



Tuvalu

**MERCHANT SHIPPING (STCW
CONVENTION 2010) REGULATIONS**

CAP. 48.28.6



Tuvalu

MERCHANT SHIPPING (STCW CONVENTION 2010) REGULATIONS

Arrangement of Sections

Regulation

1	Citation.....	8
2	Interpretation.....	8
5	Application.....	10
5	Delegation of Powers.....	11
6	STCW Convention, Regulations and Code to have the force of law.....	11

PART II - CONTROL **11**

7	Control procedures.....	11
8	Registration of seafarers and certificates.....	11
9	Offences and penalties.....	12

PART III - RESPONSIBILITIES OF OWNERS AND OTHERS **12**

10	Responsibilities of owners.....	12
11	Responsibilities of owners and masters.....	14
12	Responsibilities of master.....	14
13	Responsibilities of seafarers.....	15
14	Offences and penalties.....	15

PART IV - MANNING **16**

15	Manning.....	16
16	Offences and penalties.....	17

PART V - MEDICAL STANDARDS **17**

17	Medical practitioners.....	17
18	Medical examination.....	18
19	Medical standards.....	18
20	Medical certificate.....	19

21	Duration of Certificates.....	19
22	Re-Examination.....	20
23	Review of a Medical Fitness Certificate.....	20
24	Appeal of a reviewed Medical Fitness Certificate.....	21
25	Costs of Medical Examination for Reviews and Appeals.....	21
26	Offences and penalties.....	22

PART VI - TRAINING AND CERTIFICATION OF SEAFARERS 22

27	Training and assessment.....	22
28	Tuvalu Maritime Training Institute.....	23
29	Certificates of competency.....	23
30	Issue of certificates.....	24
31	Recognition of Certificates.....	25
32	Endorsements.....	27
33	Revalidation.....	27
34	Suspension and cancellation.....	28
35	Transitional.....	29
36	Refresher Courses/Training.....	29
37	Offences and penalties.....	30

PART VII - SPECIAL TRAINING REQUIREMENTS 30

38	Basic Safety Training.....	30
39	Training Proficiency in survival craft and rescue boats other than fast rescue boats.....	31
40	Mandatory minimum requirements for advanced fire fighting.....	31
41	Mandatory Minimum Requirements for Medical first aid.....	32
42	Mandatory minimum requirements for ship security officers.....	32
43	Mandatory minimum requirements for security awareness training.....	33
44	Mandatory minimum requirements for seafarers with designated security duties.....	33
45	Mandatory Minimum Training for Seafarers on Oil and Chemical Tankers.....	34
46	Mandatory Minimum Training for Seafarers on Liquefied Gas Tankers.....	35
47	Mandatory Minimum Training for Seafarers on passenger vessels.....	36
48	Fees.....	36
49	Offences and Penalties.....	36

PART IX - QUALITY STANDARDS 37

50	Quality standards.....	37
51	Evaluation.....	37
52	Reporting.....	38

PART X - WATCHKEEPING 38

53	Watchkeeping arrangements.....	38
54	Fitness for duty.....	39

55	Offences and penalties	40
----	------------------------------	----

PART X - MARINE INQUIRIES AND INVESTIGATIONS **40**

56	Power to hold investigation	40
57	Procedure at inquiries and investigations	41
58	Powers of Impartial Investigation as to Certificates of Competency	42
59	Suspension of certificate pending inquiry	42
60	Assessors	43
61	Appeals	43
62	Offences and penalties	43
63	Immunities	44

PART XI - MARINE RADIO **44**

64	Qualifications of radio personnel	44
65	Offences and penalties	45
66	Definitions	45

PART XII - MISCELLANEOUS **45**

67	Exemptions and dispensations	45
68	Repeal Provisions	46

SCHEDULE **47**

SCHEDULE I	47
SCHEDULE II	50
SCHEDULE III	54
SCHEDULE IV	55
SCHEDULE V	57
SCHEDULE VI	65
SCHEDULE VII	69
SCHEDULE VIII	71
SCHEDULE IX	74

1 Citation

This Regulation may be cited as the Merchant Shipping (STCW Convention 2010) Regulations.

2 Interpretation

(1) In these regulations, unless the context otherwise requires —

“**the Act**” means the Merchant Shipping Act;

“**Able Seafarer deck (AS-Deck)**” means a rating qualified in accordance with the provision of regulation II/5 of the Convention.

“**Able Seafarer engine (AS-Engine)**” means a rating qualified in accordance with the provision of regulation III/5 of the Convention.

“**Administration**” refers to the Department responsible for seafarer’s certification and training under the Ministry of Transport.

“**certificate of competency**” means —

- (a) a certificate of competency issued to a person under section 76 of the Act and in accordance with Part VI of these Regulations;
- (b) a certificate of competency revalidated under regulation 26; or
- (c) an equivalent certificate issued to a seafarer by the maritime administration of another Party and recognised by the Minister under regulation 25(1)(a);

“**Certificate of proficiency (CoE)**” means a certificate, other than the certificate of competency issued to a seafarer, stating that the relevant requirements of training, competencies or seagoing service in the convention have been met

“**clear grounds**” in respect of the control procedures set forth in the regulation 5 include a collision, grounding or stranding; an illegal discharge; operations which would pose a danger to persons, property and the environment and any deficiencies in the vessel's equipment or documentation;

“**Code**” means the Seafarers’ Training Certification and Watchkeeping Code (STCW Code) 2010

“**Convention**” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended by the STCW Conference in 2010 , and includes any other amendments to that Convention that are accepted by or binding on Tuvalu;

“**dispensation**” means a dispensation from a requirement of these Regulations or of the Convention, STCW Regulations or Code granted either generally or in a particular case by the Minister under Regulation 46;

“**duly certificated**” in relation to a seafarer means a seafarer who holds —

(a) a valid certificate of competency showing that the holder is qualified to serve in the relevant capacity on a ship of the relevant class, type, tonnage, power and means of propulsion and on the kind of voyage concerned and to perform the functions involved at the relevant level of responsibility; and

(b) a valid certificate of medical fitness for seagoing service;

“electro-technical officer” means an officer qualified in accordance with the provisions of Regulation III/6

“electro-technical rating” means a rating qualified in accordance with the provisions of Regulations III/7

“endorsement” means an endorsement to a certificate of competency made by the Minister under regulation 31 or made by the maritime administration of another Party;

“GMDSS radio operator” means a person qualified in accordance with Part XI of these regulations;

“grade” in relation to a seafarer means the class of certificate of competency held by the seafarer;

“Government” means the Government of Tuvalu;

“Harbour Master” means the person appointed to that office under section 5 of the Harbours Act;

“IMO” means the International Maritime Organisation;

“maritime training institution” means a training institution approved by regulation for training of seafarers and the issuance of assessment certificates;

“medical practitioner” means a person who:

- (a) holds a current licence to practise medicine issued under the Medical and Dental Practitioners Act (1964), or by a licensing authority recognized by the Government; and
- (b) is registered as a medical practitioner recognized by the Administration for the purpose of medical seafarer examinations. holds a current licence to practise medicine issued under the Medical and Dental Practitioners Act (1964), or by a licensing authority recognized by the Government; and
- (c) is registered as a medical practitioner recognized by the Administration for the purpose of medical seafarer examinations.

“Minister” means the Minister for Transport;

“owner” in relation to a ship has its natural meaning, except that where the ship is operated by a person other than the owner, the term

“owner” shall be read as including that person;

“Party” means a Party to the Convention;

“**recognised**” in relation to a certificate of competency issued by the maritime administration of another Party means recognised by the Minister as valid evidence of competence for the purpose of service on a Tuvaluan ship;

“**Register of Seafarer**” means the register kept under section 111 of the Act;

“**Registrar of Seafarer**” means the person appointed as such under section 110 (1) of the Act;

“**seafarer**” means a person who is employed, or who seeks employment, as a master, officer or rating on board a ship;

“**seagoing service**” means service on board a ship relevant to the issue of a certificate or other qualification;

“**seagoing ship**” means a ship other than employed exclusively in navigation on lagoons or inland waters;

“**ship**” means a ship to which these Regulations apply;

“**STCW Conference**” means the IMO Conference convened in 2010 to amend the 1978 Convention;

“**STCW Regulations**” means the regulations contained in the Annex to the Convention;

“**Tuvaluan seafarer**” means a seafarer who is a citizen of Tuvalu;

“**Tuvaluan ship**” means a ship registered in Tuvalu under the Act;

- (2) Where a term is used in these Regulations which is defined in Article II of the Convention or in Regulation III of the STCW Regulations, the term shall have the same meaning as in the Convention or Regulations, unless a different meaning is given to that term by these Regulations or by necessary implication.

5 Application

- (1) These Regulations apply to the following ships —
- (a) Tuvaluan seagoing ships; and
 - (b) seagoing ships in Tuvalu waters.
- (2) These Regulations apply to the following persons —
- (a) Tuvaluan seafarers;
 - (b) employers of Tuvalu seafarers;
 - (c) owners and masters of ships referred to in sub-regulation (1);
 - (d) seafarers employed on ships referred to in sub-regulation (1);
 - (e) Tuvaluan maritime training institution; and
 - (f) certificates issued under these Regulations or recognised by the Government as so issued.
- (3) These Regulations bind the Government unless otherwise stated.

5 Delegation of Powers

The functions of the Minister may be performed by any public officer designated in writing by the Minister to perform those functions either generally or in a particular case.

6 STCW Convention, Regulations and Code to have the force of law

- (1) These Regulations implement the STCW Convention which has been given the force of law in Tuvalu by declaration in the Gazette under section 47(2) of the Act.
- (2) STCW Regulations and Code shall be incorporated into and shall have the force of law in Tuvalu to the extent practicable, and to the extent that they are consistent with these Regulations, the Act, and other written laws of Tuvalu.
- (3) All ships to which these Regulations apply shall carry a copy of the Convention and Code (IMO Publication IMO-938E).

PART II - CONTROL

7 Control procedures

Any person designated as an inspector or authorised person under section 140 of the Act by the Minister, may board any ship to which these regulations apply and exercise in respect of it the control procedures described in Article X of the Convention and STCW Regulation 6 and 7.

- (1) The powers conferred by sub-regulation (1) are in addition to the powers conferred on the inspector or authorised officer by section 138 of the Act.
- (2) Where there are clear grounds, as provided for in Chapter XI/2 of SOLAS, an assessment of competency must be conducted for those seafarers with specific security duties.
- (3) In the event there are clear grounds for believing that the standards of the Convention and Code are not being maintained, the certificates of seafarers may be assessed in accordance with the control procedures specified in Section A-I/4 of the Code.

8 Registration of seafarers and certificates

- (1) The Registrar of Seafarer shall include in the Register of Seafarer particulars of—
 - (a) all certificates of competency issued under these Regulations;

- (b) all endorsements to certificates of competency made under these Regulations;
 - (c) all certificates of competency or endorsements which have been suspended or cancelled under these Regulations;
 - (d) all certificates of competency issued by another country which have been recognised under these Regulations as valid for Tuvaluan ships;
 - (e) all exemptions or dispensations granted under these Regulations;
 - (f) all certificates of competency held by Tuvaluan seafarers which have been revalidated;
 - (g) all certificates of competency issued to Tuvaluan seafarers which have been lost or have expired; and
 - (h) all medical certificates issued to Tuvaluan seafarers under Part V of these Regulations.
- (2) The Registrar must make information from the Register available to the Secretary-General of IMO, any Party, any owner or any Registrar seeking authenticity and validity of certificates and endorsements issued in Tuvalu.
- (3) The Registrar must develop and maintain an electronic register of certificates either issued to seamen, or suspended or cancelled.

9 Offences and penalties

A person who —

- (a) does anything prohibited by these Regulations or by the Convention, the STCW Regulations or the Code; or
- (b) omits to do anything required by these Regulations or by the Convention, the STCW Regulations or the Code,

commits an offence and, if no other penalty is specified in these Regulations, is liable to a fine of \$2,000 and to imprisonment for 12 months.

PART III - RESPONSIBILITIES OF OWNERS AND OTHERS

10 Responsibilities of owners

- (1) The owner of a ship to which these Regulations apply shall assign seafarers for service on the ship in accordance with the Convention.
- (2) The owner of a ship to which these Regulations apply shall provide written instructions to the master setting out the policies and procedures to be followed to ensure that every seafarer employed on the ship is given, before

- being employed on any duties, a reasonable opportunity to become familiar with —
- (a) the ship's equipment and operating procedures; and
 - (b) any other arrangements needed for the proper performance of their duties before being assigned to those duties.
- (3) The policies and procedures referred to in sub-regulation (2) shall include —
- (a) allocation of a reasonable period of time during which every seafarer will have an opportunity to become familiar with —
 - (i) the particular equipment he will be operating;
 - (ii) ship-specific procedures relating to watchkeeping, safety, environmental protection and emergencies and arrangements he needs to know to perform the assigned duties properly; and
 - (b) designation of a knowledgeable crew member who will be responsible for ensuring that an opportunity is provided for each seafarer to receive essential information in a language he understands.
- (4) The owner of a ship to which these Regulations apply shall provide ships specific introductory programmes aimed at assisting newly employed seafarers to familiarize themselves with all procedures and equipment relating to areas of responsibility.
- (5) The owner of a vessel to which these Regulations apply must enter into an employment contract with each seafarer for every voyage, which agreement must be contained in Articles of Agreement or employment contract to be signed by both the Master and the seafarer.
- (6) The Articles of Agreement or employment contract under sub-regulation (5) must -
- (a) contain the bio-data of the seafarer required by the Convention;
 - (b) specify the date on which the seafarer was engaged and in what capacity, the seafarer's certificate, the nature of the voyage, and the date of the seafarer's discharge.
- (7) The owner of a vessel must ensure that:
- (a) all seafarers working on the said vessel complete revalidation and updating training as required by the STCW Convention;
 - (b) ship's crew are sufficient to also perform security related duties; and
 - (c) there is effective oral communication at all times on board its ships, in accordance with the provisions of SOLAS Chapter V regulation 14.

