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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B – 3/2013.

MERCHANT SHIPPING ACT, No. 52 OF 1971

REGULATIONS made by the President by virtue of the powers vested in him by sections 126 and 321 of the Merchant Shipping Act, No. 52 of 1971, read with Article 44 (2) of the Constitution.

MAHINDA RAJAPAKSA,
President.

Colombo,
1st July, 2013.

Regulations

Title

1. These Regulations may be cited as the Merchant Shipping (Training, Certification and Watch Keeping) Regulation 2013. These Regulations give effect to the International Convention on Standards of Training, Certification and Watch Keeping for Seafarers, 1978, as amended in 2010, and shall come in to force on July 01, 2013.

2. (a) The Merchant Shipping (Training, Certification and Watch Keeping) Regulations 1998 published in Gazette No. 1036/21 of July 17, 1998 shall be rescinded with effect from July 01, 2013.

(b) Notwithstanding the above provisions, certificates may be issued, endorsed, revalidated or recognized in accordance with the Merchant Shipping (Training, Certification and Watch Keeping) Regulations 1998 published in Gazette No. 1036/21 of July 17, 1998 until December 31, 2016.

3. Notwithstanding the provisions of Merchant Shipping (Engagement and Conditions of Service of Seamen) Regulations 1980, these Regulations shall apply in respect of an owner, company and agency having responsibility for safe ship operations required by section 139 read with section 333(d) of the Act.

Definitions

4. In these Regulations, unless the context otherwise requires —

‘able seafarer deck’ means a rating qualified in accordance with the provisions of regulation II/5 of the Convention;



‘able seafarer engine’ means a rating qualified in accordance with the provisions of regulation III/5 of the Convention;

‘Act’ means the Merchant Shipping Act, No. 52 of 1971;

‘Administration’ means the Director General of Merchant Shipping who is responsible for implementation of these Regulations;

‘approved’ means approved by the Director General or by a Chief Examiner;

‘approved education, training, examination and assessment’ means a programme of training and education of seafarers as approved by the Director General prescribing the total requirement of training and standards including examination and assessments for the purpose of issuance of certificates and/or endorsements under the Convention;

‘approved medical practitioner’ means a medical practitioner approved by the Director General to conduct medical examination of seafarers;

‘certificate of competency’ means a certificate issued and endorsed for masters, officers and GMDSS radio operators in accordance with the provisions of chapters II, III, IV or VII of the Convention and entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level of responsibility specified therein;

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

‘chemical tanker’ means a ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the International Bulk Chemical Code;

‘Chief Engineer Officer’ means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;

‘Chief Examiner’ means the Chief Examiner of Masters and Deck Department personnel or the Chief Examiner of Engine Department personnel, appointed by the Director General;

‘Chief Mate’ means the deck officer next in rank to the Master and upon whom the command, control or charge of the ship shall fall in the event of the incapacity of the Master;

‘Code of Practice’ (COP) means an approved guidance document or hand book containing maritime educational programmes, training, assessment and certification requirements of seafarers issued by the Director General which may be amended as necessary;

‘Company’ means the owner of the ship or any other organisation or person such as the manager or the bareboat charterer, who has assumed the responsibility for the operation of the ship from the ship owner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the Company by these Regulations;

‘Convention’ means the International Convention on Standards of Training, Certification and Watch Keeping for Seafarers (STCW) 1978, as adopted by the International Conference on Training and Certification of Seafarers on 7th July 1978, which entered into force on 28th April 1984, and includes all subsequent amendments;

'dangerous cargo' includes a cargo of—

- (a) crude petroleum or any of its by-products in bulk;
- (b) any liquefied gas or other product listed in Chapter 19 of the International Gas Carrier Code;
- (c) any liquid product listed in Chapter 17 of the International Bulk Chemical Code;

'Deck Officer' means a navigating officer qualified in accordance with the provision of Chapter II of the Convention as amended in 2010;

'Deck Officer Cadet' means a person under training to become a Deck Officer;

'Director General' means the Director General of Merchant Shipping;

'documentary evidence' means documentation, other than a certificate of competency or certificate of proficiency, used to establish that the relevant requirements of the Convention have been met;

'dredger' means a mechanically propelled ship equipped with excavating machinery employed in deepening channels and harbours and in removing underwater obstructions such as shoals and bars;

'electro-technical officer' means an officer qualified in accordance with the provisions of Regulation III/6 of the Convention;

'electro-technical rating' means a rating qualified in accordance with the provisions of Regulation III/7 of the Convention;

'Endorsement' means attesting the issue of a certificate or the recognition of a certificate, granting authority to the holder to carry out the duties of master or an officer as the case may be, subject to the limitations specified in these Regulations;

'Engineer Officer' means an officer qualified in accordance with the provisions of Chapter III of the Convention;

'Engineer Officer Cadet' means a person under training to become an Engineer Officer;

'Examiner' means Examiner of Masters and Deck Department personnel or Engine Department personnel, appointed by the Director General;

'fishing vessel' means a ship used for catching fish or other living resources of the sea;

'function' means a group of tasks, duties and responsibilities, specified in the STCW Code, necessary for ship operation, safety of life at sea, and protection of the marine environment;

'GMDSS' means Global Maritime Distress and Safety System;

'GT' means gross tonnage;

'international instruments' means provisions enacted by Sri Lanka for the safety of life at sea and the prevention of marine pollution, as a party to international Conventions;

'international voyages' means voyages of ships other than near coastal voyages;

'ISPS Code' means the International Ship and Port Facility Security (ISPS) Code adopted on 12 December 2002 by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as may be amended by the International Maritime Organization;

'liquefied gas tanker' means a ship constructed or adopted and used for the carriage in bulk of any liquefied gas or other product listed in chapter 19 of the International Gas Carrier Code;

'Master' means the person in command of a ship;

'month' means a calendar month or 30 days made up of periods of less than one month;

'near coastal voyages' (NCV) means voyages of ships engaged in the coastal trade from any port or place in Bangladesh, India, Maldives, Myanmar and Sri Lanka to any other port or place in the said Nations subject to specific reference with regards to proximity of safe havens during such voyages as determined by the Administration;

'officer' means a member of the crew, other than the Master, designated as such by national law or Regulations or, in the absence of such designation by collective agreement or custom;

'oil tanker' means a ship constructed and used for the carriage of petroleum and petroleum products in bulk;

'Organisation' means the International Maritime Organization;

'passenger ship' means a passenger ship as defined in the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended;

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

'radio duties' include, as appropriate, watch keeping and technical maintenance and repairs conducted in accordance with the Radio Regulations, the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended, and, at the discretion of the Director General, the relevant recommendations of the International Maritime Organisation;

'radio operator' means a person holding an appropriate certificate issued or recognised by the Director General under the provisions of the Radio Regulations;

'Radio Regulations' means the radio regulations annexed to the International Telecommunications Convention;

'rating' means a member of the crew of a ship other than the Master or an officer;

'Regulations' means the Merchant Shipping (Training, Certification and Watch Keeping) Regulations, 2013

'ro-ro passenger ship' means a passenger ship with ro-ro cargo spaces or special category spaces as defined in the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended;

'seagoing service' means service on board a seagoing ship relevant to the issue or revalidation of a certificate or other qualification;

'seagoing ship' means a trading ship 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;

‘**Second Engineer Officer**’ means the engineer officer next in rank to the Chief Engineer Officer, upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the Chief Engineer Officer;

‘**security duties**’ include all security tasks and duties on board ships as defined by chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended, and the International Ship and Port Facility Security (ISPS) Code;

‘**ship security officer**’ means the person on board the ship, accountable to the Master, designated by the Company as responsible for the security of the ship including implementation and maintenance of the ship security plan and liaison with the Company security officer and port facility security officers;

‘**STCW Code**’ means the Seafarer’s Training, Certification and Watchkeeping (STCW) Code as adopted by the 2010 Conference of parties to the International Convention on the standard of training, certification and watchkeeping, 1978;

‘**Telecommunications Regulatory Commission**’ means the authority established under the Sri Lanka Telecommunications Act No. 25 of 1991, as amended by Act, No.27 of 1996 responsible for the Radio Regulations;

‘**trading ship**’ means a seagoing ship used for transporting cargo, passengers, or livestock;

‘**tug**’ means a mechanically propelled ship with little or no cargo capacity, used for towing or assisting ships at sea, in and out of harbours, rivers and docks or for towing or pushing barges, lighters and other small craft; and

‘**Universities Act**’ means the University Act of Sri Lanka No, 16 of 1978.

Application

5. (1) These Regulations shall apply to—

- (a) all seagoing ships other than fishing vessels and pleasure craft not engaged in trade, registered under the Sri Lanka flag;
- (b) all seafarers in possession of Continuous Discharge Certificate or Certificate of Competency or Endorsement or any other certificate or document issued by the Director General; and
- (c) ships of other flags and seafarers in possession of foreign Continuous Discharge Certificates, Certificates of Competency, Endorsements or any other certificates or documents under these Regulations.

(2) These Regulations will establish standards of competency based on the functions and at the levels of responsibility as set out respectively in Schedule A and Schedule B to this regulation.

SCHEDULE A

FUNCTIONS

1. Navigation
2. Cargo handling and stowage
3. Controlling the operation of the ship and care for persons on board
4. Marine engineering
5. Electrical, electronic and control engineering
6. Maintenance and repair
7. Radio communications

SCHEDULE B

LEVELS OF RESPONSIBILITY

- (1) Management Level (Master, Chief Mate, Chief Engineer Officer & Second Engineer Officer).
- (2) Operational Level (Navigational Watch Keeping Officer, Engineering Watch Keeping Officer, Electro-technical Officer & Radio Operator).
- (3) Support Level (Able Seafarer Deck, Able Seafarer Engine, Electro-technical Rating & Watch Keeping Rating).

Role of the Director General

6. The Director General shall be responsible for the administration of these Regulations within the framework of the Laws of Sri Lanka, in force for the time being. Certificates of Competency and Endorsements under the Convention shall only be issued by the Director General.

Classes of Certification and Endorsements

7. (1) The Director General shall, subject to the conditions hereinafter provided, issue the following classes of certificates and endorsements in the deck department:-

Certificates of Competency -

- (a) Certificate of Competency – Master;
- (b) Certificate of Competency – Chief Mate;
- (c) Certificate of Competency – Officer in charge of navigational watch;
- (d) Certificate of Competency – Master on ships of less than 3,000 GT engaged on near coastal voyages (NCV);
- (e) Certificate of Competency – Chief Mate on ships of less than 3,000 GT engaged on near coastal voyages (NCV);
- (f) Certificate of Competency- Officer in charge of navigational watch on ships of less than 3,000 GT engaged on near coastal voyages (NCV);
- (g) Certificate of Competency – Master on ships of less than 500 GT engaged in near coastal voyages (NCV);
- (h) Certificate of Competency – Officer in charge of navigational watch on ships less than 500 GT engaged in near coastal voyages (NCV);
- (i) Certificate for Rating – Rating forming part of a navigational watch on a seagoing ship of 500 GT or more;
- (j) Able Seafarer Deck – Able Seafarer Deck serving on a seagoing ship of 500 GT or more.

Endorsements -

- (k) Endorsement for Master limited to ships of less than 3,000 GT engaged on near coastal voyages(NCV);
- (l) Endorsement for Chief Mate limited to ships of less than 3,000 GT engaged on near coastal voyages(NCV);
- (m) Endorsement for Master limited to ships of less than 500 GT engaged on near coastal voyages(NCV).

(2) In the case of deck officers, the Director General shall, subject to requirement hereinafter provided, make —

- a. Endorsement (k) on Certificates of Competency (b);
- b. Endorsement (l & m) on Certificates of Competency (c);
- c. Endorsement (m) on Certificates of Competency (e):

Provided that a deck officer who holds an endorsement when qualified for the issue of a higher certificate, shall be entitled to have the same endorsement transferred to that certificate.

(3) Radio Communications and Radio Personnel Endorsements -

- (1) The Director General may, subject to the conditions hereinafter provided, issue the following classes of endorsements for the radio duties :-
 - (a) endorsement to GMDSS Radio Operator's Certificate issued by Telecommunication Regulatory Commission or any other appropriate authority acceptable to the Director General;
 - (b) endorsement to GMDSS Restricted Radio Operator's Certificate issued by Telecommunication Regulatory Commission.
- (2) GMDSS certificates are not valid for service on Sri Lankan ships unless endorsed as above.

(4) The Director General shall, subject to the conditions hereinafter provided, issue the following classes of certificates and endorsements in the engineering department:-

Certificates of Competency -

- (a) Certificate of Competency – Chief Engineer Officer;
- (b) Certificate of Competency – Second Engineer Officer;
- (c) Certificate of Competency – Officer in charge of an engineering watch;
- (d) Certificate of Competency – Chief Engineer Officer limited to ships of propulsion power of between 750 kw and 3000 kw engaged on near coastal voyages (NCV);
- (e) Certificate of Competency – Second Engineer Officer limited to ships of propulsion power between 750 kw and 3000 kw engaged on near coastal voyages (NCV);
- (f) Certificate of Competency – Officer in charge of an Engineering Watch limited to ships of propulsion power of between 750 kw and 3000 kw engaged on near coastal voyages (NCV);
- (g) Certificate for Rating – Rating forming part of an engine room watch;
- (h) Electro Technical Officer;
- (i) Able Seafarer Engine;
- (j) Electro-technical rating.

