

III Code

TRACECA Maritime Safety and Security IMSAS workshop Kiev (Ukraine)

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IMSAS workshop Kiev

Agenda

1	Introduction
2	Background to IMSAS
3	III Code: Common areas
4	III Code: Flag State obligations
5	III Code: Coastal State obligations
6	III Code: Port State obligations
7	Framework for the audit
8	Audit preparation and follow-up
9	Summary and conclusions





3. Common areas



Flag State obligations

Areas to be covered under this headline

1. Implementation

2. Flag State surveyors

3. Delegation of authority

4. Flag State investigations

5. Enforcement/Evaluation and review

6. STCW and manning issues



1 Implementation

III Code, Annex, Part II, Para 15 - 17

- Para. 15 of the code requires flag States to implement policies through the issuance of national legislation and guidance which will assist in the implementation and enforcement of the requirements of all safety and pollution prevention conventions and protocols to which they are party and to assign responsibilities within the Administration
- Para. 16 requires Flag States to establish resources and processes capable of administering a safety and environmental protection programme
- Para. 17 addresses safe manning

 In previous audits deficiencies were noted regularly!



1 Implementation

IMO Code, Annex, Part II, Para 15

- What does this mean?
 - The international instruments provide for the standards but they do not always provide the necessary guidance needed in order to effectively enforce them
 - Example – Requirement to investigate accidents
 - Guidance needed
 - » What is a suitably qualified investigator
 - » At what intervals training is needed for investigators
 - » What are reporting requirements for accidents
 - » ...



1 Implementation

Examples

- Liberia
 - Reporting requirements for accidents
 - Liberian Maritime Regulations (RLM-108, 9.256)
 - » Physical damage > 100,000 USD
 - » Damage affecting seaworthiness or efficiency
 - » Stranding or grounding
 - » Loss of life
 - » Personnel injury causing incapacity > 72 hours



1 Implementation

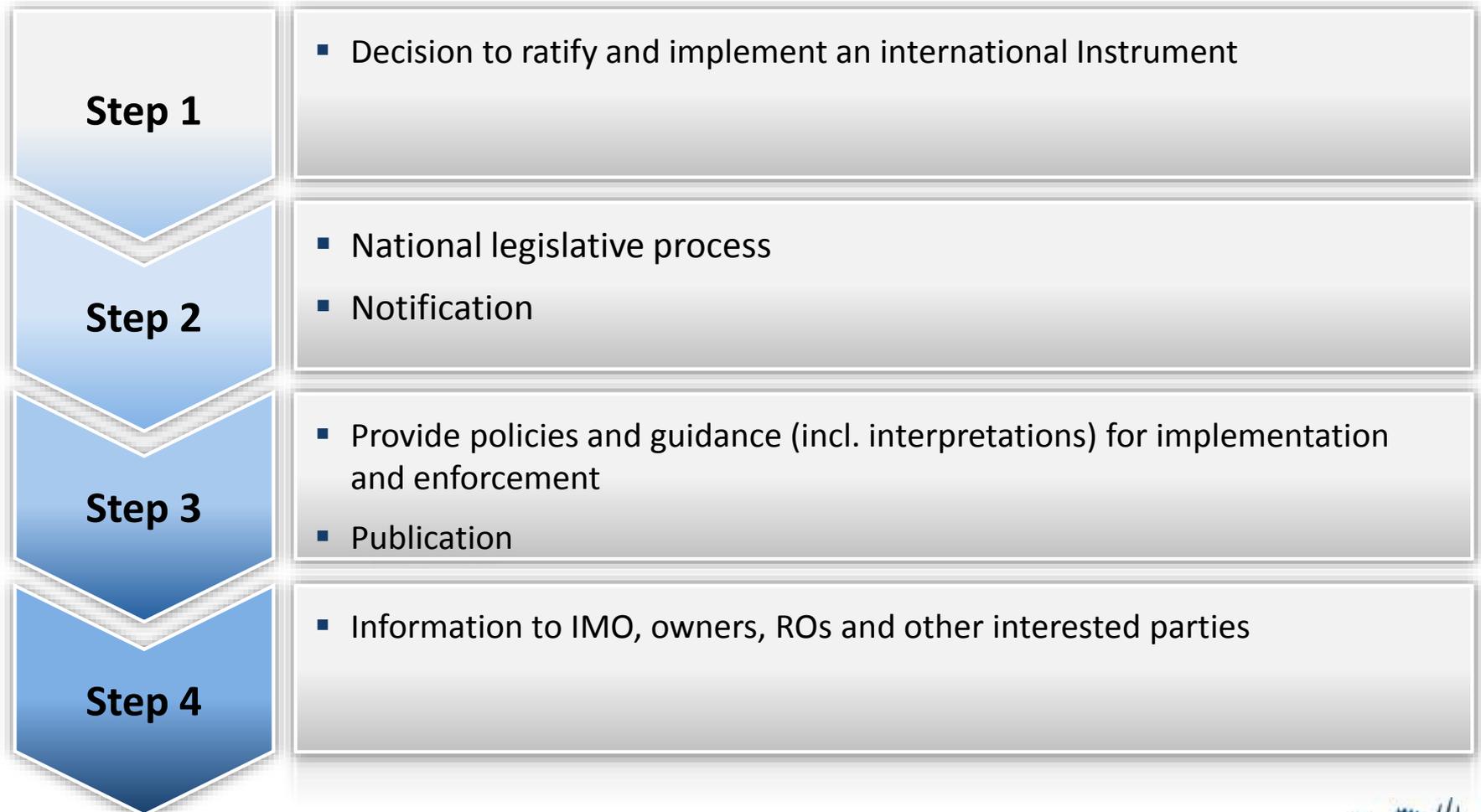
What does this mean?

- Assign responsibilities within the Administration to update and revise any relevant policies adopted, as necessary.
 - ☞ Assign clear responsibility for the instruments where the State is a Party to or intends to become a party or recognizes it by other means (e.g. HSSC)
 - ☞ Analyze the implications for instruments where the State is not a party
 - ☞ Adjust responsibilities and resources according to the needs of actual developments and consider areas of expertise to be developed for new instruments coming into force
 - Experiences of other flag States shows, that the preparation for the implementation of some of the new instruments require significant resources, in particular the MLC 2006 – even though not an IMO instrument



1. Implementation

Guidance for the Implementation and Enforcement



1 Implementation

IMO Code, Annex, Part II, Para. 16 (I)

- A flag State should establish resources and processes capable of administering a safety and environmental protection programme, which, as a minimum, should consist of the following:
 - .1 administrative instructions to implement applicable international rules and regulations as well as develop and disseminate any interpretative national regulations that may be needed;
 - .2 compliance with the requirements of the applicable international instruments, using an audit and inspection programme, independent of any administrative bodies issuing the required certificates and relevant documentation and/or of any entity which has been delegated authority by the State to issue the required certificates and relevant documentation;
 - .3 STCW



1 Implementation

IMO Code, Annex, Part II, Para. 16 (II)

- Flag States should establish resources and processes capable of administering a safety and environmental protection programme which, as a minimum, should consist of the following:
 - .4 the conduct of investigations into casualties and adequate and timely handling of cases involving ships with identified deficiencies; and
 - .5 the development, documentation and provision of guidance concerning those requirements found in the relevant international instruments that are to the satisfaction of the Administration.



1 Implementation

What does that mean?

- Resources are needed for
 - administrative instructions to implement applicable international rules and regulations as well as develop and disseminate any interpretative national regulations that may be needed
 - 📄 Instructions and procedures for staff of the Administration, e.g. QMS instructions
 - 📄 Instructions and information for ship owners
 - 📄 Forms and templates for certificates and survey reports to be used by the Administration and Recognized Organisations
 - 📄 Interpretations of ambiguous regulations such as the application dates for retrofitting requirements
 - 📄 Application of IMO guidelines, e.g. MSC Circular 1206 (Measures to prevent accidents with lifeboats)



1 Implementation

What does that mean?

- Resources are needed for
 - the development, documentation and provision of guidance concerning those requirements that are to the satisfaction of the Administration, found in relevant mandatory IMO instruments
 - ☞ In various IMO instruments the decision about acceptability of is left to the Administration. Solely in SOLAS this occurs in more than 50 places.
 - ☞ A systematic approach eases the handling
 - ☞ In several cases these requirements are addressed by the rules of classification societies, such that a reference to those rules can be made. Please note that this requires a monitoring of the development of class rules (part of a later session)
 - ☞ Often industry standards (ISO, IACS) provide acceptance criteria
 - ☞ If no external standards are available or considered acceptable, own criteria should be developed



1 Implementation

What does this mean?

- Resources are needed to
 - ensure compliance with the requirements of the mandatory IMO instruments listed in paragraph 6 using an audit and inspection programme independent of any administrative bodies issuing the required certificates and relevant documentation and/or of any entity which has been delegated authority by the flag States to issue the required certificates and relevant documentation
- ☞ Independent ***Flag State Inspection Regime***
- ☞ No link to the regular survey and certification regime and no link to the regular ISM and ISPS audits
 - ☝ The sometimes used approach to delegate survey and certification but to do ISM audits with flag State auditors is not in compliance with this clause
- ☞ Flag State Inspections may be carried out by non-exclusive surveyors, however, these surveyors have to comply with your standards for flag State surveyors (next session)



1 Implementation

What does this mean?

- Flag State Inspection Regime
 - One of following methods is usually implemented by flag States applying a systematic approach:
 1. Each ships of a flag States fleet is visited regularly, e.g. once a year
 2. The flag State is maintaining a fleet ranking and the frequency of Flag State Inspections is dependend on the ranking
 3. Some Flags apply a regular scheme but provide for an extraordinary Flag State Inspections in case of poor performance, e.g. following a PSC detention



1 Implementation

What does this mean?

- Flag State Inspection Regime
 - Regardless of the system used, a suitable flag State inspection regime requires
 - A number of surveyors/auditors commensurate to the size of the fleet
 - Support staff analysing the reports and doing the follow up
 - In case of systems using performance rating a performance monitoring regime has to be implemented



1 Implementation

What does this mean?