11 Responsibilities of owners and masters

- (1) Both the owner and the master of a ship to which these Regulations apply shall ensure so far as practicable that —
 - (a) every seafarer employed on the ship is duly certificated;
 - (b) the ship is manned in accordance with the applicable safe manning requirements prescribed in Part IV of these Regulations;
 - (c) documentation and data relevant to all seafarers employed on the ship are maintained and readily accessible and include, without being limited to, documentation and data on the experience, training, medical fitness and competence in assigned duties of such seafarers;
 - (d) every seafarer employed on the ship is made familiar with their particular duties and with the ship's arrangements, installations, equipment, procedures and characteristics relevant to their routine or emergency duties;
 - (e) the ship's crew can effectively co-ordinate activities in an emergency situation and can perform all the functions needed for safety and for the prevention or mitigation of pollution; and
 - (f) seafarers are free from fatigue, that rest periods are observed and that watch schedules are posted in accordance with the watchkeeping arrangements in accordance with Part VIII of these Regulations and that these schedules are readily available for inspection by Port State Control officers and seafarers.
- (2) Both the owner and the master of a ship to which these Regulations apply shall ensure so far as practicable that every seafarer employed on the ship can make a knowledgeable and informed contribution to the safe operation of the ship.

12 Responsibilities of master

- (1) The master of a ship to which these Regulations apply shall take all steps necessary to implement any instructions issued by the owner in accordance with regulation 9(2).
- (2) The steps required under sub-regulation (1) include but are not limited to —
 - (a) identifying every seafarer who is newly employed on board that ship before any duties are assigned to him;
 - (b) providing an opportunity for such a seafarer to —
 - (i) visit the spaces in which their primary duties will be performed;
 - (ii) become acquainted with the location, controls and display features of equipment he will be operating or using;

- (iii) activate the equipment when possible and perform functions using the controls on the equipment; and
 - (iv) observe and ask questions of someone who is already familiar with the equipment, procedures and other arrangements, and who can communicate information in a language which the seafarer understands; and
 - (c) providing for a suitable period of supervision if there is any doubt that a newly employed seafarer is familiar with the shipboard equipment, operating procedures and other arrangements needed for the proper performance of their duties.
- (3) The master of a vessel to which these Regulations apply must keep on board the vessel for the duration of the voyage Articles of Agreement evidencing the contract of employment between the owner and every seafarer on board the vessel.
- (4) The master must sign the Articles of Agreement on behalf of the owner and ensure that the seafarer fully understands meaning before appending their signature or mark.

13 Responsibilities of seafarers

- (1) A seafarer assigned to a ship to which these Regulations apply must take full advantage of every opportunity provided to become familiar with the shipboard equipment, operating procedures and other arrangements needed for the proper performance of the seafarer's duties.
- (2) Immediately upon arriving on board a ship for the first time, a seafarer must become acquainted with the ship's working environment, particularly with respect to new or unfamiliar equipment, procedures or arrangements.
- (3) A seafarer who does not promptly obtain the level of familiarity required for performing his or her duties must bring this fact to the attention of his or her supervisor.
- (4) In this regulation, "seafarer" includes the master of a ship.
- (5) This regulation does not affect the provisions as to discipline on board ships contained in Division 7 of Part V of the Act.

14 Offences and penalties

- (1) An owner who contravenes regulation 9 or 10 commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.
- (2) A master who contravenes regulation 10, 11 or 12 commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.

- (3) A seafarer other than a master who contravenes regulation 12 commits an offence and is liable to a fine of \$1,000 and to imprisonment for 1 month.

PART IV - MANNING

15 Manning

- (1) The number and grades of seafarers required for the safe manning of each class of Tuvaluan ship shall be in accordance with Part A of Schedule II to these Regulations.
- (2) In addition to the certificates required under sub-regulation (1), every passenger vessel must carry the number of persons holding certificates of proficiency- in Survival Craft and rescue boats other than fast Rescue Boat as required by Section A – VI/2 of the Code-
 - (a) in the case of survival craft and rescue boats - as set out in Part VII; and
 - (b) as set out in Schedule II.
- (3) The minimum number of Tuvaluan seafarers to be employed on each class of Tuvaluan ship shall be as prescribed by the Minister by Order published in the Gazette.
- (4) The number and grades of seafarers required for the safe manning of Tuvaluan ships laid up and securely moored shall be as determined by the Minister.
- (5) The Registrar of Seafarer will issue a Safe Manning Certificate for a vessel, taking into consideration the size and type of vessel and area of its operation. The Certificate will be in the form of Schedule IV of these regulations and must be complied with by the ship owner and Master of the vessel.
- (6) The Minister may, upon application of the seafarer, grant an exemption from the requirements prescribed in schedule II, if he or she considers that to do so is in the public interest and will not compromise the safety of the vessel, its crew, passengers or cargo.
- (7) The Administration may impose additional operating limits on vessels operating on Inshore and Sheltered waters.
- (8) For the purpose of these Regulations an enclosed vessel of 20 gross tons will be deemed equivalent to an open vessel of 15 metres length overall.
- (9) The Minister shall, in respect of a Tuvaluan ship which is manned in accordance with these Regulations, issue a certificate in the form set out in Part C of Schedule II to these Regulations.

16 Offences and penalties

- (1) An owner of a Tuvaluan ship who engages, or causes or permits to be engaged as a seafarer a person who is not duly certificated commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.
- (2) An owner of a Tuvaluan ship who causes the ship to go to sea when it is not safely manned in accordance with this Part commits an offence and is liable on conviction to a fine of \$2,000 and to imprisonment for 12 months.
- (3) An owner of a Tuvaluan ship who causes or permits the ship to go to sea without the prescribed number of Tuvaluan seafarers commits an offence and is liable on conviction to a fine of \$2,000 and to imprisonment for 12 months.
- (4) A master of a Tuvaluan ship who engages as a seafarer a person who is not duly certificated commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.
- (5) A master of a Tuvaluan ship who takes the ship to sea when it is not safely manned in accordance with this Part commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.
- (6) A master of a Tuvaluan ship who takes the ship to sea without the prescribed number of Tuvaluan seafarers commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.
- (7) Where these Regulations require a function or service on a ship to be performed by a duly certificated person, a master who requires or permits that function or service to be performed by a person who is not duly certificated commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.

PART V - MEDICAL STANDARDS

17 Medical practitioners

- (1) A medical examination for the purpose of these Regulations may only be conducted by —
 - (a) a person registered as a medical practitioner under the Medical and Dental Practitioners Act CAP. 28.12; or
 - (b) a person recognized by the Minister responsible for health matters as a medical practitioner for the purpose of conducting medical examinations for seafarers.
- (2) A list of medical practitioners registered or recognized as mentioned in sub-regulation (1) shall be maintained by the Registrar of Seafarer and made

available upon request to the maritime administration of any other Party and to any owner.

18 Medical examination

- (1) A Tuvaluan seafarer who wishes to be employed in seagoing service shall at least once every 2 years, or as nearly as seagoing service allows, submit himself or herself to be examined according to the requirements of Schedule VIII by a medical practitioner registered or recognised as mentioned in regulation 17 (1).
- (2) A seafarer who undergoes a medical examination shall declare to the medical practitioner conducting the examination any existing medical pre-condition or illness that might be relevant to the question of whether the seafarer is medically fit for seagoing service on board a ship.
- (3) If after conducting a medical examination of a seafarer, the medical practitioner is satisfied that the seafarer is medically fit for seagoing service, the medical practitioner shall issue to the seafarer a certificate of medical fitness for seagoing service.
- (4) A seafarer who obtains a certificate of medical fitness for seagoing service under these regulations shall provide a copy of the certificate, or all relevant particulars, to the Registrar of Seafarer for inclusion in the Register of Seafarer in accordance with regulation 7(1) (h).

19 Medical standards

- (1) The standards of medical fitness for seafarers shall be as set out in Schedule VIII to these Regulations.
- (2) The eyes of seafarers should be free of disease; any permanent or progressive debilitating pathology of the eyes without the prospect of recovery shall result in a determination of unfitness for seagoing service.
- (3) A seafarer who requires the use of spectacles or contact lenses to perform shipboard duties should have a spare pair conveniently available on board ship.
- (4) If the holder of a certificate of competency needs to wear spectacles or contact lenses in order to meet the required medical standards, that fact shall be recorded on the certificate.
- (5) A list of medical practitioners shall be maintained by the Administration and made available to other Parties to the Convention and to owners.
- (6) Information in respect of medical examinations must be provided to the Administration for inclusion in the register kept by the Registrar.

- (7) A seafarer submitting to medical examination must declare any existing medical pre-condition or illness that might be a determinant of unfitness for duty.
- (8) A seafarer must:
 - (a) Not be less than 16 years of age;
 - (b) Provide satisfactory proof of identity;
 - (c) Meet the applicable medical fitness standards established by the Administration.

20 Medical certificate

- (1) Medical examinations must be carried out by a recognised medical practitioner.
- (2) A medical practitioner shall, after completing the medical examination of a seafarer under these regulations, fill in the “Seafarer’s Medical Fitness Examination Report” set in form 1 Schedule IX and issue a medical certificate to the seafarer on the Form 2 set in the Schedule IX.
- (3) The medical practitioner shall set out in the medical certificate assessment of the seafarer's suitability as-
 - (a) unfit for service at sea;
 - (b) fit for service at sea, with limitations; or
 - (c) fit for service at sea, without limitations.
- (4) A medical practitioner who assesses a seafarer as fit for service at sea with limitations shall state those limitations on the seafarer's medical certificate.

21 Duration of Certificates

- (1) Except where a re-examination is required under regulation 41, and subject to sub-regulations (2) and (3), a Medical Fitness Certificate is valid from the time of issue-
 - (a) in the case of a seafarer 18 years of age and over - for 2 years; and
 - (b) in the case of a seafarer under 18 years of age - for 1 year.
- (2) If appropriate, taking into account the state of health of the seafarer examined, a medical practitioner may issue a Medical Fitness Certificate that specifies a shorter period of validity than the period set out in sub-regulation (1).
- (3) If the period of validity of a certificate expires in the course of a voyage, the certificate remains in force until the end of the voyage, or at the next port of

call where a recognised medical practitioner is available provided that the period does not exceed 3 months.

- (4) In urgent cases, it is permissible for a seafarer to work without a valid medical certificate until the next port of call where a recognised medical practitioner is available, provided that:
 - (a) the period of such permission does not exceed three months; and,
 - (b) the seafarer is in possession of a recent expired medical certificate.
- (5) It shall be an offence for an owner/master to allow a seafarer to work without a medical certificate beyond the permitted extension of time of three months.

22 Re-Examination

- (1) The Registrar of Seafarer may at any time require the re-examination of a seafarer-
 - (a) if the Registrar of Seafarer has reason to believe that a re-examination is desirable in order to protect the safety of the vessel or of other seafarers on board the vessel;
 - (b) at the request of the seafarer's employer, if the employer has grounds to believe that the seafarer's state of health may constitute a risk to the safety of the vessel or of other seafarers on board the vessel; or
 - (c) at the request of the seafarer.
- (2) A re-examination under this regulation must be conducted as if it were an original examination.

23 Review of a Medical Fitness Certificate

- (1) A seafarer may apply to the Registrar of Seafarer for a review by a reviewing medical practitioner of a Medical Fitness Certificate issued under this Part that indicates the seafarer-
 - (a) unfit for service at sea; or
 - (b) fit for service at sea with limitations.
- (2) The reviewing medical practitioner must be a designated medical practitioner.
- (3) After reviewing a Medical Fitness Certificate and the state of health of the seafarer to whom it was issued, the reviewing medical practitioner may direct that a further medical examination be carried out and may stipulate the examination and the medical practitioner or organization to carry it out.
- (4) The reviewing medical practitioner must -
 - (a) confirm the Medical Fitness Certificate originally issued; or

- (b) where appropriate, based on further examinations conducted pursuant to sub-regulation (3), issue a new Medical Fitness Certificate in the form 2 set out in Schedule IX.

24 Appeal of a reviewed Medical Fitness Certificate

- (1) A seafarer who has requested a review of a Medical Fitness Certificate, may appeal to the Registrar of Seafarer for a further review of the case by an appeal board if the Medical Fitness Certificate confirmed or issued by the reviewing medical practitioner indicates that the seafarer is –
 - (a) unfit for service at sea; or
 - (b) fit for service at sea with limitations.
- (2) An application for a review by an appeal board must be accompanied by a review fee prescribed in Schedule VII.
- (3) On receipt of a request from a seafarer pursuant to sub-regulation (1), the Registrar of Seafarer must appoint an appeal board consisting of -
 - (a) a representative of the Registrar of Seafarer;
 - (b) a representative proposed by the employer of the seafarer; and
 - (c) a representative proposed by the seafarer.
- (4) Every appeal board must be assisted in its deliberations by a designated medical practitioner.
- (5) An appeal board has the same power as a reviewing medical practitioner and may -
 - (a) confirm the Medical Fitness Certificate issued or confirmed by the reviewing medical practitioner; or
 - (b) where appropriate issue a new Medical Fitness Certificate in the Form 2 set out in Schedule IX.
- (6) An appeal board must record its decision and the reasons for it in writing and send a copy of it to the Registrar of Seafarer, to the seafarer and to the employer of the seafarer.

25 Costs of Medical Examination for Reviews and Appeals

The costs of any medical examination conducted as a result of a review under regulation 41 or an appeal under regulation 42 must be borne by the applicant seafarer, in addition to the fee payable under regulation 42(2).

26 Offences and penalties

- (1) A seafarer who contravenes regulation 17(3) commits an offence and is liable to a fine of \$2,000 and to imprisonment for 2 months.
- (2) A seafarer who alters a medical certificate or produces a false medical certificate when applying for certification under Part VI of these Regulations commits an offence and is liable to a fine of \$2,000 and to imprisonment for 4 months.

