

STCW-F⁹⁵

**International Convention on Standards of Training,
Certification and Watchkeeping for Fishing Vessel
Personnel, 1995**

including the Final Act of the International Conference
on Standards of Training, Certification and Watchkeeping
for Fishing Vessel Personnel, 1995

and resolutions adopted by the Conference



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Foreword

This publication contains the text of the Final Act of the 1995 International Conference on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F Conference). The Conference, which was convened by the International Maritime Organization, met at the Headquarters of the Organization from 26 June to 7 July 1995.

The Conference adopted, on 7 July 1995, the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F Convention) and nine resolutions, which constitute attachments 1 and 2 to the Final Act of the STCW-F Conference. The articles and regulations contained in the annex to the 1995 STCW-F Convention should be read and interpreted as one single document.

The footnotes to the text of the regulations, which have been added by the IMO Secretariat, do not form part of the STCW-F Convention and have been inserted for ease of reference. The IMO Secretariat has been requested to update these footnotes as and when appropriate. In all cases the reader must make use of the latest editions of the referenced texts, bearing in mind that such texts may have been revised or superseded by updated material since publication of this Final Act.

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Final Act of the International Conference on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995

1 Pursuant to the decision made by the Assembly of the International Maritime Organization (IMO) at its sixteenth session and IMO's Maritime Safety Committee at its sixty-second session and subsequent to decisions by IMO's Council at its seventieth session and the Assembly at its eighteenth session, an International Conference on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel was convened, in consultation with the Director-General of the International Labour Office, to consider and adopt an International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel.

2 Upon the invitation of the International Maritime Organization, the Conference was held in London from 26 June to 7 July 1995.

3 Representatives of 74 Governments participated in the Conference, namely the representatives of:

Algeria	France
Angola	Gabon
Argentina	Germany
Australia	Ghana
Bahamas	Greece
Belgium	Holy See
Benin	Iceland
Brazil	India
Bulgaria	Indonesia
Canada	Iran (Islamic Republic of)
Chile	Ireland
China	Italy
Colombia	Jamaica
Congo	Japan
Côte d'Ivoire	Latvia
Cuba	Liberia
Cyprus	Libyan Arab Jamahiriya
Denmark	Luxembourg
Ecuador	Malaysia
Egypt	Malta
Estonia	Marshall Islands
Finland	Mexico

Morocco	Solomon Islands
Netherlands	South Africa
New Zealand	Spain
Nigeria	Sweden
Norway	Thailand
Panama	Tunisia
Papua New Guinea	Turkey
Peru	Ukraine
Philippines	United Arab Emirates
Poland	United Kingdom of Great Britain and Northern Ireland
Portugal	United States of America
Republic of Korea	Uruguay
Romania	Vanuatu
Russian Federation	Venezuela
Saudi Arabia	
Slovenia	

4 Hong Kong, an Associate Member of the International Maritime Organization, sent observers to the Conference.

5 The following organizations of the United Nations system were represented at the Conference:

International Labour Organization (ILO)
Food and Agriculture Organization of the United Nations (FAO)

6 The following intergovernmental organizations sent observers to the Conference:

Commission of the European Community (EC)
League of Arab States
International Mobile Satellite Organization (Inmarsat)
European Conference of Postal and Telecommunications Administrations (CEPT)

7 The following non-governmental organizations sent observers to the Conference:

International Shipping Federation (ISF)
International Chamber of Commerce (ICC)
International Confederation of Free Trade Unions (ICFTU)
International Association of Classification Societies (IACS)
International Maritime Pilots' Association (IMPA)
International Federation of Shipmasters' Associations (IFSMA)
International Lifeboat Federation (ILF)
International Road Transport Union (IRU)
International Association of Dry Cargo Shipowners (INTERCARGO)