Endorsements –

- (k) Endorsement to sail as Chief Engineer Officer limited to ships of propulsion power between 750 kw and 3000 kw engaged on near coastal voyages (NCV);
- (l) Endorsement to sail as Second Engineer Officer on ships of propulsion power between 750 kw and 3000 kw engaged on near coastal voyages (NCV):

In the case of engineer officers, the Director General may, subject to the requirements hereinafter provided, make -

- (i) Endorsement (k) on Certificate of Competency (b);
- (ii) Endorsement (l) on Certificate of Competency (c):

Provided that an Engineer Officer who holds an endorsement when qualified for the issue of a higher certificate shall be entitled to have the same endorsement transferred to that certificate.

Certificate of Proficiency

(5) The Administration may, subject to the respective requirements stipulated under these Regulations, issue certificates of proficiency to seafarers as required. Certificates of proficiency to masters, officers and ratings under chapter II, III, V/1-1, and V/1-2 shall only be issued by the Director General. Issue of certificate of proficiency under other regulations may be delegated to approved training institutes.

Conditions of Entry and Eligibility Requirements***Officers and Ratings***

8. (1) Every candidate for a Certificate of Competency or an Endorsement shall produce:—

- (a) a birth certificate;
- (b) an eyesight standards test certificate relating to him in the capacity he holds, which test has been carried out by a medical practitioner approved by the Director General for conducting such a test. The test shall be conducted in accordance with the standards specified in the Table A-1/9 of the Convention;
- (c) a medical and physical fitness test certificate relating to him in the capacity he holds, which test has been carried out by a medical practitioner approved by the Director General for conducting such a test. The test shall be conducted in accordance with the standards specified in the Table B-1/9 of the Convention; and
- (d) in the case of officers, testimonials relating to character, good conduct, sobriety, experience and ability on board ship obtained prior to the date of application. Such testimonials shall, except where the Chief Examiner permits otherwise, be under the signature of the Master or the Chief Engineer or authorised Company representative of the ship on which service has been performed.

(2) Where the qualifying service or training has been on non-trading ships such as dredgers, research vessels, salvage vessels and tugs, their certificates may be restricted to service on such vessels only.

(3) The masters, deck officers, engineer officers and ratings serving on ships which have a bulk cargo, specified in whole or in part as being dangerous cargo or ro-ro passenger ships or passenger ships shall, in addition to holding the qualifications required generally for the respective certificates of competency, satisfy additional requirements specified in regulation 12 or 13 herein as appropriate.

Mandatory Minimum Requirements for training and qualifications of Masters, Officers and Ratings in the Deck Department

9. (1) Every candidate for the issue of Certification as Officer in charge of a navigational watch on ships of 500 GT or more shall—

- (a) not be less than 18 years of age on the date of commencement of the examination for the issue of the Certificate of Competency;
- (b) have approved seagoing service in the deck department on ships of 500 GT or more for a period of not less than twelve months as part of an approved training program which meets the requirements of Section A-II/1 of the STCW Code and in which on-board training is documented in an approved record book, or otherwise have approved seagoing service of not less than 36 months; or
12 months on approved seagoing service on ships of not less than 3000 GT, after obtaining Certificate of Competency as an officer in charge of a navigational watch on ships of less than 3000 GT engaged on near coastal voyages.
- (c) have performed, during the required seagoing service, bridge watch keeping duties under the supervision of the Master or a qualified officer for a period of not less than six months;
- (d) produce documentary evidence of having successfully completed the approved training in Personal Safety and Social Responsibility (Table A-VI/1-4 in STCW Code), Proficiency in Survival Craft and Rescue Boats (Table A-VI/2-1 in STCW Code), Advanced Fire Fighting (Table A-VI/3 in STCW Code), Medical First Aid (Table A-VI/4-1 in STCW Code), General Operator's Certificate (GMDSS) and Ship Security Officer (Table A-VI/5 in STCW Code), for issue of a Certificate of Competency; and
- (e) have completed approved education, training, examination including relevant Simulator Training and assessment meeting the standard of competence specified in Section A-II/1 in STCW Code.

(2) Every candidate for the issue of Certificate of Competency as Chief Mate on ships of 500 GT or more shall-

- (a) hold a Certificate of Competency as an Officer in charge of a navigational watch on ships of 500 GT or more;
- (b) have approved seagoing services as an officer in charge of navigational watch on ships of 500 GT or more for a period of not less than 12 months of which not less than 06 months consist of approved sea going service on ships of 3000 GT or more as officer in charge of a navigational watch;
- (c) produce documentary evidence of having successfully completed approved training for Proficiency in Medical Care as specified in Table A-VI/4-2 in STCW Code; and
- (d) have completed approved education, training, examination including relevant Simulator Training and assessment meeting the standard of competence set out in Section A-II/2 of the STCW Code for Chief Mates on ships of 3000 GT or more.

(3) Every candidate for the issue of the Certificate of Competency as Master shall -

- (a) hold an appropriate Certificate of Competency as Chief Mate;
- (b) have approved seagoing service of not less than 24 months as an officer in charge of a navigational watch, while holding the Certificate of Competency as Chief Mate. However, this period may be reduced to not less than 12 months, or pro-rata, if such seagoing service has been performed as a Chief Mate on ships of 500 GT or more of which not less than 06 months consist of approved seagoing service on ships of 3000 GT or more;
- (c) have completed approved education, training, examination and assessment including relevant Simulator Training and assessment meeting the standard of competence set out in Section A-II/2 of the STCW Code for Master on ships of 3000 GT or more as appropriate.

(4) Every candidate for the issue of the Certificate of Competency as Officer in charge of a navigational watch on ships of less than 3000 GT, engaged on near coastal voyages, shall-

- (a) not be less than 18 years of age on the date of commencement of the examination for the issue of the Certificate of Competency;
- (b) have completed:-
 - (i) approved seagoing service of not less than 18 months duration in the deck department on ships of 500 GT or more as part of an approved training Program which includes on-board training as specified in an Approved Record Book that meets the standards of competence specified in Section A-II/1 of the STCW Code as appropriate to near coastal voyages, or otherwise have an approved seagoing service of not less than 36 months. A candidate who has performed approved seagoing service on a ship of less than 500 GT shall be assessed at two-thirds of the actual seagoing service claimed; and
 - (ii) have performed during the required seagoing service not less than 06 months bridge watch keeping duties as specified in the Approved Training Record Book under the supervision of the Master or a qualified officer;
- (c) produce documentary evidence of having successfully completed the following approved training, for issue of certificate of competency, in Personal Safety and Social Responsibility (Table A-VI/1-4 in STCW Code), Proficiency in Survival Craft and Rescue Boats other than fast rescue boats (Table A-VI/2-1 in STCW Code), Advanced Fire Fighting (Table A-VI/3 in STCW Code), Medical First Aid (Table A-VI/4-1 in STCW Code) General Operator's Certificate (GMDSS) and Ship Security Officer (Table A-VI/5 in STCW Code); and

- (d) have completed approved education, training, examination including relevant Simulator Training and assessment meeting the standard of competence specified in Section A-II/1 of the STCW Code for officers in charge of navigational watch on ships of less than 3000 GT engaged on near coastal voyages:

Provided that two-thirds of the period of service on deck duties on seagoing ships of less than 500 GT may be treated as seagoing service for the purpose of this regulation and every candidate shall, in addition, have served at least 12 months performing deck duties on seagoing ships of 500 GT or more.

(5) Every candidate for the issue of the Certificate of Competency as Chief Mate on ships less than 3000 GT engaged on near coastal voyages shall-

- (a) hold a Certificate of Competency as an Officer in charge of a navigational watch on ships of less than 3000 GT engaged on near coastal voyages;
- (b) have approved seagoing service as an officer in charge of a navigational watch on ships of 500 GT or more for not less than 12 months including at least 03 months seagoing service within 12 months immediately preceding the approved education and training;
- (c) produce documentary evidence of having successfully completed the approved training for Proficiency in Medical Care (Table A-VI/4-2 in STCW Code) on board ship, for issue of the certificate of competency; and
- (d) have completed approved education, training, examination including relevant Simulator Training and assessment meeting the standard of competence specified in Section A-II/2 in STCW Code for Masters and Chief Mates on ships of between 500 GT to 3000 GT engaged on near coastal voyages.

(6) Every candidate for the issue of Certificate of Competency as Master on ships of less than 3000 GT engaged on near coastal voyages shall -

- (a) hold a Certificate of Competency as Chief Mate on ships of less than 3000 GT engaged on near coastal voyages;
- (b) have approved seagoing service of not less than 24 months as an officer in charge of a navigational watch, on ships of 500 GT or more. However, this period may be reduced to not less than 18 months, or pro-rata, if not less than 12 months of such seagoing service has been served as chief mate on ships of 500 GT or more ;
- (c) have completed approved education, training, examination including relevant Simulator Training and assessment meeting the standard of competence specified in Section A-II/2 in STCW Code for Masters on ships of between 500 GT to 3000 GT engaged on near coastal voyages.

(7) Every candidate for the issue of a Certificate of Competency as Officer in charge of a navigational watch on Ships of less than 500 GT, engaged on near coastal voyage, shall -

- (a) not be less that 18 years of age on the date of commencement of the examination for the issue of the certificate of competency;
- (b) have completed -
 - (i) an approved training of not less than 24 months duration, either pre-sea or on board ship, which includes a period of seagoing service of not less than 12 months duration with at least 06 months out of the 12 months seagoing period performing duties associated with bridge watch keeping on ships of 80 GT or more; or
 - (ii) approved seagoing service in the deck department of not less than 36 months duration, on ships of 80 GT or more;

- (c) provide documentary evidence of having successfully completed the approved training in Personal Safety and Social Responsibilities (Table A-VI/1-4 in STCW Code), Proficiency in Survival Craft and rescue boats other than fast rescue boats (STCW Code, Table A-VI/2-1), Advanced fire fighting (Table A-VI/3 in STCW Code), Medical First Aid (Table A-VI/4-1 in STCW Code), General Operator's Certificate (GMDSS), and Ship Security Officer (Table A-VI/5 in STCW Code); and
- (d) have completed approved education, training, examination including relevant Simulator Training and assessment meeting the standard of competence specified in section A-II/3 of the STCW Code for officers in charge of navigational watch on ships of less than 500 GT engaged on near coastal voyages.

(8) Every candidate for the issue of a Certificate of Competency as Master, limited to ships of less than 500 GT engaged on near coastal voyages shall -

- (a) be not less than 20 years of age;
- (b) have an approved seagoing service of not less than 12 months as an officer in charge of navigational watch on ships of more than 80 GT engaged on near coastal voyages; and
- (c) produce documentary evidence of having successfully completed the approved training of Proficiency in Medical Care (Table A-VI/4-2 in STCW Code); and
- (d) have completed an approved education, training, examination, including relevant Simulator Training and assessment meeting the standard of competence specified in Section A-II/3 of the STCW Code for Masters on ships of less than 500 GT engaged on near coastal voyages.

Every candidate who applies for this certificate endorsed as subject to limitation, "Tug service only" shall have served at least half the qualifying seagoing period on seagoing tugs and the balance on seagoing ships other than tugs.

(9) Every candidate for the issue of a Certificate as Rating forming part of a navigational watch on ships of 500 GT or more shall -

- (a) not be less than 18 years of age on the date of commencement of the examination for the issue of the certificate;
- (b) have completed—
 - (i) at least 09 months training and experience relevant to bridge watch keeping as approved by the Chief Examiner on ships of 500 GT or more; or
 - (ii) a period of approved training of not less than 03 months and a period of approved sea going service of not less than 06 months in the deck department on ships of 500 GT or more; or
 - (iii) not less than 12 months approved seagoing service in a relevant capacity in the deck department on ships of 500 GT or more:

Provided that those ratings who do not possess 12 months of sea service during the preceding 05 years from the date of the examination shall follow a special refresher course approved by the Director General. Ratings who have completed initial training not relevant to Deck department shall have at least 18 months of sea service in a relevant capacity in the deck department during preceding five years from the date of examination and shall follow a special upgrading course approved by the Director General;

(c) produce documentary evidence of having successfully completed the approved training in Personal Survival Techniques (Table A-VI/1-1 in STCW Code), Fire Prevention and Fire Fighting (Table A-VI/1-2 in STCW Code), Elementary First Aid (Table A-VI/1-3 in STCW Code), Personal Safety and Social Responsibilities (Table A-VI/1-4 in STCW Code) and Security Awareness, (Table A-VI/6-1 in STCW Code); and

(d) meet the standards of competence specified in Section A-II/4 of the STCW Code.

(10) (1) Every candidate for the issue of a Certificate of Proficiency as Able Seafarer Deck on ships of 500 GT or more shall -

(a) be not less than 18 years of age on the date of the examination for the issue of the certificate;

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

(c) while qualified to serve as a rating forming part of a navigational watch, have completed approved seagoing service in the deck department of:-

(i) not less than 18 months, or

(ii) not less than 12 months and have completed approved training;

(d) produce documentary evidence of having successfully completed the approved training in Personal Survival Techniques (Table A-VI/1-1 in STCW Code), Fire Prevention and Fire Fighting (Table A-VI/1-2 in STCW Code), Elementary First Aid (Table A-VI/1-3 in STCW Code), Personal Safety and Social Responsibilities (Table A-VI/1-4 in STCW Code), Proficiency in Survival Craft and Rescue boats (Table A-VI/2-1 in STCW Code) and Seafarers with designated security duties (Section A-VI/6-2 in STCW Code); and

(e) have completed an approved education, training, examination and assessment meeting the standard of competence specified in section A-II/5 of the STCW Code.