PART VI - TRAINING AND CERTIFICATION OF SEAFARERS**27 Training and assessment**

- (1) The training and assessment of competence of seafarers shall be administered, supervised and monitored in accordance with section A-I/6 of the Code.
- (2) Every person responsible for training and assessing the competence of seafarers shall be appropriately qualified in accordance with section A-I/6 of the Code for the type and level of training or assessment involved.
- (3) Every training programme provided for seafarers shall be as specified in Schedule III to these Regulations and shall be conducted in accordance with relevant provisions of the Convention and the STCW Regulations and with the standards specified in the relevant sections of the Code.
- (4) The assessment of competence of seafarers shall be in accordance with the relevant provisions of the Convention and the STCW Regulations and with the standards specified in the relevant sections of the Code.
- (5) The curricula developed for training programmes for seafarers shall be based on the relevant IMO Model courses and shall incorporate the relevant requirements of the Code as a minimum standard.
- (6) The training and assessment of competence of seafarers shall be carried out in the English language.
- (7) All Certificates awarded must be valid for a period of not more than 5 years from the date of achievement.
- (8) The Minister or person authorised by the Minister, shall publish Rules establishing standards and procedures for:
 - (a) course outlines, detailed curricula and methods of assessment;
 - (b) procedures for application for certificates, calculation of sea service and determination of prerequisites;
 - (c) conduct of examinations and determination of pass marks;
 - (d) procedures for retaking of examinations;

- (e) the format of certificates of discharge;
- (f) form of safety training certificates;
- (g) form of certificates of competency, endorsements thereon and recognition of such certificates issued by another administration; and
- (h) the format of sea service record in the Seafarers' Employment and Training Record Book.

28 Tuvalu Maritime Training Institute

- (1) The Tuvalu Maritime Training Institute is hereby designated as the institution for the training and assessment of competence of seafarers in Tuvalu.
- (2) The Minister may appoint appropriately qualified Examiners and Assessors for the specified types and levels of training and assessment of competence of seafarers.
- (3) The Maritime Training Institute may issue an Assessment Results Form for a certificate of competency for each student who has satisfactorily completed each module in the course structure of the training programmes specified in Schedule V.
- (4) The Tuvalu Maritime Training Institute may issue a certificate to a seafarer with the relevant experience and proven competence as assessed by the Tuvalu Maritime Training Institute.
- (5) A certificate issued by the Tuvalu Maritime Training Institute shall be accepted for the purposes of these Regulations as sufficient evidence of the person's competence in the departments or subjects mentioned in the certificate.
- (6) The Chief Executive Officer / Captain Superintendent or other person in charge of the Tuvalu Maritime Training Institute shall maintain a record of the assessment of all persons to whom the institute issues a certificate.

29 Certificates of competency

- (1) The Minister shall —
 - (a) issue a certificate of competency of an appropriate class to any person who has achieved the necessary level of competence as a seafarer and who meets the other requirements specified in these Regulations; and
 - (b) make an appropriate endorsement to a certificate of competency held by a seafarer who shows that he is entitled to the endorsement.
- (2) The Minister may issue a replacement for a certificate of competency which has been lost or destroyed, and charge a fee for such replacement as prescribed in Schedule VII.

- (3) The Minister may take such other administrative action as is reasonably necessary for the proper administration of the training and certification of seafarers in accordance with the relevant provisions of the Convention and the STCW Regulations and the relevant requirements of the Code.
- (4) The classes of certificates of competency which may be issued to seafarers shall be as set out in Part A of Schedule II to these Regulations.
- (5) The requirements for the issue of each class of certificate shall be as set out in Part B of Schedule II to these Regulations.
- (6) All Certificates awarded must be valid for a period of no more than 5 years from the date of achievement.
- (7) The training and assessment of seafarers shall be carried out in the English language.
- (8) The Minister may make Rules setting out standards and procedures for -
 - (a) course outlines, detailed curricula and methods of assessment;
 - (b) procedures for application for certificates, calculation of sea service and determination of prerequisites;
 - (c) conduct of examinations and determination of pass marks;
 - (d) procedures for re-sitting examinations;
 - (e) form of safety training certificates;
 - (f) form of certificates of competency, endorsements thereon and recognition of such certificates issued by another administration; and
 - (g) the format of sea service record in the Seafarers' Employment and Training Record Book.

30 Issue of certificates

- (1) A person who wishes to obtain a certificate of competency must produce to the Minister —
 - (a) written evidence of identity and age;
 - (b) a certificate of medical fitness for seagoing service issued in accordance with Part V of these Regulations;
 - (c) evidence that he has completed the seagoing service and any training or retraining required by these Regulations for the type of certificate applied for;
 - (d) evidence that he has attained the level of competence prescribed by these Regulations for the type of certificate applied for; and
 - (e) evidence of any other matter which the Minister may reasonably require in respect of the issue of a particular certificate.

- (2) The procedure and forms for applying for a certificate of competency shall be as specified from time to time by the Minister.
- (3) The fee for the issue of a certificate of competency shall be as prescribed in Schedule V to these Regulations.
- (4) A certificate issued under regulation 23 shall be in a form similar to that set out in Section A-1/2.1 of the Code, with appropriate modifications for the circumstances of Tuvalu, and shall be in English.
- (5) Where a seafarer applies for a certificate, the pre-requisites and standards of which are not prescribed in the Convention or the Code, that seafarer may be issued with a certificate if found to be duly qualified under the relevant provisions of these Regulations.
- (6) An Interim Certificate may be issued pending the issue of a Certificate of Competency.
- (7) The Administration must maintain, in the office of the Registrar appointed under the relevant section of the Act, a record of all certificates, exemptions and dispensations issued, suspended or cancelled and any form of endorsement to a certificate.
- (8) If the holder of a certificate or endorsement needs to wear a visual aid to meet the required medical standards, the fact must be recorded on the certificate or endorsement.

31 Recognition of Certificates

- (1) A certificate issued by a Party and endorsed by the issuing State as complying with the provisions of the Convention and Code, as set out in Schedule IX Form 5, may be recognised by the Registrar of Seafarer in Tuvalu, provided that the certificate -
 - (a) is issued by the maritime administration of the Party, which the Administration in Tuvalu has satisfied itself, that the facilities and procedures, standards of competence, the issue and endorsement of certificates and record keeping are fully complied with and meets the provisions of the Convention;
 - (b) complies with the provisions of the Code;
 - (c) is appropriate to the duties to be performed by the holder on the vessel in which the holder intends to serve; and
 - (d) is valid under the Convention for the vessel and for the voyage on which the vessel is engaged.
- (2) The Registrar of Seafarer must ensure that the Party concerned is notified promptly of any significant change in the arrangements for the training and certification, in compliance with the Convention.

- (3) Every master, mate, engineer and radio officer and every person who forms part of the deck or engineering watch on a vessel not registered in Tuvalu but operating within Tuvalu waters must hold the appropriate certificate issued by a Party to the Convention for a vessel of that tonnage or propulsion power on the voyage in which it is engaged.
- (4) A seafarer who presents a certificate for recognition must have, in accordance with Regulation I/10 of the Convention, an appropriate knowledge of the maritime legislation particular to the vessel and its area of operation and relevant to the functions the seafarer is permitted by the certificate to perform.
- (5) The Registrar of Seafarer may, if he or she recognises a certificate under sub-regulation (4), endorse such certificates to attest its recognition.
- (6) The endorsement required under sub-regulation (5) must only be issued if all requirements of the Convention and these Regulations have been complied with.
- (7) The form of the endorsement used under sub-regulation (5) must be that set forth in paragraph 3 of section A- I/2 of the STCW Code.
- (8) The endorsements referred to in sub-regulations (4), (5), (6) and (7) must:
 - (a) be issued as separate documents;
 - (b) be assigned a unique number, except that endorsement attesting the recognition of a certificate may be assigned the same number as the certificate concerned, provided that the number is unique; and
 - (c) expire as soon as the certificate being endorsed expires or is withdrawn, suspended or cancelled by the Party that issued it and, in any case, not more than 5 years after date of issue.
- (9) The capacity in which the holder of a certificate is authorized to serve must be identified in the form of endorsement in terms identical to those used in the applicable safe manning requirements of the Administration.
- (10) Such an endorsement of recognition of a certificate issued by another Party may be known as a “Seagoing Licence”.
- (11) The Registrar of Seafarer may, under the provisions of Regulation I/10 paragraph 5 of the Convention, if circumstances require, permit a seafarer to serve on a Tuvaluan vessel for a period not exceeding 3 months while holding an appropriate and valid certificate issued and endorsed by another Party pending its endorsement for service on Tuvaluan vessels.
- (12) The Registrar of Seafarer may, issue a certificate on the strength of documentary evidence of having achieved the required training and competence by another party.

32 Endorsements

- (1) The Minister may endorse a certificate of competency with one or more of the following —
 - (a) if the certificate was issued by the maritime administration of another Party, a statement that the certificate is recognised as valid evidence of competency for purposes of seagoing service on a Tuvaluan ship;
 - (b) a statement of any additional qualifications obtained by the holder since the certificate was issued;
 - (c) an upgrading of the certificate;
 - (d) any special requirement resulting from a medical examination under Part V of these Regulations; and
 - (e) any other matter which the Minister sees fit to endorse or cause to be endorsed on the certificate.
- (2) If a certificate of competency is endorsed, the endorsement shall be in the English language in a format similar to that illustrated in the Code, and shall form part of the certificate.
- (3) No endorsement to a certificate of competency shall be made unless the Minister is satisfied that the relevant requirements of the Convention, the STCW Regulations and the Code have been complied with.
- (4) If a seafarer requests an endorsement attesting the recognition of a certificate of competency issued by the maritime administration of another Party, the Minister may make the endorsement if satisfied that the requirements of STCW Regulation I/10 and section A-I/10 of the Code have been complied with.
- (5) The holder of a certificate of competency who wishes to have it endorsed must produce to the Minister similar documentation in respect of the endorsement to that prescribed in regulation 24 in respect of a certificate of competency, together with the certificate to be endorsed.
- (6) The procedure and forms for applying for an endorsement of a certificate of competency shall be as specified from time to time by the Minister.
 - (7) The fee for the endorsement of a certificate of competency shall be as prescribed in Schedule VII to these regulations.
 - (8) An endorsement issued under this regulation shall be in a form similar to that set out in Section A-I/2.3 of the Code, with appropriate modifications for the circumstances of Tuvalu, and shall be in English.

33 Revalidation

- (1) A certificate of competency issued under these Regulations shall be valid for 5 years, but may be revalidated by the Minister for successive periods of 5

years if the holder of the certificate still meets the requirements for issue of the original certificate of competency.

- (2) The holder of a certificate of competency who wishes to have it revalidated must produce to the Minister —
 - (a) a medical certificate showing that he still meets the standards of medical fitness prescribed in Part V of these Regulations;
 - (b) evidence as to continued professional competence in accordance with Section A-I/11 of the Code, whether by performing sea service or equivalent functions, passing a test, completing a refresher course or otherwise; and
 - (c) evidence of any other matter which the Minister may reasonably require in respect of the revalidation of the certificate.
- (3) A seafarer seeking revalidation of a certificate of competency shall, in addition to the matters required by sub-regulation (2), produce to the Minister —
 - (a) evidence that he/she has during the previous 5 years satisfactorily completed a re-training course in emergency, occupational safety, medical care, survival functions and security training; or
 - (b) other evidence as to continued competence in those functions, in accordance with sections A-VI/1, VI/2, VI/3, VI/4 VI/5 and VI/6 of the Code.
- (4) The procedure and forms for applying for the revalidation of a certificate of competency shall be as specified from time to time by the Minister.
- (5) The fee for the revalidation of a certificate of competency shall be as prescribed in Schedule VII to these Regulations.
- (6) A seafarer who does not hold a certificate of competency; but
 - (a) has a qualification in emergency, occupational safety, medical care and survival functions; and
 - (b) wishes to continue to be employed in seagoing service on a ship to which these regulations apply,

shall at least once every 5 years produce to the Minister evidence as described in sub-regulation (3) above.

34 Suspension and cancellation

- (1) The Minister shall suspend or cancel a certificate of competency or an endorsement if so recommended by an inquiry or investigation under regulation 38 or 40.

- (2) The Minister may cancel a certificate of competency or an endorsement if satisfied that —
 - (a) it was obtained by a false statement or by the production of a false document; or
 - (b) the requirements for holding the certificate or endorsement no longer exist.
- (3) The Minister may suspend a certificate of competency or an endorsement pending enquiries as to whether it should be cancelled under sub-regulation (1).

35 Transitional

The transitional provisions in respect of training and certification of seafarers as set out in Article VII and Regulation I/15 of the Convention must be followed in respect of the continued validation of certificates issued in Tuvalu.

36 Refresher Courses/Training

- (1) The holder of a certificate issued in accordance with the provisions of the Convention before 1st January 2012 must, for service after 1st January 2017, undergo appropriate refresher and updating training and/or assessment to meet the standard of competence for the appropriate certificates specified in Part A of the Code.
- (2) After every 5 year period, all vessel owners/companies must ensure that the vessel's seafarers/crew undertake refresher training particularly in the courses which may affect the safety and survival of the crew and passengers in an emergency; and,
- (3) Refresher training may take the approved form of:
 - (a) E-learning;
 - (b) Shipboard drills; or
 - (c) Classroom training or shore based training.
- (4) The training which must be refreshed by an approved method include inter alia:
 - (a) Proficiency in survival craft and survival boats;
 - (b) Advance fire fighting training;
 - (c) Basic safety training;
 - (d) Fast rescue boat; and,
 - (e) Medical training.

37 Offences and penalties

- (1) A person who makes a false declaration in order to obtain a certificate of competency or an endorsement commits an offence and is liable to a fine of \$2,000 and to imprisonment for 1 month.
- (2) A person who obtains or uses forged documents or obtains documents by fraud for the purpose of obtaining a certificate of competency or an endorsement commits an offence and is liable to a fine of \$2,000 and to imprisonment for 2 months.
- (3) A person who issues a false document or forges a document to facilitate the issue of a certificate of competency or the making of an endorsement commits an offence and is liable to a fine of \$2,000 or to imprisonment for 12 months.