- Resources are needed to
 - ensure the conduct of investigations into casualties and adequate and timely handling of cases of ships with identified deficiencies
 - Casualty investigations will be discussed in detail later
 - Ships with identified deficiencies means
 - ☞ Deficiencies detected during Flag State Inspections
 - ☞ Deficiencies detected during Port State Control
 - ☞ Deficiencies reported by Recognized Organisations
 - ☞ Deficiencies reported by ships crew
- Timely handling requires staff commensurate by number and technically qualified to evaluate the incoming reports.
- For technical decisions experts with a qualification as flag State inspectors are needed



Welcome to GISIS



Maritime Security

Information communicated under the provisions of SOLAS regulation XI-2/13 (SOLAS chapter X1-2 and the ISPS Code).



Recognized Organizations

Information submitted by Member States under MSC/Circ.1010-MEPC/Circ.382.



Port Reception Facilities

Data on the available port reception facilities for the reception of ship-generated waste.



Piracy and Armed Robbery

Reported incidents of piracy and armed robbery.



Contact Points

Electronic database for Contact Points.



Information on Local Regulations

Information submitted by Administrations on local regulations.



Condition Assessment Scheme

Electronic database for the implementation of the Condition Assessment Scheme - Resolution MEPC.94 (46), as amended.



Marine Casualties and Incidents

Data on marine casualties and incidents, as defined by circulars MSC-MEPC.3/Circ.3.



Pollution Prevention Equipment

Pollution prevention equipment required by MARPOL 73/78.



Simulators

Information on simulators available for use in maritime training.



Greenhouse Gas Emissions

Based on the *Interim Guidelines for Voluntary Ship CO₂ Emission Indexing for Use in Trials* (MEPC/Circ.471).



IMDG Code

Reported cases of disparities between versions of the IMDG Code.

Reporting to IMO



1 Implementation - Reporting to IMO

Types of reporting obligations

- Mandatory reports
 - Reporting required by mandatory Instruments
 - e.g. SOLAS Reg. I/4 - Exemptions, I/5 - Equivalents, I/6 - Recognized Organisations, I/21(b) – Casualties, II-2/17 – Alternative design
 - e.g. LL Articles 6 – Exemptions, 8 – Equivalents, 9 – experimental approvals
- Recommended reports
 - Reporting requirements in non-mandatory instruments e.g. Resolutions, Circulars
 - e.g. Contact/Focal points



1 Implementation - Reporting to IMO

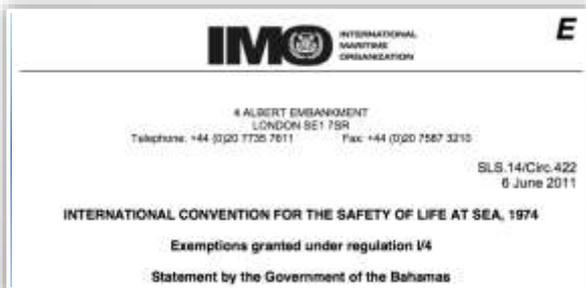
Reporting methods

- GISIS (Global Integrated Shipping Information System)
 - Various modules on mandatory and non-mandatory elements
- Submissions to IMO Sessions
 - Casualty Investigation Reports to the III WG for review
- Letters to the Secretariat
 - Ship specific reporting



1 Implementation - Reporting to IMO

Ship specific reporting



- Exemptions (ship is sailing with exemption certificate) (further details for SOLAS are given in SLS.14/Circ. 115)
- Exemptions should be re-reported in case of change of flag by the new flag State



- Equivalents



- Alternative design/approvals for experimental purpose (remark in the certificate + document of approval)



1 Implementation - Reporting to IMO

Sample of an Exemption Report



International Maritime Organisation,
4 Albert Embankment,
London SE1 7SR,
United Kingdom.

Attn: Secretary General

16th May 2011

Dear Sir,

Acceptance of Exemption on board the vessel SAPEM FDS 2 (IMO 9542362).

In accordance with the provisions of SOLAS 1974, as amended, Regulation 104, The Bahamas Maritime Authority acting on behalf of the Government of the Commonwealth of the Bahamas, is pleased to communicate to the International Maritime Organization (IMO) the following information for the subject vessel:

- Report on exemption regarding the number of water tight doors in transverse watertight bulkhead in respect of the requirements of SOLAS Ch II-1 Reg 13.4

This administration requests that the information is circulated to all SOLAS Contracting Governments.

Yours sincerely

Captain Lester Pryk
Technical and Compliance Officer

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Exemption to SOLAS Convention, 1974, as amended, Ch. II-1 Regulations 13.4

In accordance with the provisions of SOLAS, 1974, as amended, Ch 1, Regulation 4, the Government of The Commonwealth of the Bahamas has approved exemption to the provisions of Ch II-1 Regulation 13.4 as summarized below:

Name of ship	IMO Number	DOB	Type
SAPEM FDS2	9542362	2011	Crane Ship

This vessel has twin engine rooms separated by a centre line longitudinal bulkhead, more than one water tight door in the watertight bulkhead is necessary for the safe operation of the vessel. All of these doors comply with the requirements of SOLAS Ch. II-1 Reg 13 except for 13.4.

Ch. II-1 Reg 13.4 states:

"Subject to paragraph 10, not more than one door, apart from the doors to shaft tunnels, may be fitted at each watertight bulkhead within spaces containing the main and auxiliary propulsion machinery, including boilers serving the needs of propulsion."

Exemption:

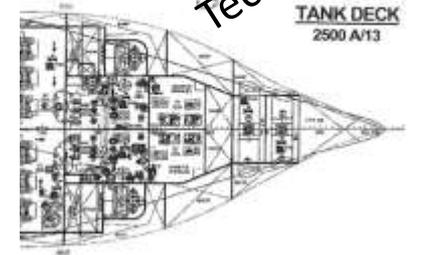
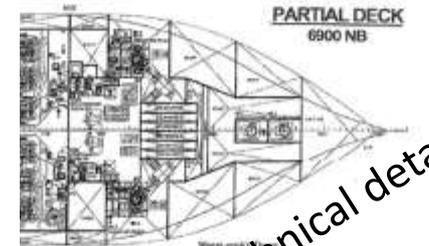
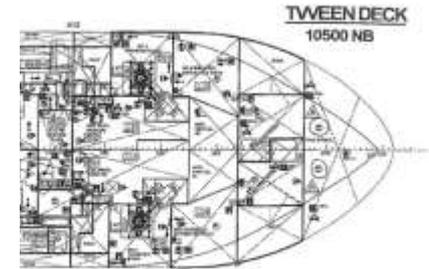
Due to the design of the vessel with multiple engine rooms separated by watertight longitudinal bulkhead, the vessel requires more than one watertight door in the bulkhead. The vessel has also been designed to provide full redundancy in case of any single failure including loss of any compartment due to fire or flooding.

There are two watertight doors at each of three decks in the water tight bulkhead at frame 174 (see drawings below). The duplication of watertight doors is necessary for the access required to each of the two machinery spaces. Their location is relatively protected and is positioned outside of the traditional B5 damage zone. All doors are sliding doors and they comply with the regulations of SOLAS II-1/13.

In granting this exemption, the following were considered:

- More than one opening is required for the operation of the vessel due to the side by side engine rooms which are not mentioned in the SOLAS Ch II-1 regulation
- A centre line bulkhead is provided that has greatly increased the longitudinal strength and reduces the floodable area when compared to single engine rooms.

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Technical details



1 Implementation - Reporting to IMO

Full overview: FSI 18/INF. 14



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SUB-COMMITTEE ON FLAG STATE
IMPLEMENTATION
18th session
Agenda item 3

FSI 18/INF.14
14 April 2010
ENGLISH ONLY

RESPONSIBILITIES OF GOVERNMENTS AND MEASURES TO ENCOURAGE FLAG STATE COMPLIANCE

List of reporting requirements in mandatory IMO instruments

Note by the Secretariat



1 Implementation

Review questions

- What guidance do you provide internally for the implementation of international instruments?
- Do you have internal instructions and procedures in addition to the regulations for the implementation of these regulations?
- How do you decide if additional guidance and policies are needed?
- What do you do when it says “to the satisfaction of the administration” in the international instruments?
- Do you have a quality assurance system implemented for the maritime administration?
- Do you send copies of your national legislation to IMO?
- Do you inform IMO about equivalents accepted and exemptions granted?
- How is the reporting into the GISIS system made?



Flag State obligations

Areas to be covered under this headline

1. Implementation
2. Flag State surveyors
3. Delegation of authority
4. Flag State investigations
5. Enforcement/Evaluation and review
6. STCW and manning issues



2 Flag State Surveyors

Who is a Flag State Surveyor?

- Following the global view of para 28 of the III Code - all personnel who manage, perform and verify work relating to and affecting safety and pollution prevention
 - ⇒ Everybody doing surveys on board
 - ⇒ ISM and ISPS auditors doing onboard or office audits
 - ⇒ Staff approving documents and issuing certificates
 - ⇒ Everybody making technical decisions



2 Flag State Surveyors

A Flag State Surveyor is ...

- A surveyor doing a flag State Inspection on board a ship of that flag
- A surveyor carrying out a regular statutory survey for a flag State (not for a RO) on board a ship
- An auditor carrying out an shipboard or company ISM or ISPS audit for a flag State (not for a RO/RSO)
- A surveyor doing an accident investigation
- A surveyor engaged in an oversight programme
- A flag State expert approving on board documents
- A flag State expert granting exemptions
- The technical manager of a flag State Administration



2 Flag State surveyors

Code, Annex, Part II, Para. 28

- Responsibilities of the administration
 - The flag State should define and document the responsibilities, authority and interrelation of all personnel who manage, perform and verify work relating to and affecting safety and pollution prevention.