Chief Examiner may consider that seafarers have met the requirements of this sub-regulation if they have served in a relevant capacity in the deck department after obtaining certificate of proficiency as a Rating forming part of a Navigation watch for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation.

Radio Communication and Radio Personnel

10. (1) Every candidate requiring an endorsement attesting a GMDSS General Operator's Certificate for compliance with the provisions of Chapter IV of the Convention, shall-

(a) be not less than 18 years of age on the date of the application for the issue of the endorsement;

(b) meet the standard of competence specified in section A-IV/2 of the STCW Code;

(c) hold a GMDSS General Radio Operator's Certificate issued by the Telecommunications Regulatory Commission of Sri Lanka or any other authority approved by the Director General; and

(d) produce documentary evidence of having successfully completed the following approved training in Personal Safety and Social Responsibilities (Table A-VI/1-4 in STCW Code), Proficiency in Survival Crafts and Rescue Boats (Table A-VI/2-1 in STCW Code), Advanced Fire Fighting (Table A-VI/3 in STCW Code), Medical First Aid (Table A-VI/4-1 in STCW Code) and Security Awareness (Table A-VI/6-1 in STCW Code).

(2) Every candidate requiring an endorsement attesting a GMDSS Restricted Operator's Certificate for compliance with the provisions of Chapter IV of the Convention, shall-

- (a) be not less than 18 years of age on the date of the application for the issue of the endorsement;
- (b) meet the standard of competence required for Restricted Operator's Certificate as specified in section A-IV/2 of the STCW Code;
- (c) hold a GMDSS Restricted Radio Operator's Certificate issued by the Telecommunications Regulatory Commission of Sri Lanka or any other authority approved by the Director General; and
- (d) produce documentary evidence of having successfully completed the following approved training in Personal Safety and Social Responsibilities (Table A-VI/1-4 in STCW Code), Proficiency in Survival Crafts and Rescue Boats (Table A-VI/2-1 in STCW Code), Advanced Fire Fighting (Table A-VI/3 in STCW Code), Medical First Aid (Table A-VI/4-1 in STCW Code) and Security Awareness, (Table A-VI/6-1 in STCW Code).

Mandatory minimum requirements for training and qualifications of Marine Engineer Officers and Ratings in the Engine Department

11. (1) Every candidate for the issue of the Certificate of Competency as Officer-in-charge of an engineering watch in a manned engine room or designated duty engineer in a periodically unmanned engine room on ships of propulsion power of 750KW or more, shall -

- (a) be not less than 18 years of age on the date of the commencement of the examination for the issue of the Certificate of Competency;
- (b)
 - (i) have an approved seagoing service of not less than 12 months in the engine department on ships of propulsion power of 750KW or more including 06 months of engine room watch keeping under the supervision of the Chief Engineer or other certificated engineer as part of an approved education, training and assessment program of thirty six months duration, which meets the requirements set out in Section A-III/1 in the STCW Code and in which on-board training is documented in an approved record book; or
 - (ii) have an approved seagoing service of not less than 12 months in the engine department on ships of propulsion power 3000 KW or more including 06 months of engine room watch keeping under the supervision of the Chief Engineer or other certificated engineer after obtaining Certificate of Competency as officer in-charge of an engineering watch limited to ships of propulsion power of between 750 KW and 3000 KW on near coastal voyages; and
- (c) produce documentary evidence of having successfully completed the approved training in Personal Safety and Social Responsibilities (Table A-VI/1-4 in the STCW Code), Proficiency in Survival Craft and Rescue Boats (Table A-VI/2-1 in the STCW Code), Advanced Fire Fighting (Table A-VI/3 in the STCW Code), Medical First Aid (Table A-VI/4-1 in the STCW Code) and Ship Security Officer (Table A-VI/5 in STCW Code); and
- (d) have completed approved education, training, examination and assessment including simulator training and assessment meeting the standard of competence set out in Section A-III/1 in STCW Code.

(2) Candidates who have not satisfied the standard of competence set out in Section A-III/1 in the STCW Code for the operation and maintenance of steam boilers shall be issued with a Certificate of Competency which may not be valid for service on ships in which steam boilers form part of the ship's machinery until the engineer officer meets the required standard of competence.

(3) The Certificate of Competency may be issued as applicable to motor ships or steam ships depending on whether the candidate has completed the approved seagoing service specified in sub-regulation (1) (b) above, on motor ships or steam ships, respectively.

(4) Combined Certificate of Competency as applicable to motor and steam ships may be issued if the candidate has completed the required seagoing service specified in sub-regulation (1) (b) above, in each of the motor ships and the steam ships.

(5) Every candidate for the issue of Certificate of Competency as Second Engineer Officer shall-

- (a) hold a Certificate of Competency as Officer in-charge of an engineering watch, in a manned engine room or as designated duty engineer in periodically unmanned engine room on ships of propulsion power of 750KW or more;
- (b) have approved seagoing service as an Officer in-charge of an engineering watch in a manned engine room or as designated duty engineer in a periodically unmanned engine room on a ship of propulsion power of 750KW or more, for a period of not less than 18 months which includes not less than 06 months of approved seagoing service on ships of propulsion power of 3000 KW or more; and
- (c) have completed approved education, training, examination and assessment including relevant simulator training and assessment meeting the standard of competency set out in Section A-III/2 of the STCW Code for Certificate of Competency as Second Engineer Officer:

Provided that -

- (i) a Certificate of Competency may be issued as applicable to motor ships or steam ships depending on whether the candidate has completed the approved seagoing service specified in paragraph (b) above on motor ships or steam ships respectively; and
- (ii) Combined Certificate of Competency as applicable to motor and steam ships may be issued, if the candidate has completed the required seagoing service specified in paragraph (b) above on each of the motor and steam ships.

(6) Every candidate for the issue of Certificate of Competency as Chief Engineer Officer shall -

- (a) hold a Certificate of Competency as Second Engineer Officer, in a manned engine room or as designated duty engineer in periodically unmanned engine room on ships of propulsion power of 750KW or more;
- (b) have completed not less than 18 months seagoing service as an officer in charge of an engineering watch on ships of propulsion power of 3000 KW or more while holding the certificate of competency as a Second Engineer Officer on ships of propulsion power of 3000KW or more. However, this period may be reduced to not less than 12 months, or pro-rata if such service has been performed as Second engineer on ships of propulsion power 3000 KW or more; and
- (c) have completed approved education, training, examination and assessment including relevant simulator training and assessment meeting the standard of competency set out in Section A-III/2 of the STCW Code for Certificate of Competency as Chief Engineer Officer as appropriate:

Provided that, a Certificate of Competency as Chief Engineer Officer may be issued applicable to:-

- (i) motor ships when not less than 09 months seagoing service specified in paragraph (b) above has been spent on the main propulsion machine of a motor ship and the remaining period may have been spent on the main propulsion machinery of a steam ship or motor ship or on suitable auxiliary machinery of any ship; or

- (ii) steam ships when not less than 09 months seagoing service specified in paragraph (b) above has been spent on boilers and main propulsion machinery of a steam ship and the remaining period may have been spent on the main propulsion machinery of a steam ship or motor ship or on suitable auxiliary machinery of any ship; or
- (iii) combined motor and steam ships, when not less than 09 months seagoing service has been spent on boilers and main propulsion machinery of a steam ship and not less than 09 months of seagoing service have been spent on the main propulsion machinery of a motor ship.

(7) Every candidate for the Certificate of Competency as Officer-in-charge of an Engineering Watch limited to ships of propulsion power of between 750KW and 3000KW on near coastal voyages shall -

- (a) be not less than 18 years of age on the date of commencement of the examination for the issue of the certificate;
- (b) have completed:-
 - (i) 30 months of approved sea going service which includes on-board training duly documented in an approved training record book;
 - (ii) not less than 12 months approved seagoing service in the engine department closely supervised and monitored by a certificated engineer officer on board the ship in which the seagoing service during the preceding 05 years is performed and is adequately documented in an approved training record book; and
 - (iii) produce documentary evidence of having successfully completed approved training in Personal Safety and Social Responsibilities (Table A-VI/1-4 in STCW Code), Proficiency in Survival Craft and Rescue Boats (Table A-VI/2-1 in STCW Code), Advanced Fire Fighting (Table A-VI/3 in STCW Code) and Medical First Aid (Table A-VI/4-1 in STCW Code, Ship Security Officer (Table A-VI/5 in STCW Code; and
- (c) have completed approved education, training, examination including relevant simulator training and assessment meeting the standard of competence specified in Section A-III/1 of the STCW Code as applicable to ships engaged on near coastal voyages:

Provided that, candidates who have not satisfied the standard of competence specified in Section A-III/1 of the STCW Code for the operation and maintenance of steam boilers may be issued with a Certificate of Competency which shall not be valid for service on ships in which steam boilers form part of the ship's machinery until the engineer officer meets the required standard of competence.

(8) Every candidate for the issue of Certificate of Competency as a Second Engineer Officer on ships of propulsion power of between 750KW and 3000KW engaged on near coastal voyages shall -

- (a) hold a Certificate of Competency as Officer-in-charge of an engineering watch limited to ships of propulsion power of between 750KW and 3000KW engaged on near coastal voyages;
- (b) have completed approved seagoing service as an Officer-in-charge of an engineering watch on ships of propulsion power of between 750KW and 3000KW for a period of not less than 12 months; and
- (c) have completed approved education, training, examination including simulator training and assessment meeting the standard of competence specified in Section A-III/2 in the STCW Code for Chief Engineer Officers and Second Engineer Officers on ships of propulsion power of between 750KW and 3000KW engaged on near coastal voyages.

(9) Every candidate for the issue of Certificate of Competency as Chief Engineer Officer on ships of propulsion power of between 750KW and 3000KW engaged on near coastal voyages shall-

- (a) hold Certificates of Competency or an endorsement as Second Engineer Officer on ships of propulsion power of between 750KW and 3000KW engaged on near coastal voyages;
- (b) have completed approved seagoing service of not less than 12 months as an officer in charge of an engineering watch on international voyages or as a Second Engineer Officer on ships of propulsion power of between 750KW and 3000KW engaged on near coastal voyages;
- (c) have completed approved education, training, examination including simulator training and assessment meeting the standard of competence specified in Section A-III/2 in the STCW Code for Certificate of Competency – Chief Engineer Officer, limited to ships of propulsion power of between 750KW and 3000KW engaged on near coastal voyages.

(10) Every candidate for the issue of Certificate as Rating forming part of an Engineering watch on ships of propulsion power 750KW or more, shall —

- (a) be not less than 18 years of age on the date of the commencement of the examination for the issue of the certificate;
- (b) have completed:-
 - (i) at least 06 months training and experience relevant to engineering watch keeping as approved by the Chief Examiner on vessels of propulsion power 750KW or more; or
 - (ii) a period of approved seagoing service of not less than 06 months on ships of propulsion power 750KW or more and a period of approved special training of not less than 3 months; or
 - (iii) not less than 12 months seagoing service on ships of propulsion power 750KW or more in a relevant capacity in the engine department:

Provided that those ratings who do not possess 12 months of sea service during the preceding 05 years from the date of the examination shall follow a special Refresher Course as approved by the Director General. Ratings who have completed initial training not relevant to engine department shall have at least 18 months of sea service in a relevant capacity in the engine department during preceding 05 years from the date of examination and shall follow a special upgrading Course as approved by the Director General;

- (c) produce documentary evidence of having successfully completed the approved training in Personal Survival Techniques (Table A-VI/1-1 in STCW Code), Fire Prevention and Fire Fighting (Table A-VI/1-2 in STCW Code), Elementary First Aid (Table A-VI/1-3 in STCW Code) and Personal Safety and Social Responsibilities, (Table A-VI/1-4 in STCW Code) and Security Awareness (Table A-VI/6-1 in STCW Code), for issue of the Certificate as Rating forming a part of an engine room watch; and
- (d) meet the standard of competence specified in Section A-III/4 of the STCW Code.

(11) Every able seafarer engine serving on a seagoing ship powered by main propulsion machinery of 750 KW propulsion power or more shall be duly certificated. Every candidate for certification shall -

- (a) be not less than 18 years of age on the date of the examination for the issue of the certificate;
- (b) meet the requirements for certification as a rating forming part of an engine room watch in a manned engine-room or designated to perform duties in a periodically unmanned engine-room ;

- (c) while qualified to serve as a rating forming part of an engine room watch, have completed approved seagoing service in the engine department of not less than 12 months as part of an approved training on a seagoing ship; or not less than 6 months and have completed an approved training; and
- (d) produce documentary evidence of having successfully completed the approved training in Personal Survival Techniques (Table A-VI/1-1 in STCW Code), Fire Prevention and Fire Fighting (Table A-VI/1-2 in STCW Code), Elementary First Aid (Table A-VI/1-3 in STCW Code), Personal Safety and Social Responsibilities (Table A-VI/1-4 in STCW Code), Proficiency in Survival Craft and Rescue boats (Table A-VI/2-1), Advanced Fire Fighting (Table A-VI/3 in the STCW Code), Medical First Aid (Table A-VI/4-1 in the STCW Code) and security awareness (Section A-VI/6-1 in STCW Code), and
- (e) have completed approved education, training, examination and assessment meeting the standard of competence specified in section A-III/5 of the STCW Code.

The Chief Examiner may consider that a seafarer has met the requirements of this sub-regulation if that seafarer has served in a relevant capacity in the engine department after obtaining certificate of proficiency as a Rating forming part of an engine room watch for a period of not less than 12 months within the last 60 months preceding the entry into force of these Regulations.