PART VII - SPECIAL TRAINING REQUIREMENTS**38 Basic Safety Training**

- (1) Every seafarer must receive familiarisation and basic safety training or instruction in accordance with Regulation A-VI/1 and must meet the appropriate standard of competence specified therein.
- (2) The additional basic safety training requirements that seafarers or crew members must receive training or instruction in accordance with Chapter 2 of the STWC are inclusive of:
 - (a) Communications;
 - (b) control of fatigue;
 - (c) teamwork; and,
 - (d) marine environmental issues.
- (3) Before being assigned to any shipboard duties, every person employed on a seagoing vessel must receive approved basic training as set out in STCW Regulation A-VI/1 and Tables A-VI/1-1, A-VI/1-2, A-VI/1-3 and A-VI/1-4 of the Code.
- (4) The owner and master of a vessel to which these Regulations apply must ensure that persons unfamiliar with the vessel are given a reasonable opportunity to become familiar with the shipboard equipment, operating procedures and other arrangements needed for the proper performance of duties and that each seafarer can make a knowledgeable and informed contribution to the safe operation of the ship in accordance with Part III.

39 Training Proficiency in survival craft and rescue boats other than fast rescue boats

- (1) Every person designated in the muster list of a vessel to -
 - (a) command or be second in command of a survival craft;
 - (b) be in charge of launching a survival craft; or
 - (c) be a member of the operating crew of a marine escape system

shall hold a certificate of Proficiency in survival craft and rescue boats other than fast rescue boats.

- (2) To qualify for a Certificate of Proficiency in survival craft and rescue boats other than fast rescue boats a person must have -
 - (a) approved seagoing service of not less than 12 months or have attended an approved training course and have approved seagoing service of not less than 12 months; and
 - (b) achieved the standard of competence for certificates of Proficiency in survival craft and rescue boats other than fast rescue boats set out in Section A-VI/2, paragraphs 1 to 4 of the Code.
- (3) A candidate for a Certificate of Proficiency in fast rescue boats must -
 - (a) be the holder of a Certificate of Proficiency in survival craft and rescue boats other than fast rescue boats and rescue boats;
 - (b) have attended an approved training course; and
 - (c) meet the standard of competence for certificates of proficiency in fast rescue boats set out in Section A-VI/2, paragraphs 5 to 8 of the Code.

40 Mandatory minimum requirements for advanced fire fighting

- (1) Every person designated to control fire-fighting operations must have successfully completed advanced training in fire fighting techniques in accordance with the provisions of Section A-VI/3 of the Code and must meet the standard of competence specified therein.
- (2) A candidate for a Certificate of Proficiency must provide evidence of having achieved the required standard of competence within the previous 5 years, in accordance with the methods of demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of Table A-VI/3 of the Code.
- (3) Where training in advanced fire fighting is not included in the qualifications for the Certificate of Competency to be issued, a special certificate or documented evidence, as appropriate, must be issued indicating that the holder has attended a course or training in advanced fire fighting.

- (4) Every person so designated must, while serving on board a vessel, carry a certificate or other evidence of having received such training.

41 Mandatory Minimum Requirements for Medical first aid

- (1) Every person designated to provide medical first aid on board a vessel must meet the standards of competence in medical first aid on board vessels specified in Section A-VI/4 of the Code.
- (2) Every person designated to take charge of medical care on board a vessel must meet the standard of competence specified in Section A-VI/4, subsections 4 to 6 of the Code.
- (3) If training in medical first aid or medical care is not included in the qualifications for the Certificate of Competency to be issued, a special certificate or documented evidence, as appropriate, must be issued indicating that the holder has attended a course of training in medical first aid or in medical care.
- (4) A candidate for a certificate under Regulation VI/4, paragraph 1 must provide evidence that the required standard of competence has been achieved in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of Table A-VI/4-1 of the STCW Code.
- (5) A candidate for a certificate under the provisions of Regulation VI/4, paragraph 2 must provide evidence that the required standard of competence has been achieved in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of Table A-VI/4-2 of the STCW Code.
- (6) Every person designated to provide medical first aid or take charge of medical care must, while serving on board the vessel, carry evidence of having received appropriate training.

42 Mandatory minimum requirements for ship security officers

- (1) Every candidate for a certificate of proficiency as a ship security officer shall be required to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of Table A-VI/5.
- (2) The level of knowledge of the subjects listed in column 2 of Table AVI/5 shall be sufficient to enable the candidate to act as the designated Ship Security Officer.
- (3) Training and experience to achieve the necessary level of theoretical knowledge, understanding and proficiency shall take into account the guidance in Section B-VI/5 of the Code.

- (4) Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence in accordance with the methods of demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of table A-VI/5 of the Code.

43 Mandatory minimum requirements for security awareness training

- (1) Seafarers employed or engaged in any capacity on board a ship that 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:
 - (a) receive appropriate approved training or instruction in security awareness as set out in Table A-VI/6-1;
 - (b) be required to provide evidence of having achieved the required standard of competence to undertake tasks, duties and responsibilities listed in column 1 of Table A-VI/6-1:
 - (i) by demonstration of competence in accordance with the methods and the criteria of evaluating competence tabulated in columns 3 and 4 of Table A-VI/6-1; and
 - (ii) 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.

44 Mandatory minimum requirements for seafarers with designated security duties

- (1) Every seafarer who is designated to perform security duties, including anti-piracy and anti-armed-robbery related duties, shall be required to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-VI/6-2.
- (2) The level of knowledge of the subjects in column 2 of Table A-VI/6-2 shall be sufficient to enable every candidate to perform onboard designated security duties, including anti-piracy and anti-armed-robbery related activities.
- (3) Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence through:
 - (a) demonstration of competence to undertake the tasks, duties and responsibilities listed in column 1 of Table A-VI/6-2 of the Code, in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of Table A-VI/6-2 of the Code; and

- (b) examination or continuous assessment as part of an approved training programme covering the material set out in column 2 of Table A-VI/6-2 of the Code.

45 Mandatory Minimum Training for Seafarers on Oil and Chemical Tankers

- (1) Every vessel which carries a bulk cargo consisting in whole or in part of oil, or liquid chemicals, must carry personnel qualified in accordance with this regulation.
- (2) Every person for certification in basic training for oil and chemical tanker cargo operations shall have completed basic training in accordance with provisions of Section A-V/1/1 of the Code and have completed:
 - (a) at least three months of approved sea-going service on oil or chemical tankers and meet the standard of competence specified in Section A-V/1-1, paragraph 1 of the 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 of the Code.
- (3) Every person for a certificate in advanced training for oil tanker cargo operations shall:
 - (a) meet the requirements for certification in basic training in 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 sea-going 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; 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 Code
- (4) Every person for a certificate in advanced training for chemical tanker cargo operations shall:
 - (a) meet the requirements for certification in basic training in 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 sea-going 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; 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 Code

46 Mandatory Minimum Training for Seafarers on Liquefied Gas Tankers

- (1) Every vessel which carries a bulk cargo consisting in whole or in part of liquefied gas, must carry personnel qualified in accordance with this regulation.
- (2) Every person for certification in basic training for liquefied gas tanker cargo operations shall have completed basic training in accordance with provisions of Section A-V/1/1 of the Code and have completed:
 - (a) at least three months of approved sea-going service on liquefied gas tankers and meet the standard of competence specified in Section A-V/1-2, paragraph 1 of the 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 of the Code.
- (3) Every person for a certificate in advanced training for liquefied gas tanker cargo operations shall:
 - (a) meet the requirements for certification in basic training in liquefied gas tanker cargo operations; and
 - (b) while qualified for certification in basic training for liquefied gas tanker cargo operations, have:
 - (i) at least three months of approved sea-going service on liquefied gas tankers, or
 - (ii) at least one 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; 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 Code

47 Mandatory Minimum Training for Seafarers on passenger vessels

- (1) Masters, officers, ratings and other persons serving on board passenger vessels must, have completed the training specified in paragraph (4) to (7) in accordance with capacity, duties and responsibilities.
- (2) Persons who are required to be trained in accordance with paragraph (4), (6) and (7) must, at intervals not exceeding 5 years, undertake appropriate refresher training, or be required to provide evidence of having achieved the required standard of competence within the previous five years..
- (3) Masters, officers and other persons designated on muster lists to assist passengers in emergency situations on board passenger vessels must have completed training in crowd management as specified in Section A-V/2, paragraph 1 of the Code.
- (4) Personnel providing direct service to passengers in passenger spaces on board passenger vessels shall have completed safety training specified in Section A-V/2, paragraph 2 of the Code.
- (5) Masters, chief engineer officers, chief mates, second engineer officers, and every 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 Code.
- (6) Masters, chief mates, chief engineer officers, 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 passenger vessels must have completed approved training in passenger safety, cargo safety and hull integrity as specified in Section A-V/2, paragraph 4 of the Code.

48 Fees

The fees payable for receiving applications, assessing competence and issuing certificates under this Part are as prescribed in Schedule VII.

49 Offences and Penalties

- (1) A person who makes a false declaration in order to obtain a Certificate of Proficiency or endorsement issued under this Part commits an offence.

Penalty: A fine of up to \$2000 or imprisonment for up to 12 month, or both.

- (2) A person who obtains or uses forged documents or obtains documents by fraud for the purpose of obtaining a Certificate of Proficiency commits an offence.

Penalty: A fine of up to \$2000 or imprisonment for up to 12 month, or both.

- (3) A person who issues a false document or forges a document to facilitate the issue of a Certificate of Proficiency commits an offence.

Penalty: A fine of up to \$2000 or imprisonment for up to 12 month, or both.

PART IX - QUALITY STANDARDS

50 Quality standards

- (1) The Minister shall establish quality standards for the training, assessment of competence and certification of seafarers in Tuvalu.
- (2) Quality standards established under sub-regulation (1) shall —
- be in accordance with the requirements of Section A-I/8 and the guidelines set out in Section B-I/8 of the Code;
 - define appropriate education and training objectives and related standards of competence;
 - identify the levels of understanding and the skills appropriate to the examinations and assessments required by the Convention; and
 - cover the administration of the certification system.

51 Evaluation

- (1) At least once in every 5 years, the Minister shall appoint a suitably qualified person to conduct an independent evaluation of the quality standards established under regulation 36.
- (2) The purpose of an evaluation conducted under sub-regulation (1) shall be to verify that internal management control and monitoring measures and follow up actions comply with planned arrangements and documented procedures and are effective in ensuring achievement of the objectives defined in the quality standards.
- (3) A person appointed to make an evaluation under sub-regulation (1) shall submit a report on the evaluation to the Minister as soon as practicable after it has been completed, including a report on action which should be taken to remedy any deficiencies revealed by the evaluation.
- (4) The Minister shall ensure that —
- the results of an evaluation conducted under this regulation are documented and brought to the attention of those responsible for the matter evaluated; and

- (b) timely action is taken to correct any deficiencies revealed by the evaluation.

52 Reporting

- (1) The evaluation report required by regulation 46 shall be submitted to the Minister as soon as it is completed.
- (2) Information relating to the independent evaluation and steps taken to implement any subsequent mandatory amendments to the Convention and STCW Code must be communicated to the Secretary-General of IMO.
- (3) The information on the steps taken to implement mandatory amendments to the Convention and STCW Code shall include the following, where applicable:
 - (a) a concise explanation of the legal and administrative measures provided and taken to ensure compliance with the amendment;
 - (b) a concise summary of any courses, training programmes, examinations and assessments provided to comply with the amendment;
 - (c) a concise outline of the procedures followed to authorize, accredit or approve training and examinations, medical fitness and competency assessments required under the amendment;
 - (d) a concise outline of any refresher training and upgrading training required to meet the amendments; and
 - (e) a comparison between the measures to implement the amendment and existing measures contained in previous reports pursuant to Regulation I/7, paragraph 1, or Regulation I/8, paragraph 2.

PART X - WATCHKEEPING

53 Watchkeeping arrangements

- (1) The owner, master, and chief engineer officer of a ship to which these Regulations apply, and every person with watchkeeping duties on the ship, shall observe the requirements, principles and guidelines in respect of watchkeeping set out in the Code in order to ensure that a safe watch is maintained on board the ship at all times.
- (2) The master of a ship to which these Regulations apply shall ensure that the watchkeeping arrangements on board the ship are adequate to maintain a safe watch while the ship is at sea, taking into account the following principles —

- (a) the officer in charge of a navigational watch is responsible for the safe navigation of the ship and must be physically present on the bridge or at an associated location during period of duty;
 - (b) the radio operator is responsible for maintaining a continuous radio watch on appropriate frequencies during period of duty; and
 - (c) the officer in charge of an engineering watch must be immediately available and must be physically present in the machinery spaces when required.
- (3) In addition to the requirements of sub-regulation (2), appropriate and effective watches shall be maintained on board a ship to which these Regulations apply for the purpose of safety at all times —
- (a) while the ship is at anchor or moored or alongside a berth; and
 - (b) while the ship is carrying hazardous cargo.
- (4) The watchkeeping arrangements and principles to be observed on a ship to which these Regulations apply shall be those contained in Section A- VIII/2 of the Code, and due regard shall be had to the guidance contained in Section B- VIII/2 of the Code.

54 Fitness for duty

- (1) The system of watches on board a ship to which these Regulations apply shall be so arranged that —
- (a) the efficiency of every person with watchkeeping duties is not impaired by fatigue; and
 - (b) the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and otherwise fit for duty.
- (2) Without affecting the general requirement of sub-regulation (1), —
- (a) all persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch shall be allowed a minimum of 10 hours rest in any 24-hour period;
 - (b) the hours of rest may be divided into not more than two periods, one of which must be at least 6 hours in length;
 - (c) the requirements for rest periods specified in paragraphs (a) and (b) do not apply in the case of an emergency or drill, or if other overriding operational conditions prevail;
 - (d) the minimum period of 10 hours specified in paragraph (a) may be reduced to not less than 6 consecutive hours, if the reduction does not extend beyond 2 days and not less than 77 hours of rest are provided in each 7 day period; and
 - (e) watch schedules shall be posted on board ship in places where they are

easily accessible.

- (3) Prevention of substance abuse
 - (a) The Administration, for the purpose of preventing alcohol abuse, established a limit of no greater than 0.05% blood alcohol level (BAC) or 0.25 mg/l alcohol in the breath for Masters, officers and other seafarers while performing designated safety, security and marine environmental duties.
 - (b) The owner or master of a vessel who permits alcohol and substance abuse or possession of the same by seafarers commits an offence and is liable to a fine of \$2,000 or term of imprisonment not exceeding 12 months or to both a fine and term of imprisonment.