2 Flag State surveyors

Code, Annex, Part II, Para. 29 - 36

- Qualifications

- Personnel responsible for, or performing, surveys, inspections and audits on ships and companies should have
 - appropriate qualifications from a marine or nautical institution and relevant seagoing experience as a certificated ship officer,
 - With not less than three years experience at sea as an officer in the deck or engine department

or

- a degree or equivalent from a tertiary institution within a relevant field of engineering or science recognized by the State again
- With not less than three years professional experience
- In addition sound knowledge of ship operations and the relevant national and international instruments



2 Flag State surveyors

Code, Annex, Part II, Para. 29.3

- Alternative qualification
 - Flag States may accredit surveyors through a formalized, detailed training programme that leads to the same standard of knowledge and ability as that required in paragraphs 29 to 36
 - E.g. in case of educational degrees in other engineering fields, less than 3 years experience or personnel with very long experience but not the formal degree required
 - Training programme must be documented and available



2 Flag State surveyors

Code, Annex, Part II, Para. 33 & 34

- Technical support and coordination staff
 - Personnel assisting should have education, training and supervision commensurate with the tasks they are authorized to perform.
 - E.g. lower or other educational degree with specific training
 - Previous relevant experience in the field of expertise should be considered an advantage; in case of no previous experience the Administration should provide appropriate field training.
 - Working as trainee with experienced staff
 - Specific internal or external training courses



2 Flag State surveyors

Code, Annex, Part II, Para. 36

- Training requirements
 - A documented system for qualification
 - .1 knowledge of applicable international and national rules and regulations for ships, their companies, their crew, their cargo and their operation;
 - .2 knowledge of the procedures to be applied in survey, certification, control, investigative and oversight functions;
 - .3 understanding of the goals and objectives of the international and national instruments dealing with maritime safety and protection of the marine environment, and of related programmes;
 - .4 understanding of the processes both on board and ashore, internal as well as external;
 - .5 possession of professional competency necessary to perform the given tasks effectively and efficiently;
 - .6 full safety awareness in all circumstances, also for one's own safety; and
 - .7 training or experience in the various tasks to be performed and, preferably, also in the functions to be assessed.



2 Flag State surveyors

What does that mean?

- Documentation
 - Job profiles
 - Personal qualifications
 - Training measures



2 Flag State surveyors

What does that mean?

- Surveyors subcontracted for survey and audit duties other than RO surveyors
 - Qualification required is the same as for surveyors employed by the Administration: nautical, engineering, naval architecture or similar degree with min. 3 years professional experience
 - Training required to ensure appropriate knowledge of national procedures and legislation
 - Continuing education on technical developments and new regulations and standards
 - Documentation of qualification and continuing education



2 Flag State surveyors

Monitoring and Documentation of Staff Qualification

- III Code requires a “documented system”:
The flag State should have implemented a documented system for qualification of personnel and continuous updating of their knowledge as appropriate to the tasks they are authorized to undertake.
- Possible solutions for such a documented system:
 - Traditional personnel records
 - A module in a personnel database
 - A special tool managing the surveyor qualification



2 Flag State surveyors

Monitoring and Documentation of Staff Qualification

- Content to be documented
 - Formal education background
 - Professional experience before joining the Administration
 - Theoretical and practical training courses/modules
 - Professional experience as surveyor
 - Authorisations
 - External training/seminars
 - Periodical updating of knowledge



2 Flag State surveyors

Review questions

- Do you provide surveyors with appropriate identification?
- Do you have documented job descriptions for Flag State surveyors?
- Do you have records about each surveyors' job profiles, qualifications and training activities?
- Do you have a documented training programme for your surveyors?
- Do you provide for repeated training in regular intervals?
- Do you employ external flag State surveyors and what training and background checks are you doing?
- How do you determine the training needs for your surveyors?
- Do you have a budget for training measures?



Flag State obligations

Areas to be covered under this headline

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3 Delegation of authority

Legal basis for the delegation of authority



Monitoring Elements

RO Code (I)

- Code for Recognized Organizations (RO Code) - in force since 1 January 2015:
 - Res. MSC.349(92) and MEPC.237(65)
 - Relevant amendments adopted under SOLAS 1974, LL PROT 1988 and MARPOL for the RO Code made mandatory and identical under those instruments
 - Res. A.739(18) and A.789(19) superseded by RO Code



Monitoring Elements

RO Code (II)

- Code for Recognized Organizations (RO Code) - in force since 1 January 2015:
 - Part 1 and 2 mandatory:
 - General
 - Recognition and authorization requirements for organizations
 - Part 3 recommendations
 - Oversight of recognized organizations
 - Appendixes
 - Appendix 1 – Requirements for training and qualification of recognized organization's technical staff
 - Appendix 2 – Specifications on the survey and certification functions of recognized organizations acting on behalf of the flag State
 - Appendix 3 – Elements to be included in an agreement



Monitoring Elements

Typical options for a monitoring/oversight programme

- PSC Detentions analysis
- Flag State Inspection results
- Guidance to ROs
- Reporting Procedures
- Meetings with ROs
- Communication arrangements
- Review of RO's quality system
- Audits
- Monitoring of/participation in rule development



Monitoring Elements

PSC Detentions

- As part of the regular PSC detention analysis
 - Is the detention related to survey/certification delegated to the RO?
 - Can mistakes/omissions of the RO be observed?
 - Is the detention rated as “class related” by the PSC regime?
- Request ROs to provide reporting on detention analysis and detention follow up and compare with your own analysis.
- If the figures allow, maintain statistics to monitor the development of PSC performance of your ROs.



Monitoring Elements

Flag State Inspections

- Review the reports of Flag State Inspection on possible mistakes/shortcomings of your ROs
- Follow up assumed shortcomings
 - through regular communication channels,
 - at a future audit,
 - or during next bilateral meeting



Monitoring Elements

Guidance to ROs by means of circulars

- National Legislation
- Implementation of International Instruments
- Interpretation of International Instruments
- Procedural Requirements
- Guidance to Owners (for information)



Monitoring Elements

Reporting Procedures

Evaluate the reports received on

- Completeness of reporting compared to the level agreed in the contract
- Timeliness of reports received
- Errors in reported issues



Monitoring Elements

Meetings with ROs

- Regular meetings
 - Group meetings
 - General Information (fleet developments, Register news, etc.)
 - Issues of common interest (new regulation, procedures, IT issues, etc.)
 - Contract issues affecting all participants
 - Individual Meetings
 - Issues of bilateral interest
 - Discussion of specific cases
- Ad hoc meetings
 - E.g. during IMO meetings or visits of ROs home country



Monitoring Elements

Communication Arrangements

- Evaluate communication between your Administration and the RO in particular looking at
 - Communication in case of interpretations of international or national regulations
 - Communication in case of extensions
 - Communication in case of exemptions
 - Communication to make use of alternative approaches



Monitoring Elements

Audits

- Head Office audits
 - Compliance with minimum criteria as defined in the RO Code
 - Compliance with contractual obligations
 - Implementation of national requirements
 - PSC follow up
 - Site Office audits
 - Survey specific issues
 - Vertical Contract audits
 - Attending scheduled on-board surveys or ISM audits of the RO
- ⇒ To make an audit effective it should be prepared on the basis of the continuous monitoring results.



Monitoring Elements

Review of ROs Quality Regime

- Request the reports of the ISO/QSCS quality audits of the ROs
- Review of the reports with specific attention to
 - Deficiencies in statutory services
 - Deficiencies in organisational and management matters requested by A.739(18)
- Handling of non-conformities and observations
 - Are non-conformities closed within the agreed time frame?
 - Are measures substantial or lukewarm?
 - Are observations addressed and in which way?
- Observe trends and developments over several years



Monitoring Elements

Monitoring of/participation in rule development

- SOLAS II-1/3-1: [...] ships shall be designed [...] in compliance with the [...] requirements of a classification society which is recognized by the Administration [...], or with applicable national standards of the Administration which provide an equivalent level of safety.
- Subsequently Administration may request to have the opportunity to comment during the rule making process.
- According to the experience of at least one major classification society usually no comments are received.



3. Delegation of authority

Review questions

- How many ROs have you authorized to work on your behalf?
- Do you also work with non-IACS classes?
- Have you concluded written agreements with these ROs based on IMO guidance?
- Do you communicate national requirements to the ROs?
- Do you participate in an Oversight Programme?
- What are you doing to measure the performance of your ROs?
- How often do you meet with RO representatives and at what level?
- Have you ever done a Head Office audit?



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Flag State investigations

Code, Annex, Part II, Para. 38 – 41

- Overview
 - Ensure that accident investigations are carried out
 - Suitably qualified personnel
 - Ready access to additional expertise
 - Publication of reports
 - Reporting to IMO



Flag State investigations

Code, Annex, Part II, Para. 38

- Investigations should be carried out following a marine casualty or pollution incident
- Conducted by suitably qualified, impartial and objective investigators, competent in matters relating to the casualty
- Irrespective of the location of the casualty or incident



Flag State investigations

Code, Annex, Part II, Para. 39

- Investigators need to have knowledge and working experience
- To assist investigators ready access should be available regarding
 - navigation and the Collision Regulations;
 - flag State regulations on certificates of competency;
 - causes of marine pollution;
 - interviewing techniques;
 - evidence gathering; and
 - evaluation of the effects of the human element.



Flag State investigations

Code, Annex, Part II, Para. 40

- Any accidents involving personal injury necessitating absence from duty of three days or more and any deaths resulting from occupational accidents and casualties to ships of the flag State should be investigated
- Results of such investigations made public



Flag State investigations

Code, Annex, Part II, Para. 41

- Ship casualties should be investigated and reported in accordance with the relevant IMO conventions, and the guidelines developed by IMO.
 - IMO Casualty Investigation Code (Res. MSC. 255(84))
 - Guidelines for the implementation of the IMO Casualty Investigation Code (IMO Res. A. 1075(28))
- The report on the investigation should be forwarded to IMO together with the flag State's observations, in accordance with the guidelines referred to above.