(12) Every electro-technical officer serving on a seagoing ship powered by main propulsion machinery of 750 KW propulsion power or more shall hold a certificate of competency. Every candidate for such certification shall -

- (a) be not less than 18 years of age;
- (b) have completed not less than 30 months of combined workshop skills training and approved seagoing service of which not less than 12 months shall be seagoing service as part of an approved training programme which meets the requirements of Section A-III/6 of the STCW Code and is documented in an approved training record book; or otherwise not less than 36 months of combined workshop skills training and approved seagoing service of which not less than 30 months shall be seagoing service as an electro technical rating;
- (c) have completed approved education, training, examination including simulator training and assessment and meet the standards of competence specified in Section A-III/6 of the STCW Code; and
- (d) produce documentary evidence of having successfully completed the approved training in Personal Safety and Social Responsibilities (Table A-VI/1-4 in the STCW Code), Proficiency in Survival Craft and Rescue Boats (Table A-VI/2-1 in the STCW Code), Advanced Fire Fighting (Table A-VI/3 in the STCW Code), Medical First Aid (Table A-VI/4-1 in the STCW Code) and Ship Security Officer (Table A-VI/5 in STCW Code).

The Chief Examiner may consider a seafarer to have met the requirements of this sub-regulation if that seafarer has served in a relevant capacity on board a ship for a period of not less than 12 months within the last 60 months preceding the entry into force of these Regulations and meet the standard of competence specified in Section A-III/6 of the STCW Code provided that the seafarer demonstrate his competence at an evaluation after completing a mandatory updating programme.

(13) Every electro-technical ratings serving on a seagoing ship powered by main propulsion machinery of 750 KW propulsion power or more shall be duly certificated. Every candidate for such certification shall -

- (a) be not less than 18 years of age;
- (b) have completed not less than 15 months of combined workshop skills training and approved seagoing service of which not less than 9 months shall be seagoing service as part of an approved training programme which meets the requirements of Section A-III/7 of the STCW Code; or

- (c) have qualifications that meet the technical competences in table A-III/7 of the STCW Code and an approved period of seagoing service, which shall not be less than 9 months; and
- (d) produce documentary evidence of having successfully completed the approved training in Personal Survival Techniques (Table A-VI/1-1 in STCW Code), Fire Prevention and Fire Fighting (Table A-VI/1-2 in STCW Code), Elementary First Aid (Table A-VI/1-3 in STCW Code) and Personal Safety and Social Responsibilities (Table A-VI/1-4 in STCW Code) and security awareness (Table A-VI/6-1 in STCW Code); and
- (e) meet the standard of competence specified in section A-III/7 of the STCW Code.

The Chief Examiner may consider seafarers to have met the requirements of this sub-regulation if they have served in a relevant capacity on board a ship for a period of not less than 12 months within the last 60 months preceding the entry into force of these Regulations and meet the standard of competence specified in section A-III/7 of the STCW Code provided that each seafarer demonstrate his competence at an evaluation after undergoing a mandatory updating programme.

SPECIAL TRAINING AND REQUIREMENTS FOR PERSONNEL ON CERTAIN TYPES OF SHIPS

Mandatory minimum requirements for the training and qualifications of masters, officers and ratings on oil and chemical tankers

12. (1) Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on oil or chemical tankers shall hold a certificate in basic training for oil and chemical tanker cargo operations.

(2) Every Officer and rating for a certificate in basic training for oil and chemical tanker cargo operations shall have completed basic training in accordance with provisions of Section A-VI/1 of the STCW Code and shall have completed:-

- (a) at least 03 months of approved seagoing service on oil or chemical tankers and meet the standard of competence specified in Section A-V/1-1, paragraph 1 of the STCW Code; or
- (b) an approved basic training for oil and chemical tanker cargo operations and meet the standard of competence specified in Section A-V/1-1, paragraph 1 of the STCW Code.

(3) Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on oil tankers shall hold a certificate in advanced training for oil tanker cargo operations.

(4) Every candidate for a certificate in advanced training for oil tanker cargo operations shall -

- (a) meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and
- (b) while qualified for certification in basic training for oil and chemical tanker cargo operations, have:-
 - (i) at least three months of approved seagoing service on oil tankers, or
 - (ii) at least one month of approved onboard training on oil tankers in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in Section B-V/1 of the STCW Code; and
- (c) have completed approved advanced training for oil tanker cargo operations and meet the standard of competence specified in Section A-V/1-1, paragraph 2 of the STCW Code.

(5) Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on chemical tankers shall hold a certificate in advanced training for chemical tanker cargo operations.

(6) Every candidate for a certificate in advanced training for chemical tanker cargo operations shall -

- (a) meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and
- (b) while qualified for certification in basic training for oil and chemical tanker cargo operations, have:-
 - (i) at least three months of approved seagoing service on chemical tankers, or
 - (ii) at least one month of approved onboard training on chemical tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1 of the STCW Code; and
- (c) have completed approved advanced training for chemical tanker cargo operations and meet the standard of competence specified in Section A-V/1-1, paragraph 3 of the STCW Code.

(7) Existing certificates of proficiency in oil and chemical Tanker Training will be revalidated according to the sea service obtained on respective types of tankers if the holders of the certificates have served in a relevant capacity on board a ship for a period of 3 months of sea service during the five years preceding the date of revalidation on respective tankers, or undergone relevant advanced tanker training.

Mandatory minimum requirements for the training and qualifications of masters, officers and ratings on liquefied gas tankers

(8) Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on liquefied gas tankers shall hold a certificate in basic training for liquefied gas tanker cargo operations.

(9) Every candidate for a certificate in basic training for liquefied gas tanker cargo operations shall have completed basic training in accordance with provisions of section A VI/1 of the STCW Code and shall have completed:-

- (a) at least 03 months of approved seagoing service on liquefied gas tankers and meet the standard of competence specified in Section A-V/1-2, paragraph 1 of the STCW Code; or
- (b) an approved basic training for liquefied gas tanker cargo operations and meet the standard of competence specified in Section A-V/1-2, paragraph 1 of the STCW Code.

(10) Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on liquefied gas tankers shall hold a certificate in advanced training for liquefied gas tanker cargo operations.

(11) Every candidate for a certificate in advanced training for liquefied gas tanker cargo operations shall -

- (a) meet the requirements for certification in basic training for liquefied gas tanker cargo operations; and
- (b) while qualified for certification in basic training for liquefied gas tanker cargo operations, have:-
 - (i) at least 03 months of approved seagoing service on liquefied gas tankers, or
 - (ii) at least 01 month of approved onboard training on liquefied gas tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in Section B-V/1 of the STCW Code; and
- (c) have completed approved advanced training for liquefied gas tanker cargo operations and meet the standard of competence specified in Section A-V/1-2, paragraph 2 of the STCW Code.

(12) An existing certificate of proficiency in tanker training shall be revalidated if the seafarer has served in a relevant capacity on board a tanker for a period of not less than 03 months within the preceding 60 months on respective tankers or has undergone relevant advanced tanker training.

Mandatory minimum requirements for the training and qualifications of masters, officers, ratings and other personnel on passenger ships

13. (1) Prior to being assigned shipboard duties on board passenger ships, seafarers serving on board passenger ships engaged on international voyages shall complete the training required by sub-regulations(3) to (6) below in accordance with their capacity, duties and responsibilities.

(2) Seafarers who are required to be trained in accordance with sub-regulations(3), (5) and (6) below shall, at intervals not exceeding 05 years, undertake appropriate refresher training or be required to provide evidence of having achieved the required standard of competence within the previous 05 years.

(3) Masters, officers and other personnel designated on muster lists to assist passengers in emergency situations on board passenger ships shall have completed training in crowd management as specified in Section A-V/2, paragraph 1 of the STCW Code.

(4) Personnel providing direct service to passengers in passenger spaces on board passenger ships shall have completed the safety training specified in Section A-V/2, paragraph 2 of the STCW Code.

(5) Masters, chief engineer officers, chief mates, second engineer officers and any person designated on muster lists as having responsibility for the safety of passengers in emergency situations on board passenger ships shall have completed approved training in crisis management and human behaviour as specified in Section A-V/2, paragraph 3 of the STCW Code.

(6) Masters, chief engineer officers, chief mates, second engineer officers and every person assigned immediate responsibility for embarking and disembarking passengers, loading, discharging or securing cargo, or closing hull openings on board ro-ro passenger ships shall have completed approved training in passenger safety, cargo safety and hull integrity as specified in Section A-V/2, paragraph 4 of the STCW Code.

(7) Documentary evidence of compliance with the provisions of this regulation shall be carried by the seafarers.

ALTERNATIVE CERTIFICATION

Issue of Alternative Certificates

14. (1) Notwithstanding the requirements for certification laid down in chapters II and III of the annex to the STCW Code, the relevant Chief Examiner may issue certificates other than those mentioned in the regulations of those chapters, provided that:-

- (a) the associated functions and levels of responsibility to be stated on the certificates and in the endorsements are selected from and identical to those appearing in Sections A-II/1, A-II/2, A-II/3, A-II/4, A-II/5, A-III/1, A-III/2, A-III/3, A-III/4, A-III/5 and A-IV/2 of the STCW Code;
- (b) the candidates have completed approved education and training and meet the requirements for standards of competence, prescribed in the relevant sections of the STCW Code and as set forth in Section A-VII/1 of the STCW Code, for the functions and levels that are to be stated in the certificates and in the endorsements;
- (c) the candidates have completed approved seagoing service appropriate to the performance of the functions and levels that are to be stated on the certificate. The minimum duration of seagoing service shall be equivalent to the duration of seagoing service prescribed in chapters II and III of the annex to the STCW Code. However, the minimum duration of sea going service shall be not less than that prescribed in Section A-VII/2 of the STCW Code;

- (d) the candidates for certification who are to perform the functions of navigation at the operational level shall meet the applicable requirements of the regulations in chapter IV of the STCW Code, as appropriate, for performing designated radio duties in accordance with the Radio Regulations; and
- (e) the certificates are issued in accordance with the requirements of regulation I/2 and the provisions set forth in chapter VII of the STCW Code.

Certification of Seafarers

(2) Every seafarer who performs any function or group of functions specified in Tables A-II/1, A-II/2, A-II/3, A-II/4, or A-II/5 of chapter II or in tables A-III/1, A-III/2, A-III/3, A-III/4 or A-III/5 of chapter III or Table A-IV/2 of chapter IV of the STCW Code shall hold a certificate of competency or certificate of proficiency, as applicable.

Principles governing the issue of Alternative Certificates

15. (1) The relevant Chief Examiner shall ensure that —

- (a) no alternative certification system is implemented unless it ensures a degree of safety at sea and has a preventive effect as regards pollution at least equivalent to that provided by the other chapters of the STCW Code; and
- (b) any arrangement for alternative certification under chapter VII of the STCW Code shall provide for the interchangeability of certificates with those issued under other chapters.

(2) The principle of inter-changeability in sub-regulation (1) above shall ensure that:-

- (a) seafarers certificated under the arrangements of chapters II and/or III of STCW Code and those certificated under chapter VII of the STCW Code are able to serve on ships which have either traditional or other forms of shipboard organization; and
- (b) seafarers are not trained for specific shipboard arrangements in such a way as would impair their ability to take their skills elsewhere.

(3) In issuing any certificate under the provisions of chapter VII of the STCW Code, the following principles shall be taken into account:-

- (a) the issue of alternative certificates shall not be used in itself:-
 - (i) to reduce the number of crew on board,
 - (ii) to lower the integrity of the profession or “de-skill” seafarers, or
 - (iii) to justify the assignment of the combined duties of the engine and deck watchkeeping officers to a single certificate holder during any particular watch; and
- (b) the person in command shall be designated as the master; and the legal position and authority of the master and others shall not be adversely affected by the implementation of any arrangement for alternative certification.

Issue of Alternative Certificates to Ratings

16. (1) Every candidate for certification at the support level in navigation or marine engineering shall be required to complete relevant training and meet the standard of competence for the function prescribed in either table A-II/4 or table A-III/4 of the STCW Code. Functions specified in table A-III/4 or A-II/4 of the STCW Code respectively may be added provided the candidate completes, as appropriate, additional relevant training and meets the standards of competence prescribed in those tables for the function concerned.

(2) Every candidate for certification at the support level as able seafarer deck shall be required, in addition to compliance with the standard of competence specified in table A-II/4, to complete relevant training and meet the standard of competence for all of the functions prescribed in table A-II/5. Functions specified in table A-III/4 or A-III/5 may be added provided the candidate completes, as appropriate, additional relevant training and meets the standard of competence prescribed in the relevant table or tables of the STCW Code.

(3) Every candidate for certification at the support level as able seafarer engine shall be required, in addition to compliance with the standard of competence specified in table A-III/4, to complete relevant training and meet the standard of competence for all of the functions prescribed in table A-III/5. Functions specified in table A-II/4 or A-II/5 may be added provided the candidate completes, as appropriate, additional relevant training and meets the standard of competence prescribed in the relevant table or tables of the STCW Code.