8 The Conference was opened by Mr. W.A. O'Neil, Secretary-General of the International Maritime Organization.

9 The Conference elected Mr. G.G. Ivanov, of the delegation of the Russian Federation, President of the Conference.

10 The following were elected Vice-Presidents of the Conference:

Ms. R. Hjaltadóttir (Iceland)
 Mr. Abdelkebir Rafiki (Morocco)
 Mr. R. Rabines Cardoso (Peru)
 Mr. E.E. Nielsen (Solomon Islands)
 Dr. J. Cowley (Vanuatu)

11 The Secretariat of the Conference consisted of the following officers:

Secretary-General:	Mr. W.A. O'Neil, Secretary-General of the Organization
Executive Secretary:	Mr. E.E. Mitropoulos, Director, Maritime Safety Division
Deputy Executive Secretary:	Mr. F. Plaza, Senior Deputy Director, Maritime Safety Division
Assistant Executive Secretary:	Mr. E.O. Agbakoba, Senior Technical Officer, Maritime Safety Division

12 The Conference established the following Committees:

Committee of the Whole

Chairman:	Mr. Y. Sasamura (Japan)
Vice-Chairman:	Mr. P.A. Meneses Roqué (Spain)
Vice-Chairman:	Mr. J.T. Kim (Republic of Korea)

Drafting Committee

Chairman:	Mr. M.E. Jenkins (Canada)
Vice-Chairman:	Mr. J.J.H. Sas (Belgium)
Vice-Chairman:	Mr. J.E.C. Aveline (Brazil)

Credentials Committee

Chairman:	Mr. J. Ndoutoumebe (Gabon)
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13 The Drafting Committee was composed of representatives of the following States:

Belgium
 Brazil
 Canada
 Indonesia
 New Zealand
 Norway
 Panama
 Romania
 United Kingdom of Great Britain and Northern Ireland

14 The Credentials Committee was composed of representatives of the following States:

Gabon
Liberia
Sweden
Thailand
Ukraine

15 The Conference used as the basis of its work a draft text of the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel and associated draft Conference resolutions.

16 The Conference also considered proposals, comments and observations submitted to the Conference by Governments and international organizations concerned.

17 As a result of its deliberations, recorded in the reports of the respective Committees and in the records of decisions of plenary meetings of the Conference and meetings of the Committee of the Whole, the Conference adopted the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995, which constitutes attachment 1 to this Final Act.

18 The Conference also adopted the following resolutions set forth in attachment 2 to this Final Act:

Resolution 1: Training of radio operators for the global maritime distress and safety system (GMDSS)

Resolution 2: Radar simulator training

Resolution 3: Guidelines and recommendations for fishing vessel personnel

Resolution 4: Training of deck-hands on board fishing vessels of 24 metres in length and over

Resolution 5: Training of fishing vessel personnel in personal survival techniques

Resolution 6: Training and certification of personnel on board large fishing vessels

Resolution 7: Requirements for officers in charge of an engineering watch and watchkeeping provisions

Resolution 8: Promotion of the participation of women in the fishing industry

Resolution 9: Human relationships

19 The Final Act is established in a single original text in the Arabic, Chinese, English, French, Russian and Spanish languages and is deposited with the Secretary-General of the International Maritime Organization.

20 The Secretary-General of the International Maritime Organization shall send certified copies of this Final Act, with its attachments, to the Governments of States invited to be represented at the Conference.

IN WITNESS WHEREOF the undersigned have affixed their signatures to this Final Act.*

DONE AT LONDON this seventh day of July, one thousand nine hundred and ninety-five.

* Signatures omitted.

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Attachment 1

International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995

THE PARTIES TO THIS CONVENTION,

NOTING the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (hereinafter referred to as the “1978 STCW Convention”),

DESIRING to further promote safety of life and property at sea and the protection of the marine environment by establishing in common agreement international standards of training, certification and watchkeeping for personnel employed on board fishing vessels,

CONSIDERING that this end may be best achieved by the conclusion of an International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, hereinafter referred to as “the Convention”,

HAVE AGREED as follows:

Article 1

General obligations

1 The Parties undertake to give effect to the provisions of the Convention and the annex thereto, which shall constitute an integral part of the Convention. Every reference to the Convention constitutes at the same time a reference to the annex thereto.

