

## SKÄRGÅRDSAVTALET

Förhandlingar om skärgårdsavtalet har inletts. Det visade sig vara betydligt mer komplicerat än väntat. Problematiken ligger framför allt i marginalerna till underställd personal. SFBF kan inte acceptera att framtida löner och allmänna anställningsvillkor blir sämre om man satsar på en befälsutbildning. Förhandlingarna kommer att fortsätta den 11-12 april.

## ENAD FACKLIG FRONT MOT SOCIAL DUMPNING I FINLANDSTRAFIKEN

Sveriges Fartygsbefälsförening, SEKO, Sjöbefälsförbundet, Finlands Sjömansunion, Finlands Skeppsbefälsförbund och EMSA, det oberoende estniska sjöfacket, har noterat offentliga uttalanden från rederier, verksamma i Östersjön, med innebörden att man planerar att sätta in fartyg i den fasta trafiken mellan Sverige och Finland med andra villkor för ombordanställd personal än de gängse i den nuvarande trafiken.

De ovanstående förbunden uttalar, med hänvisning till Nordiska

Transportarbetarefederationens, NTF, nordiska sjöfartspolicy och Internationella

Transportarbetarefederationens, ITF, Atenpolicy, sin bestämda mening att den fasta trafiken mellan Sverige och Finland, oberoende av fartygens flagg och besättningarnas nationalitet, skall försiggå i nivå med svenska/finska kollektivavtalsvillkor. Detta gäller även situationer med s.k. triangeltrafik, eller motsvarande. De ovanstående förbunden vänder sig starkt mot social dumpning i den nämnda trafiken, och kommer att göra vad som står i deras makt för att motverka det.

## UNDANTAGSREGELN KVAR I LAS

Riksdagen har beslutat att undantaget i turordningsreglerna i Lagen om anställningsskydd ska vara kvar. Frågan om att avskaffa denna regel har varit uppe till omröstning i riksdagen varje år sedan 2001. Sedan dess får en arbetsgivare med högst tio anställda undanta två personer som är av särskild betydelse för verksamheten innan turordningen bestäms.

## BENGT CREMONESE LÄMNAR ÖVER KLUBBAN I KLUBBEN

Ordföranden i SFBF-klubben Stena överlämnade den 22 mars ordförandeklubban till nyvalda Jörgen Lorén efter 21 år i stolen. SFBF tackar för alla åren.

## LENNART JONSSON

Sjökapten Lennart Jonsson har anställts såsom ny ombudsman i SFBF. Lennart tjänstgör för närvarande som lotsstyrman i Silja Line. Han kommer att tillträda tjänsten den 1 september 2006.

## SFBF 100 ÅR

Föreningen kommer att fira 100 år i sjöbefälens tjänst med en jubileumsmiddag på Göteborg Convention Centre den 20 januari 2007.

## HÅRD KRITIK MOT INTERNATIONELLA ESTONIA-RAPPORTEN

Den expertgrupp som tillsattes av Estlands regering för att utreda Estonias förlisning har kraftigt kritiserat den internationella rapporten. Uppdraget var att utreda om Estonia transporterade militärt material. Utredningen anser att den saknar svar på många andra viktiga frågor. Kritiken omfattar även bristen på dokumentation från dykningarna och att man inte filmat hela vraket så att man kan se vilka skador som finns. Mot bakgrund av alla oklarheter har Estlands regering begärt en ny haveriutredning.

## TAP BLIR KAP

På befälssidan har nu tillfälligt anställd personal (TAP) namnändrats till kontraktsanställd personal (KAP). Detta beroende på att fler filippiner regelbundet återkommer till samma rederi och det ger då en felaktig bild av anställningsförhållandet.

#### REGINA BALTICA NEGLIGERADE MAN-ÖVER-BORD

I strid mot gällande regelverk negligerade befälhavaren på Regina Baltica, tillhörande TALLINK, att söka efter en man som fallit över bord, trots att flera vittnen larmade. Man saktade inte ned och inte heller använde man sig av den man-över-bord-båt som finns ombord. Man-över-bord-situation skall övas regelbundet.

#### FÖRFATTNINGSTEST FÖR SENIORBEFÄL

Sjöfartsinspektionen har i brev till redarna erinrat om att seniorbefäl med utländsk behörighet (inkl TAP/KAP) måste genomgå en författningstest som anordnas via Chalmers försorg i Sverige och i Manila vid Norwegian Training Center.

