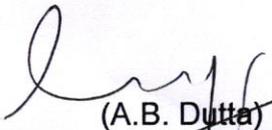


Directorate General of Shipping, Ministry of Shipping, Govt. of India, Mumbai

Authorized by the Directorate General of Shipping, GOI	Examination, Assessment & Certification (EAC) Branch	IS/ISO Clause No.7.5.1
	Subject: Compliance of STCW' 78 Convention as amended in 2010-reg.	ENGG. Circular No. 3 of 2016
	File No:- ENG-PSC-66 (1)/ 2007	Dated: - 29.12.2016

1. The STCW 2010 amendments have entered into force on 1st January 2012. These amendments are aimed at bringing the STCW Convention and Code up to date with all those developments since they were initially adopted in 1978 and revised in 1995. The transition period for the complete demonstration of compliance with the STCW 2010 amendments are from 1st January 2012 to 31st December 2016.
2. **The Transitional provisions** (Regulation I/15) of the amended **STCW Convention** allowed a Party to the Convention until 1st January 2017 to Issue, recognize and endorse certificates in accordance with the provisions of the Convention which applied immediately prior to 1st January 2012 in respect of those seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course before 1st July 2013.
3. As per the Article X of the amended Convention, ships, to which the Convention applies, are subject, while in the ports of a Party, to control by the officers duly authorized by that Party to verify that all the seafarers serving on board, who are required to be certificated by the amended Convention are so certificated or hold an appropriate dispensation.
4. Regulation I/4 of the amended convention states that the failure of seafarers, who are required to hold a certificate, to have an appropriate valid certificate or valid dispensation to the extent that they relate to the certificates of the master, chief engineer officer and officer-in-charge of the navigational and engineering watches and, where relevant, the radio officer shall be the grounds under Article X on which a Party may detain a ship.
5. Various maritime administrations are under considerable constraint to ensure that the seafarers sailing on their ships are certified or hold a valid flag endorsement meeting the Manila Amendments to the Convention on/after 1st January 2017.

6. Recognizing these challenges and constraints faced by the various maritime administrations, the International Maritime Organization(IMO) has issued MSC.1/Circ.1560 dated 9th December 2016 and urged the port state control authorities to take the above factors into consideration when taking action under the control procedures in article X and regulation I/4 of the STCW Convention. It further recommended that till 1 July 2017, the port state control authorities & the Recognition Organisation (ROs) to take a pragmatic and practical approach (delay enforcement) during inspections and in cases where a seafarer's documentation complied with the requirements in force immediately before 1 January 2017, but was not in accordance with the requirements of the 2010 Manila Amendments to the STCW Convention.
7. Recognizing this need of the hour and also realizing that the Merchant Shipping (STCW) rules 2014 giving effect to the STCW 2010 amendments got notified only on 30th July 2014 and since then been promulgated, the competent authority has decided to follow the provisions of MSC.1/Circ.1560 with immediate effect and thus:
- a) *The Certificate of Competencies & Certificate of Proficiencies issued on / after 1st July 2012 and complying with STCW 95 will continue to remain **valid till 1st July 2017** for all those seafarers who are already onboard a ship **on the date of issue of this circular**. However, all other seafarers who intend to join a ship on/after the date of issue of this circular are required to obtain the necessary STCW certificates and endorsements in accordance with the STCW 2010 amendments prior joining a ship;*
 - b) *Accordingly, the STCW modular course certificates issued on/after 1st July 2012 and complying with the requirements of STCW 95 will continue to remain valid till 1st July 2017 for all those seafarers who are already onboard a ship **on the date of issue of this circular** ;*
 - c) *The Indian Port State inspectors and the ROs while conducting port state inspections or any other inspection will accept the STCW 95 compliant Certificate of competencies, Certificate of Proficiencies and STCW modular courses Certificates issued by the other parties to the STCW convention as amended, irrespective of date of joining of the seafarer till 1 July 2017.*
8. The competent authority, hereby directs all its Port State Control, Flag State Control officers & the ROs to take the, above into consideration while conducting Port state Control inspection or any other inspection of the foreign ships visiting Indian ports and also while carrying out Flag state inspections.


(A.B. Dutta)
Engineer & Ship Surveyor-cum-D-DG (Tech)

29/12/16

To,

1. All Maritime Training Institute
2. Principal Officers, MMD, Mumbai/Chennai/ Kolkata/ Kochi/ Kandla
3. Shipping Masters, Mumbai/ Kolkata/ Chennai
4. INDOS Cell, DGS, GOI, Nau Bhavan Building, Mumbai-1
5. Nautical Branch, DGS, GOI
6. Engineering Branch, DGS, GOI
7. INSA/ FOSMA/ MASSA/ ICSSA/ MUI/ IMEI/ CMMI/ NUSI
8. Computer Cell, DGS, GOI with a request to upload this on the official website
9. E-governance Cell, DGS, GOI
10. Guard File
11. Sr. PS to DG(S) for information
12. Sr. PS to Addl. DG (S) for information
13. Sr. PS to CS/NA for information