



Republic of the Philippines
Department of Labor and Employment
Maritime Training Council

MEMORANDUM CIRCULAR NO. 15
Series of 2011

TO : ALL CONCERNED

**SUBJECT : CLARIFICATIONS ON TRANSITIONAL PROVISIONS OF 2010
MANILA AMENDMENTS TO THE STCW CONVENTION AND
CODE**

DATE : 27 September 2011

The IMO STCW .7/Cir. 16 dated 24 May 2011 has provided the following relevant clarifications pertaining to the validity of certificates and endorsement issued in accordance with the provisions of the Convention which applied immediately prior to 01 January 2012 as set out in the Annex:

1. For seafarers holding Certificate of Proficiency (COP) or Certificate of Competency (COC) issued in accordance with the provisions of the Convention which applied immediately prior to 01 January 2012 and who **have not met** the requirements of the 2010 Manila Amendments, the validity of any revalidated certificate should not extend beyond 01 January 2017;
2. For seafarers holding COP/COC issued in accordance with the provisions of the Convention which applied immediately prior to 01 January 2012 who **have met** the requirements of the 2010 Manila Amendments, the validity of any revalidated certificate can extend beyond 01 January 2017;
3. For seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course **before 01 July 2013**, the validity of any certificate issued should not extend beyond 01 January 2017 unless they meet the requirements of the 2010 Manila Amendments; and
4. For seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course **after 01 July 2013**, the validity of any certificate issued may extend beyond 01 January 2017.

STCW Regulation I/15 applies to the Certification of seafarers. Therefore, any amendments to Chapters I and VIII that do not directly involve certification of seafarers, under Regulation I/15, should be implemented by 01 January 2012.

For security-related training requirements, the certificates of seafarers who commenced an approved seagoing service under Section A-VI/6 prior to 01 January 2012 shall be recognized until 01 January 2014.

Attached is a copy of the said IMO Circular for further reference.

For your information and guidance.


LIBERTY T. CASCO
Executive Director

Enc : a/s

4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

STCW.7/Circ.16
24 May 2011

**INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978,
AS AMENDED**

**Clarification of transitional provisions relating to the 2010 Manila Amendments to the
STCW Convention and Code**

- 1 Pursuant to resolution 4 of the 2010 STCW Conference, encouraging the orderly transition to full and effective implementation of the 2010 Manila Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, and the Seafarers' Training, Certification and Watchkeeping Code, the Maritime Safety Committee (MSC) at its eighty-ninth session (11 to 20 May 2011) considered a series of issues that required urgent clarification.
- 2 The Committee considered the implementation of the provisions of the 2010 Manila Amendments with the following matters requiring urgent clarification:
 - .1 revalidation of certificates issued in accordance with the provisions of the Convention in force prior to 1 January 2012 and the issuance of certificates to seafarers who commence approved seagoing service, an approved education and training programme or an approved training course before and after 1 July 2013;
 - .2 transitional provisions which do not relate to certification issues; and
 - .3 security-related training provisions.
- 3 To assist Parties with the implementation of the 2010 Manila Amendments, the Committee prepared a number of clarifications, as set out in the annex.
- 4 Member Governments and Parties to the STCW Convention are invited to take full account of the guidance in the annex when implementing the 2010 Manila Amendments to the STCW Convention and Code.
- 5 As recommended in paragraph 1 of resolution 4 of the 2010 STCW Conference, any difficulties encountered in implementing requirements of the 2010 Manila Amendments to the STCW Convention and Code should be brought to the attention of the Maritime Safety Committee. This should be done as soon as possible to allow the Committee to respond to urgent needs for technical assistance or to develop additional guidance.