Flag State investigations

Casualty Investigation Code (Resolution MSC.255(84))

- Part I – General provisions
- Part II – Mandatory standards
- Part III – Recommended practices



Flag State investigations

Casualty Investigation Code (Resolution MSC.255(84))

- Part I
 - Purpose
 - Definitions



Flag State investigations

Casualty Investigation Code (Resolution MSC.255(84))

- Part II
 - Marine safety investigation authority
 - Notification
 - Requirement to investigate very serious marine casualties
 - Agreement with another substantially interested State
 - Powers of an investigation
 - Parallel investigations
 - Co-operation
 - Investigation not to be subject to external direction
 - Obtaining evidence from seafarers
 - Draft marine safety investigation reports
 - Marine safety investigation reports



Flag State investigations

Casualty Investigation Code (Resolution MSC.255(84))

- Part III - Recommended practices
 - Administrative responsibilities
 - Principles of investigation
 - Investigation of marine casualties (other than very serious) and marine incidents
 - Considerations for agreements with substantially interested States
 - Acts of unlawful interference
 - Notification to parties involved and commencement of an investigation
 - Co-ordination of an investigation
 - Collection of evidence
 - Confidentiality of information



Flag State investigations

Casualty Investigation Code (Resolution MSC.255(84))

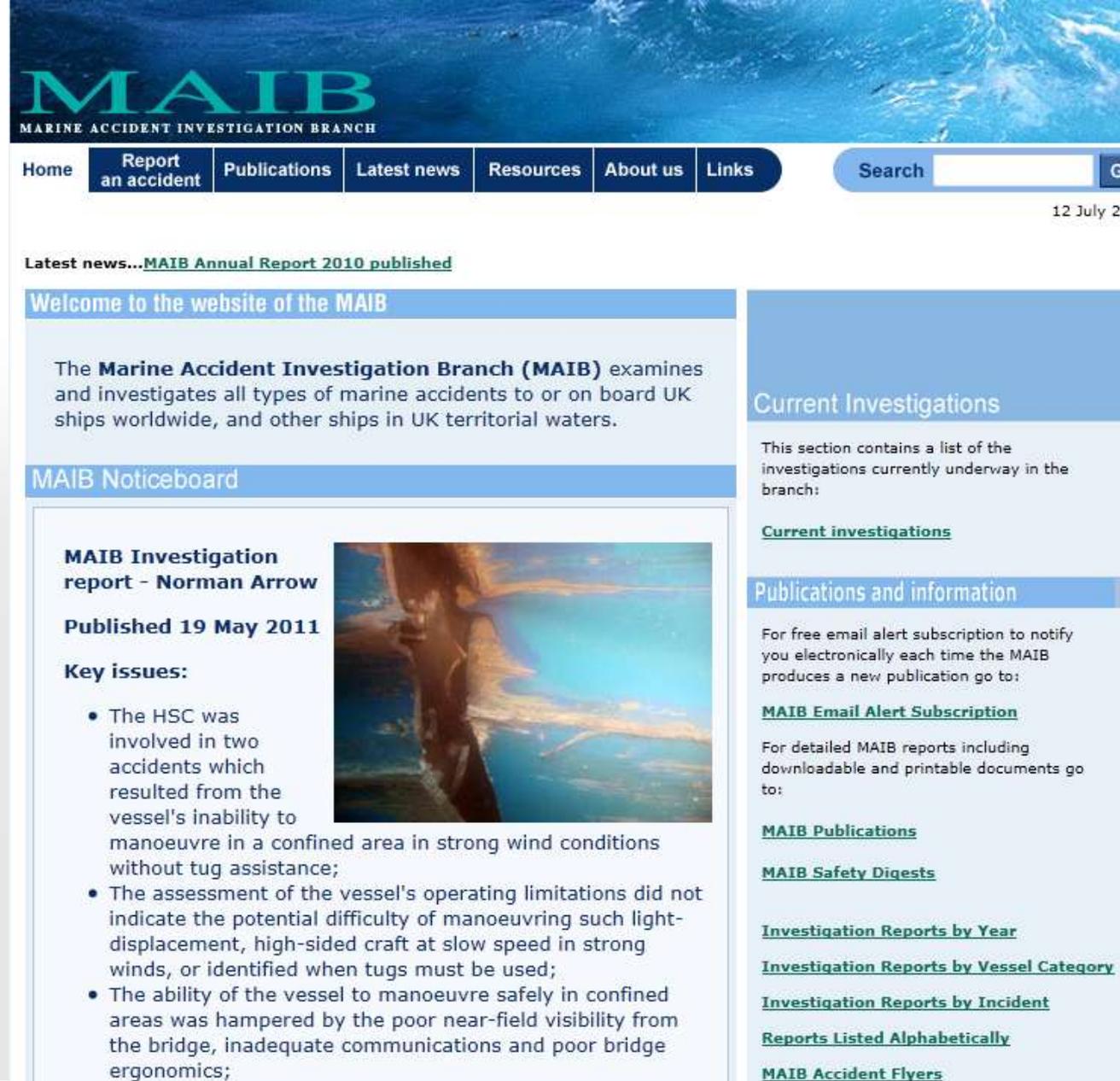
- Challenges
 - Treatment of seafarers
 - Separation of safety investigations from criminal investigations
 - Independent investigation



Flag State investigations

National examples

- United Kingdom



The screenshot displays the MAIB (Marine Accident Investigation Branch) website. At the top, the MAIB logo is visible against a blue background with white text. Below the logo is a navigation menu with buttons for Home, Report an accident, Publications, Latest news, Resources, About us, and Links. A search bar is located on the right side of the menu. The date '12 July 2011' is shown in the top right corner. The main content area features a 'Latest news...' section with a link to 'MAIB Annual Report 2010 published'. Below this is a 'Welcome to the website of the MAIB' section with a paragraph describing the branch's role. A 'MAIB Noticeboard' section follows, containing a news item titled 'MAIB Investigation report - Norman Arrow' published on 19 May 2011. This item includes a list of 'Key issues' and a photograph of a ship's hull. To the right of the main content, there are three vertical sections: 'Current Investigations', 'Publications and information', and 'MAIB Accident Flyers', each with a list of links.

MAIB
MARINE ACCIDENT INVESTIGATION BRANCH

Home Report an accident Publications Latest news Resources About us Links Search

12 July 2011

Latest news...[MAIB Annual Report 2010 published](#)

Welcome to the website of the MAIB

The **Marine Accident Investigation Branch (MAIB)** examines and investigates all types of marine accidents to or on board UK ships worldwide, and other ships in UK territorial waters.

MAIB Noticeboard

MAIB Investigation report - Norman Arrow

Published 19 May 2011

Key issues:

- The HSC was involved in two accidents which resulted from the vessel's inability to manoeuvre in a confined area in strong wind conditions without tug assistance;
- The assessment of the vessel's operating limitations did not indicate the potential difficulty of manoeuvring such light-displacement, high-sided craft at slow speed in strong winds, or identified when tugs must be used;
- The ability of the vessel to manoeuvre safely in confined areas was hampered by the poor near-field visibility from the bridge, inadequate communications and poor bridge ergonomics;



Current Investigations

This section contains a list of the investigations currently underway in the branch:

[Current investigations](#)

Publications and information

For free email alert subscription to notify you electronically each time the MAIB produces a new publication go to:

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[Investigation Reports by Year](#)

[Investigation Reports by Vessel Category](#)

[Investigation Reports by Incident](#)

[Reports Listed Alphabetically](#)

[MAIB Accident Flyers](#)



Flag State investigations

National examples

- United Kingdom

 <p>MAIB MARINE ACCIDENT INVESTIGATION BRANCH</p>	For Official Use: Ref:
<h2>Incident Report Form</h2>	
<p>The Merchant Shipping (Accident Reporting and Investigation) Regulations 2005 require Masters, Skippers and Owners of vessels to report accidents and incidents. In addition, this duty to report accidents to the MAIB extends to harbour authorities, inland waterway authorities, and the Maritime and Coastguard Agency.</p> <p>The terms are explained in the above Regulations which is available at:</p> <p>www.maib.gov.uk/resources/regulations.cfm</p> <p>The law requires that accidents, including serious injuries, be reported <u>by the quickest means possible</u> and the MAIB has a dedicated reporting line for this purpose – +44 (0)23 8023 2527. This line is staffed 24 hours a day.</p> <p>Having reported the accident by telephone, a completed incident report form should be e-mailed or faxed to the MAIB (+44 (0)23 8023 2459) as soon as possible.</p>	



Flag State investigations

Review questions (I)

- Who is responsible for the accident investigation (national and international ships)?
- Is the IMO Casualty Investigation Code implemented into national law?
- Are there problems with the compatibility of the Code and the national legislation?
- Are there accident notification requirements in the law?
- How do you make sure that you have access to the parties involved/witnesses?
- How many investigators are available?
- Where is definition of suitably qualified investigator?
- Do you keep training records?



Flag State investigations

Review questions (II)

- Where is the additional expertise?
- How many investigations were carried out in recent years?
- How many accidents happen outside your country?
- What are the arrangements if an investigation has to be carried out your country?
- Do you cooperate with other IMO member States in accident investigation?
- Where are the reports published?
- Who does the reporting to IMO and how?
- When was the last report sent to IMO?



Flag State obligations

Areas to be covered under this headline

1. Implementation
2. Flag State surveyors
3. Delegation of authority
4. Flag State investigations
5. Enforcement/Evaluation and review
6. STCW and manning issues



5. Enforcement/Evaluation and Review

Code, Annex, Part II, Para. 22 - 27

- Overview
 - To secure observance of international rules by ships, entities and persons under their jurisdiction
 - To consider the implementation of a control and monitoring programme



5. Enforcement/Evaluation and Review

Code, Annex, Part II, Para. 22

- Enforcement (I)
 - Flag States should take all necessary measures to secure observance of international rules and standards by ships entitled to fly their flag and by entities and persons under their jurisdiction so as to ensure compliance with their international obligations.
 - Such measures should, inter alia, include:
 - prohibiting ships entitled to fly their flag from sailing until such ships can proceed to sea in compliance with the requirements of international rules and standards;
 - the periodic inspection of ships entitled to fly their flag to verify that the actual condition of the ship and its crew is in conformity with the certificates it carries;
 - the surveyor ensuring that seafarers assigned to the ships are familiar with:
 - » their specific duties; and
 - » ship arrangements, installations, equipments and procedures;



5. Enforcement/Evaluation and Review

Code, Annex, Part II, Para. 22

- Enforcement (II)
 - Such measures should, inter alia, include:
 - ensuring that the ship's complement, as a whole, can effectively co-ordinate their activities in an emergency situation and in performing functions vital to safety or to the prevention or mitigation of pollution;
 - providing, in national laws and regulations, for penalties of adequate severity to discourage violation of international rules and standards by ships entitled to fly their flag;
 - instituting proceedings – after an investigation has been conducted – against ships entitled to fly their flag which have violated international rules and standards, irrespective of where the violation has occurred;



5. Enforcement/Evaluation and Review

Code, Annex, Part II, Para. 22

- Enforcement (III)
 - Such measures should, inter alia, include:
 - providing, in national laws and regulations, for penalties of adequate severity to discourage violations of international rules and standards by individuals issued with certificates or endorsements under their authority; and
 - instituting proceedings – after an investigation has been conducted – against individuals holding certificates or endorsements who have violated international rules and standards, irrespective of where the violation has occurred.