(4) Every candidate for certification under the provisions of chapter VII of the STCW Code at support level in functions specified in tables A-II/4 and A-III/4 of the STCW Code shall have completed:-

- (a) approved seagoing service including not less than 18 months experience, made up of:-
 - (i) not less than 09 months associated with navigational watchkeeping duties, and
 - (ii) not less than 09 months associated with engine room duties; or
- (b) a special training, either pre-sea or on board ship, including an approved period of seagoing service which shall not be less than 06 months , made up of:-
 - (i) not less than 03 months associated with navigational watch keeping duties, and
 - (ii) not less than 03 months associated with engine room duties.
- (c) the seagoing service, training and experience required by paragraph (a) or (b) above shall be carried out under the direct supervision of an appropriately qualified officer or rating.

(5) Every candidate for certification under the provisions of chapter VII of the STCW Code at support level in functions specified in tables A-II/5 and A-III/5 shall while qualified to serve as a rating forming part of a navigational and engine room watch, meet the standards of competence specified in sections A-II/5 and A-III/5 of the STCW Code and have completed:-

- (a) an approved seagoing service including not less than 30 months, made up of:-
 - (i) not less than 18 months associated with able seafarer deck duties, and
 - (ii) not less than 12 months associated with able seafarer engine duties; or
- (b) an approved training programme and not less than 21 months of approved seagoing service, made up of:-
 - (i) not less than 12 months associated with able seafarer deck duties, and
 - (ii) not less than 09 months associated with able seafarer engine duties; or
- (c) an approved special integrated deck and engine training programme, including not less than 12 months approved seagoing service in an integrated deck and engine department, made up of:-
 - (i) not less than 06 months associated with able seafarer deck duties, and
 - (ii) not less than 06 months associated with able seafarer engine duties.

Issue of Alternative Certificates to persons at operational level

(6) Every candidate for certification under the provisions of chapter VII of the STCW Code at operational level in functions specified in tables A-II/1 and A-III/1 of the STCW Code shall:-

- (a) have approved seagoing service of not less than 12 months, which service shall include a period of at least 06 months performing engine room duties under the supervision of a qualified engineer officer and, where the function of navigation is required, a period of at least 06 months performing bridge watch keeping duties under the supervision of a qualified bridge watch keeping officer; and
- (b) have completed, during this service, onboard training programmes approved as meeting the relevant requirements of section A-II/1 and A-III/1 of the STCW Code and documented in an approved training record book.

Issue of Alternative Certificates to persons at management level

(7) Every candidate for certification under the provisions of chapter VII of the STCW Code at the management level in a combination of functions specified in tables A-II/2 and A-III/2 of the STCW Code shall have approved seagoing service related to the functions to be shown in the endorsement to the certificate as follows:-

- (a) for persons other than those having command or responsibility for the mechanical propulsion of a ship – 12 months performing duties at the operational level related to regulation III/2 or III/3 of the STCW Code as appropriate and, where the function of navigation at the management level is required, at least 12 months performing bridge watch keeping duties at the operational level;
- (b) for those having command or the responsibility for the mechanical propulsion of a ship – not less than 48 months, including the provisions in paragraph (a) above, performing, as a certificated officer, duties related to the functions to be shown in the endorsement to the certificate, of which 24 months shall be served performing functions set out in table A-III/1 of the STCW Code and 24 months shall be served performing functions set out in tables A-III/1 and A-III/2 of the STCW Code.

Computation of Sea Service

All Officers and Ratings:

17.(1) The qualifying seagoing service specified for officers and ratings for any particular Certificate of Competency or endorsement shall be performed within a period of 10 years preceding the date of commencement of the assessment of competency and shall include a period of 12 months sea service within the five years preceding the date of commencement of the assessment of competency.

(2) Service on non trading vessels, tugs, dredgers, research vessels, salvage vessels, navigational aids tenders, Dynamical positioning vessels and other vessels engaged in similar activities may be counted in full, if the time actually spent at sea constitutes or exceeds two-thirds of the total period of service onboard a ship. If the actual seagoing service falls below this proportion, one and a half times the actual seagoing service may be counted as “qualifying seagoing service”. Candidates shall be required to produce, in addition to the evidence of sea service required of all candidates, a statement or a certificate from the company and the master of the ship, setting out the amount of time actually spent at sea, with particular reference to at least six months of watch keeping service under supervision.

(3) Where such service has been performed only on particular types of vessels specified in sub-regulation (2), the certificates may be restricted to service on such vessels only.

(4) Officers of the Sri Lanka Navy of the marine engineering branch who intend to become holders of Certificates of Competency as Officer in-charge of an engineering watch in a manned engine room or as designated duty engineer in a periodically unmanned engine room on ships of propulsion power of 750KW or more complying with the requirements of the Convention shall be required to complete approved relevant education, training, examination and assessment. Such candidate's existing experience, qualifications and certificates if any, shall form the basis for determining qualifying merchant ship sea going service, training and assessment as determined by the Chief Examiner of Engineers. Sea service performed on board Sri Lanka Navy ships as determined by the Chief Examiner of Engineers will be considered as approved sea service for examination of an Officer in-charge of an engineering watch in a manned engine room or designated duty engineer in a periodically unmanned engine room on ships of propulsion power of 750KW or more.

(5) Petty Officers and engine room artificers of the Sri Lanka Navy of the marine engineering branch who intend to become holders of Certificates of Competency for near coastal voyages complying with the requirements of the Convention shall be required to complete approved relevant education, training, examination and assessment. Such a candidate's existing experience, qualifications and certificates if any, shall form the basis for determining qualifying merchant ship sea going service, training and assessment as determined by the Chief Examiner of Engineers. Sea service performed on board Sri Lanka Navy ships as determined by the Chief Examiner of Engineers will be considered as approved sea service for examination of an Officer in-charge of an engineering watch in a manned engine room or designated duty engineer in a periodically unmanned engine room on ships of propulsion power of 750KW or more.

(6) Officers of the Sri Lanka Navy of the executive officer branch who intend to become holders of Certificates of Competency as officer in charge of a navigational watch on ships of 500 GT or more complying with the requirements of the Convention shall be required to complete approved relevant education, training, examination and assessment. Such a candidate's existing experience, qualifications and certificates if any, shall form the basis for determining qualifying merchant ship sea going service, training and assessment as determined by the concerned Chief Examiner of Masters and Mates. Propelling time performed on board Sri Lanka navy ships of 500 GT or more as determined by the relevant chief examiner will be considered as approved sea service.

(7) Officers of the Sri Lanka Navy of the executive officer branch who intend to become holders of Certificates of Competency as officer in charge of a navigational watch on ships of less than 3000 GT on near coastal voyages complying with the requirements of the Convention shall be required to complete approved relevant education, training, examination and assessment. Such a candidate's existing experience, qualifications and certificates if any, shall form the basis for determining qualifying merchant ship sea going service, training and assessment as determined by the concerned Chief Examiner of Masters and Mates. Propelling time performed on board Sri Lanka navy ships of between 500 GT and 3000 GT on near coastal voyages, as determined by the relevant Chief Examiner will be considered as approved sea service.

(8) Petty Officers of the Sri Lanka Navy of the executive officer branch who intend to become holders of Certificates of Competency as officer in charge of a navigational watch on ships of less than 500 GT complying with the requirements of the Convention shall be required to complete approved relevant education, training, examination and assessment. Such a candidate's existing experience, qualifications and certificates if any, shall form the basis for determining qualifying merchant ship sea going service, training and assessment as determined by the concerned Chief Examiner of Masters and Mates. Propelling time performed on board Sri Lanka Navy ships of less than 500 GT, as determined by the relevant Chief Examiner will be considered as approved sea service.

Deck Officers and Ratings:

18. (1) Qualifying seagoing service for deck officers and deck ratings means the time spent onboard ships from the date of engagement to the date of discharge from a ship.

(2) Service on-board ships laid up in port, dock or under construction or an anchorage may be counted in part towards qualifying seagoing service. Claims in this respect shall be supported by statements signed by the masters of the vessels served on, certifying that the duties carried out were appropriate to be counted towards seagoing service. Qualifying seagoing service under this heading may not exceed three months.

(3) A maximum of six months of watch keeping service while holding a certificate of Competency in a two-watch ship may be counted as one and one-fifth times the actual period of service performed.

Marine Engineer Officers and Engine Room Ratings:

19. (1) Except where otherwise is stated, qualifying seagoing service for marine engineer officers and engine room ratings means the time spent on board ships from the date of engagement to the date of discharge on ships with propelling machinery and or auxiliary machinery in full use subject to sub-regulation (2) below.

(2) When part or whole of the service has been performed on ships which, for considerable periods have not been underway, a statement from the Master of the ship shall be produced stating the time in days actually underway. In such circumstances, qualifying seagoing service may be counted as one and half times the actual number of days spent underway, and in no case can it exceed the actual time spent on board during the period concerned.

(3) Seagoing service performed by engineer officers employed in work practices on ships operated on other than the traditional watch keeping routine, may be accepted as qualifying seagoing service, if the Chief Examiner concerned is satisfied that such work practices provide equivalent experience.

Examinations:

20. (1) Every candidate for a Certificate of Competency or for an endorsement under these Regulations, shall satisfy the Chief Examiners at a written or oral, or both written and oral examination, that he or she has reached the required degree of competency for the award of such certificate or endorsement.

(2) All applications for examination for Certificates of Competency and endorsements together with supporting documentation shall be made to the Director General. Every candidate shall pay an examination fee specified by the Director General, which may be revised by the Director General from time to time, and in a manner determined by the Director General. If the applicant meets all the requirements for eligibility to the examination, a notice of eligibility shall be issued. The notice of eligibility shall authorise admission of the candidate to the said examination.

(3) The Director General shall notify each eligible candidate in writing of the date and place of the examination.

(4) The Chief Examiner may determine the subjects and the syllabuses for the examination and may change or amend them from time to time for the purpose of maintaining internationally accepted standards.

(5) The Director General shall carry out all such acts as are necessary or expedient for the proper conduct of the examinations.

(6) A candidate failing the assessment in respect of competency or endorsement may at the Chief Examiner's discretion be given a time penalty which may include a requirement to complete a period of seagoing service before becoming eligible for re-examination.

Exemptions

21. If the Chief Examiner concerned considers that a ship's size, power and the conditions of its voyage are of such a nature as to render a full application of the requirements of these Regulations unreasonable or impractical, he or she may to the extent of such unreasonableness or impracticality, taking into consideration the circumstances of each case exempt the master and officers on such a ship or class of ships from such requirements of the Convention, bearing in mind the safety of other ships which may be operating in these waters.

Dispensation

22. In circumstances of exceptional necessity the Chief Examiner may issue a dispensation in accordance with Article VIII of the Convention permitting a named seafarer to serve in a specified ship, for a specified period not exceeding 06 months, in a capacity for which he or she does not hold the appropriate certificate, if in the opinion of the Chief Examiner, this does not cause danger to persons, property or to the environment, provided that the person to whom the dispensation is to be issued shall be adequately qualified to satisfactorily fill the vacant post.

Re-validation:

23. (1) Every master, officer and radio operator holding a certificate issued or recognized under any chapter of the Convention other than chapter VI , who is serving at sea or intends to return to sea after a period ashore, shall, in order to continue to qualify for seagoing service, be required, at intervals not exceeding five years, to:

- (a) meet the standards of medical fitness prescribed by regulation I/9 of the STCW Code;
- (b) establish continued professional competence in accordance with section A-I/11 of the STCW Code.

(2) Every master, officer and radio operator shall, for continuing seagoing service on board ships for which special training requirements have been internationally agreed upon, successfully complete approved relevant training.

(3) Every master and officer shall, for continuing seagoing service on board tankers, meet the requirements of sub-regulation(1), and be required, at intervals not exceeding 05 years, to establish continued professional competence for tankers in accordance with section A-I/11, paragraph 3 of the STCW Code.

(4) GMDSS General Operator's endorsement shall be revalidated at 05 year intervals provided that the radio operator is having 12 months sea service in the relevant capacity within 05 years preceding the date of revalidating.

(5) All holders of Certificates of Competency and Endorsements as Master, Officer, Radio Operator issued or revalidated under the Merchant Shipping (Training, Certification and Watch Keeping) Regulations 1998 published in Gazette No 1036/21 of July 17, 1998 shall be required to undergo appropriate refresher and updating course or assessment as may be determined by the Director General taking into consideration the circumstances of each case and thereby satisfy the Director General that they have reached a level of competency specified for the appropriate certificate as set out in these Regulations and apply to revalidate Certificates or Endorsements on or before December 31, 2016, if the holder wishes to continue to be able to serve on board sea going ships in a certificated capacity.

(6) All Certificates of Competency and Endorsements as Master, Officer or Radio Operator issued or revalidated under these Regulations in accordance with the Convention shall be valid only for a period of 05 years, and should be submitted for revalidation if the holder continues serving on board seagoing ships. Certificates of Competency may be revalidated within 06 months prior to the expiry date and in such cases, the certificate may be revalidated until the fifth anniversary of the date of validity, or extension of validity, of the certificate.

(7) Certificates of Proficiency issued under these Regulations shall be required every five years from the date of issue to provide evidence of having maintained the required standards of competence.

(8) Certificates and endorsements issued under the Merchant Shipping (Training, Certification and Watch Keeping) Regulations 1998 shall be revalidated till 31st December 2016.

Professional competence

24. (1) Continued professional competence as required under regulation I/11 of the STCW Code shall be established by:-

- (a) approved seagoing service, performing functions appropriate to the certificate held, for a period of at least:-
 - (i) 12 months in total during the preceding 05 years, or
 - (ii) 03 months in total during the 06 months immediately prior to revalidating; or
- (b) having performed functions considered by the Director General to be equivalent to the seagoing service required in paragraph (a) (i); or

- (c) passing an approved test; or
- (d) successfully completing an approved training course or courses; or
- (e) having completed approved seagoing service, performing functions appropriate to the certificate held, for a period of not less than 03 months in a supernumerary capacity, or in a lower officer rank than that for which the certificate held is valid immediately prior to taking up the rank for which it is valid.