#### INTERNATIONALISERINGSAVTALET

Uppgörelse har nåtts mellan parterna Sveriges Fartygsbefälsförening, Sjöbefälsförbundet och Sjöfartens Arbetsgivarförbund om lönerevidering i internationaliseringsavtalet för 2006. Revideringen av lönerna sker med utgångspunkt från uppgörelsen i det centrala storsjöavtalet med beaktande av värdet av kostersättning och förmånsvärdet för fri kost. Vid beräkningen används skattetabell 32 för fjärrfart.

#### BETÄNKANDE AV TONNAGESKATTEUTREDNINGEN

Utredningen har till regeringen överlämnat ett betänkande om tonnageskatt och föreslår att Sverige inför ett system med tonnagebeskattning av fartyg. Liknande system finns i en stor del av sjöfartsnationerna inom Europeiska unionen. Syftet med dessa system är att ge rederier i Europa bättre möjligheter att konkurrera med länder med s.k. bekvämlighetsflagg.

Tonnageskatt innebär att inkomsten från fartyg bestäms schablonmässigt med utgångspunkt från fartygens nettodräktighet. Rederierna betalar skatt bestämd på denna schabloninkomst i stället för på de faktiska inkomsterna från fartygen.

Föreningen har i samband med remissrundan i tonnageskatteutredningen ställt sig positiv till införande av tonnagebeskattning under förutsättning att regeringen ställer specifika krav på inflaggning av fartyg under svensk flagg och/eller nyrekrytering i likhet vad man krävt av tyska redare vid införande av tonnageskatt i Tyskland.

Nu är det regeringen som lägger ett förslag till riksdagen för beslut.

#### PENSIONSSKATTEUTREDNINGEN HOTAR VÅR ITP

Utredningen vill begränsa arbetsgivarnas rätt att göra avdrag för pensionskostnader, ett förslag som i hög grad påverkar de privatanställda tjänstemännen.

PTKs ordförande Mari-Ann Krantz framförde vid en träff med regeringen PTKs oro och kritik mot det som sipprat ut från pensionsskatteutredningen. Det är inte acceptabelt att politikerna går in och via skatter styr våra avtal, dessutom när PTK är mitt uppe i ett intensivt skede av ITP-förhandlingarna.

PTK kommer under våren att på olika sätt påverka politiker och departement att lägga ned den del av utredningen som rör begränsningarna av avdragsrätten.

Pensionsskatteutredningen tillsattes i juli 2004 med uppdraget att göra en översyn av den skattemässiga behandlingen av tjänstepensioner och privat pensionssparande med mera.

Utredare är Barbro Palmerlund, tidigare socialdemokratisk riksdagspolitiker och f.d. ordförande i Fastighetsanställdas Förbund. Senast den 1 december i år ska utredningen

komma med förslag och ingenting tyder på att något kommer att hända före höstens riksdagsval.

#### ITP FÖRHANDLINGARNA

Förhandlingarna har givetvis påverkats av det som händer inom pensionsskatteutredningen, även om PTK och Svenskt Näringsliv är ense om att vi inte vill se några begränsningar av avdragsrätten för tjänstepensioner. Vi menar att parterna redan tar sitt ansvar och att ytterligare lagstiftning inte behövs.

Efter att ha ägnat stor möda åt alla teknikaliteter kommer nu förhandlingarna att gå in i en ny fas. Det innebär att under april kommer PTK och Svenskt Näringsliv att förhandla om nivåerna i en ny premiebestämd ITP-plan. Sedan slutet av februari har PTKs konfliktutskott också varit bemannat.

#### HÖJT INKOMSTTAK VID BERÄKNING AV SJUKPENNINGGRUNDANDE INKOMST

Regeringen har lämnat en proposition till riksdagen om att inkomsttaket vid beräkning av sjukpenninggrundande inkomst höjs från 7,5 prisbasbelopp, vilket motsvarar en månadslön på 25 000 kronor i månaden, till 10 prisbasbelopp vilket motsvarar en månadslön på 33 000 kronor i månaden.