5. Enforcement/Evaluation and Review

What does that mean?

■ In short

- Stop ships until they comply with the regulations
 - During regular surveys – by ROs (?)
 - What is the procedure in case of deficiencies?
 - Does it work?
- Carry out annual flag State inspections in addition to the surveys required by the international instruments
 - Check important safety features during such inspections – are they able to lower lifeboats etc.
 - How does the checklist for an a flag State inspection look like?



5. Enforcement/Evaluation and Review

What does that mean?

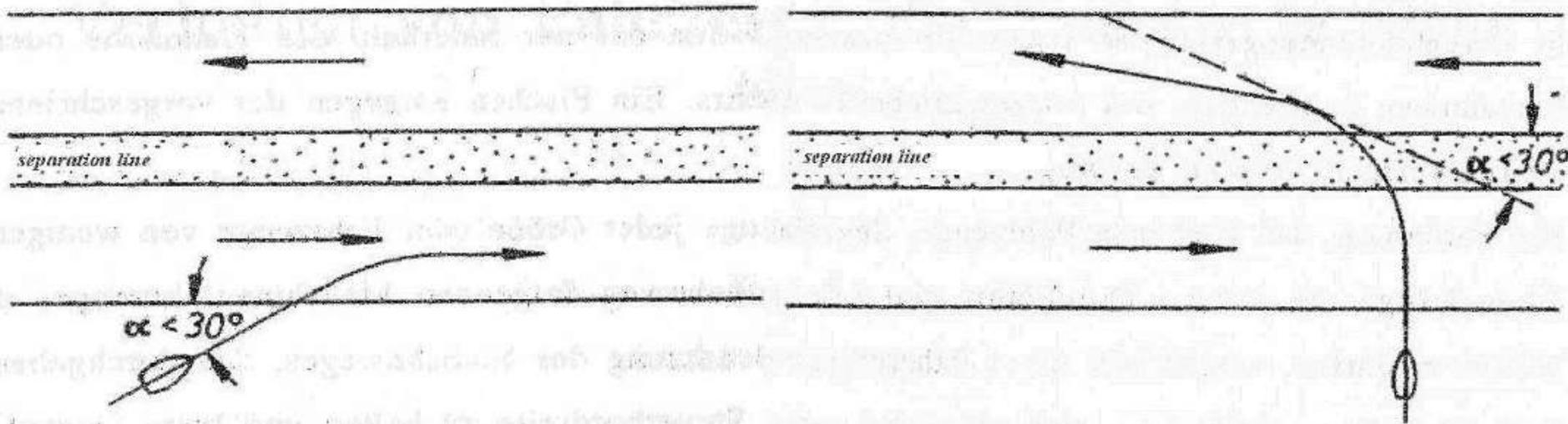
- In short
 - Are there provisions for penalties in the national law
 - How much are the penalties for different cases?
 - For which instances penalties apply?
 - What is an average wage on a ship?
 - How often are these penalties applied?
 - Is there a chance to institute proceedings against ships and individuals
 - Access to foreign crew members?
 - Access to foreign ship owners?



5. Enforcement/Evaluation and Review

Examples

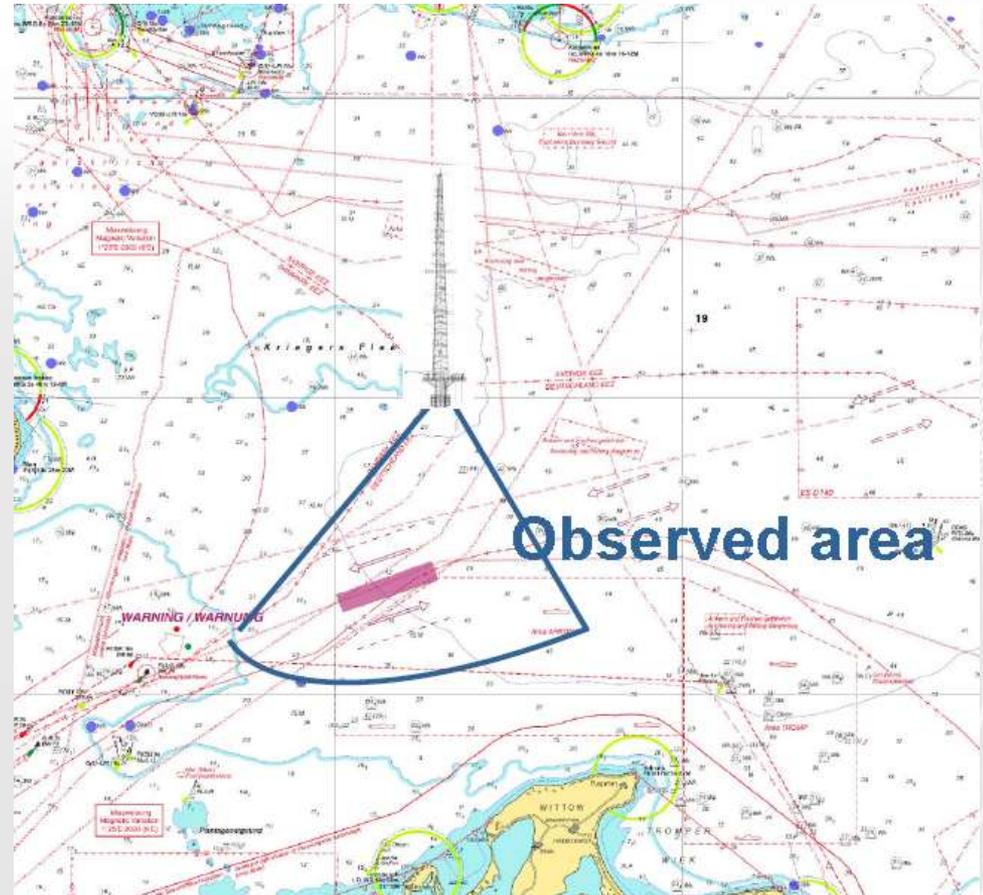
- COLREG, Reg. 10



5. Enforcement/Evaluation and Review

Examples

- TSS North of Rügen
 - Observed in October 2007 (AIS Data)
 - About 6% of all ships violated COLREG Reg. 10



5. Enforcement/Evaluation and Review

Examples

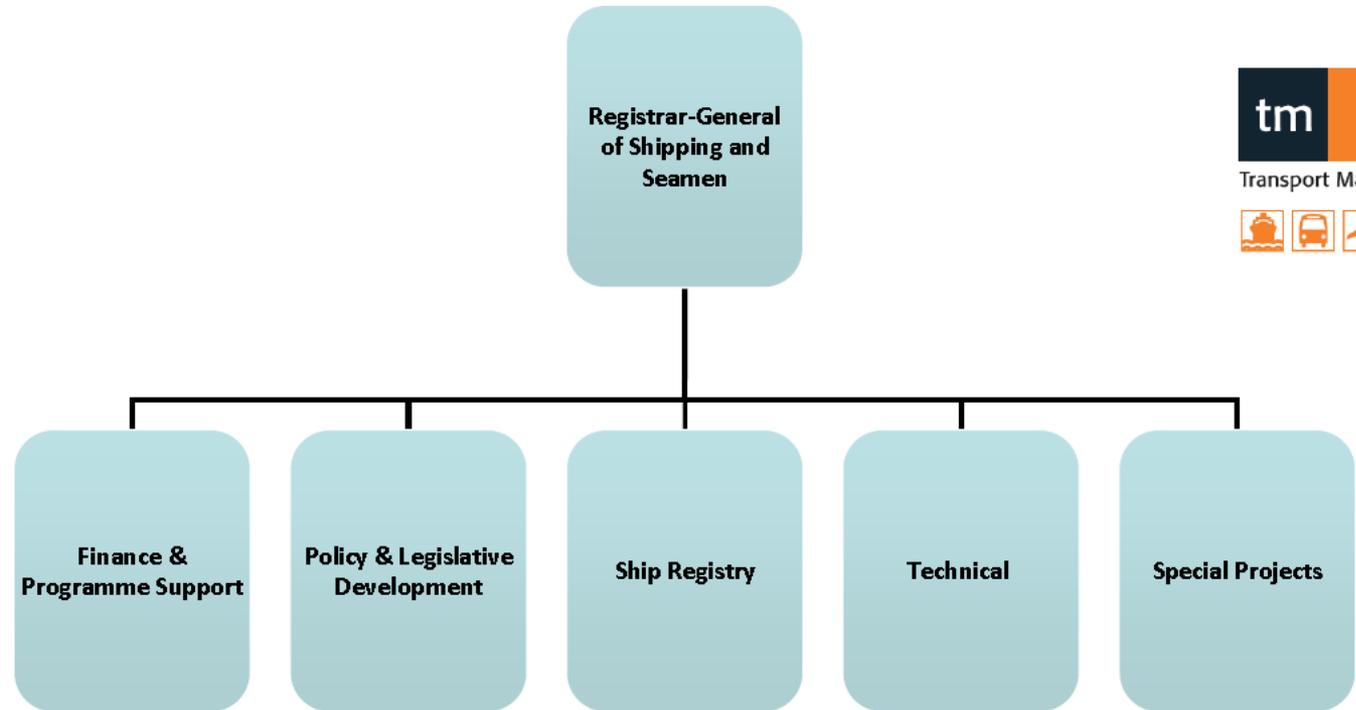
- Other “popular” reasons for penalties
 - Not reporting accidents and incidents
 - MARPOL violations
 - ...