2 The Parties undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the Convention full and complete effect, so as to ensure that, from the point of view of safety of life and property at sea and the protection of the marine environment, seagoing fishing vessel personnel are qualified and fit for their duties.

Article 2

Definitions

For the purpose of the Convention, unless expressly provided otherwise:

- .1 *Party* means a State for which the Convention has entered into force.

- .2 *Administration* means the Government of the Party whose flag the vessel is entitled to fly.
- .3 *Certificate* means a valid document, by whatever name it may be known, issued or recognized in accordance with the provisions of the Convention, authorizing the holder to serve as stated in this document or as authorized by national regulations.
- .4 *Certificated* means properly holding a certificate.
- .5 *Organization* means the International Maritime Organization.
- .6 *Secretary-General* means the Secretary-General of the Organization.
- .7 *Fishing vessel* or *vessel* means any vessel used commercially for catching fish or other living resources of the sea.
- .8 *Seagoing fishing vessel* means a fishing vessel other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply.

Article 3

Application

The Convention shall apply to personnel serving on board seagoing fishing vessels entitled to fly the flag of a Party.

Article 4

Communication of information

Each Party shall communicate to the Secretary-General the following information:

- .1 a report on the measures it has taken to give full and complete effect to the provisions of the Convention, including a specimen of certificates issued in compliance with the Convention; and
- .2 other information which may be specified or provided for in regulation I/5.

Article 5

Other treaties and interpretation

1 All prior treaties, conventions and arrangements relating to standards of training, certification and watchkeeping for fishing vessel personnel in force between the Parties, shall continue to have full and complete effect during the terms thereof as regards:

- .1 fishing vessel personnel to whom this Convention does not apply; and

- .2 fishing vessel personnel to whom this Convention applies, in respect of matters for which it has not expressly provided.

2 To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the Convention, the Parties shall review their commitments under such treaties, conventions and arrangements with a view to ensuring that there is no conflict between these commitments and their obligations under the Convention.

3 All matters which are not expressly provided for in the Convention remain subject to the legislation of Parties.

Article 6

Certification

Fishing vessel personnel shall be certificated in accordance with the provisions of the annex to this Convention.

Article 7

National provisions

1 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.

2 Each Party shall prescribe penalties or disciplinary measures for cases in which the provisions of its national legislation giving effect to this Convention are not complied with in respect of vessels entitled to fly its flag or of fishing vessel personnel duly certificated by that Party.

3 In particular, such penalties or disciplinary measures shall be prescribed and enforced in cases in which:

- .1 an owner, owner's agent or skipper has engaged a person not holding a certificate as required by this Convention;
- .2 a skipper has allowed any function or service in any capacity required by these regulations to be performed by a person holding an appropriate certificate to be performed by a person not holding an appropriate certificate or dispensation; or
- .3 a person has obtained by fraud or forged documents an engagement to perform any function or serve in any capacity required by these regulations to be performed or filled by a person holding a certificate or dispensation.

4 A Party within whose jurisdiction there is based an owner or owner's agent or any person who is believed on clear grounds to have been responsible for, or to have knowledge of, any apparent non-compliance with the Convention specified in paragraph 3, shall extend all co-operation possible to any Party which advises it of its intention to initiate proceedings under its jurisdiction.

Article 8

Control

1 Fishing vessels, while in the port of another Party, are subject to control by officers duly authorized by that Party to verify that all persons serving on board who are required to be certificated by this Convention are so certificated or hold an appropriate dispensation.