55 Offences and penalties

- (1) An owner of a ship to which these Regulations apply who causes or permits the ship to operate in breach of the requirements of this Part commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.
- (2) A master or chief engineer officer of a ship to which these Regulations apply, and any person with watchkeeping duties on board the ship, who fails to observe any requirement of this Part commits an offence and is liable to a fine of \$2,000 and/or to imprisonment for 12 months.
- (3) This Part does not affect the provisions as to discipline on board ships contained in Division 7 of Part V to the Act.

PART X - MARINE INQUIRIES AND INVESTIGATIONS

56 Power to hold investigation

- (1) If the Minister receives a written report from any person of any incompetence, act or omission that may pose a direct threat to safety of life or property at sea or to the marine environment —
 - (a) by the holder of a certificate of competency issued or endorsed under these Regulations; or
 - (b) by any seafarer on board a Tuvaluan ship,

the Minister may appoint a suitably qualified person to carry out an impartial investigation.

- (2) Sections 79 and 80 of the Act shall so far as practicable apply to an investigation held under sub-regulation (1) as if it were an inquiry under section 79 of the Act.

- (3) The provisions of this Part shall apply so far as practicable, and unless they are inconsistent with any provision of the Act, to a Marine Inquiry held under section 66 of the Act and to an inquiry held under section 79 (1) of the Act.

57 Procedure at inquiries and investigations

- (1) A person conducting an inquiry or investigation may —
 - (a) if he or she thinks it appropriate, co-opt expert advisers to assist in the inquiry or investigation; and
 - (b) conduct the inquiry or investigation in such a manner as he or she considers appropriate in the circumstances.
- (2) Where it is likely during the course of an inquiry or investigation that the conduct of a person will be called into question or that a person will be adversely affected by a decision of the inquiry or investigation, the person conducting the inquiry or investigation shall —
 - (a) give the person at least 72 hours notice of the place, date and time of the inquiry or investigation; and
 - (b) furnish the person with a copy of the report of any preliminary investigation in relation thereto or with a statement of the case on which the inquiry or investigation was ordered, as appropriate.
- (3) A person whose conduct is likely to be questioned during the course of an inquiry or investigation, or who is likely to be adversely affected by the decision of the inquiry or investigation is entitled to —
 - (a) attend the inquiry or investigation personally and be represented by counsel;
 - (b) be sworn and give evidence before the inquiry or investigation;
 - (c) subpoena and call witnesses;
 - (d) examine, cross-examine and re-examine witnesses in accordance with the rules of procedure and evidence normally applicable to inquiries;
 - (e) take all proper exceptions to the admissibility of evidence; and
 - (f) address the inquiry or investigation, either at the conclusion or at any other proper time.
- (4) A member of a Board of Marine Inquiry or any assessor or other person assisting an inquiry or an investigation may dissent in writing from any report of the Board or of the person conducting the inquiry or investigation, and any order made shall be that of the majority.
- (5) The person conducting an inquiry or investigation may order any person who has appeared at the inquiry or investigation to pay the whole or any part of the costs of the inquiry or investigation.

58 Powers of Impartial Investigation as to Certificates of Competency

- (1) Where as a result of an impartial investigation, the Minister is satisfied that a qualified seafarer -
- (a) is unfit to discharge their duties because of incompetence or misconduct;
 - (b) acted or failed to act in a certain way;
 - (c) has been seriously negligent in the discharge of their duty; or
 - (d) has failed to give any assistance or information required by Section 75 of the Act, and,

in a case under paragraph (a), (b) or (c), is further satisfied that the unfitness, action or negligence caused or contributed to or might have caused or contributed to the casualty, the Registrar of Seafarer may -

- (i) recommend to the Minister to withdraw, cancel or suspend for a specified period any certificate of competency issued to the qualified seafarer concerned; or
 - (ii) censure the seafarer concerned.
- (2) The person conducting an inquiry or investigation must not recommend the cancellation or suspension of the certificate of any master or qualified seafarer, unless a statement of reasons for the decision has been furnished to the person holding the certificate and, where practicable, the person has had an opportunity to respond.

59 Suspension of certificate pending inquiry

- (1) If it appears to the Minister to be necessary or desirable to do so, he or she may order the suspension of any certificate of competency issued or endorsement made under these Regulations, pending the outcome of an inquiry or investigation.
- (2) Where as the result of an inquiry or investigation it is determined that a seafarer whose certificate of competency or endorsement has been suspended under sub-regulation (1) —
- (a) was not unfit to discharge their duties because of incompetence, misconduct or for any other reason; or
 - (b) has not been seriously negligent in the discharge of their duties, the person conducting the inquiry or investigation shall recommend to the Minister that the suspension of the certificate or endorsement be revoked and the certificate or endorsement shall be restored forthwith.

60 Assessors

- (1) Section 80 of the Act, which relates to the appointment of assessors to an inquiry held under section 79, shall apply to an investigation held under this Part as if it were an inquiry.
- (2) Assessors appointed to an inquiry or investigation should hold appropriate maritime qualifications and have the necessary experience to provide sound professional advice.
- (3) When an inquiry or investigation is likely to be —
 - (a) of significant magnitude, involving serious damage to or loss of a vessel, or serious injury to or loss of life of a person, or serious damage to the environment; or
 - (b) of significant complexity, involving several issues,two or more assessors may be appointed to assist the inquiry or investigation.

61 Appeals

- (1) A person conducting an inquiry or investigation shall not recommend the cancellation or suspension of a certificate of competency of a seafarer or of an endorsement unless a statement of the reasons for the decision has been furnished to the seafarer and, where practicable, the seafarer has had an opportunity to be heard.
- (2) Section 72 of the Act, which relates to appeals from decisions of Marine Inquiries, shall apply to inquiries held under section 79 of the Act and to investigations held under this Part as if they were Marine Inquiries.

62 Offences and penalties

A person who —

- (a) hinders or obstructs the person conducting an inquiry or investigation;
- (b) fails to answer any question properly put by any person in the course of an inquiry or investigation;
- (c) fails to produce any document or certificate in possession or under control when properly requested to do so by the person conducting an inquiry or investigation,

commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.

63 Immunities

A person conducting an inquiry or investigation shall not be liable to any action or suit for any act, matter or thing done, or ordered to be done, by him or her in good faith in the execution of their duties.

PART XI - MARINE RADIO

64 Qualifications of radio personnel

- (1) Every person in charge of, or required to perform, radio duties on a ship to which these Regulations apply and which operates with a GMDSS system, must not be less than 18 years of age, and, shall hold —
 - (a) on a ship with a Cargo Ship Safety Radio Certificate or a Passenger Ship Safety Certificate valid for operation in Area A1 only, at least a GMDSS restricted operator's certificate issued in accordance with Article 55 of the Radio Regulations and with STCW Regulation IV/2; and
 - (b) on a ship with a Cargo Ship Safety Radio Certificate or a Passenger Ship Safety Certificate valid for operation in areas not limited to Area A1, at least a GMDSS general operator's certificate issued in accordance with Article 55 of the Radio Regulations and with STCW Regulation IV/2.
- (2) A ship of 300 gross tons or more to which these Regulations apply and which operates with a GMDSS radio system in areas A2, A3 or A4 shall have on board either —
 - (a) one first- or second-class radio electronics officer, who is not the master; or
 - (b) two general radio operators, qualified as required by sub-regulation (1), one of whom may be the master.
- (3) Every person in charge of, or required to perform, radio duties on a ship to which these Regulations apply, but which is not required to comply with the GMDSS provisions in Chapter IV of the SOLAS Convention, shall hold an appropriate certificate as required by the Radio Regulations.
- (4) The Minister may vary the requirements of this regulation as regards the number of radio personnel to be carried on a ship, but not in a manner inconsistent with the Radio Regulations or the relevant STCW Regulations.

65 Offences and penalties

- (1) An owner of a ship to which these Regulations apply who causes or permits the ship to go to sea when there is not on board a person qualified as required by regulation 43 commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.
- (2) A master of a ship to which these Regulations apply who takes the ship to sea when there is not on board a person qualified as required by regulation 43 commits an offence and is liable to a fine of \$2,000 and to imprisonment for 12 months.

66 Definitions

In this Part —

“**Area A**” and similar areas refer to Sea Areas as defined by the IMO;

“**GMDSS**” means the Global Maritime Distress and Safety System established under the SOLAS Convention;

“**Radio Regulations**” means the regulations of that name annexed to the most recent International Telecommunication Convention;

“**SOLAS**” means the International Convention for the Safety of Life at Sea, 1974.

PART XII - MISCELLANEOUS

67 Exemptions and dispensations

- (1) If an owner, master or seafarer so requests in writing, the Minister may grant a written exemption or dispensation in respect of any matter covered by a certificate of competency issued under these Regulations.
- (2) The Minister may attach conditions to the grant of an exemption or dispensation.
- (3) The Minister may not grant an exemption or dispensation in respect of any matter except in accordance with Article VIII of the Convention or paragraph 5 of STCW Regulation I/10.
- (4) It shall be a defence to a charge under these Regulations that an exemption or dispensation has been lawfully granted in respect of any relevant matter and that any condition attached to the grant of such exemption or dispensation has been complied with.

68 Repeal Provisions

These Regulations repeal the Merchant Shipping (STCW Convention) Regulations 1998 in its entirety.

SCHEDULE

SCHEDULE I

Part I - SERVING CAPACITY AND STCW REGULATION ENDORSEMENT

Regional Certificate	Function	STCW Regulation	Alternative name for certificate
Master Class 1	Master unlimited GT, unlimited area	Reg. II/2	Master Unlimited
Master Class 2	Master <3000 GT, unlimited area Ch. Mate unlimited tonnage, unlimited area	Reg. II/2 Regs. II/2	Master <3000
Master Class 3	Master <3000 GT, near coastal area Subject to endorsement: Master <500 GT, unlimited area	Reg. II/2.8 Regs. II/3.7	Master <3000 (NCV)
OOW Deck	OOW Deck >500 GT, unlimited area Subject to endorsement: Ch. Mate <3000 GT unlimited area Ch. Mate <500 GT unlimited area Ch. Mate <3000 GT near coastal area	Reg. II/1 Reg. II/2.8 Reg. II/3 Reg. II/2.8	OOW Deck
Master Class 4	Master <500 GT, near coastal area Subject to endorsement: OOW Deck <500 GT unlimited area OOW Deck <3000 GT near coastal area	Reg. II/3.7 Regs. II/3 Regs II/2.8	Master <500
Master Class 5	Master <200 GT, near coastal area Chief Mate <500 GT, near coastal area	Reg. II/3.7	Master <200
Able Seafarer	Watchkeeper Rating	Reg. II/4	>500GT

Deck			
Watchkeeper Rating Deck	Watchkeeper Rating	Reg. II/4	>500GT

Engineering

Engineer Class 1	Ch. Engineer >3000 kW unlimited area	Reg. III/2	Engineer Unlimited
Engineer Class 2	Ch. Engineer <3000 kW unlimited area	Reg. III/3	Engineer <3000
	2 nd Engineer >3000kW unlimited area	Reg. III/2	
	Ch. Engineer >3000 kW, near coastal area	Reg. III/2	
OOW Engine	OOW Engine, unlimited propulsion power, unlimited area	Reg. III/1	OOW Engine
	Subject to endorsement: 2 nd Engineer <3000 kW unlimited area	Reg. III/3	
	2 nd Engineer >3000 kW near coastal area	Reg. III/2	
Engineer Class 3	Ch. Engineer <750 kW, near coastal area	-	Engineer <750
	2 nd Engineer <3000kW near coastal area	-	
	Subject to endorsement: Ch. Engineer <750 kW, unlimited area	Reg. III/3	
	Ch. Engineer <3000 kW, near coastal area	Reg. III/3	
Engineer Class 4	Ch. Engineer <500 kW, near coastal area	-	Engineer <500
	2 nd Engineer <750 kW, near coastal area	-	
	OOW Engine <3000 kW, near coastal area	Reg. III/1	
	Subject to endorsement:	-	

	Ch. Engineer <300 kW unlimited area 2 nd Engineer <750 kW unlimited area		
Engineer Class 5	Ch. Engineer < 300 kW, near coastal area 2 nd Engineer <500 kW, near coastal area	-	Engineer <300
Able Seafarer Engine	Watchkeeper Rating	Reg. III/4	>750kW
Watchkeeper Rating Engine	Watchkeeper Rating	Reg. III/4	>750kW

Part 2– MANDATORY SHORT COURSES AND STCW REGULATION ENDORSEMENT

MANDATORY SHORT COURSES	STCW REGULATION
<p>Basic safety training - all new entrants</p> <p>Familiarisation and basic safety training</p> <p>(Safety certificate) Personal survival techniques Fire prevention & fire fighting Elementary first-aid Personal safety and social responsibilities (Occupational Health & Safety)</p>	<p>A-VI/1</p> <p>A-VI/1-1 A-VI/1-2 A-VI/1-3 A-VI/1-4</p>
<p>Survival</p> <p>Proficiency in survival craft and rescue boats other than fast rescue boats Proficiency in fast rescue boats</p>	<p>A-VI/2 A-VI/2</p>
<p>Radio</p> <p>Radio communication personnel GMDSS - General Operator's Certificate – (GOC) GMDSS – Restricted Operator's Certificate – (ROC)</p>	<p>A-IV/2 A-IV/2</p>
<p>Fire-fighting</p> <p>Advanced fire-fighting</p>	<p>A-VI/3</p>

Medical Medical first-aid Medical care	 A-VI/4 A-VI/4
Security Ship security officer Security awareness Seafarer with designated security duties	 A-VI/5 A-VI/6-1 A-VI/6-2
SPECIAL TRAINING REQUIREMENTS	
Tankers Oil and chemical tanker familiarisation Advanced oil tanker cargo operations Advanced chemical tanker cargo operations Liquefied gas tanker familiarisation Advanced liquefied gas tanker cargo operations	 A-V/1-1 A-V/1-1 A-V/1-1 A-V/1-2 A-V/1-2
Passenger Ships Crowd management for passengers ships Crisis management and human behaviour for passenger ships	 A-V/2 A-V/2

SCHEDULE II

MANNING REQUIREMENTS AND CLASSES OF CERTIFICATES

- (1) The number of persons holding the requisite certificates for service on vessels to which these regulations apply must be in accordance with the following tables for the type of voyage.
- (2) The Administration may impose additional operating limits on vessels operating in inshore and sheltered waters.