5. Enforcement/Evaluation and Review

Examples

- Malta



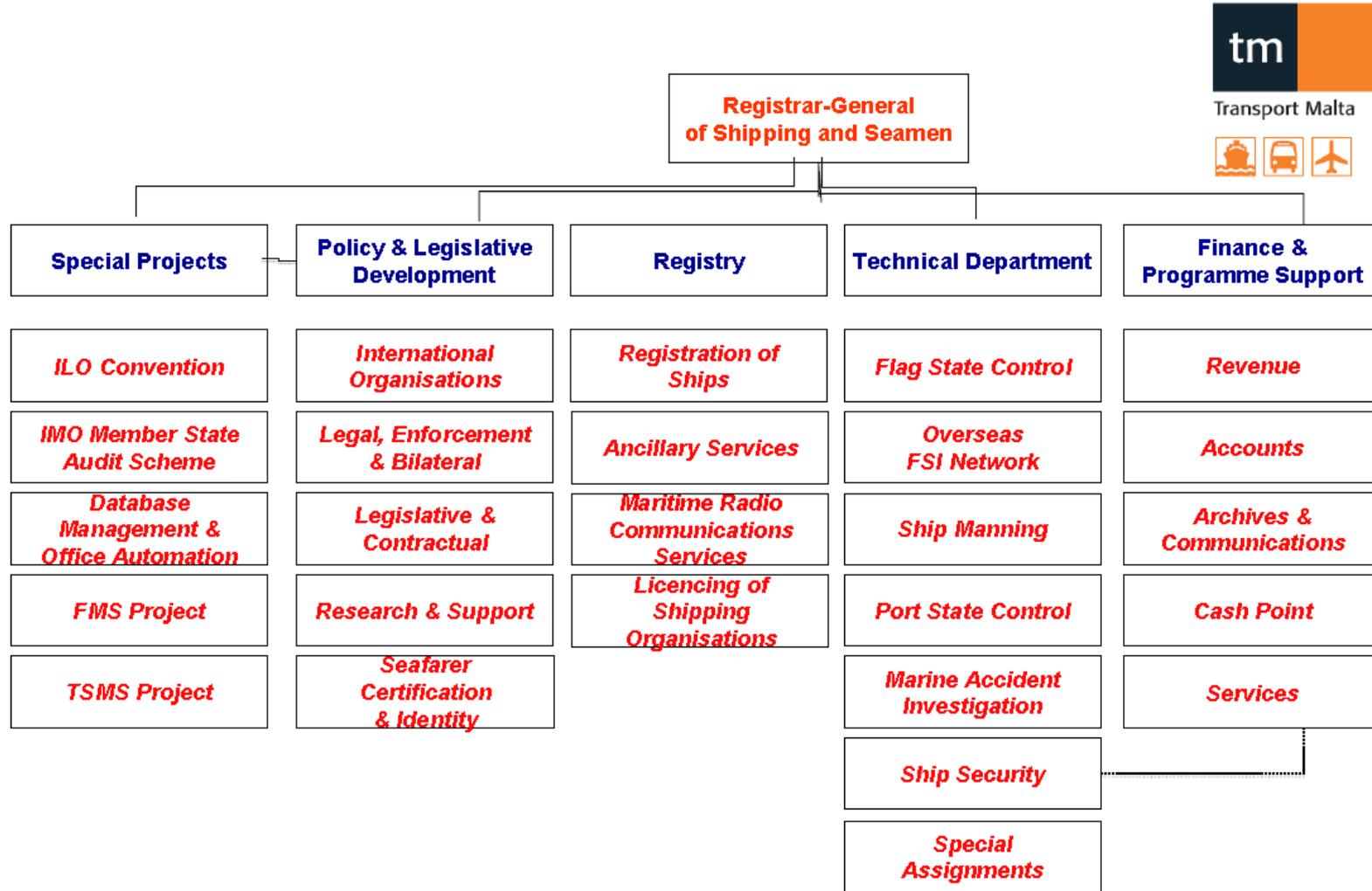
Currently a total of 70 personnel based in Malta together with a global network of more than 100 inspectors based in over 60 countries



5. Enforcement/Evaluation and Review

Examples

- Malta



5. Enforcement/Evaluation and Review

Code, Annex, Part II, Para. 23

- Control and monitoring programme
 - A flag State should consider developing and implementing a control and monitoring programme, as appropriate, in order to:
 - provide for prompt and thorough casualty investigations, with reporting to IMO as appropriate;
 - provide for the collection of statistical data, so that trend analyses can be conducted to identify problem areas; and
 - provide for a timely response to deficiencies and alleged pollution incidents reported by port or coastal States.



5. Enforcement/Evaluation and Review

What does that mean?

- In short
 - How do you register
 - Your casualties
 - Your PSC detentions
 - Cases of pollution of your ships



5. Enforcement/Evaluation and Review

Examples

- MAIB (UK) Annual Report 2010

Table 3 – Merchant Vessel Losses: 1998-2010

	Number Lost	UK Fleet Size	gt Lost
1998	1	1 072	3 476
1999	-	1 035	-
2000	1	1 050	12 778
2001	1	1 047	11 217
2002	1	1 210	671
2003	-	1 343	-
2004	2	1 406	832
2005	6	1 443	1 579
2006	-	1 480	-
2007	5	1 518	54 304
2008	2	1 578	645
2009	1	1 564	274
2010	-	1 520	-



5. Enforcement/Evaluation and Review

Examples

- MAIB (UK) Annual Report 2010

Table 6 - Merchant Vessels in Accidents by Nature of Accident: 1998-2010

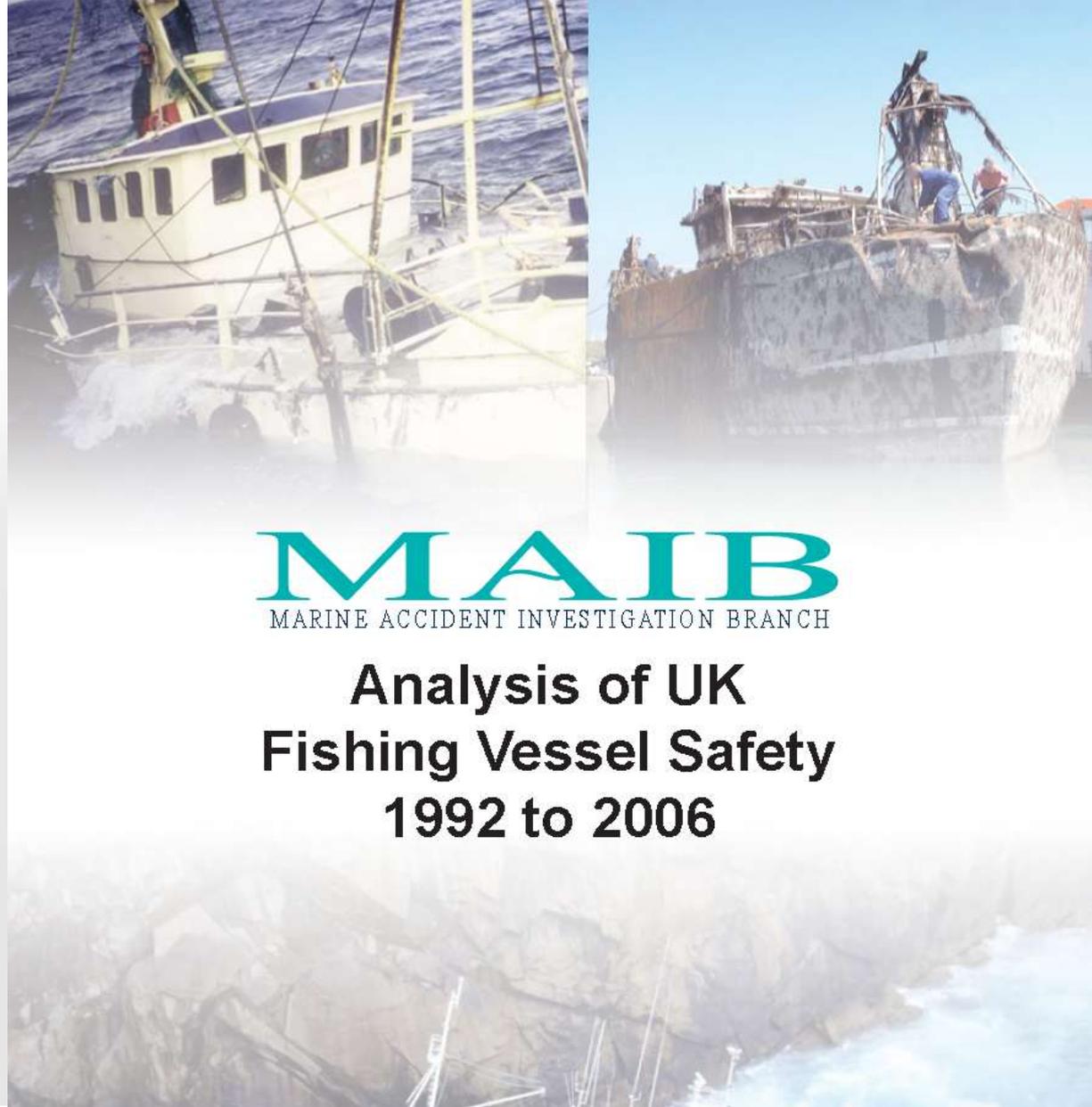
	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Capsize/Listing	-	1	-	1	-	-	2	1	-	2	-	-	-
Cargo Handling Failure	2	1	8	1	1	3	1	1	2	1	4	3	2
Collision	23	10	25	16	18	12	16	38	25	14	21	24	27
Contact	23	18	14	13	25	37	28	34	20	29	27	31	38
Escape of Harmful Substance	27	15	4	11	-	-	4	2	1	2	1	-	-
Fire/Explosion	24	19	18	20	26	22	24	22	7	7	12	2	8
Flooding/Foundering	3	3	2	3	1	3	3	6	4	2	4	4	3
Grounding	20	16	7	18	14	13	15	26	21	11	26	18	23
Heavy Weather	4	2	5	1	4	3	4	1	6	4	4	4	3
Machinery Failure	55	48	50	40	28	41	42	51	30	36	23	24	25
Person Overboard	8	11	5	10	10	9	5	13	11	7	11	10	7
Other	28	16	1	-	2	3	1	3	2	-	2	4	5
Total	217	160	139	134	129	146	145	198	129	115	135	124	141



5. Enforcement/ and Review

Examples

- MAIB (UK)
Trend analysis



MAIB
MARINE ACCIDENT INVESTIGATION BRANCH

Analysis of UK Fishing Vessel Safety 1992 to 2006



5. Enforcement/Evaluation and Review

Code, Annex, Part II, Para. 24

- Further enforcement tasks
 - Furthermore, the flag State should:
 - ensure compliance with applicable IMO instruments through national legislation;
 - provide an appropriate number of qualified personnel to implement and enforce the national legislation referred to in subparagraph 15.1, including personnel for performing investigations and surveys;
 - provide a sufficient number of qualified flag State personnel to investigate incidents where ships entitled to fly its flag have been detained by port States;
 - provide a sufficient number of qualified flag State personnel to investigate incidents where the validity of a certificate or endorsement or competence of individuals holding certificates or endorsements issued under its authority are questioned by port States; and
 - ensure the training and oversight of the activities of flag State surveyors and investigators.