2 In the event of failure to correct any deficiency referred to in paragraph 3 of regulation I/4 in so far as it poses a danger to persons, property or the environment, the Party carrying out the control shall take steps to ensure that the vessel will not sail unless and until these requirements are met to the extent that the danger has been removed. The facts concerning the action taken shall be reported promptly to the Secretary-General and to the Administration.

3 When exercising control:

- .1 all possible efforts shall be made to avoid a vessel being unduly detained or delayed. If a vessel is unduly detained or delayed, it shall be entitled to compensation for any loss or damage resulting therefrom; and
- .2 the discretion allowed in the case of the personnel of foreign fishing vessels shall not be less than that afforded to the personnel of vessels flying the flag of the port State.

4 This article shall be applied as may be necessary to ensure that no more favourable treatment is given to a vessel entitled to fly the flag of a non-Party than is given to a vessel entitled to fly the flag of a Party.

Article 9

Promotion of technical co-operation

1 Parties to the Convention shall promote, in consultation with and with the assistance of the Organization, support for those States which request technical assistance for the:

- .1 training of administrative and technical personnel;
- .2 establishment of institutions for training of fishing vessel personnel;
- .3 supply of equipment and facilities for training institutions;

- .4 development of adequate training programmes, including practical training on seagoing fishing vessels; and
- .5 facilitation of other measures and arrangements to enhance the qualifications of fishing vessel personnel,

preferably on a national, sub-regional or regional basis, to further the aims and purposes of the Convention, taking into account the special needs of developing countries in this regard.

2 On its part, the Organization shall pursue the aforesaid efforts, as appropriate, in consultation or association with other international organizations, particularly the International Labour Organization and the Food and Agriculture Organization of the United Nations.

Article 10

Amendments

1 The Convention may be amended by either of the procedures specified in this article.

2 Amendments after consideration within the Organization:

- .1 Any amendment proposed by a Party shall be submitted to the Secretary-General, who shall then circulate it to all Members of the Organization, to all the Parties and to the Directors-General of the International Labour Office and of the Food and Agriculture Organization of the United Nations respectively, at least six months prior to its consideration.
- .2 Any amendment proposed and circulated as above shall be referred to the Maritime Safety Committee of the Organization for consideration.
- .3 Parties whether or not Members of the Organization shall be entitled to participate in the proceedings of the Maritime Safety Committee for the consideration and adoption of amendments.
- .4 Amendments shall be adopted by a two-thirds majority of the Parties present and voting in the Maritime Safety Committee, expanded as provided for in paragraph 2.3 (hereinafter referred to as “the expanded Maritime Safety Committee”), on condition that at least one-third of the Parties shall be present at the time of voting.
- .5 Amendments adopted in accordance with paragraph 2.4 shall be communicated by the Secretary-General to all the Parties.
- .6 An amendment to an article shall be deemed to have been accepted on the date on which it is accepted by two thirds of the Parties.

.7 An amendment to the annex or to an appendix to the annex shall be deemed to have been accepted:

.7.1 at the end of two years from the date of adoption; or

.7.2 at the end of a different period, which shall not be less than one year, if so determined at the time of its adoption by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee.

If, within the specified period, more than one third of the Parties notify the Secretary-General that they object to the amendment, it shall be deemed not to have been accepted.

.8 An amendment to an article shall enter into force, with respect to those Parties which have accepted it, six months after the date on which it is deemed to have been accepted, and with respect to each Party which accepts it after that date, six months after the date of that Party's acceptance.

.9 An amendment to the annex and to an appendix to the annex shall enter into force with respect to all Parties, except those which have objected to the amendment under paragraph 2.7 and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force any Party may give notice to the Secretary-General that it exempts itself from giving effect to that amendment for a period not longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee at the time of the adoption of the amendment.

3 Amendment by a Conference:

.1 Upon the request of a Party concurred with by at least one third of the Parties, the Organization shall convene, in association or consultation with the Directors-General of the International Labour Office and of the Food and Agriculture Organization of the United Nations respectively, a Conference of the Parties to consider amendments to the present Convention.