(2) The refresher and updating courses required by regulation I/11 of the STCW Code shall be approved and include changes in relevant national and international regulations concerning the safety of life at sea, security and the protection of the marine environment and take account of any updating of the standard of competence concerned.

(3) Continued professional competence for tankers as required under regulation I/11, paragraph 3 of the STCW Code, shall be established by:-

- (a) approved seagoing service, performing duties appropriate to the tanker certificate or endorsement held, for a period of at least 03 months in total during the preceding 05 years; or
- (b) successfully completing an approved relevant training course or courses.

Use of Simulators

25. The performance standards and other provisions set forth in Section A-I/12 of the STCW Code and such other requirements as are prescribed in part A of the STCW Code for any certificate concerned shall be complied with in respect of:-

- (a) all mandatory simulator-based training;
- (b) any assessment of competency required by part A of the STCW Code which is carried out by means of a simulator; and
- (c) any demonstration, by means of a simulator, for continued proficiency required by part A of the STCW Code.

Mandatory Minimum Requirements for safety familiarisation, basic training and instruction for all seafarers

26. (1) Before being assigned to ship board duties, all persons employed or engaged on a seagoing ship, other than passengers, shall receive approved familiarisation and basic safety training or instructions in accordance with Section A-VI/1 of the STCW Code and shall meet the appropriate standard of competence specified therein. A record of all persons who have reached the appropriate standard of familiarisation and basic safety training shall be maintained by the Master of the vessel and the company.

(2) Seafarers employed or engaged in any capacity on board on the business of the ship as a part of the ship's complement with designated safety or pollution prevention duties in the operation of the ship shall, before being assigned to such shipboard duties, receive appropriate approved basic training in Personal Survival Techniques (A-VI/1-1 in the STCW Code), Fire Prevention and Fire Fighting (A-VI/1-2 in STCW Code), Elementary First Aid (A-VI/1-3 in STCW Code) and Personal Safety and Social Responsibilities (A-VI/1-4 in STCW Code).

(3) Seafarers qualified in accordance with sub-regulations(4) to (6) below shall be required, every 05 years, to provide evidence of having maintained the required standards of competence, to undertake the tasks, duties and responsibilities listed in column 1 of the tables A-VI/1-1 and A-VI/1-2 of the STCW Code.

Minimum requirements for the issue of certificates of proficiency in personal survival techniques

- (4) Every candidate for a certificate of proficiency in personal survival techniques shall:-
- (i) attend an approved training course in personal survival techniques; and
 - (ii) meet the standard of competence set out in table A-VI/1-1 of the STCW Code.

Minimum requirements for the issue of certificates of proficiency in fire prevention and fire fighting

- (5) Every candidate for a certificate of proficiency in fire prevention and fire fighting shall:-
- (i) attend an approved training course in fire prevention and fire fighting; and
 - (ii) meet the standard of competence set out in table A-VI/1-2 of the STCW Code.

Minimum requirements for the issue of certificates of proficiency in elementary first aid

- (6) Every candidate for a certificate of proficiency in elementary first aid shall:-
- (i) attend an approved training course in elementary first aid; and
 - (ii) meet the standard of competence set out in table A-VI/1-3 of the STCW Code.

Minimum requirements for the issue of certificates of proficiency in personal safety and social responsibilities

- (7) Every candidate for a certificate of proficiency in personal safety and social responsibilities shall:-
- (i) attend an approved training course in personal safety and social responsibilities; and
 - (ii) meet the standard of competence set out in table A-VI/1-4 of the STCW Code.

Minimum requirements for the issue of certificates of proficiency in Survival Craft and Rescue Boats other than Fast Rescue Boats

- (8) (a) Every candidate for a certificate of proficiency in survival craft and rescue boats other than fast rescue boats shall:-
- (i) be not less than 18 years of age on the date of completion of the course;
 - (ii) have approved sea going service of not less than 12 months or have attended an approved pre-sea training course and have approved sea-going service of not less than 06 months;
 - (iii) attend an approved training course of proficiency in survival.
- (b) Seafarers holding certificate of proficiency in survival craft and rescue boats other than fast rescue boats shall be required, every 05 years, to provide evidence of having maintained the required standards of competency to undertake the tasks, duties and responsibilities listed in column 1 of the table A-VI/2-1 of the STCW Code.

Minimum requirements for the issue of certificates of proficiency in fast rescue boats

- (9) (a) Every candidate for a certificate of proficiency in fast rescue boats shall:-
- (i) be a holder of a certificate of proficiency in survival craft and rescue boats other than fast rescue boats;
 - (ii) attend an approved training course of proficiency in fast rescue boats; and
 - (iii) meet the standard of competency for certificate of proficiency in fast rescue boats set out in Section A-VI/2, paragraphs 7 to 10 of the STCW Code.
- (b) Seafarers holding certificate of proficiency of fast rescue boats shall be required, every 05 years, to provide evidence of having maintained the required standards of competency to undertake the tasks, duties and responsibilities listed in column 1 of the table A-VI/2-2 of the STCW Code.

Minimum requirements for issue of a Certificate of Proficiency in advanced fire fighting ;

- (10) (a) Seafarers designated to control fire fighting operations shall hold a certificate of proficiency in advanced fire fighting.
- (b) Every candidate for a certificate of proficiency in advanced fire fighting shall -
- (i) attend an approved training course in advanced fire fighting; and
 - (ii) meet the standard of competency specified in section A-VI/3, paragraphs 1 to 4 of the STCW Code.
- (c) Seafarers holding certificate of advanced fire fighting shall be required, every 05 years, to provide evidence of having maintained the required standards of competency to undertake the tasks, duties and responsibilities listed in column 1 of the table A-VI/3 of the STCW Code.

Minimum requirements for the issue of Certificate of Proficiency in medical first aid ;

- (11) (a) Seafarers designated to provide medical first aid on board ship shall hold a certificate of proficiency in medical first aid.
- (b) Every candidate for a certificate of proficiency in medical first aid shall:-
- (i) attend an approved training course in medical first aid; and
 - (ii) meet the standard of competence specified in section A-VI/4, paragraphs 1 to 3 of the STCW Code.

Minimum requirements for the issue of Certificate of Proficiency in medical care ;

- (12) (a) Seafarers designated to take charge of medical care on board ship shall hold a certificate of proficiency in medical care.
- (b) Every candidate for a certificate of proficiency in medical care shall:-
- (i) attend an approved training course in medical care; and
 - (ii) meet the standard of competence specified in section A-VI/4, paragraphs 4 to 6 of the STCW Code.

Mandatory minimum requirements for the issue of certificates of proficiency for ship security officers

- (13) (a) Seafarers designated as ship security officers shall hold a certificate of proficiency for ship security officer.
- (b) Every candidate for a certificate of proficiency for ship security officer shall:-
- (i) have approved seagoing service of not less than 12 months or appropriate seagoing service and knowledge of ship operations;
 - (ii) attend an approved training course in ship security; and
 - (iii) meet the standard of competence specified in section A-VI/5, paragraphs 1 to 4 of the STCW Code.

Mandatory minimum requirements for security-related training and instruction for all seafarers ;

Standard of competence for security-related familiarization training,

- (14) (a) Before being assigned to shipboard duties, all persons employed or engaged on a sea going ship which is required to comply with the provisions of the ISPS Code, other than passengers, shall receive approved security-related familiarization training, taking account of the guidance given in part B of the STCW Code, to be able to:-
- (i) report a security incident, including a piracy or armed robbery threat or attack;
 - (ii) know the procedures to follow when they recognize a security threat; and
 - (iii) take part in security-related emergency and contingency procedures.

- (b) Seafarers with designated security duties engaged or employed on a seagoing ship shall, before being assigned such duties, receive security-related familiarization training in their assigned duties and responsibilities, taking into account the guidance given in part B of the STCW Code.
- (c) The security-related familiarization training shall be conducted by the ship security officer or an equally qualified person.

Standard of competence for security-awareness training

- (d) Seafarers employed or engaged in any capacity on board a ship which is required to comply with the provisions of the ISPS Code on the business of that ship as part of the ship's complement without designated security duties shall, before being assigned to any shipboard duties:-
 - (i) receive appropriate approved training or instruction in security awareness as set out in table A-VI/6-1 of the STCW Code;
 - (ii) be required to provide evidence of having achieved the required standard of competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-VI/6-1 of the STCW Code:
 - A. by demonstration of competence, in accordance with the methods and the criteria for evaluating competence tabulated in columns 3 and 4 of table A-VI/6-1 of the STCW Code; and
 - B. by examination or continuous assessment as part of an approved training programme in the subjects listed in column 2 of table A-VI/6-1 of the STCW Code.

Standard of competence for seafarers with designated security duties

- (e) Every seafarer who is designated to perform security duties, including anti-piracy and anti-armed-robbery related activities, shall be required to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-VI/6-2 of the STCW Code.
- (f) The level of knowledge of the subjects in column 2 of table A-VI/6-2 of the STCW Code shall be sufficient to enable every candidate to perform on board designated security duties, including anti-piracy and anti-armed-robbery related activities.
- (g) Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence through:-
 - (i) demonstration of competence to undertake the tasks, duties and responsibilities listed in column 1 of the table A-VI/6-2 of the STCW Code, in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of that table; and
 - (ii) examination or continuous assessment as part of an approved training programme covering the material set out in column 2 of the table A-VI/6-2.

Recognition of Certificates issued by other Countries ;

27. (1) The Director General may recognise certificates issued under the provisions of regulations II/2, III/2 or III/3 or issued under regulations VII/1 at the Management Level, as defined in the STCW Code, by another party as equivalent to a Sri Lankan Certificate of Competency or Endorsement at the same level for service on Sri Lankan ships, provided that -

- (a) the system and procedure of certification followed in that country has been duly found acceptable by the International Maritime Organisation in accordance with the Convention;
- (b) the Director General has confirmed, through necessary measures, which may include inspection of facilities and procedures, that the requirements concerning the standards of competence, the issue and endorsement of certificates and record keeping are in full compliance with the Convention; and

- (c) an undertaking is agreed to with the country concerned that prompt notification will be given of any significant change in the current status of the certificate or endorsement or arrangements for training and certification provided in compliance with the Convention.

(2) Holders of certificates of Competency or Endorsement at the management level, as set out in schedule B to regulations shall satisfy the Director General, by successfully completing an assessment that they possess appropriate knowledge of Maritime legislation of Sri Lanka relevant to the functions they are permitted to perform, before an endorsement for the recognition of a Certificate is made by the Director General.

(3) Notwithstanding sub-regulation (1), the Director General may, if circumstances require, allow a seafarer to serve in a capacity, other than Radio Operator, except as provided by the Radio Regulations, for a period of not exceeding three months on board a ship entitled to fly the Sri Lankan flag, while holding an appropriate and valid certificate issued and endorsed by another country for use on board that country's ships but which has not yet been endorsed so as to render it appropriate for service on board ships entitled to fly the flag of Sri Lanka. However, documentary proof shall be submitted by the applicant that an application for an endorsement has been submitted to the Director General.

Role of Training Institutes ;

28. (1) Training institutes shall ensure that-

- (a) all training and assessment of seafarers for certification under these Regulations are conducted in accordance with the relevant provisions and other requirements laid down by the Director General;
- (b) a degree of independence is maintained between training and assessment;
- (c) a record of the persons trained by each institute is maintained and such information made available to the Director General, Chief Examiner and companies, when requested;
- (d) model courses published by the Organization are used as guidance in preparation of approved training programmes; and
- (e) course syllabi are updated in line with amendments to the STCW Code and other relevant instruments including industry updates and developments, in consultation with the Director General.

(2) All training, assessment of competence, certification, endorsement and revalidation activities carried out by non-governmental institutions shall be continuously monitored through a quality standards system to ensure the achievement of defined objectives, including those concerning the qualifications and experience of trainers and assessors.

(3) When training, assessment of competence, certification, endorsement and revalidation activities are carried out by governmental institutions, there shall be a quality standards system.

(4) All training, assessment of competence, certification, endorsement and revalidation activities carried out by approved institutions shall be evaluated in accordance with the provisions of section A-1/8 of STCW Code, at intervals of not more than five years, by an independent panel appointed for that purpose. Reports of such evaluations shall be communicated to the Secretary General of the International Maritime Organisation by the Director General.

Requirements for training institutes ;

(5) All training institutes shall comply with the requirements relating to equipment and facilities as determined by the Director General.

(6) All approved training institutes shall obtain an annual licence in order to function as an approved training institute. However training institutes providing free education will be exempted from payment of licence fees.

(7) Training institutes shall be audited annually by a team of auditors appointed by the Director General, for verification of compliance with the Convention, applicable regulations and standards.

(8) Director General may withdraw approval granted for a course or number of courses either temporally or permanently, if the Director General is convinced that the facilities, resources and delivery of training programme/s are not in accordance with the Convention, applicable regulations and internationally accepted standards.

(9) All approved maritime training institutes shall have a facility for on line verification system of certificates of proficiency issued by them.