Det höjda inkomsttaket ska tillämpas vid beräkning av sjukpenning, rehabiliteringspenning, föräldrapenning, tillfällig föräldrapenning, havandeskapspenning, närståendepenning, smittbärarpenning och arbetsskadesjukpenning.

Ändringarna ska träda i kraft från och med den 1 juli 2006.

#### HÖJD LÄGSTANIVÅ FÖR HEL FÖRÄLDRAPENNING

Regeringen har lämnat en proposition till riksdagen om att höja lägstanivån för hel föräldrapenning från 60 kronor till 180 kronor.

De nya bestämmelserna ska träda i kraft den 1 juli 2006 och omfatta barn som är födda efter den 30 juni 2006.

#### NYTT VÄRDEBESKED OM ITP/ITPK

Under våren kommer Collectum att skicka ut värdebeskedet till alla med tjänstepensionen ITP. I det får du en överblick över de delar som ingår i tjänstepensionen - ålderspension, sjukpension och familjepension. En nyhet är att du också ser de ITPK-val du gjort, i vilket eller vilka bolag samt om du har valt familjeskydd och/eller återbetalningsskydd.

#### SFBF:S FRITIDSHUS

- I Tegefjäll denna vinter finns ännu ledigt de två sista veckorna i april. Vi tar nu emot bokningar för nästa vinter (dec -06 – apr -07).

Veckorna 7 - 13/2007 kommer att lottas ut. Anmäl nu om du vill vara med i utlottning av dessa veckor!

- I Torrevieja finns ännu några lediga veckor under våren och sommaren. Vill Du boka någon av lägenheterna i föreningens hus i Tegefjäll eller i Torrevieja, kontakta Inga Bergenmalm på kansliet i Stockholm, tel 08-10 60 15, [inga.bergenmalm@sfbf.se](mailto:inga.bergenmalm@sfbf.se)

#### SFBF:S NYHETSREVY

Vill du erhålla detta nyhetsbrev till annan eller flera e-mail adresser? Hör av dig till [inga.bergenmalm@sfbf.se](mailto:inga.bergenmalm@sfbf.se)

#### RAPPORT FRÅN IFSMA

IFSMA records with deep sadness the loss of more than 900 lives in the capsizing involving the ferry *al-Salam Boccaccio 98* in the Red Sea in February and the recent disaster also after capsizing off Bahrain in the Persian Gulf with a loss of 60 lives.

*IFSMA have attended the following IMO meetings:*

The Sub-Committee on Fire Protection (FP), 50th session: 9-13 January 2006, the Sub-Committee on Standards of Training and Watchkeeping (STW): 23<sup>rd</sup> to 27<sup>th</sup> January 2006 and the Sub-Committee on Ship Design and Equipment (DE) held 20<sup>th</sup> -24<sup>th</sup> February 2006.

IFSMA members also attended the meeting at ILO 94<sup>th</sup> (Maritime) Session in Geneva. The Secretary General also attended the Nautical Institute Education and Training committee.

In January, the Secretary General visited Buenos Aires in Argentina and met with Captain Marcos Castro and other senior members of the Argentina Association, Centro de Capitanes de Ultramar Oficiales de la Marine Mercante.

In February the Secretary General represented IFSMA at the Maritime Safety Umbrella Operation Seminar discussing the identification and planning of places of refuge within the EU.

The IFSMA Executive Council meeting was held in Stockholm on 27<sup>th</sup> and 28<sup>th</sup> February where i.e. the British Officers' Association NUMAST and the Chilean Captain's Association were granted membership.

### **The Sub-Committee on Fire Protection (FP), 50th session: 9-13 January 2006**

Celebrating its golden jubilee session, the IMO Secretary-General paid tribute to the Sub-Committee's work and invited everyone to reflect on the advances that had been achieved and had made significant contributions to the achievement of the objectives of the Organization.

He pointed out that since the first meeting in 1964 there have been many advances in the field of fire protection engineering and in the regulations which incorporate fire safety technologies, drills and fire-fighting operations and practices on board ships. He highlighted, in particular, automatic sprinklers, inert gas systems, fire detection systems, machinery space fire extinguishing systems, automated safety control systems, new non-combustible materials and enhanced personal protection for fire-fighters, as a few examples and noted that ships and the seafarers that sail them now have a host of new technologies, which their predecessors could only have dreamed of, to both prevent and quickly mitigate fires when they occur.