.2 Every amendment adopted by such a Conference by a two-thirds majority of the Parties present and voting shall be communicated by the Secretary-General to all the Parties for acceptance.

.3 Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in paragraphs 2.6 and 2.8 or 2.7 and 2.9 respectively, provided that references in those paragraphs to the expanded Maritime Safety Committee shall be taken to mean references to the Conference.

4 Any declaration of acceptance of, or objection to, an amendment or any notice given under paragraph 2.9 shall be submitted in writing to the Secretary-General, who shall inform all Parties of any such submission and the date of its receipt.

5 The Secretary-General shall inform all the Parties of any amendments which enter into force, together with the date on which each such amendment enters into force.

Article 11

Signature, ratification, acceptance, approval and accession

1 The Convention shall remain open for signature at the Headquarters of the Organization from 1 January 1996 until 30 September 1996 and shall thereafter remain open for accession. States may become Parties to the Convention by:

- .1 signature without reservation as to ratification, acceptance or approval; or
- .2 signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
- .3 accession.

2 Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

Article 12

Entry into force

1 The Convention shall enter into force 12 months after the date on which not less than 15 States have either signed it without reservation as to ratification, acceptance, or approval, or have deposited the requisite instruments of ratification, acceptance, approval or accession in accordance with article 11.

2 For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of the Convention after the requirements for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the Convention or three months after the date of deposit of the instrument, whichever is the later date.

3 For States which have deposited an instrument of ratification, acceptance, approval or accession after the date on which the Convention entered into force, the Convention shall become effective three months after the date of deposit of the instrument.

4 After the date on which an amendment to the Convention is deemed to have been accepted under article 10, any instrument of ratification, acceptance, approval or accession deposited shall apply to the Convention as amended.

Article 13

Denunciation

1 The Convention may be denounced by any Party at any time after the expiry of five years from the date on which the Convention enters into force for that Party.

2 Denunciation shall be effected by notification in writing to the Secretary-General.

3 A denunciation shall take effect 12 months after receipt of the denunciation by the Secretary-General or after the expiry of any longer period which may be indicated in the notification.

Article 14

Depositary

1 The Convention shall be deposited with the Secretary-General of the Organization (hereinafter referred to as “the depositary”).

2 The depositary shall:

.1 inform the Governments of all States which have signed the Convention or acceded thereto of:

.1.1 each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

.1.2 the date of entry into force of the Convention;

.1.3 the deposit of any instrument of denunciation of the Convention, together with the date on which it was received and the date on which the denunciation takes effect; and

.2 transmit certified true copies of the Convention to the Governments of all States which have signed the present Convention or acceded thereto.

3 As soon as the Convention enters into force a certified true copy thereof shall be transmitted by the depositary to the Secretary-General of the United Nations, for registration and publication in accordance with Article 102 of the Charter of the United Nations.

Article 15

Languages

The Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed the Convention.*

DONE AT LONDON, this seventh day of July, one thousand nine hundred and ninety five.

* Signatures omitted.

ANNEX

Chapter I General provisions

Regulation 1

Definitions

For the purpose of this annex the following definitions apply.

- 1 *Regulations* means regulations contained in the annex to the Convention.
- 2 *Approved* means approved by the Party in accordance with the regulations.
- 3 *Skipper* means the person having command of a fishing vessel.
- 4 *Officer* means a member of the crew, other than the skipper, designated as such by national law or regulations or, in the absence of such designation, by collective agreement or custom.
- 5 *Officer in charge of a navigational watch* means an officer qualified in accordance with regulation II/2 or II/4 of this Convention.
- 6 *Engineer officer* means an officer qualified in accordance with regulation II/5 of this Convention.
- 7 *Chief engineer officer* means the senior engineer officer responsible for the mechanical propulsion and operation and maintenance of mechanical and electrical installations of the vessel.
- 8 *Second engineer officer* 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 vessel will fall in the event of the incapacity of the chief engineer officer.
- 9 *Radio operator* means a person holding an appropriate certificate issued or recognized by an Administration under the provisions of the Radio Regulations.
- 10 *Radio Regulations* means the Radio Regulations annexed to, or regarded as being annexed to, the most recent International Telecommunication Convention which may be in force at any time.
- 11 *1978 STCW Convention* means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

12 *1993 Torremolinos Protocol* means the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977.