Company Responsibility ;

29. (1) The Director General shall, in accordance with the provisions of section A-1/14 of the STCW Code, hold every company which is operating ships registered in Sri Lanka, or is responsible for the assignment of seafarers for service on ships in accordance with these Regulations, responsible for ensuring that:-

- (a) each seafarer assigned to its ships hold an appropriate certificate in accordance with the provisions of these Regulations, issued or endorsed by the Director General;
- (b) its ships are manned in compliance with the manning requirements specified in the Merchant Shipping (Safe Manning) Regulations, 2013;
- (c) documentation and data relevant to all seafarers employed on its ships are maintained and readily accessible, and include, without being limited to, documentation and data on their experience, training, medical fitness and competency in assigned duties;
- (d) seafarers, on being assigned to any of its ships, are familiarised with their specific duties and with all ship arrangements, installations, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties;
- (e) allocation of a reasonable period of time during which each newly employed seafarer is given an opportunity to become acquainted with:-
 - (i) the specific equipment the seafarer will be using or operating;
 - (ii) ship specific watch keeping, safety, environmental protection, security and emergency procedures and arrangements the seafarer needs to know to perform the assigned duties properly;
- (f) radio operators are familiarized with the ship's radio equipment prior to taking over duties as a radio operator;
- (g) the ship's complement can effectively coordinate their activities in an emergency situation and in performing functions vital to safety, security or to the prevention or mitigation of pollution;
- (h) the master confirms availability on board at all times of all original certificates and related documents issued pursuant to the Convention indicating the qualifications of any member of the crew to perform designated functions;
- (i) texts of the Merchant Shipping Act, No. 52 of 1971 as amended, International instruments and enabling regulations are placed on board;
- (j) effective oral communication is maintained at all times on board its ships in accordance with chapter V, Regulation 14 , paragraphs 3 and 4 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended.

(2) Before being assigned to shipboard duties, all persons employed or engaged on a ship other than passengers, shall receive familiarisation and basic safety training or instructions in accordance with Section A-VI/1.1 of the STCW Code. A record of all persons who have reached the appropriate standard of familiarisation and basic safety training shall be maintained by the Master of the ship and the Company.

(3) The Company shall ensure that seafarers are provided updating or refresher training in order to update their knowledge in accordance with the changes to STCW Code and other relevant instruments including industry updates and developments.

Fitness for Duty and Watch Keeping Standards ;

30. (1) The Company shall, for the prevention of fatigue, ensure that all persons who are assigned duty as an officer in charge of a watch or as a rating forming part of a watch and those whose duties involve designated safety, prevention of pollution and security duties shall be provided with a rest period of not less than:-

- (a) a minimum of 10 hours of rest in any 24-hour period; and
- (b) 77 hours in any 7-day period,

in accordance with this regulation,

(2) The hours of rest in any 24 hour period may be divided into no more than two periods, one of which shall be at least 6 hours in length, and the intervals between consecutive periods of rest shall not exceed 14 hours.

(3) The requirements for rest periods specified in sub-regulations (1) and (2) need not be maintained in the case of an emergency or in other overriding operational conditions. Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations and by international instruments, shall be conducted in a manner that minimises the disturbance of rest periods and does not induce fatigue.

(4) Companies and Masters shall ensure that watch schedules are posted where they are easily accessible. The schedules shall be established in a standardised format in the working language or languages of the ship and in English.

(5) When a seafarer is on call, such as when a machinery space is unattended, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call outs to work.

(6) Records of daily hours of rest of seafarers shall be maintained in a standardised format, in the working language or languages of the ship and in English, to allow monitoring and verification of compliance with this regulation. The seafarers shall receive a copy of the records pertaining to them, which shall be endorsed by the master or by a person authorised by the master and by the seafarers.

(7) Nothing in this regulation shall be deemed to impair the right of the master of a ship to require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. Accordingly, the master may suspend the schedule of hours of rest and require a seafarer to perform any hours of work necessary until the normal situation has been restored. As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest.

(8) Exceptions from the required hours of rest specified in sub-regulations(1) (b) and (2) above provided that the rest period is not less than 70 hours in any 7 day period. Exceptions from the weekly rest period provided for in sub-regulation(1) (b) shall not be allowed for more than two consecutive weeks. The intervals between two periods of exceptions on board shall not be less than twice the duration of the exception.

The hours of rest provided for in sub-regulation(1) (a) may be divided into no more than three periods, one of which shall be at least 6 hours in length and neither of the other two periods shall be less than one hour in length. The intervals between consecutive periods of rest shall not exceed 14 hours. Exceptions shall not extend beyond two 24-hour periods in any 7-day period.

Exceptions shall, as far as possible, take into account the guidance regarding prevention of fatigue in section B-VIII/1 of the STCW Code.

(9) Companies and Master shall ensure, for the purpose of preventing alcohol abuse, a limit of not greater than 0.05% blood alcohol level (BAC) or 0.25 mg/l alcohol in the breath or a quantity of alcohol leading to such alcohol concentration for masters, officers and other seafarers while performing designated safety, security and marine environmental duties. Use of narcotic drugs is prohibited.

National Provisions ;

31.(1) Should there be any accident or casualty such as grounding, fire, loss of life or cargo thereof or any other unusual happening on board any Sri Lankan registered ship or any foreign flag ship in Sri Lankan territorial waters, the same shall be reported to the Director General within twenty four hours of such occurrence by the Master, owner or local agent.

(2) The Director General may order an inquiry to be held into any such occurrence depending on the gravity of the occurrence or the public interest in the matter.

(3) The officer or officers appointed by the Director General to hold such inquiry may require witnesses to be present in person and, to give evidence at the inquiry.

(4) On the basis of the report of the inquiring officer or officers, the Director General may suspend or withdraw any Certificate of Competence or Endorsement or document issued by the Director General. However, no such action shall be taken without giving the relevant person a fair chance to defend his or her position.

(5) Where the inquiry report suggests incompetence or misconduct on the part of a seafarer to whom the Director General has not issued any certificate or endorsement the person may be prohibited from entering Sri Lankan territorial waters and the State that issued any such document to such person shall be informed to take appropriate action.

(6) Where such an inquiry reveals lack of administrative, legislative and procedural control, the Director General shall take appropriate action to remedy the matter together with the relevant authorities.

(7) Any person who is in possession of a certificate as required by these Regulations, which is found to be a forgery with a view to impersonation, or to have been obtained by fraudulent means, shall be guilty of an offence and on conviction by a court shall be liable to a fine not exceeding rupees One Hundred thousand or to imprisonment for a term not exceeding two years, or to both such fine and imprisonment. The Director General may suspend such person from performing sea duties for a period not exceeding five years.

(8) Any person holding a certificate issued under these Regulations found guilty by a court of misconduct with regard to the management or operation or safe navigation of a ship shall be liable on conviction to a fine not exceeding rupees One Hundred thousand or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(9) Any Master engaging a crew member not holding a certificate required by these Regulations or any person aiding and abetting such a Master shall be guilty of an offence and on conviction by a court shall be liable to a fine not exceeding rupees One Hundred thousand or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(10) A Master who has allowed any function or service in any capacity required by these Regulations to be performed by a person holding a prescribed certificate, to be performed by a person not holding such a certificate or a valid dispensation or documentary proof as required by these Regulations except for training under supervision or in cases of force majeure, or any person who aids and abets such a Master in this regard shall be guilty of an offence and on conviction by a court shall be liable to a fine not exceeding rupees One Hundred thousand or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

(11) If a person holding a certificate under these Regulations appears to the Director General to be incompetent with regard to the management or operation or safe navigation of a ship, the Director General may suspend or cancel or revoke such certificate.

(12) If a person holding a certificate under these Regulations fails to perform the duties appropriate to such certificate, the Director General may suspend or cancel or revoke such certificate.

Port State Control ;

32. (1) Port State control exercised by a duly authorised control officer as set out under Article X of the Convention shall be limited to the following:-

- (a) verification in accordance with Article X(1) of the Convention that all seafarers serving on board who are required to be certificated in accordance with the Convention hold an appropriate certificate or a valid dispensation, or possess documentary proof that an application for an endorsement has been submitted to the Director General in accordance with regulation I/10 paragraph 5 of the Convention;
- (b) verification that the numbers and certificates of seafarers serving on board are in conformity with the applicable safe manning requirements of the Administration of the Flag State; and
- (c) assessment, in accordance with Section A-I/4 of the Convention, of the ability of the seafarers of the ship to maintain watch keeping standards as required by the Convention, if there are clear grounds for believing that such standards are not being maintained due to the occurrence of any of the following:-
 - (i) the ship had been involved in a collision, grounding or stranding; or
 - (ii) there had been a discharge of substances from the ship when under way, at anchor or at berth which is illegal under any international convention; or
 - (iii) the ship had been manoeuvred in an erratic or unsafe manner whereby routine measures adopted by the International Maritime Organisation or safe navigating practices and procedures have not been followed; or
 - (iv) the ship is otherwise being operated in such a manner as to pose a danger to persons, property or environment, or a compromise to security.

(2) A duly authorised control officer may detain a ship under Article X of the Convention when it is determined that failure to correct any of the following deficiencies pose a danger to persons, property or the environment:-

- (a) failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the Flag State Administration in accordance with regulation I/10, paragraph 5 of the Convention;
- (b) failure to comply with the applicable safe manning requirement of the Flag State Administration;
- (c) failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the Flag State Administration;
- (d) absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radio communication or the prevention of marine pollution; and
- (e) inability to provide for the first watch at the commencement of a voyage and for subsequent relieving watches, persons who are sufficiently rested and fit for duty.

Maintenance of Records and Quality Standards ;

33.(1) The Director General shall cause to be maintained records of seafarers to whom certificates, endorsements or any document have been issued, which include, without being limited to, documentation and data on their identification, experience, training, medical fitness and competency.

(2) The Director General may have documented procedures for the implementation of these Regulations in accordance with the Convention including procedures for the approval of training institutions, examinations, and assessment and approval of medical practitioners.

(3) The Ministry may appoint qualified auditors, who are not working within the Director General's Office of the Merchant Shipping of the Ministry to carry out periodic evaluation of the certification system at intervals not exceeding five years. The report of such evaluation shall be communicated to the Secretary General of the International Maritime Organisation by the Minister.

Medical Standards ;

34. All applicants for an officer certificate, Continuous Discharge Certificate (CDC) of seafarers or certification of special qualifications shall be required to have a physical examination reported on a medical form prescribed by the Director General and completed by an approved medical practitioner. The completed medical form must accompany the application for officer certificate, application for seafarer's identity document, or application for certification of special qualifications. This physical examination must be carried out not more than twelve months prior to the date of making applications for an officer certificate, certification of special qualifications or a CDC. Examination must establish that the applicant is in a satisfactory physical condition for the specific duty assignment undertaken and is generally in possession of all body faculties necessary to fulfill the requirements of the seafaring profession. In addition to what is mentioned above, the application shall fulfill the following requirements:-

- (a) Medical fitness for seafarers and procedures for the issue of a medical certificate shall be in accordance with section A I/9 of the STCW Code;
- (b) Approved medical practitioners shall assess the medical and physical fitness of seafarers for the purpose of seafarer medical examinations, in accordance with section A-I/9 of the STCW Code;
- (c) Every seafarer holding a certificate issued under the provisions of the Convention, who is serving at sea, shall also hold a valid medical certificate issued in accordance with the provisions of this regulation and section A-I/9 of the STCW Code;
- (d) The standards of physical and medical fitness shall ensure that seafarers:-
 - (i) have the physical capability, taking into account paragraph 5 of section A-I/9 of STCW Code, to fulfill all the requirements of the basic training as required by section A-VI/1, paragraph 2 of the STCW Code;
 - (ii) demonstrate adequate hearing and speech to communicate effectively and detect any audible alarms;
 - (iii) have no medical condition, disorder or impairment that will prevent the effective and safe conduct of their routine and emergency duties on board during the validity period of the medical certificate;
 - (iv) are not suffering from any medical condition likely to be aggravated by service at sea or to render the seafarer unfit for such service or to endanger the health and safety of other persons on board; and
 - (v) are not taking any medication that has side effects that will impair judgment, balance, or any other requirements for the effective and safe performance of routine and emergency duties on board.

Validity of the Medical Certificate ;

- (e) Medical certificates shall remain valid for a maximum period of two years unless the seafarer is under the age of 18 or above the age of 55, in which case the maximum period of validity shall be one year:

Provided that, where the period of validity of a medical certificate expires in the course of a voyage, then the medical certificate shall continue in force until the next port of call where a medical practitioner recognised by the Director General is available, subject to a maximum of three months:

Provided also that in urgent cases the Director General may permit a seafarer to work without a valid medical certificate until the next port of call where a medical practitioner recognized by the Director General is available, subject to: -

- (i) the period of such permission not exceeding 03 months; and
- (ii) the seafarer being in possession of an expired medical certificate of recent date.