Other key points discussed at the meeting were as follows:

#### ***Life-saving appliances and arrangements***

The Sub-Committee agreed there was a need for further work by the Ship Design and Equipment Sub-Committee, in particular with regard to improvements to requirements for on-load release mechanisms; improvements to free-fall lifeboat launching and seating arrangements; and compatibility of life-saving appliances, specifically compatibility of immersion suits and lifejackets; compatibility of immersion suits and lifeboat access and capacity; and compatibility of lifejackets and marine evacuation systems. The DE Sub-Committee recognised at its last session that the real problem was not the relationship between lifeboat capacity and immersion suits, but rather the increased weight and size of seafarers and passengers. Further statistical data was needed to allow a thorough analysis of the issue.

#### ***Prevention of accidents involving lifeboats***

The Sub-Committee agreed a draft amendment to SOLAS regulation III/19.3.3.4 concerning provisions for the launch of free-fall lifeboats during abandon ship drills, for submission to MSC 81 for approval and subsequent adoption. The amendment will allow, during the abandon-ship drill, for the lifeboat to either be free-fall launched with only the required

operating crew on board, or lowered into the water by means of the secondary means of launching without the operating crew on board, and then manoeuvred in the water by the operating crew. The aim is to prevent accidents with lifeboats occurring during abandon-ship drills.

The Sub-Committee also agreed a draft MSC circular on *early implementation of draft SOLAS regulation III/19.3.3.4* to encourage early implementation of the regulation prior to its entry into force.

It was also agreed a draft MSC circular on *Guidelines for the development of operation and maintenance manuals for lifeboats* and a draft MSC circular on *Measures to prevent accidents with lifeboats* consolidating previous circulars MSC/Circ.1049, MSC/Circ.1093, MSC/Circ.1136 and MSC/Circ.1137. The draft consolidated circular includes the *Guidelines for periodic servicing and maintenance of lifeboats, launching appliances and on-load release gear; Guidance on safety during abandon ship drills using lifeboats; and Guidelines for simulated launching of free-fall lifeboats.*

Fire safety amendments for passenger ship safety

Amendments to SOLAS chapter II-2 and the International Fire Safety Systems (FSS) Code were agreed as part of the comprehensive review on passenger ship safety, which began in 2000. The guiding philosophy for this work is based on the premise that the regulatory framework should place more emphasis on the prevention of a casualty from occurring in the first place and that future passenger ships should be designed for improved survivability so that, in the event of a casualty, persons can stay safely on board as the ship proceeds to port. The Sub-Committee agreed draft amendments to SOLAS chapter II-2 and the FSS Code related to:

- safe areas and the essential systems to be maintained while a ship proceeds to port after a casualty;
- on-board safety centres, from where safety systems can be controlled, operated and monitored;
- fixed fire detection and alarm systems, including requirements for fire detectors and manually operated call points to be capable of being remotely and individually identified;
- prevention, including amendments aimed at enhancing the fire safety for atriums, the means of escape and ventilation systems.

The Sub-Committee also agreed proposed amendments related to time for orderly evacuation and abandonment, which includes requirements for the essential systems that must remain operational in case any one main vertical zone is unserviceable due to a fire casualty. The draft amendments will be considered by the Maritime Safety Committee (MSC) at its eighty-first session together with contributions from other sub-committees assigned work on this issue.

Other amendments to the FSS Code were also agreed by the Sub-Committee as part of a programme of work on harmonization, or new development of performance testing and approval standards for fire safety systems.

The amendments to the FSS Code will be forwarded to MSC 81 and concern portable foam applicators; fixed foam fire-extinguishing systems; and fixed pressure water-spraying and water-mist fire-extinguishing systems.

The Sub-Committee also agreed draft amendments to the revised *Guidelines for the approval of equivalent fixed gas fire extinguishing systems for machinery spaces and cargo pump rooms* (MSC/Circ.848); draft amendments to the *Guidelines for the approval of fixed water-based local application fire-fighting systems for use in category A machinery spaces* (MSC/Circ.913); and draft *Guidelines for maintenance and inspections of fixed CO<sub>2</sub> systems.*

However, the amendments will not be forwarded to the Committee for approval until the harmonization exercise has been completed.

A correspondence group was established to continue the work on harmonizing and developing performance testing and approval standards for fire safety systems.