13 *Propulsion power* means the total maximum continuous rated output power in kilowatts of all the vessel's main propulsion machinery which appears on the vessel's certificate of registry or other official document.

14 *Limited waters* means those waters in the vicinity of a Party as defined by its Administration within which a degree of safety is considered to exist which enables the standards of qualification and certification for skippers and officers of fishing vessels to be set at a lower level than for service outside the defined limits. In determining the extent of limited waters the Administration shall take into consideration the guidelines developed by the Organization.*

15 *Unlimited waters* means waters beyond limited waters.

16 *Length (L)* shall be taken as 96% of the total length on a waterline at 85% of the least moulded depth measured from the keel line, or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In vessels designed with rake of keel the waterline on which this length is measured shall be parallel to the designed waterline.

17 *Moulded depth* is the vertical distance measured from the keel line to the top of the working deck beam at side.

Regulation 2

Application

The Administration of a Party, if it considers it unreasonable or impracticable to apply the full requirements of regulations II/3, II/4 and II/5 and the requirement of the use of English language to personnel serving on board a fishing vessel of less than 45 metres in length operating exclusively from its ports and fishing within its limited waters, may determine which of these regulations should not apply, wholly or in part, to such personnel, without derogation from the principles of safety in the Convention. In such a case, the Administration concerned shall report to the Secretary-General on the details of the measures it has taken with respect to the training and certification of such personnel.

Regulation 3

Certificates and endorsements

1 Certificates for fishing vessel personnel shall only be issued if the requirements for service, age, medical fitness, training, qualification and examinations are met in accordance with these regulations.

* Reference is made to annex 1 of resolution A.539(13) – Certification of skippers and officers in charge of a navigational watch on fishing vessels of 24 metres in length and over, adopted by the Organization.

2 A certificate issued by a Party in compliance with paragraph 1 shall be endorsed by that Party attesting the issue of that certificate in the form as prescribed in appendix 1 or appendix 2 .

3 Certificates and endorsements shall be issued in the official language or languages of the issuing country. If the language used is not English, the text shall include a translation into that language.

4 In respect of radio operators, Parties may:

- .1 include the additional knowledge required by regulation II/6 in the examination for the issue of a certificate complying with the Radio Regulations; or
- .2 issue a separate certificate indicating that the holder has the additional knowledge required by regulation II/6.

5 The Administration which has recognized a certificate issued by or under the authority of another Party in compliance with regulation 7 shall issue an endorsement attesting the recognition of that certificate in the form prescribed in appendix 3.

6 The endorsement shall expire as soon as the certificate endorsed expires or is withdrawn, suspended or cancelled by the Party which issued it and, in any case, not more than five years after the date of issue.

7 Any appropriate certificate issued under the provisions of the 1978 STCW Convention, for the holder to serve as a Chief Engineer Officer, an Engineer Officer or Radio Operator, shall be deemed to be a corresponding certificate for the purposes of paragraph 1 with regard to fishing vessels.

8 Subject to the variations permitted under appendices 1, 2 and 3, Administrations may use a format different from the format given in those appendices provided that such format contains, as a minimum, the required information and that the particulars are inserted in Roman characters and Arabic figures.