Part A Deck certification – unlimited voyages

Minimum qualifications

Vessel Size (ship tonnage)	Master	Chief Mate	Officer of the Watch Deck (OOW Deck) (As required)	Additional OOW Deck (As required)	Deck Watch Ratings (DWR) (As required)
3,000 GT and over	Master Class 1	Master Class 2	OOW Deck	OOW Deck	DWR
< 3,000 GT	Master Class 2	OOW Deck *	OOW Deck	OOW Deck	DWR
< 500 GT	Master Class 3* +	OOW Deck *	Master Class 4*+		DWR

* Endorsed subject to satisfying sea-time requirements and further training and assessment.

+Subject to satisfactory completion of appropriate STCW short courses (GMDSS, Shipmasters Medical, Advanced Fire Fighting, Proficiency in Survival Craft).

Part B Deck certification – near coastal voyages

Minimum qualifications

Vessel Size (ship tonnage)	Master	Chief Mate (As required)	Officer of the Watch Deck (OOW Deck) (As required)	Additional OOW Deck (As required)	Deck Watch Ratings (DWR) (As required)
3,000 and over GT	Master Class 1	Master Class 2	OOW Deck	OOW Deck	DWR
500 – < 3,000 GT	Master Class 3	OOW Deck *	Master Class 4*		DWR
200 – < 500 GT	Master Class 4	Master Class 5	Master Class 6		DWR
20 - < 200 GT	Master Class	Master Class			DWR

	5	6			
--	---	---	--	--	--

* Endorsed subject to satisfying sea-time requirements and further training and assessment.

The minimum qualification required for master of vessels <20GT/12 m is Master/Engineer Class 6 or equivalent. The sea service, training and assessment requirements for this dual role certificate are subject to determination by the national administration.

Part C Engineering certification – unlimited voyages

Minimum qualifications

Engine Power (kilowatts)	Chief Engineer	Second Engineer	Officer of the Watch Engine (OOW Engine) (As required)	Additional OOW ENGINE (As required)	Engine Watch Ratings (EWR) (As required)
>3,000	Engineer Class 1	Engineer Class 2	OOW Engine	OOW Engine	EWR
750 – < 3,000	Engineer Class 2	OOW Engine*	OOW Engine	OOW Engine	EWR
250 – < 750	Engineer Class 3*	Engineer Class 4* +			EWR
<300	Engineer Class 4* +				EWR

* Endorsed subject to satisfying sea-time requirements and further training and assessment.

+ Subject to satisfactory completion of appropriate STCW short courses (Medical First Aid, Advanced Fire Fighting, Proficiency in Survival Craft).

Part D Engineering certification – near coastal voyages

Minimum qualifications

Engine Power (kilowatts)	Chief Engineer	Second Engineer (As required)	Officer of the Watch Engine (OOW Engine) (As required)	Engine Watch Ratings (EWR) (As required)
3,000 and over	Engineer Class 2	OOW Engine*	OOW Engine	EWR
750 – < 3,000	Engineer Class 3*	Engineer Class 3	Engineer Class 4	EWR

500 - < 750	Engineer Class 3	Engineer Class 4		EWR
250 – < 500	Engineer Class 4	Engineer Class 5		EWR
< 250	Engineer Class 5			EWR

* Endorsed subject to satisfying sea-time requirements and further training and assessment.

SCHEDULE III**NUMBER OF CERTIFICATES OF PROFICIENCY - PASSENGER
VESSELS**

TYPE AND CHARACTERISTICS OF SURVIVAL CRAFT OR SYSTEM	QUALIFIED PERSONS
Lifeboat boarded at the stowed position and capable of being released and lowered from inside	2 per boat
Lifeboat boarded at stowed position and capable of being lowered from inside after being released externally	2 persons, plus 1 for every two boats
Lifeboat, both released and lowered from the vessel	3 per boat
Liferaft	1 per liferaft
Davit-launched liferaft	1 per liferaft, plus 1 for each davit
Marine escape system	4 per system, plus 1 for each raft associated with each system

SCHEDULE IV

SAFE MANNING CERTIFICATE

Tuvalu Maritime Safety Administration

SAFE MANNING CERTIFICATE

SHIPPING (STCW CONVENTION) REGULATIONS 2013

Tuvalu Maritime Safety Administration

G.P.O. Box xxx

.....

Tuvalu

Telephone: (000)

Fax No: (000)

E-Mail:

Name and Call Sign of Vessel		
Official / IMO Number		
Vessel Type / Class		
Port of Registry		
Trading Area		
Gross Tonnage		
Total Propulsion Power		
Length Overall		
Owner & Address		

The above named vessel is safely manned for the type of operation described below in accordance with the Marine Act 1986, the STCW 1995 Convention, Regulations and Code.

POSITION	QUALIFICATION & NUMBER				
	Unlimited Waters	Near Coastal Waters	Territorial Waters	Inshore Waters	Sheltered Waters
Master					
Chief Mate					
Deck Watchkeeper					
Extra Deck W/keeper					
Radio Personnel					
Chief Engineer					
Second Engineer					
Engineer Watchkeeper					
Extra Eng Watchkeeper					
Deck Watch Rating					
Engine Watch Rating					
Qualified Cook					
TOTAL CREW					
MAX PASSENGERS					

[Delete as required]

Conditions and Limitations:

- (1) All crewmembers must meet the requirements regarding safety training and qualifications according to Regulations in force.
- (2) This Certificate is valid for two years. It will be renewed as long as there is no material change in safety equipment, or the construction of the ship, or in its passenger or cargo carrying capacity or its commercial purpose.

Signed

Director, Tuvalu Maritime Safety Administration

Date

Name:

[Official Seal]

SCHEDULE V

Pre-requisites for certificates

Deck Certificate Pre-requisites

Deck Watch Rating

Minimum Age: 16 years

Prerequisite certificate: Safety Certificate

Required Sea Service:

- (a) six months of approved seagoing service whilst holding a safety certificate; or
- (b) special training, either pre-sea or on board ship, including an approved period of seagoing service which shall be not less than two months.

Able Seafarer Deck

Minimum Age: 18years

Prerequisite certificate: Deck Watch Rating

Required sea service:

- (a) 18 months of approved seagoing service and demonstrated competencies as outlined in table A II/5 of the STCW Code.

Note: All seagoing service has to be documented in an approved sea service record book.

Master Class 5

Minimum Age: 18 years

Prerequisite Certificate: Safety Certificate

Required Sea Service:

- (a) 30 months of approved seagoing service whilst holding a safety certificate; or
- (b) 24 months of approved seagoing service whilst holding a certificate of competency as Master Class 6 subject to approval by the national administration; or
- (c) 24 months of approved seagoing service whilst holding a certificate of competency as Deck Watch Rating;

- (d) six months approved seagoing service whilst holding a certificate of competency as Able Seafarer Deck

Remission of seagoing service may be allowed by the Authority for attendance at approved training programmes that include on-board training that meets the requirements of section A-II/3 of the STCW code and is documented in an approved training record book.

Master Class 4

Minimum Age: 20 years

Prerequisite Certificate: Master Class 5

Required Sea Service:

- (a) 12 months of approved watchkeeping service whilst holding a certificate of competency not lower than Master Class 5.

Remission of watchkeeping service and/or the requirement for a Master Class 5 certificate may be allowed by the Authority for attendance at approved training programmes that include on-board training that meets the requirements of section A-II/3 of the STCW code and is documented in an approved training record book.

Master Class 3

Minimum Age: Not prescribed

Prerequisite Certificate: Master Class 4

Required Sea Service:

- (a) 12 months of approved watchkeeping service whilst holding a certificate of competency as Master Class 4.
- (b) approved seagoing service of not less than 18 months, which is part of an approved training programme that includes on-board training that meets the requirements of section A-II/I of the STCW code and is documented in an approved training record book.

Not less than six months of the required seagoing service shall be performed in vessels in excess of 500 GT.

Officer of the Watch Deck (OOW Deck)

Minimum Age: 18 years

Prerequisite Certificate: Not prescribed

Required Sea Service:

- (a) 36 months of approved seagoing service whilst holding a certificate of competency as Deck Watch Rating; or
- (b) approved seagoing service of not less than 12 months, which is part of an approved training programme that includes on-board training that meets the requirements of section A-II/I of the STCW code and is documented in an approved training record book; or
- (c) 18 months of approved seagoing service whilst holding an able seafarer deck certificate.
- (d) 12 months of approved watchkeeping service whilst holding a certificate of competency as Master Class 4.

In (a), (b) or (c), not less than six months of the required seagoing service shall be performed in vessels in excess of 500 GT.

During the approved seagoing service, the candidate must have performed bridge watchkeeping duties under the supervision of a master or qualified officer for a period of not less than six months.

Master Class 2

Minimum Age: Not prescribed
Prerequisite Certificate: Master Class 3 or OOW Deck
Required Sea Service:

- (a) 24 months of approved watchkeeping service whilst holding a certificate as Master Class 3, six months of which shall be performed in vessels in excess of 500 GT;
- (b) 12 months of approved watchkeeping service whilst holding a certificate of competency as OOW Deck, on vessels above 500GT.

Master Class 1

Minimum Age: Not prescribed
Prerequisite Certificate: OOW Deck or Master Class 2
Required Sea Service:

- (a) 36 months of approved watchkeeping service whilst holding a certificate of competency not less than OOW Deck or Master Class 3, six months of which shall be served on vessels in excess of 500 GT.

The sea service may be reduced by 12 months where at least 12 months of the service has been served as chief officer.



Engine Certificate Pre-requisites**Engine-room Watch Rating**

Minimum Age: 16 years

Prerequisite certificate: Safety Certificate

Required Sea Service:

- (a) six months of approved seagoing service whilst holding a safety certificate; or
- (b) special training, either pre-sea or on board ship, including an approved period of seagoing service which shall be not less than 2 months.

Able Seafarer Engine

Minimum Age: 18 years

Prerequisite certificate: Engine-room Watch Rating

Required sea service:

- (a) 12 months of approved seagoing service and demonstrated competencies as outlined in table A III/5 of the STCW Code.

Note: All seagoing service has to be documented in an approved sea service record book.

Engineer Class 5

Minimum Age: 18 years

Prerequisite Certificate: Safety Certificate

Required Sea Service:

- (a) 12 months of approved seagoing service whilst holding a certificate of competency as Engine-Room Watch Rating; or
- (b) 24 months of approved seagoing service, at least six months of which must have been spent carrying out engineering duties, whilst holding a safety certificate; or
- (c) 12 months of approved sea going service whilst holding a certificate of competency as Able Seafarer Engine.

Engineer Class 4

Minimum Age: 18 years

Prerequisite Certificate: Class 5

Required Sea Service:

- (a) 12 months approved service as a watchkeeping engineer whilst holding a certificate of competency as Engineer Class 5.

Engineer Class 3

Minimum Age: 20 years

Prerequisite Certificate: Engineer Class 4

Required Sea Service:

- (a) 12 months approved seagoing service as a watchkeeping engineer whilst holding a certificate of competency as Engineer Class 4; or
- (b) 12 months at sea in an engineering capacity whilst holding a safety certificate and satisfactory completion of an approved shore-based engineering training programme; or
- (c) approved education and training of at least 36 months, which includes 12 months' training onboard vessels, six months of which must be completed on vessels of more than 500 kW propulsion power machinery and be documented in an approved training record book.

Remission of watchkeeping service and/or the requirement for Engineer Class 4 certificate may be allowed by the Authority for attendance at approved training programmes that include on-board training and are documented in an approved training record book.

Officer of the Watch Engine-room (OOW Engine)

Minimum Age: 18 years

Prerequisite Certificate: Not prescribed

Required Sea Service:

- (a) Approved education and training of at least 36 months, which includes onboard training documented in an approved training record book, and not less than 12 months approved service in the engine-room under the supervision of a qualified engineer, of which six months shall be served on ships of not less than 750 kW propulsion power in accordance with Section A-III/1 of the STCW code; or
- (b) six months approved seagoing service in an engineering capacity on vessels of not less than 750 KW propulsion power, whilst holding a certificate of competency as Engineer Class 3; or
- (c) 12 months approved seagoing service in an engineering capacity on vessels of not less than 750 KW propulsion power whilst holding a certificate of competency as Engineer Class 4; or

- (d) 36 months approved seagoing service in an engineering capacity on vessels of not less than 750 kW propulsion power, including six months under the supervision of a qualified engineer, whilst holding a certificate of competency as Engine-Room Watch Rating; or
- (e) 24 months approved seagoing service in an engineering capacity on vessels not less than 750KW propulsion power, including six months under the supervision of a qualified engineer, whilst holding a certificate of competency as Able Seafarer Engine

Engineer Class 2

Minimum Age: Not prescribed

Prerequisite Certificate: OOW Engine

Required Sea Service:

- (a) 12 months approved seagoing service as engineer on vessels of not less than 750 kW propulsion power whilst holding a certificate of competency as OOW Engine.
- (b) At least nine months of the above service must be on vessels using propulsion of the kind to which the certificate relates.