### ***Life Saving Appliances amendment***

The Sub-Committee also agreed other draft amendments to SOLAS chapter III, the Life Saving Appliances (LSA) Code and the Recommendation for testing of life-saving appliances (LSA). They include:

SOLAS chapter III - draft amendments relating to: onboard communications and alarm systems

survival craft muster and embarkation arrangements

stowage of survival craft, rescue boats and marine evacuation systems

survival craft launching and recovery arrangements

operational readiness, maintenance and inspections

servicing of inflatable liferafts, inflatable lifejackets, and marine evacuation systems, and maintenance and repair of inflated rescue boats

periodic servicing of launching appliances and release gear

survival craft and rescue boats

immersion suits

training manuals - which should be written in the working language or languages of the ship

LSA Code - draft amendments relating to:

definitions

life-jackets

immersion suits

requirements for liferafts

requirements for lifeboats

requirements for rescue boats

additional requirements for fast rescue boats

launching and embarkation appliances

general alarm and public address systems

Recommendations on testing of LSA - draft amendments relating to:

drop tests for lifebuoys

tests for inflatable lifejackets

testing of metallic components

donning tests for non-insulated and insulated immersion suits and anti-exposure suits

fabric tests for thermal protective aids for survival craft

tests for pyrotechnics - rocket parachute flares, hand flares and buoyant smoke signals

canopy closure tests on liferafts

davit-launched lifeboat impact and drop tests

lifeboat freeboard and stability tests

release mechanism tests

lifeboat operational tests

air supply tests for lifeboats with a self-contained air support system

rigid rescue boat and rigid fast rescue boats tests

testing of davits and launching appliances

tests on position-indicating lights for life-saving appliances

tests for hydrostatic release units

tests for launching appliances using falls and winches

**The Sub-Committee on Standards of Training and Watchkeeping (STW) 37<sup>th</sup> Session:  
23<sup>rd</sup> to 27<sup>th</sup> January 2006**

The IMO Secretary-General drew attention to the widely reported shortage of seafarers, noted that the BIMCO/ISF manpower 2005 update provided a more encouraging picture than that projected in the 2000 study with the calculated shortage of officers being estimated at around 2%, reportedly due to increased levels of training in the Asian region.

**Measures to Prevent Accidents with Lifeboats**

The Sub-Committee recalled that MSC 74 had included a new agenda item Measures to prevent accidents with lifeboats. to be co-ordinated by the DE Sub-Committee in the work programme of the Sub-Committee (MSC 74/24, paragraph 21.34) and STW 35 had subsequently developed amendments to table A-VI/2-1 of the STCW Code, which were adopted at MSC 79 and would enter into force on 1 July 2006.

The Sub-Committee further recalled that STW 36 agreed that Administrations should also be permitted to accept, during drills, all free-fall lifeboats, irrespective of their launching heights, be launched by falls in lieu of free-fall launching, provided that a simulated free-fall launch was conducted at least every six months in accordance with the Organization's guidelines and referred this view to DE 48 for consideration. STW 36, also noting that the Committee was aware that this advice was in conflict with the existing provisions of SOLAS regulation III/19.3.3.4, had invited MSC 80 to instruct the DE Sub-Committee to consider the need to amend the SOLAS Convention when addressing this issue.

The Sub-Committee noted (STW 37/6) that MSC 80 had endorsed the views expressed by STW 36, and in view of the need to reduce some workload of DE 49, MSC 80 had agreed to move, on an *ad hoc* basis for the year 2006 only, this agenda item to the Sub-Committee on Fire Protection (FP 50).

The Sub-Committee was informed that FP 50 had prepared the draft amendment to SOLAS regulation III/19.3.3.4 concerning the launching of free-fall lifeboats during abandon ship drills as follows:

19.3.3.4 In the case of a lifeboat arranged for free-fall launching, at least once every three months during an abandon ship drill the crew shall board the lifeboat, properly secure themselves in their seats and commence the launch procedure up to but not including the actual release of the lifeboat (i.e., the release hook shall not be released). The lifeboat shall then either be free-fall launched with only the required operating crew on board, or lowered into the water by means of the secondary means of launching without the operating crew on board, and then manoeuvred in the water by the operating crew. At intervals of not more than six months, the lifeboat shall either be launched by free-fall with only the operating crew on board, or simulated launching shall be carried out in accordance with the guidelines developed by the Organization and noted that the provisions of MSC/Circ.1115 on Prevention of accidents in high free-fall launching of lifeboats had been superseded by the new draft SOLAS regulation III/19.3.3.4 and agreed that Administrations should be urged to effect early implementation of the draft SOLAS regulation III/19.3.3.4, i.e. prior to its entry into force (FP 50/WP.3/Add.1, paragraphs 2 and 7).