Regulation 4

Control procedures

1 Control exercised by a duly authorized officer under article 8 shall be limited to the following:

- .1 verification that all fishing vessel personnel serving on board who are required to be certificated by this Convention are so certificated or hold the required dispensation. Such certificates shall be accepted unless there are clear grounds for believing that a certificate has been fraudulently obtained or that the holder of a certificate is not the person to whom that certificate was originally issued; and

- .2 assessment of the ability of the fishing vessel personnel to maintain watchkeeping standards as required by the Convention if there are clear grounds for believing that such standards are not being maintained, because the following have occurred:
 - .2.1 the vessel has been involved in a collision, grounding or stranding; or
 - .2.2 there has been a discharge of substances from the vessel when under way, at anchor or at berth which is illegal under international conventions; or
 - .2.3 the vessel has been manoeuvred in an erratic or unsafe manner, whereby routing measures adopted by the Organization, or safe navigation practices and procedures, have not been followed; or
 - .2.4 the vessel is otherwise being operated in such a manner as to pose a danger to persons, property or the environment.
- 2 In the event that deficiencies are found under paragraph 1, the officer carrying out the control shall forthwith inform, in writing, the skipper of the vessel and the Administration, so that appropriate action may be taken. Such notification shall specify the details of the deficiencies found and the grounds on which the Party determines that these deficiencies pose a danger to persons, property or the environment.
- 3 Deficiencies which may be deemed to pose a danger to persons, property or the environment include the following:
- .1 failure of persons, required to hold a certificate, to have an appropriate certificate or dispensation;
 - .2 failure of navigational or engineering watch arrangements to conform to the requirements specified for the vessel by the Administration;
 - .3 absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radiocommunications or the prevention of pollution; or
 - .4 inability to provide rested persons for the first watch at the commencement of a voyage, and for subsequent relieving watches.

Regulation 5

Communication of information

- 1 The Secretary-General shall, on request, provide Parties with any information communicated to him under article 4.
- 2 A Party which fails to communicate information required by article 4 within twenty-four months after the date of entry into force of the Convention for a Party shall not be entitled to claim the privileges of this Convention until such time as the information has been received by the Secretary-General.

Regulation 6

Administration of certification arrangements

1 Each Party undertakes to establish and maintain a means of ensuring that programmes incorporating such instruction and practical training as is necessary to achieve the competency standards are regularly monitored to ensure their effectiveness.

2 Each Party undertakes, to the extent practicable, to maintain a register or registers of all certificates and endorsements specified in regulations 3 and II/1 to II/6 which are issued, have expired, or have been revalidated, reported lost, suspended or cancelled, and of dispensations issued, and provide information on the status of such certificates, endorsements and dispensations when so requested by another Party.

Regulation 7

Recognition of certificates

1 Each Administration shall ensure, in order to recognize, by endorsement in accordance with regulation 3, a certificate issued by or under the authority of another Party, that the requirements for standards of competence, as well as the issue and endorsement of certificates by that Party, are fully complied with.

2 Certificates issued by or under the authority of a non-Party shall not be recognized.

3 Notwithstanding the requirement of paragraph 1 of this regulation and paragraph 5 of regulation 3, an Administration may, if circumstances require, allow a person to serve for a period not exceeding three months on board a vessel entitled to fly its flag while holding an appropriate and valid certificate issued by another Party without it being endorsed as required by paragraph 5 of regulation 3 provided that documented proof is made available that application for an endorsement has been submitted to the Administration.

Regulation 8

Transitional provisions

1 A certificate of competency or of service in a capacity for which this Convention requires a certificate and which before entry into force of the Convention for a Party is issued in accordance with the laws of that Party or the Radio Regulations, shall be recognized as valid for service after entry into force of the Convention for that Party.

2 After the entry into force of the Convention for a Party, it may continue to issue certificates of competency in accordance with its previous practices for a period not exceeding five years. Such certificates shall be recognized as valid for the purpose of the Convention. During this transitional period such certificates shall be issued only to persons who had commenced their sea service before