5. Enforcement/Evaluation and Review

What does this mean

- How is the number of surveyors determined?
 - PSC inspections
 - Accident investigations
 - Regular surveys
- Documented and regular training?
- Proper records?



5. Enforcement/Evaluation and Review

Examples

- Liberia – Training programmes
 - Annual meetings with the locally appointed surveyors
 - Training measures
 - Specific instructions about priorities for the inspections
- Other member States often train their surveyors in local maritime academies



5. Enforcement/Evaluation and Review

Code, Annex, Part II, Para. 25

- When a State is informed that a ship entitled to fly its flag has been detained by a port State, the flag State should oversee that appropriate corrective measures to bring the ship in question into immediate compliance with the applicable international conventions are taken.



5. Enforcement/Evaluation and Review

What does that mean?

- There has to be a follow-up to PSC deficiencies



Year 2010					
Flag State	Inspections	Detentions	Inspections with deficiencies	Detention %	Inspection % with deficiencies



5. Enforcement/Evaluation and Review

Examples

- Hong Kong

General Guidelines on PSC Detention of Hong Kong registered cargo ships

4. In the event of a Hong Kong registered ship being detained as a result of PSC intervention, the ship master or owner should **immediately**:

i) forward a copy of the PSC inspection report (i.e. FORM A and FORM B), stating when, where and by whom the ship has been detained, to this Department; and

ii) contact the local office of the concerned Recognized Organization (RO) / Recognized Security Organization to arrange an inspection and/or audit for confirmation of the rectification of the deficiencies and/or non conformities.

5. In addition to fulfilling the reporting requirement as stated in paragraph 4(i) above, prompt receipt of information relating to detentions will enable this Department to take the necessary follow-up action, including assessing the seriousness of deficiencies, evaluating the justification for detention, and compiling reports to the International Maritime Organization (IMO) on the outcome.



5. Enforcement/Evaluation and Review

Examples

- Cyprus

2 Notification after Detention

- 2.1 When a Cyprus flag ship is detained, the Company managing the ship and or the Master of the ship are obliged to:
- Call immediately the Recognized Organization (RO) to perform surveys / audits required by the present circular;
 - Notify **within two working days from the detention date** the Department and confirm compliance with the provisions of the present circular.
- 2.2 **If a ship sails without complying with the above, then** upon arrival at the next port of call, a prohibition of sail will be issued until all required surveys / audits are completed.
- 2.3 **Furthermore an additional Company audit in the scope of an annual may be requested.**



5. Enforcement/Evaluation and Review

Code, Annex, Part II, Para. 26 and 27

- A flag State, or a recognized organization acting on its behalf, should only issue or endorse an international certificate to a ship after it has determined that the ship meets all applicable requirements.
- A flag State should only issue an international certificate of competency or endorsement to a person after it has determined that the person meets all applicable requirements.



5. Enforcement/Evaluation and Review

Review questions

- What penalties do you have?
- How many times were penalties used in recent years?
- What is the most common reason for a penalty?
- How many foreigners working on your ships had to pay penalties?
- How many did really pay?
- What are the regulations to follow-up on a PSC inspection of one of your ships?
- How do you react when you receive a letter about a violation of COLREG rule 10?
- Do you have a casualty investigation data base?
- What is the training and oversight programme for surveyors?
- How do you determine what is a sufficient number of surveyors?



Flag State obligations

Areas to be covered under this headline

1. Implementation
2. Flag State surveyors
3. Delegation of authority
4. Flag State investigations
5. Enforcement/Evaluation and review
6. STCW and manning issues



6. STCW and manning issues

Code, Annex, Part II, para. 16.3 and 17

- Overview
 - Overall compliance with the STCW convention (especially when having own Maritime Training and Education – MET – Institutions)
 - Certification of seafarers (fraudulent certificates)
 - Investigations for reported cases of failure etc.
 - Safe manning



6. STCW and manning issues

Code, Annex, Part II, para. 16.3

- Certification of seafarers (I)
 - A flag State should establish resources and processes capable of administering a safety and environmental protection programme, which, as a minimum, should consist of the following:
 - Compliance with the requirements related to international standards of training, certification and watchkeeping of seafarers. This includes, inter alia:
 - training, assessment of competence and certification of seafarers;
 - certificates and endorsements that accurately reflect the competencies of the seafarers, using the appropriate terminology as well as terms that are identical to those used in any safe manning document issued to the ship;
 - impartial investigation to be held of any reported failure, whether by act or omission that may pose a direct threat to safety of life or property at sea or to the marine environment, by the holders of certificates or endorsements issued by the State;



6. STCW and manning issues

Code, Annex, Part II, para. 16.3

- Certification of seafarers (II)
 - A flag State should establish resources and processes capable of administering a safety and environmental protection programme, which, as a minimum, should consist of the following:
 - Compliance with the requirements related to international standards of training, certification and watchkeeping of seafarers. This includes, inter alia:
 - arrangements for the withdrawal, suspension or cancellation of certificates or endorsements issued by the State when warranted and when necessary to prevent fraud; and
 - administrative arrangements, including those involving training, assessment and certification activities conducted under the purview of another State, which are such that the flag State accepts its responsibility for ensuring the competence of masters, officers and other seafarers serving on ships entitled to fly its flag;



6. STCW and manning issues

Code, Annex, Part II, para. 17

- Safe Manning

- A flag State should ensure that ships entitled to fly its flag are sufficiently and efficiently manned, taking into account relevant and existing measures such as the Principles of Safe Manning adopted by the Organization.



6. STCW and manning issues

What does that mean?

- 16.3.1 - training, assessment of competence and certification of seafarers are in accordance with the provisions of the Convention
 - **STCW Convention – Code, Section A-I/8 – Quality standards (I)**
 - **National objectives and quality standards**
 - Each Party shall ensure that the **education and training objectives** and related standards of competence to be achieved **are clearly defined** and identify the levels of knowledge, understanding and skills appropriate to the examinations and assessments required under the Convention. The objectives and related quality standards may be specified separately for different courses and training programmes and shall cover the administration of the certification system.
 - The field of **application of the quality standards shall cover the administration of the certification system**, all training courses and programmes, examinations and assessments carried out by or under the authority of a Party and the qualifications and experience required of instructors and assessors, having regard to the policies, systems, controls and **internal quality assurance reviews established to ensure achievement of the defined objectives.**



6. STCW and manning issues

What does that mean?

- 16.3.1 - training, assessment of competence and certification of seafarers are in accordance with the provisions of the Convention
 - **STCW Convention – Code, Section A-I/8 – Quality standards (II)**
 - **National objectives and quality standards**
 - Each Party shall ensure that an **independent evaluation** of the knowledge, understanding, skills and competence acquisition and assessment activities, and of the administration of the certification system, are conducted at **intervals of not more than five years** in order to verify that:
 - » all internal management control and monitoring measures and follow-up actions comply with planned arrangements and documented procedures and are effective in ensuring achievement of the defined objectives;
 - » the results of each independent evaluation are documented and brought to the attention of those responsible for the area evaluated; and
 - » timely action is taken to correct deficiencies.



6. STCW and manning issues

What does that mean?

- 16.3.1 - training, assessment of competence and certification of seafarers are in accordance with the provisions of the Convention
 - **STCW Convention – Code, Section A-I/8 – Quality standards (III)**
 - **National objectives and quality standards**
 - The report of the independent evaluation required by paragraph 3 of regulation I/8 shall include the terms of reference for the evaluation and qualifications and experience of the evaluators.



6. STCW and manning issues

What does that mean?

- 16.3.1 - training, assessment of competence and certification of seafarers are in accordance with the provisions of the Convention
 - **STCW Convention – Code, Section A-I/7 – Communication of information**
 4. Each Party **shall report the results of each evaluation** carried out pursuant to regulation I/8, paragraph 2 **within six months of its completion**, which report shall describe the terms of reference of the evaluators, their qualifications and experience, the date and scope of the evaluation, the deficiencies found and the corrective measures recommended and carried out.



6. STCW and manning issues

What does that mean?

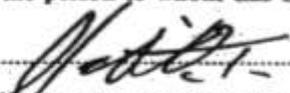
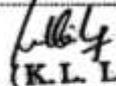
- 16.3.1 - training, assessment of competence and certification of seafarers are in accordance with the provisions of the Convention
 - **Other relevant STCW regulations**
 - **I/2 Certificates and endorsements**
 - **I/9 Medical standards – Issue and registration of certificates (!)**
 - **I/10 Recognition of certificates (endorsements)**
 - **I/11 Revalidation of certificates**



6. STCW and manning issues

What does that mean?

- 16.3.2 – STCW certificates
 - Terminology according to STCW

Signature of the person to whom this Licence is issued 	 HONG KONG Issued under the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978
Year of Birth <u>FORTY- NINETEEN HUNDRED AND FOUR</u>	I, the undersigned certify that the present Licence is issued to <u>YIP KING TONG</u> <small>(Full Name of Holder)</small>
Place of Birth <u>CHINA</u>	who has satisfied the provisions of Regulation(s) III/2 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as
	CHIEF ENGINEER OFFICER
 Issuing Office Stamp	with the following limitations only: <u>Motorship</u>
<i>N.B.—Any person other than the rightful holder becoming possessed of this Licence should transmit it forthwith to the Director of Marine, Hong Kong.</i>	Date of issue of this endorsement <u>29 JAN 1992</u> Signed  (K.L. Lee) for Director of Marine
	Date of birth of holder of Licence <u>22 APR 1944</u>
	Signature of holder of Licence 

6. STCW and manning issues

What does that mean?