ANNEX

CLARIFICATIONS

I **Issuance and revalidation of certificates and endorsements issued in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012**

1 Regulation I/15 provides that a Party may, until 1 January 2017, continue to renew and revalidate certificates and endorsements in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012. Conversely, regulation I/11, paragraph 4, requires Member States to compare the standards of competence which it required of candidates for certificates issued before 1 January 2017 with those specified for the appropriate certificate in part A of the Code and determine the need for the holders to undergo appropriate refresher and updating training or assessment. This may raise the question of whether a certificate revalidated in accordance with regulation I/15 should be valid beyond 1 January 2017.

2 Resolution 4 of the STCW Conference recognizes the need for full compliance to be achieved by the 1 January 2017. Therefore, in order to promote uniform implementation of the 2010 Manila Amendments to the STCW Convention and Code, regulation I/15 should be applied as follows:

- .1 for seafarers holding certificates issued in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012 and who **have not met** the requirements of the 2010 Manila Amendments, the validity of any revalidated certificate should not extend beyond 1 January 2017;
- .2 for seafarers holding certificates issued in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012 who **have met** the requirements of the 2010 Manila Amendments, the validity of any revalidated certificate can extend beyond 1 January 2017;
- .3 for seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course **before 1 July 2013** the validity of any certificate issued should not extend beyond 1 January 2017, unless they meet the requirements of the 2010 Manila Amendments; and
- .4 for seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course **after 1 July 2013** the validity of any certificate issued may extend beyond 1 January 2017.

3 Noting that table B-I/2 contains a list of certificates or documentary evidence required under the relevant provisions of the Convention, Administrations should take into account that the certificates or documentary evidence under the 2010 Manila Amendments have changed in respect of contents and title. Administrations may issue certificates or documentary evidence under the provisions of the 1995 STCW Amendments with a validity that should not extend beyond 1 January 2017 or new certificates under the provisions of the 2010 Manila Amendments, as appropriate.

4 The medical requirements under regulation I/9 were significantly changed under the 2010 Manila Amendments. Regulation I/15 is also applicable to medical certificates issued under regulation I/9 and, therefore, medical certificates issued in accordance with the 1995 STCW Amendments should not have a validity that extends beyond 1 January 2017. Administrations may continue to issue medical certificates under the 1995 STCW Amendments until 1 January 2017 or new certificates under the provisions of the 2010 Manila Amendments, as appropriate.

II Transitional provisions which do not relate to certification issues

5 Regulation I/15 applies to the certification of seafarers. Therefore, any amendments to chapters I and VIII that do not directly involve certification of seafarers, under regulation I/15, should be implemented by 1 January 2012.

6 The interrelated nature of the various STCW regulations will have practical implications for Parties when implementing some of the provisions in chapters I and VIII. In particular, but not limited to, the amended requirements of chapter VIII which will come into force on 1 January 2012, however, some aspects of seafarer training, for example, Engine-room Resource Management (ERM) or Bridge Resource Management (BRM), are not required to be completed until 1 January 2017.

7 Bearing in mind resolution 4 of the STCW Conference, which recognizes the need for full compliance to be achieved by 1 January 2017, and considering the interrelated nature of the various STCW regulations amendments, Parties and Companies are urged to ensure that the implementation of the necessary training and certification of seafarers for full compliance with the 2010 Manila Amendments is commenced as soon as possible.

III Security-related training provisions

8 Noting the close entry into force date of the 2010 Manila Amendments, it is recognized that practical difficulties may arise for all seafarers with security-related requirements to obtain necessary certifications and/or the necessary endorsements required in accordance with regulation VI/6 of the 2010 Manila Amendments. Parties are urged to note that transitional provisions under section A-VI/6 provide for, up until 1 January 2014, the recognition of seafarers who commenced an approved seagoing service prior to 1 January 2012.

9 Taking into account the above paragraph 8, Parties should inform their Port State Control authorities that, until 1 January 2014, even if a seafarer's documentation with regard to the security-related training in regulation VI/6 is not in accordance with the 2010 Manila Amendments, it would be sufficient to accept compliance with section 13 of the International Ship and Port Facility Security (ISPS) Code.