Table A-1/9

Minimum in-service eyesight standards for seafarers

| STCW Convention regulation | Category of seafarer | Distance vision Aided ¹ | | Near/immediate vision | Colour vision ³ | Visual fields ⁴ | Night blindness ⁴ | Diplopia (double vision) ⁴ |
|--|---|------------------------------------|------------------|---|----------------------------|----------------------------|---|---------------------------------------|
| | | One eye | Other eye | Both eyes together, aided or unaided | | | | |
| I/11 II/1 II/2 II/3 II/4 II/5 VII/2 | Masters, deck officers and ratings required to undertake look-out duties | 0.5 ² | 0.5 | Vision required for ship's navigation (e.g., chart and nautical publication reference, use of bridge instrumentation and equipment, and identification of aids to navigation) | See Note 6 | Normal visual fields | Vision required to perform all necessary functions in darkness without compromise | No significant condition evident |
| I/11 III/1 III/2 III/3 III/4 III/5 III/6 III/7 VII/2 | All engineer officers, electro technical officers, and electro-technical ratings and ratings forming part of an engine-room watch | 0.4 ⁵ | 0.4 (see note 5) | Vision required to read instruments in close proximity, to operate equipment, and to identify systems/components as necessary | See Note 7 | Sufficient visual fields | Vision required to perform all necessary functions in darkness without compromise | No significant condition evident |
| I/11 IV/2 | GMDSS Radio operators | 0.4 | 0.4 | Vision required to read instruments in close proximity, to operate equipment, and to identify systems/components as necessary | See Note 7 | Sufficient visual fields | Vision required to perform all necessary functions in darkness without compromise | No significant condition evident |

Notes:

- ¹ Values given in Snellen decimal notation.
- ² A value of at least 0.7 in one eye is recommended to reduce the risk of undetected underlying eye disease.
- ³ As defined in the *International Recommendations for Colour Vision Requirements for Transport* by the Commission International de l'Eclairage (CIE-143-2001 including any subsequent versions)
- ⁴ Subject to assessment by a clinical vision specialist where indicated by initial examination findings.
- ⁵ Engine department personnel shall have a combine eye sight vision of at least 0.4
- ⁶ CIE colour vision standard 1 or 2
- ⁷ CIE colour vision standard 1, 2 or 3.

Table B-1/9

Assessment of minimum in-service physical ability for seafarers³

| <i>Shipboard task, function, event or condition³</i> | <i>Related physical ability</i> | <i>A medical examiner should be satisfied that the candidate⁴</i> |
|---|---|--|
| Routine movement around vessel: - on moving deck - between levels - between compartments <i>Note 1 applies to this row</i> | Maintain balance and move with agility. Climb up and down vertical ladders and stairways. Step over coamings (e.g., 600 mm high). Open and close watertight doors. | Has no disturbance in sense of balance. Does not have any impairment or disease that prevents relevant movements and physical activities. Is, without assistance ⁵ , able to: - climb vertical ladders and stairways - step over high sills - manipulate door closing systems |
| Routine tasks on board: - Use of hand tools - Movement of ship's stores - Overhead work - Valve operation - Standing a four hour watch - Working in confined spaces - Responding to alarms, warnings and instructions - Verbal communication <i>Note 1 applies to this row</i> | Strength, dexterity and stamina to manipulate mechanical devices. Lift, pull and carry a load (e.g., 18 kg). Reach upwards. Stand, walk and remain alert for an extended period. Work in constricted spaces and move through restricted openings (e.g., 600 mm × 600 mm). Visually distinguish objects, shapes and signals. Hear warnings and instructions. Give a clear spoken description. | Does not have a defined impairment or diagnosed medical condition that reduces ability to perform routine duties essential to the safe operation of the vessel Has ability to - work with arms raised - stand and walk for an extended period - enter confined space - fulfill eyesight standards (table A-I/9) - fulfill hearing standards set by competent authority or take account of international guidelines - hold normal conversation |
| Emergency duties ⁶ on board: - Escape - Fire-fighting - Evacuation <i>Note 2 applies to this row</i> | Don a lifejacket or immersion suit. Escape from smoke-filled spaces. Take part in fire-fighting duties, including use of breathing apparatus. Take part in vessel evacuation procedures. | Does not have a defined impairment or diagnosed medical condition that reduces ability to perform emergency duties essential to the safe operation of the vessel Has ability to: - don lifejacket or immersion suit - crawl - feel for differences in temperature - handle fire-fighting equipment - wear breathing apparatus (where required as part of duties) |

Notes:

- 1 Rows 1 and 2 of the above table describe (a) ordinary shipboard tasks, functions, events and conditions, (b) the corresponding physical abilities which may be considered necessary for the safety of a seafarer, other crew members and the ship, and (c) high-level criteria for use by approved medical practitioners assessing medical fitness, bearing in mind the different duties of seafarers and the nature of shipboard work for which they will be employed.
- 2 Row 3 of the above table describes (a) ordinary shipboard tasks, functions, events and conditions, (b) the corresponding physical abilities which shall be considered necessary for the safety of a seafarer, other crew members and the ship, and (c) high-level criteria for use by approved medical practitioners assessing medical fitness, bearing in mind the different duties of seafarers and the nature of shipboard work for which they will be employed.
- 3 This table is not intended to address all possible shipboard conditions or potentially disqualifying medical conditions. Approved Medical practitioners should use their professional judgement on physical abilities applicable to the category of seafarers (such as “Deck officer” and “Engine rating”). The special circumstances of individuals and for those who have specialized or limited duties should receive due consideration.
- 4 If in doubt, the medical practitioner should quantify the degree or severity of any relevant impairment by means of objective tests, whenever appropriate tests are available, or by referring the candidate for further assessment.
- 5 The term “assistance” means the use of another person to accomplish the task.
- 6 The term “emergency duties” is used to cover all standard emergency response situations such as abandon ship or fire fighting as well as the procedures to be followed by each seafarer to secure personal survival.

L.D.B- 3/2013 II.

MERCHANT SHIPPING ACT, No. 52 OF 1971

REGULATIONS made by the President, by virtue of the powers vested in him, by sections 126 and 321 of the Merchant Shipping Act, No. 52 of 1971, read with article 44(2) of the Constitution.

MAHINDA RAJAPAKSA,
President.

Colombo,
1st July, 2013.

Regulations

1. These Regulations may be cited as the Merchant Shipping (Safe Manning) Regulations 2013, and shall come into force on July 01, 2013.
2. (i) The Merchant Shipping (safe manning) Regulations 1998 published in Gazette No.1036/21 of July 17, 1998 shall be rescinded with effect from July 01, 2013;
- (ii) Notwithstanding the above provisions, safe manning documents issued under the Merchant Shipping (safe manning) Regulations 1998 shall continue to be valid subject to the provisions of these regulations until December 31, 2016.

Definitions

3. In these regulations, unless the context otherwise requires –

‘**Act**’ means the Merchant Shipping Act, No. 52 of 1971 :-

‘**Certificate of Competency**’ means a certificate of authority granted under the Merchant Shipping (Training, Certification and Watch Keeping) Regulations 2013;

‘**Chief Engineer Officer**’ means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;

‘**Chief mate**’ means the deck officer next in rank to the Master and upon whom the command, control or charge of the ship shall fall in the event of the incapacity of the Master;

‘**Company**’ means the owner of the ship or any other organisation or person such as the manager, or the bareboat charterer, who has assumed responsibility for the operation of the ship from the ship owner and who, on assuming such responsibility, has agreed to take over all duties and responsibilities imposed on the Company by these Regulations;

‘**Deck Officer**’ means a navigating officer qualified in accordance with the provisions of Chapter II of the STCW Code as amended in 2010;

‘**Director General**’ means the Director General of Merchant Shipping;

‘**Engineer Officer**’ means an officer qualified in accordance with the provision of Chapter III of STCW Code as amended in 2010;

‘**EWKO**’ means Engineering watch keeping officers.

‘**GT**’ means Gross Tonnage;

‘**Master**’ means the person in command, control or charge of a ship;

‘**near coastal voyages**’ (NCV) means voyages of ships engaged in the coastal trade from any port or place in Bangladesh, India, Maldives, Myanmar and Sri Lanka to any other port or place in the said Nations subject to specific reference with regard to proximity of safe havens during such voyages as determined by the Administration;

‘**NWKO**’ means navigational watch keeping officer;

‘**officer**’ means a member of the crew, other than the Master, designated as such by national law or Regulations or, in the absence of such designation by collective agreement or custom;

‘**radio operator**’ means a member of the crew holding an appropriate certificate issued or recognised by the Director General under the provisions of the Radio Regulations;

‘**Rating**’ means a member of the crew of the ship other than the Master or an officer;

‘**Safe manning document**’ means a document, described as such, issued, in the case of a Sri Lankan ship, by the Director General of Merchant Shipping and in the case of any other ship by or on behalf of the government of the State whose flag the ship is entitled to fly;

'seagoing ship' means a trading ship 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;

'Second Engineer Officer' means the engineer officer next in rank to the Chief Engineer Officer, upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the Chief Engineer Officer;

Application —

4. These Regulations shall apply to all seagoing ships registered under the Sri Lankan flag wherever they are; and other seagoing ships when in Sri Lankan waters other than fishing vessels and pleasure crafts not engaged in trade.

Safe Manning Document —

5. It shall be the duty of the Company to ensure that, in relation to every ship -

- (a) a safe manning document is in force in respect of the ship and manning thereof;
- (b) the manning of the ship is maintained at all times to at least the levels specified; and
- (c) the safe manning document is kept onboard the ship at all times and is available for authorized inspection.

6. The Master of any ship to which these Regulations apply shall ensure that the ship does not proceed to sea unless there is on board a valid safe manning document and the manning of the ship complies with the document.

7. A company applying for a safe manning document in respect of a Sri Lankan ship shall submit to the Director General of Merchant Shipping a proposal taking into consideration the following -

- (a) the manning scales set out in Schedules I and II of these Regulations;
- (b) the recommendations of the International Maritime Organization including but not limited to trade and type of operation;
- (c) the nature of the operation;
- (d) technical characteristics inclusive of type and size of the ship;
- (e) the extent of the crew work load and possible emergency situations.

8. The Director General of Merchant Shipping may before issuing the safe manning document require additional information and on consideration of such information, cause the safe manning document to be issued.

9. It shall be the duty of the Company after the issue of the safe manning document to inform the Director General of Merchant Shipping as soon as any material information communicated which may have a bearing of the approved manning scale has changed. The Director General may in such cases require the submission of a fresh proposal for continuing validity of a safe manning document.

10. Manning scales specified in a safe manning document are the minimum necessary to ensure that the required watch keeping standard is maintained and that personnel are able to obtain mandatory minimum hours of rest specified in the Merchant Shipping (Training, Certification and Watch keeping) Regulations 2013.

11. The manning scales specified in a safe manning document do not take account of commercial requirements of a company or peak workloads.

12. The responsibility of ensuring that ships are safely, sufficiently and efficiently manned rests with the companies.

13. Companies shall ensure that ships are manned by duly certificated masters, officers and ratings as per applicable safe manning document.

Exemptions —

14. Director General of Merchant Shipping may grant, on such terms as he may specify exemptions from all or any provision of these Regulations on a case by case basis;

Penalties —

15. (1) Any owner or manager of a ship to which these Regulations apply who violates any of the provisions of these Regulations shall be guilty of an offence and on conviction by a court shall be liable to a fine not exceeding rupees One Hundred thousand or to imprisonment for a term not exceeding two years or to both such fine and imprisonment;

(2) Any Master of a ship to which these Regulations apply who violates any of these Regulations shall be guilty of an offence and on conviction by a Court shall be liable to a fine not exceeding rupees One Hundred thousand or to imprisonment for a term not exceeding one year or to both such fine and imprisonment;

Power to Detain ;

16. Where -

- (a) in relation to a Sri Lankan Ship any of these Regulations is contravened; or
- (b) in relation to a ship which is not a Sri Lankan ship regulation 4 of these Regulations is contravened, the ship may be detained and section 207 and 208 of the Merchant Shipping Act, No.52 of 1971 shall apply.

SCHEDULE I

MANNING SCALES - DECK OFFICERS

TRADING AREA AND DESCRIPTION OF SHIPS

| | <i>Unlimited* 3000 GT or more</i> | <i>Unlimited* 500 GT to 3000 GT</i> | <i>Unlimited* less than 500 GT</i> | <i>N.C.V. 3000 GT or more</i> | <i>N.C.V. 500 GT to 3000 GT</i> | <i>N.C.V. less than 500 GT</i> |
|---------------------------------------|---|---|--|---------------------------------------|---|--|
| Master | 1 | 1 | 1 | 1 | - | - |
| Chief Mate | 1 | 1 | - | 1 | - | - |
| N.W.K.O | 2 | 1 | 2 | 1 | - | - |
| Master less than 3000GT NCV | - | - | - | - | 1 | - |
| Chief Mate less than 3000GT NCV | - | - | - | - | 1 | - |
| N.W.K.O. less than 3000GT NCV | - | - | - | - | 1 | - |
| Master less than 500GT NCV | - | - | - | - | - | 1 |
| N.W.K.O. less than 500GT NCV | - | - | - | - | - | 1 |

*Unlimited means unlimited trading areas.

SCHEDULE II

MANNING SCALES—ENGINEER OFFICER

TRADING AREA AND DESCRIPTION OF SHIPS

| | <i>Unlimited* 3000 KW or more</i> | <i>Unlimited* 750 KW to 3000 WK</i> | <i>Unlimited* 250 KW to 750 KW</i> | <i>N.C.V. 3000 WK or more</i> | <i>N.C.V. 750 KW to 3000 WK</i> | <i>N.C.V. 250 KW to 750 KW</i> |
|-----------------------------|---|---|--|---------------------------------------|---|--|
| Chief Engineer Officer | 1 | 1 | - | 1 | - | - |
| Second Engineer Officer | 1 | 1 | 1 | 1 | - | - |
| E.W.K.O | 2 | 1 | 1 | 1 | - | - |
| Chief Engineer Officer NCV | - | - | - | - | 1 | - |
| Second Engineer Officer NCV | - | - | - | - | 1 | 1 |
| E.W. K.O. | - | - | - | - | 1 | 1 |

*Unlimited means unlimited trading areas.

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