- 16.3.2 – STCW certificates
 - Terminology according to STCW

CONTROL NUMBER 130838  **The Republic of Liberia**
 BUREAU OF MARITIME AFFAIRS LICENSE NUMBER 379859

LICENSE OF COMPETENCE TO MERCHANT MARINE OFFICER

Pursuant to the Liberian Maritime Law and Regulations, as amended, it is hereby certified that

TAE SEOG YANG
has been found duly qualified to perform the duties of

MASTER; ALSO RADAR OBSERVER

on OCEAN GOING vessels of ANY GROSS TONNAGE

and is licensed to perform in said capacity on board vessels registered under the Maritime Law of the Republic of Liberia and engaged in international service. This license is valid for a term of five years from its date of issuance or renewal and is subject to suspension or revocation by the Commissioner or any Deputy Commissioner of Maritime Affairs.



BIRTHPLACE			
JEONBUK, KOREA			
CITIZENSHIP			
KOREAN			
HEIGHT	WEIGHT	EYES	HAIR
5'08	166	BLACK	BLACK
PERMANENT ADDRESS			
109-1 DAGA-DONG			
JEONJU-CITY, JEONBUK			
KOREA			

This License and Endorsement are issued by authority of the Commissioner of Maritime Affairs

this 8TH of APRIL 1991


COMMISSIONER OF MARITIME OFFICER DIVISION


DEPUTY COMMISSIONER OF MARITIME AFFAIRS, LL

ENDORSEMENT OF THE
ISSUED UNDER THE PROVISIONS OF THE
International Convention on Standards of Training,
Certification and Watchkeeping for Seafarers, 1978
The Government of THE REPUBLIC OF LIBERIA Certifies:

That the present license No: 379859 is issued to

TAE SEOG YANG

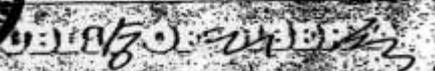
who has been found duly qualified in accordance with the provisions of Regulation 11/2 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as **MASTER; ALSO RADAR OBSERVER** with the following limitations only:

NONE

8TH APRIL 1991
DATE OF ISSUE OF THIS ENDORSEMENT

8TH APRIL 1996
LICENSE & ENDORSEMENT EXPIRES ON

18TH AUGUST 1943
DATE OF BIRTH OF THE HOLDER OF THIS LICENSE


SIGNATURE OF THE HOLDER OF THIS LICENSE

NOTE: This certificate is and remains the property of the Republic of Liberia

1-1988 REV. 10/89

6. STCW and manning issues

What does that mean?

- 16.3.2 – STCW certificates
 - Other questions to consider
 - On which basis are they issued?
 - Are records kept?



6. STCW and manning issues

What does that mean?

- 16.3.3 – Impartial investigations
 - **STCW Convention – Regulation I/5 – National provisions**
 - Each Party shall establish processes and procedures for the impartial investigation of any reported incompetency, act or omission, that may pose a direct threat to safety of life or property at sea or to the marine environment, by the holders of certificates or endorsements issued by that Party in connection with their performance of duties related to their certificates and for the withdrawal, suspension and cancellation of such certificates for such cause and for the prevention of fraud.



6. STCW and manning issues

What does that mean?

- 16.3.4 – Withdrawal of certificates
 - Effectively withdrawn, cancelled or suspended
 - Example: Poland
 - Challenge: What happens if an Israeli national sails on a foreign ship?



6. STCW and manning issues

What does that mean?

- 16.3.4 – Withdrawal of certificates
 - Challenge: Fraudulent Certificates



6. STCW and manning issues

What does that mean?

- 17 Safe Manning
 - IMO instruments
 - Flag must issue “a minimum safe manning certificate” **SOLAS V/14**: “Contracting Governments undertake, each for its national ships, to maintain, or, if it is necessary, to adopt, measures for the purpose of ensuring that, from the point of view of safety of life at sea, all ships shall be sufficiently and efficiently manned.”
 - Principles of safe manning are included in resolution **A.890(21)-1999**, and amended by resolution A.955(23)-2003.
 - Guidance on fatigue mitigation and management **MSC/Cir.1014 - 2001**



6. STCW and manning issues

What does that mean?

- 17 Safe Manning
 - Res. 890(21) (I)
 - Factors defining safe manning:
 - capability to:
 - » maintain safe navigational, engineering and radio watches in accordance with regulation VIII/2 of the 1978 STCW Convention, as amended, and also maintain general surveillance of the ship;
 - » moor and unmoor the ship safely;
 - » manage the safety functions of the ship when employed in a stationary or near-stationary mode at sea;
 - » perform operations, as appropriate, for the prevention of damage to the marine environment;
 - » maintain the safety arrangements and the cleanliness of all accessible spaces to minimize the risk of fire;
 - » provide for medical care on board ship;
 - » ensure safe carriage of cargo during transit; and
 - » inspect and maintain, as appropriate, the structural integrity of the ship



6. STCW and manning issues

What does that mean?

- 17 Safe Manning
 - Res. 890(21) (II)
 - Factors defining safe manning:
 - ability to:
 - » operate all watertight closing arrangements and maintain them in effective condition, and also deploy a competent damage control party;
 - » operate all on-board fire-fighting and emergency equipment and life-saving appliances, carry out such maintenance of this equipment as is required to be done at sea, and muster and disembark all persons on board; and
 - » operate the main propulsion and auxiliary machinery and maintain them in a safe condition to enable the ship to overcome the foreseeable perils of the voyage.



6. STCW and manning issues

What does that mean?

- 17 Safe Manning
 - Res. 890(21) (II)
 - Factors defining safe manning:
 - ability to:
 - » operate all watertight closing arrangements and maintain them in effective condition, and also deploy a competent damage control party;
 - » operate all on-board fire-fighting and emergency equipment and life-saving appliances, carry out such maintenance of this equipment as is required to be done at sea, and muster and disembark all persons on board; and
 - » operate the main propulsion and auxiliary machinery and maintain them in a safe condition to enable the ship to overcome the foreseeable perils of the voyage.



6. STCW and manning issues

What does that mean?

- Safe manning certificate

MINIMUM SAFE MANNING CERTIFICATE

Issued under the provisions of regulation V/13(b) of the INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, As Amended

Under the authority of the Government of the
Republic of the Marshall Islands
By the Maritime Administrator

SCHEDULE 1
 8,000 OR MORE GT AND 3,000 OR MORE KW

Particulars of ship

Name of ship	PORT MOODY
Distinctive number or letters	1725
IMO number	9246449
Port of registry	Majuro
Gross tonnage: National / Intl Tonnage Convention, 1969	/ 29998
Main propulsion (kW)	8730
Type of ship	OIL TANKER
Periodically unattended machinery space	Yes **
Trading area/restrictions: INTERNATIONAL/ UNRESTRICTED	

The ship named in this document is considered to be safely manned, if when it proceeds to sea, it carries not less than the number and grades/capacities of personnel specified in the table(s) below.

Grade/capacity	Certificate (STCW regulations)	Number of persons
Master	95 II/2	1
Chief Mate	95 II/2	1
Second Mate	95 II/1	1
Third Mate	95 II/1	1
Able Seaman *	95 II/4	3
Ordinary Seaman	95 II/4	2
1 GMDSS 1st / 2nd Class Radio Electronic Operator/Maintainer or 2 Deck Officers holding GMDSS General Operator Certificate.		
Chief Engineer	95 III/2	1
1st Assistant Engineer	95 III/2	1
2nd Assistant Engineer **	95 III/1	1
3rd Assistant Engineer **	95 III/1	1
Oiler/Motorman ***	95 III/4	3

Special requirements or conditions, if any:

Watchkeeping arrangements shall be at the discretion of the Master but shall never be of lesser standards than those prescribed by the STCW Convention and IMO Resolution A.890(21).

The grades and numbers of personnel listed above reflect the minimum levels of manning necessary for the safety of navigation and operation. Additional personnel as may be considered necessary for maintenance, or cargo handling and control, or watch keeping, and as needed for required rest periods, are the responsibility of the owners, Master, and Chief Engineer.

** If all ratings on a vessel maintaining a fully manned machinery space are qualified as General Purpose (GP-1), the total number of Able Seamen or Oiler/Motormen carried shall be reduced by one (1).*

*** If classed for periodically unattended machinery operation and provided a record of satisfactory Automation Notation survey is completed in accordance with Classification Society requirements, the 2nd and 3rd Assistant Engineers and one (1) Oiler/Motorman are no longer required.*

Note: This document is applicable only to motor and diesel powered vessels in the deck and engine departments.

Issued at Piraeus, Greece on the 3rd day of February, 2004



Deputy Commissioner of Maritime Affairs
 Republic of the Marshall Islands

6. STCW and manning issues

Example

- Manning tables for Liberian ships

APPLICATION	BASIC MANNING	STCW 1978, AS AMENDED REG
All ships over 8000 GT/3000 kW Non-Automated	Master	II/2
	Chief Mate	II/2
	Two (2) Navigational Watch Officers	II/1
	GMDSS	VI/2
	3 Able Seamen	II/4
	2 Ordinary Seamen	II/4
	Chief Engineer	III/2
	First Assistant	III/2
	Two (2) Engineering Watch Officers	III/1
		III/1
		III/4
	2 Oiler/Motormen	



6. STCW and manning issues

Review questions (I)

- How many seafarers have you registered in your files?
- Who issues the certificates of competency?
- How do you check medical fitness?
- Are records about medical fitness kept?
- How many MET institutions are there in your country?
- How is the quality insurance done?
- Do you report to IMO?
- Are foreigners allowed to work on your ships?
- What do you do to check if a certificate is fraudulent?
- How do you issue endorsements?
- How do you determine safe manning levels?



Any questions?

Questions & Answers

