 Code Passengers
(a) Those designated on muster lists to assist passengers	Crowd management	A-V/2 para 1	A-V/3 para 1
(b) Those assigned specific duties and responsibilities	Familiarisation	A-V/2 para 2	A-V/3 para 2
(c) Those providing direct service to passengers in passenger spaces	Safety training in communication and life saving appliances	A-V/2 para 3	A-V/3 para 3
(d) Those with immediate responsibility for the passenger safety, cargo safety, hull integrity	Passenger safety, cargo safety, hull integrity	A-V/2 para 4	A-V/3 para 4
(e) Those with responsibility for safety of passengers in emergency situations	Crisis management and human behaviour	A-V/2 para 5	A-V/3 para 5

SCHEDULE 6

[Regulation 28]

(*Official Seal*)

(*Country*)

Endorsement Attesting the Recognition of a Certificate under the Provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as Amended in 1995.

The Government of ..... (*name of state*) certifies that Certificate No. .....
(*number..... assigned to the certificate by the administration*)
issued to .....
(*full name of seafarer as appearing in passport*) by or on behalf of the Government of.....

(*name of State*) is duly recognised in accordance with the provisions of regulation 1/10 of the above Convention as amended and the lawful holder is authorised to perform the following functions, at the levels specified, subject to any limitations indicated until.....

(*date of expiry of endorsement*) or until the date of expiry of any extension of the validity of this endorsement as may be shown overleaf:

FUNCTION (Each function in part of code which seafarer could perform.	*LEVEL (Levels of responsibility of seafarer)|*	*LIMITATIONS APPLYING (If any) (General limitation)*

The lawful holder of this endorsement may serve in the following capacity or capacities specified in the applicable safe manning requirement of the Administration:

CAPACITY (Those specified in the table to the STCW Regulations)	*LIMITATIONS APPLYING, If any (General limitation when performing duties)*	

Endorsement No. ..... (*number of certificate*) issued on .....
(*date of original issue of the endorsement*)

(Official Seal)

.....
Signature of duly authorised official

.....
Name of duly authorised official

The original of this endorsement must be kept available in accordance with regulation 1/2, paragraph 9 of the Convention while serving on a ship.

Date of birth of the holder of the certificate .....
(*date of birth should be date confirmed from Administration records*)

Signature of the holder of the certificate .....
(*endorsement should be signed by the seafarer in the presence of an officer*)

(Photograph of the holder of the certificate)

Standard Black and Whiteor Coloured Passport Type

The validity of this endorsement is hereby extended until .....

(Official seal)

.....

Signature of duly authorised Official

Date of revalidation .....

(*revalidation of endorsement by Administration*)

.....

Name of duly authorised official

The validity of this endorsement is hereby extended until .....

(Official Seal)

.....

Signature of duly authorised Official

Date of revalidation .. (same as above)

.....

Name of duly authorised official

SCHEDULE 7

[Regulation 44]

Document Issued for Dispensation under the Provisions of Article VII of the STCW

The Maritime Administration of Saint Vincent and the Grenadines certifies that ..... (*full name*)
after investigating his qualifications has been.....
competence and being granted a dispensation under Article VIII of the above Convention is permitted to serve in the capacity of .....
on MIV .....
Port of Registry .....
Official Number ..... until .....
Date of Issue .....

(Official Seal)

.....
Signature of authorised person

.....
Name of authorised person

SCHEDULE 8

(Regulation 2)

NEAR COASTAL VOYAGES

1. The Administration recognises, for the purpose of defining near coastal voyages, the following trade areas -

   (a) the Unlimited Trading Area; and

   (b) the Caribbean Trading Area for ships engaged in near Coastal Trade.

2. The Unlimited Trading Area is any area in which voyages, which are not near coastal voyages, are undertaken.

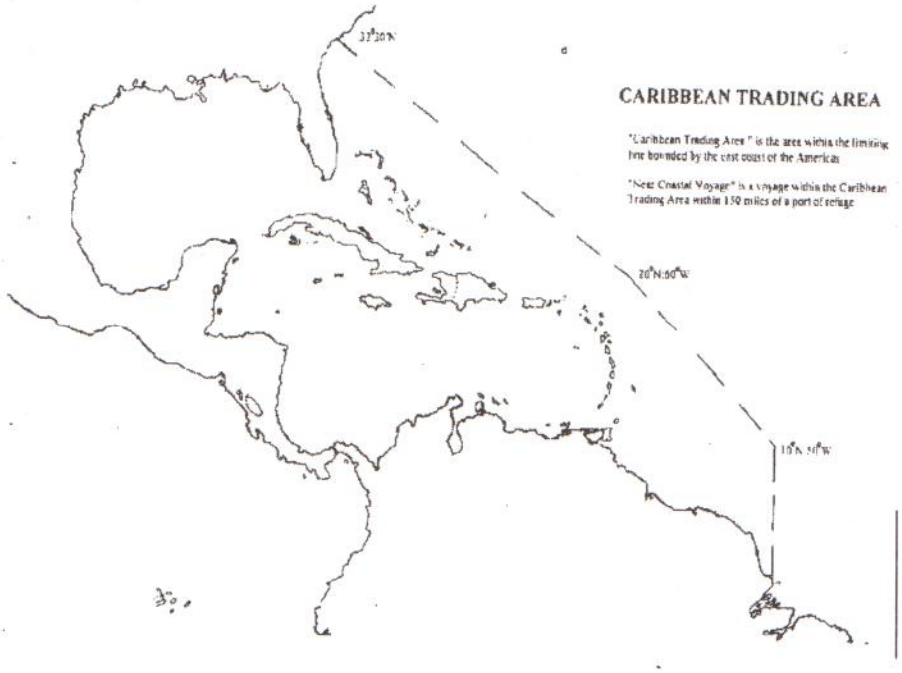
3. The Caribbean Trading Area is the area bounded by the east coasts of North, Central and South America, and a line from the east coast of the United States in latitude 32 ° 30'N to a point 20°N: 60 °W, thence to a point 10°N; 50°W, and thence south to the coast of South America, as illustrated in the Annex to this Schedule.

4. A near coastal voyage is a voyage within the Caribbean Trading Area in the course of which the ship is at no time more than 150 miles from a safe port of refuge.

5. The Registrar of Ships may issue endorsements to suitably qualified seafarers who hold certificates of competence, allowing them to serve, subject to certain restrictions, in stated capacities or levels on near coastal voyages. Such endorsements shall not apply to seagoing service on tankers nor passenger ships.

ANNEX 1

(Schedule 8)



Made this 16th day of December 2016.

DR. THE HON RALPH GONSALVES
Prime Minister and Minister of National Security.

Printed by the Government Printer at the Government Printing Office,
Campden Park, St. Vincent and the Grenadines.

2016

[Price $28.80]