Engineer Class 1

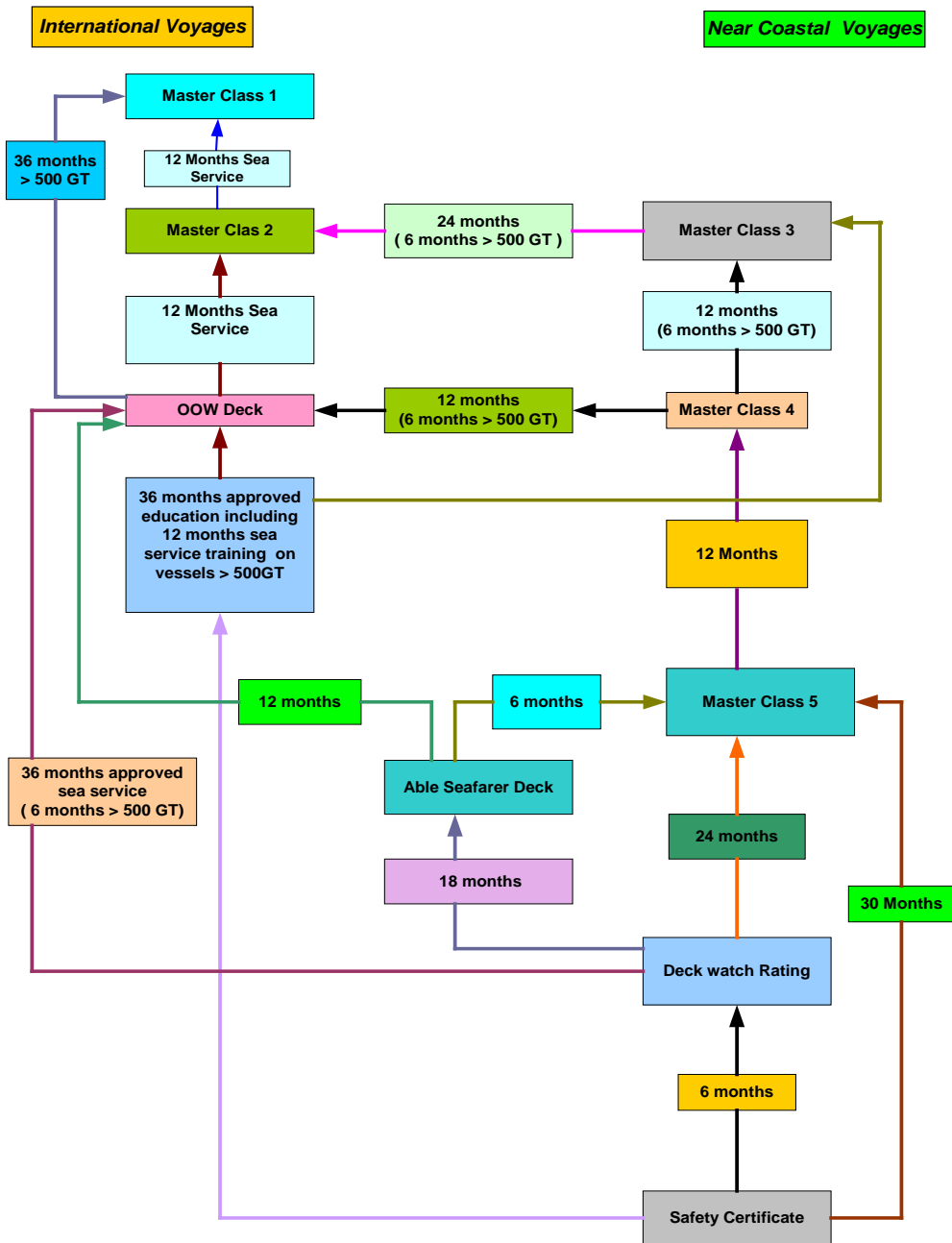
Minimum Age: Not prescribed

Prerequisite Certificate: Engineer Class 2

Required Sea Service:

- (a) 24 months as engineer in a position of responsibility on vessels in excess of 3,000 kW propulsion power whilst holding a certificate of competency as Engineer Class 2.

DECK CERTIFICATION FLOW CHART



SCHEDULE VI

Part I - CERTIFICATES RECOGNISED IN TUVALU

The Director may issue, recognise and endorse the following classes of certificates of competency:

NAVIGATION

Unlimited

Master Class 1	> 3000 gross tons
Master Class 2	< 3000 gross tons
Officer in Charge of a Navigational Watch	> 500 gross tons
Deck Watchkeeping Rating	> 500 gross tons

Near-coastal

Master Class 1	> 3000 gross tons
Master Class 2	< 3000 gross tons
Officer in Charge of a Navigational Watch	> 500 gross tons
Master Class 3	1600 to > 500 gross tons
Master Class 4	500 to > 200 gross tons
Master Class 5	200 to > 20 gross tons
Deck Watchkeeping Rating	> 500 gross tons

Territorial waters

Master Class 1	> 3000 gross tons
Master Class 2	< 3000 gross tons
Officer in Charge of a Navigational Watch	> 500 gross tons
Master Class 3	1600 to > 500 gross tons
Master Class 4	500 to > 200 gross tons
Master Class 5	200 to > 20 gross tons
Master/Engineer Class 6-Engineer or less	20 gross tons (15 metres)
Deck Watchkeeping Rating	> 500 gross tons

Inshore

Master Class 1	> 3000 gross tons
Master Class 2	< 3000 gross tons
Officer in Charge of a Navigational Watch	> 500 gross tons
Master Class 3	1600 to > 500 gross tons
Master Class 4	500 to > 200 gross tons
Master Class 5	200 to > 20 gross tons
Restricted Master/Engineer Class 6-Engineer	20 gross tons (15 metres) or less
Deck Watchkeeping Rating	> 500 gross tons

Sheltered Waters

Boat Master's Licence 20 gross tons (15 metres) or less

ENGINEERING**Unlimited**

Engineer Class 1	> 3000kW
Engineer Class 2	3000 to >750 kW
Officer in Charge of an engineering watch	> 750 kW
Engine Watchkeeping Rating	> 750 kW
Engineer Class 3 *(Endorsed)	< 750 kW

Near-coastal

Engineer Class 1	> 3000 kW
Engineer Class 2	<3000 kW
Officer in Charge of an engineering watch	> 750 kW
Engineer Class 3	<750 kW
Engineer Class 4	500 - >300 kW
Engineer Class 5	300 kW or less
Engine Watchkeeping Rating	> 750 kW

Territorial waters

Engineer Class 1	> 3000 kW
Engineer Class 2	<3000 kW
Officer in Charge of an engineering watch	> 750 kW
Engineer Class 3	< 750 kW
Engineer Class 4	< 500 - 300 kW
Engineer Class 5	< 300 kW
Master/Engineer Class 6	20 gross tons (15 metres) or less
Engine Watchkeeping Rating	> 750 kW

Inshore

Engineer Class 1	> 3000 kW
Engineer Class 2	< 3000 kW
Officer in Charge of an engineering watch	> 750 kW
Engineer Class 3	< 750 kW
Engineer Class 4	< 500 - 300 kW
Engineer Class 5	< 300 kW
Master/Engineer Class 6	< 75 kW

Part II – MANDATORY SHORT COURSES

Restricted Master/Engineer Class 6	20 gross tons (15 metres) or less
Engine Watchkeeping Rating	> 750 kW

The maritime training institute may issue the following short course certificates:

Short Courses STCW Code

- (a) Basic Safety – Survival Techniques Certificate A-VI/1-1
- (b) Basic Safety – Personal Safety and Social Responsibilities A-VI/1-4

The maritime training institute in conjunction with the St John Ambulance Brigade or the Tuvalu Red Cross Society may issue the following short course certificates:

- (a) Basic Safety – Elementary First Aid Certificate A-VI/1-3
- (b) Proficiency in Medical First Aid Certificate A-VI/4-1

The maritime training institute in conjunction with the national fire authority may issue the following short course certificates:

- (a) Basic Safety – Fire Prevention and Fire Fighting Certificate A-VI/1-2
- (b) Advanced Fire Prevention and Control Certificate A-VI/3

The maritime training institute in conjunction with Tuvalu navy (if appropriate) may issue the following short course certificates:

- (a) Basic Safety – Fire Prevention and Fire Fighting Certificate A-VI/1-2
- (b) Basic Safety – Survival Techniques Certificate A-VI/1-1
- (c) Advanced Fire Prevention and Control Certificate A-VI/3

The maritime training institute and Tuvalu navy (if appropriate) may issue the following short course certificate:

- (a) Proficiency in Survival Craft and Rescue Boats other than Fast Rescue Boats A-VI/2-1

The government department of telecommunications may issue the following short course certificates:

- (a) General Operator’s Certificate (GMDSS-GOC) A-IV/2
- (b) Restricted Operator’s Certificate (ROC) A-IV/2

The maritime training institute in conjunction with a Tuvalu school of medicine may issue the following certificate:

- (a) Medical care on Board Ship A-VI/4-2

The maritime training institute may issue the following short course certificates:

- | | | |
|-----|---|----------|
| (a) | Ship Security Officer Certificate | A-VI/5 |
| (b) | Security Awareness Certificate | A-VI/6-1 |
| (c) | Seafarer with Designated Duties Certificate | A-VI/6-2 |

Part III– Special training requirement courses

The maritime training institute may issue the following short course certificates:

- (a) Crowd Management Passenger Ships
- (b) Crisis Management Passenger Ships
- (c) Oil & Chemical Tanker Familiarisation Course
- (d) Advanced Oil Tanker Cargo Operations Course
- (e) Advanced Chemical Tanker Cargo Operations Course
- (f) Liquefied Gas Tanker Familiarisation Course
- (g) Advanced Liquefied Gas Tanker Familiarisation Course

SCHEDULE VII

(Regulations 44)

PRESCRIBED FEES

Item	\$ (VIP)
1 Application for the issue of a certificate, including the verification of sea-time	\$50.00
2. Conduct of an assessment of competency or examination conducted by or on behalf of the Administration:	
Master Class 1 or Engineer Class 1	\$100.00
Mate Class 1 or Second Engineer Class 1	\$100.00
Master Class 2 or Engineer Class 2	\$100.00
Mate Class 2 or Second Engineer Class 2	\$100.00
Master Class 3 or Deck Watchkeeper	\$100.00
Engineer Class 3 or Engineer Watchkeeper	\$100.00
Master Class 4 or Engineer Class 4	\$100.00
Master Class 5 or Engineer Class 5	\$100.00
Master/Engineer Class 6 [Full & Restricted]	\$100.00
AS – Deck or AS - Engine	\$50.00
Electro - Technical Officer	\$100.00
Electro - Technical Rating	\$50.00
Deck Watchkeeping Rating or Engine Watchkeeping Rating	\$50.00
Pacific Island Qualified Fishing Deckhand	\$100.00
Boat Master’s Licence	\$100.00
3. Additional Certified Transcript of examination results	\$100.00
4. Re-assessment of an unsuccessful candidate	\$20.00per module
5. Issuance of a new Certificate of Competency.	
Master Class 1 or Engineer Class 1	\$100
Mate Class 1 or Second Engineer Class 1	\$100
Master Class 2 or Engineer Class 2	\$100
Mate Class 2 or Second Engineer Class 2	\$100
Master Class 3 or Deck Watchkeeper	\$100
Engineer Class 3 or Engineer Watchkeeper	\$100
Master Class 4 or Engineer Class 4	\$100

	Master Class 5	or	Engineer Class 5	\$100
	Master/Engineer Class 6 [Full & Restricted]			\$100
	AS – Deck	or	AS - Engine	\$50
	Electro - Technical Officer			\$100
	Electro - Technical Rating			\$50
	Deck Watchkeeping Rating	or	Engine Watchkeeping Rating	\$100
	Pacific Island Qualified Fishing Deckhand			\$100
	Safety Certificate			\$50
	Boat Master's Licence			\$50
6.	Revalidation of a Certificate of Competency.			
	Master Class 1	or	Engineer Class 1	\$100
	Mate Class 1	or	Second Engineer Class 1	\$100
	Master Class 2	or	Engineer Class 2	\$100
	Mate Class 2	or	Second Engineer Class 2	\$100
	Master Class 3	or	Deck Watchkeeper	\$100
	Engineer Class 3	or	Engineer Watchkeeper	\$100
	Master Class 4	or	Engineer Class 4	\$100
	Master Class 5	or	Engineer Class 5	\$100
	Master/Engineer Class 6 [Full & Restricted]			\$100
	AS – Deck	or	AS - Engine	\$50
	Electro - Technical Officer			\$100
	Electro - Technical Rating			\$50
	Deck Watchkeeping Rating	or	Engine Watchkeeping Rating	\$50
	Pacific Island Qualified Fishing Deckhand			\$50
	Boat Master's Licence			\$50
7	Replacement of a lost certificate			\$100
8	Application Fee for Dispensation from Manning Requirements			\$200
9	Certificate of Competency Endorsement fee			\$100
	Endorsement attesting the Recognition of a Certificate of Competency			\$100
	Endorsement attesting the issue of a Certificate of Competency			\$100
10	Issuance of a Safe Manning Certificate			\$200
11	Course Syllabus			\$50
12	Onboard Training Record Book			\$50
13	Application for a review by a Medical Board			\$50

SCHEDULE VIII

Part 1 - Medical Standards

- 1 A physician conducting a medical examination under Part VII must ensure that the seafarer does not suffer from:
 - (a) an impairment that causes unpredictable loss of consciousness and that cannot be controlled through medication;
 - (b) a disorder that could prevent the seafarer from reacting efficiently, while on watch, or in an emergency;
 - (c) a condition that is likely to require emergency medical care and that cannot be controlled through medication;
 - (d) high blood pressure, or high risk of stroke or heart attack;
 - (e) a condition that could endanger others, taking into account the confined living conditions on board ship, such as
 - (i) AIDS or other sexually transmitted disease;
 - (ii) a communicable disease that could affect other seafarers coming into close contact;
 - (f) alcohol or drug addiction that could impair the seafarer's ability to carry out their duties as and when required;
 - (g) an active psychiatric disorder.

The medical practitioner should order a blood test if he suspects the seafarer has been in contact with an HIV positive person.

- 2 The medical practitioner must ensure that the seafarer:
 - (a) has adequate muscle strength to carry a mass of 22 kg;
 - (b) has the physical capacity to wear breathing apparatus and life-saving equipment;
 - (c) has adequate vision and hearing and the agility and strength to perform the duties of fire fighting, first-aid administration and ship abandonment in an emergency.
 - (d) Has the physical capability to fulfil all requirements of the required basic training;
 - (e) demonstrates adequate hearing and speech to communicate effectively and detect any audible alarms;
 - (f) has no medical condition, disorder or impairment that will prevent the effective and safe conduct of routine and emergency duties on board during the validity period of the medical certificate;

- (g) does not suffer 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
- (h) is not taking any medication that has side effects that will impair judgment, balance, or any other requirements for effective and safe performance of routine and emergency duties on board.
- 3 Deck applicants may have aided average of 40 db or less, or functional speech discrimination of 90% at 55 dB binaural. Waivers may be granted in exceptional conditions for applicants who do not meet these criteria.

PART 2 - TABLE B-I/9

Minimum in-service eyesight standards

STCW Regulation	Category of seafarer	Distance vision aided*		Near/immediate vision	Colour vision	Visual fields	Night blindness	Diplopia (double vision)
		one eye	other eye					
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)		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 ratings and ratings forming part of an engine-room watch	0.4 ⁵	0.4	Vision required to read instruments in close proximity, to operate equipment, and to identify systems/components as necessary		Sufficient visual fields	Vision required to perform all necessary functions in darkness without compromise	No significant condition evident

I/11 IV/2	Radio officers and electrical/Electronic officers	0.4	0.4	Vision required to read instruments in close proximity, to operate equipment, and to identify systems/components as necessary	Sufficient visual fields	Vision required to perform all necessary functions in darkness without compromise	No significant condition evident
--------------	---	-----	-----	---	--------------------------	---	----------------------------------

*Note: Values given in Snellen decimal notation.

²Note: A value of at least 0.7 in one eye is recommended to reduce the risk of undetected underlying eye disease.

⁵Note: Engine department personnel shall have a combined eyesight vision of at least 0.4.

SCHEDULE IX**PRESCRIBED FORMS****Form No. 1 - SEAFARER'S MEDICAL FITNESS EXAMINATION
REPORT**

To be completed by the applicant

Surname:	First and Middle Names:	Male
		Female
Date /Place of Birth:	Rank/Grading:	
Present Occupation:	Company/Employer:	
Home /Contact Address: <i>(street/town/country. Include phone contact)</i>		
Nationality:		

1. Family History

	yes	no
a) Has anyone in your close family or household been treated for tuberculosis (TB) in the past ten years?	<input type="checkbox"/>	<input type="checkbox"/>
b) Do you have a family history of heart disease, arthritis, rheumatism or diabetes?	<input type="checkbox"/>	<input type="checkbox"/>
c) Has anyone in your family ever been treated for mental illness or 'nervous' conditions?	<input type="checkbox"/>	<input type="checkbox"/>
<i>(For physicians use only)</i>		
<i>Please provide further information if the answer to any of the above questions is yes.</i>		
.....		
.....		
.....		

2. Personal History

Have you ever suffered from:	yes	no
a) tuberculosis, spitting of blood or severe chest infection?	<input type="checkbox"/>	<input type="checkbox"/>
b) conditions of the heart or lungs, including breathlessness, palpitation and high blood pressure?	<input type="checkbox"/>	<input type="checkbox"/>
c) infection of the bladder, kidneys or urinary tract, including sexually transmitted infection?	<input type="checkbox"/>	<input type="checkbox"/>
d) any condition of the stomach, liver or bowels, including hepatitis or stomach ulcer?	<input type="checkbox"/>	<input type="checkbox"/>
e) convulsions, fits, epilepsy or severe migraine headaches?	<input type="checkbox"/>	<input type="checkbox"/>
f) skin complaints, including skin cancers which have required medical treatment?	<input type="checkbox"/>	<input type="checkbox"/>
g) malaria or leprosy – still suffer repetitive effects from it? – still taking medication?	<input type="checkbox"/>	<input type="checkbox"/>
h) diabetes, rheumatism, arthritis, hernia, stroke or cancer?	<input type="checkbox"/>	<input type="checkbox"/>

i) any major accidents or recent (in past ten years) surgical treatment?

3. General

	yes	no
a) Do you wear glasses or corrective (contact) lenses?	<input type="checkbox"/>	<input type="checkbox"/>
b) If yes, do you wear glasses for: (<i>circle one</i>).....reading.....all the time		
c) When did you last have a chest X- ray (<i>year</i>).....		
d) When did you last consult your doctor for an illness? (<i>month and year</i>).....		

Examining Medical Practitioner’s Report

I. Physical Examination

Candidate's general appearance: *(comment on visible signs of ill health and/ or disability)*

 Height.....Weight.....
 Blood Pressure.....Pulse rate.....
 Urinalysis.....

	yes	no
a) Is there any evidence of heart and/or lung disease?	<input type="checkbox"/>	<input type="checkbox"/>
b) Is a chest X-ray required? <i>(consider history as well as examination results)</i>	<input type="checkbox"/>	<input type="checkbox"/>
c) Is there any evidence of past or recent ear, nose and/or throat infections	<input type="checkbox"/>	<input type="checkbox"/>
defect in sight or hearing? <i>(surgery tests essential)</i>	<input type="checkbox"/>	<input type="checkbox"/>
enlarged glands, varicose veins, skin lesions	<input type="checkbox"/>	<input type="checkbox"/>
disease of the uro-genital organs and tract	<input type="checkbox"/>	<input type="checkbox"/>
disease of the brain, spinal cord or nervous system	<input type="checkbox"/>	<input type="checkbox"/>
d) Does the applicant take any regular medication?	<input type="checkbox"/>	<input type="checkbox"/>

Name of medication and reason for taking?

 Other comments.....

2. Psychological Assessment

	yes	no
a) Does the applicant drink alcohol?	<input type="checkbox"/>	<input type="checkbox"/>
b) In your opinion, is the applicant a mild, moderate or heavy drinker?	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the patient have a history of, or is currently using drugs?	<input type="checkbox"/>	<input type="checkbox"/>
d) Is the applicant aware of the possible health risks associated with having unprotected sexual encounters whilst employed as a seafarer?	<input type="checkbox"/>	<input type="checkbox"/>
e) Is the applicant aware of the protective effects of condoms against possible health risks?	<input type="checkbox"/>	<input type="checkbox"/>
f) In your opinion, is the applicant a mature, responsible person who will manage employment as a seafarer?	<input type="checkbox"/>	<input type="checkbox"/>

Comments:.....

.....
.....
.....

Medical Practitioner's Recommendations

The examining doctor is requested to inform the candidate whether acceptance, deferment, or rejection is recommended. <i>(Delete where inapplicable)</i>	
Fit for contract service for.....years	Fit for permanent service
Fit for <ul style="list-style-type: none"> • International sea service in the capacity listed <u>OR</u> any other capacity..... • Home-trade service in the capacity listed 	
Deferred for.....months	Rejected

Results of Chest X-ray

.....
.....
What further tests/investigations need to be undertaken for the candidate to be considered eligible?
.....
.....
.....
Other comments:.....
.....

Declaration of the recognised medical practitioner:

- ✓ Confirmation that identification documents were checked at point of examination:
Y/N
- ✓ Hearing meets the standards pursuant to A-I/9 of the Convention:
Y/N
- ✓ Unaided hearing satisfactory?
Y/N

Regulation 68

- ✓ Visual acuity meets standards in A-I/9 of the Convention?
Y/N
Date of last colour vision test.
- ✓ Fit for look-out duties?
Y/N
- ✓ No limitations or restrictions on fitness?
Y/N
If 'N', specify limitations or restrictions.

- ✓ Is the seafarer free 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 of other persons on board?
Y/N

Date of examination (dd/mm/year):

Expiry date of certificate:

Signatures

Examining Practitioner.....	Applicant:.....
Print name:.....	Print name:.....
Date:.....	Date:.....
Employment:	
Approved <input type="checkbox"/>	Not approved <input type="checkbox"/>

Medical Practitioner's name:.....
Address:.....
Provider/Registration number:.....
Telephone #:.....
Fax #:.....

Form No. 2 - SEAFARER'S MEDICAL FITNESS CERTIFICATE

This is to certify that.....
has been examined in accordance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, and the SHIPPING (STCW Convention) REGULATIONS 2013 and has been found fit for seagoing service in:

Management / Operational / Support level for.....years.
(Delete where inapplicable)

OR

Has been found unfit for seagoing service.

Other Comments:
.....
.....

Examining practitioner's
name:.....

Address:.....
.....

Medical practitioner's licence
number:.....

Telephone #:..... Fax #:..... E-
Mail:.....

Issued in:on.....Certificate No:.....

Examining practitioner's signature..... (Stamp)

Form No. 3 - CERTIFICATE OF COMPETENCY

TUVALU MARITIME SAFETY ADMINISTRATION
CERTIFICATE OF COMPETENCY



This is to certify that

has been found duly qualified to hold this
Certificate of Competency as

and is entitled under the Tuvalu Merchant Shipping Act,
to serve in a ship in any capacity requiring
the holding of a Certificate of that designation.

This Certificate of Competency is subject to any endorsements
as to its period of validity, limitations, extensions or
additional qualifications.

Certificate No.

(Official Seal)

Director, Tuvalu Maritime Safety
Administration.....Date of Issue

Form No. 4 - CERTIFICATE OF COMPETENCY (STCW ENDORSEMENT)



TUVALU

**CERTIFICATE ISSUED UNDER THE PROVISIONS OF THE
INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING,
CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978, AS
AMENDED**

The Government of the Tuvalu certifies that

.....

has been found duly qualified in accordance with the provisions of Regulation(s) of the above Convention, as amended, and has been found competent to serve in the following capacity or capacities specified in the applicable Safe Manning requirements of the Administration subject to any limitations indicated, until or unless otherwise cancelled, suspended or revalidated, or until the date of expiry of any extension of the validity of this certificate as may be shown overleaf:

CAPACITY	LIMITATIONS APPLYING (IF ANY)

The lawful holder of this certificate may perform the following functions, at the levels specified, subject to any limitations indicated:

FUNCTION	LEVEL	LIMITATIONS (IF ANY)
1 2 3 4 5 6 7		
1 2 3 4 5 6 7		
1 2 3 4 5 6 7		
1 2 3 4 5 6 7		

Signature of the holder

(Official Seal)

Certificate No:

Issued in [Main city/town] on:

Director, Tuvalu Maritime Safety Administration

Name:

Photograph
of the holder
of the certificate

ENDORSEMENTS

--

REVALIDATION

The validity of this certificate is hereby extended until . <i>(Official Seal)</i>	
_____	Director, Tuvalu Maritime Safety
Administration Date of revalidation. <i>official</i>	<i>Name of duly authorised</i>
The validity of this certificate is hereby extended until <i>(Official Seal)</i>	
_____	Director, Tuvalu Maritime Safety
Administration Date of revalidation. <i>official</i>	<i>Name of duly authorised</i>

FUNCTIONS

(as specified on STCW Certificates)

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

DETAIL OF HOLDER OF CERTIFICATE

Name of holder :
Date and place of examination :
Date and place of birth :
Height (cm) :
Other identifying features:

Merchant Shipping (STCW Convention 2010)
Regulations

Class of certificate for which this application applies		Seafarer Registration No. (if known)	
---	--	--------------------------------------	--

Form No. 5 – APPLICATION FOR CERTIFICATE OF COMPETENCY OR RECOGNITION

Please tick appropriate box (Please use **BLOCK LETTERS**)

Certificate of Competency	Endorsement of a Marine Certificate		Replacement Certificate	
Certificate of Recognition	Renewal of a Marine Certificate		Sea-time Assessment	

Applicant's details

Family name		Given name/s		
Postal address				

Residential Address (if the same as postal address write 'as above')	
--	--

Telephone		Date of birth		Place of birth (Country)	
-----------	--	---------------	--	--------------------------	--

Height (cm)		Colour of eyes		Colour of hair		Gender	Male / Female
-------------	--	----------------	--	----------------	--	--------	---------------

Particulars of marine certificates held

No.	Class	Issuing authority	Date of issue	Date of expiry	Endorsements	Ever suspended or cancelled (State why)

Service record book details

Date Issued		Place Issued		Book No.	
-------------	--	--------------	--	----------	--

Details of eyesight test (Original Certificate to be sighted)

Date Issued		Place Tested		Results		Certificate No.	
-------------	--	--------------	--	---------	--	-----------------	--

Certificate of medical fitness (Original Certificate to be sighted)

Date Issued		Doctor		Telephone	
-------------	--	--------	--	-----------	--

Applicant's declaration

I.....(name in BLOCK LETTERS), hereby declare that the particulars entered in this application are correct and true to the best of my knowledge and belief, and that the certificates and testimonials submitted with this application for verification of particular entries are true and genuine documents given and signed by the persons whose names appear on them. I understand that some or all of the information provided on this form may be disclosed to government authorities.

Applicant's signature	Taken and declared before me at..... Thisday of20.....
Signature (<i>Justice of the Peace/Commissioner of Oaths</i>)	Name (<i>please print</i>)

No. of testimonials	Name & address of firm & workshop	Nature of Business	Nature of work done by applicant	From	To	No. of days	Remarks

of Service Ashore (ENGINEERS)

Course Details (including approved training institutions and associated specialist courses)

Course title	Training institution	Date of issue

Form No. 6 - CERTIFICATE OF APPROVAL TO CONDUCT TRAINING



Ministry of Maritime Transport

Certificate Number:

**CERTIFICATE OF APPROVAL
TO CONDUCT TRAINING**

I hereby certify that

(insert name and address of certificate holder)

is approved to conduct training programmes leading to the issue of Tuvaluan maritime qualifications in accordance with the Shipping (STCW Convention) Regulations 2013 Part VI.

Dated this.....day of.....20.....

.....*(signed)*

(stamp)

Minister for Maritime Transport

(This certificate is subject to the conditions and limitations attached.)

CERTIFICATE OF APPROVAL

Attachment 1

Certificate Number:

The Certificate of Approval to which this attachment applies is issued subject to certain conditions. These are listed below.

- (1) All requirements for issue of this certificate are maintained.
- (2) Audits carried out by the Tuvalu Maritime Safety Administration auditors in accordance with Part IX of the Shipping (STCW Convention) Regulations 2000, shall be permitted by the holder of this Certificate.
- (3) The holder of this certificate will notify the Tuvalu Maritime Safety Administration of any changes to the system of the quality control, training programmes or any event that may affect the quality of the programme. These events may include:
 - (a) reduction of staff numbers or qualifications allocated to a programme;
 - (b) reduction of teaching contact or course hours for any module;
 - (c) loss of use of any equipment or facilities critical to the programme.

(insert other conditions as required)

The certificates are granted subject to the following limitations.

- (1) This certificate is valid for five years from the date of issue.
- (2) This certificate is valid for the following programmes.

Programmes	Approval dates	
	From	To

(insert the list of approved programmes and the date to which each is approved)

(Insert other limitations as required)

(Signed)

Date:

.....
Minister for Maritime and Transport

Made at [main town/city] this day of 20....

.....
Minister for Maritime & Transport