The Sub-Committee agreed that it was necessary for seafarers on board ships with free-fall lifeboats to have knowledge of actions to be taken when boarding free-fall lifeboats. The Sub-Committee also agreed that while only seafarers assigned as operating crew of free-fall lifeboats should undergo training and actually participate on at least one occasion in a free-fall

launch prior to boarding a vessel fitted with free-fall lifeboats, all seafarers serving on board such vessels should receive familiarization training in boarding and launching procedures for such lifeboats.

Accordingly the Sub-Committee, taking into account the draft amendment to SOLAS regulation III/19.3.3.4 agreed by FP 50, prepared draft amendments to part B of the Seafarers Training, Certification and Watchkeeping Code related to section B-I/14 of the STCW Code (*Guidance regarding responsibilities of companies and recommended responsibilities of masters and crew members*) providing guidance on familiarization and training for seafarers serving on board ships fitted with free-fall lifeboats and the associated STCW.6 circular set out in annex 1, and invited the Committee to adopt the amendments in accordance with its Rules of Procedure.

#### ***Proposed new model courses***

IFSMA had brought to the attention of the sub committee at the 36<sup>th</sup> meeting that there was a need for an AIS model training course.. The Sub-Committee gave preliminary consideration to the draft model course on the Operational use of AIS (contained in document STW 37/3/1) and referred it to the drafting group to be established to consider and comment on the text.

There are also proposals to develop the following model courses:

Chemical cargo and ballast-handling simulator;  
LPG cargo and ballast-handling simulator;  
LNG cargo and ballast-handling simulator;  
Familiarization training for LNG tankers; and  
Specialized training for LNG tankers,

and make them available to the Organization free of charge for the benefit of the international shipping industry and for circulation to the validation panel for its comments with a view to validate them at the next session of the Sub-Committee.

#### ***Unlawful practices associated with Certificates of Competency***

In considering issues relating to unlawful practices associated with certificates of competency and the means to prevent them, the secretary general noted that the Sub-Committee would be considering advice on the implications for the Organization if the nationality of individuals holding a fraudulent certificate was to be included in any report published by the Secretariat and hoped that further progress to prevent these dangerous and unlawful practices could be made.

#### **Measure to enhance Maritime Security**

The Sub-Committee recalled that MSC 75 (MSC 75/24, paragraph 22.9) had decided to include in the work programme of the Sub-Committee and provisional agenda for STW 34, a high-priority item on Measures to enhance maritime security. The Sub-Committee also recalled that STW 36 had prepared training and certification requirements for ship security officer as well as training requirements for company security officers.

With regard to training and certification of ship security officers MSC 80 had:

Approved draft amendments to the STCW Convention along with the associated draft MSC resolution, regarding requirements for the issue of certificates of proficiency for ship security officers;

Approved draft amendments to part A of the STCW Code on Training requirements for issue of certificates of proficiency for ship security officers; and approved related draft amendments to part B of the STCW Code on Guidance regarding training for ship security officers and the associated STCW.6 circular, to become operative on the same date as the entry into force of the aforementioned amendments to the STCW Convention and part A of the STCW Code, with a view to adoption at MSC 81 (MSC 80/24, paragraphs 5.7 to 5.9); Instruments to be reviewed and amended so as to include appropriate security-related provisions.

The Sub-Committee recalled that training and knowledge requirements for .the Company Security Officer. and .appropriate shore-based personnel.; .the Ship Security Officer, shipboard personnel having specific security-related duties and all other shipboard personnel were set out in the ISPS Code (paragraphs B/13.1 to B/13.4) and agreed to refer both documents to the working group to be established to consider measures to enhance maritime security, for detailed consideration.

The Sub-Committee agreed that the working group, to be established to consider measures to enhance maritime security, should identify the various aspects of the STCW Convention which may need to be reviewed and amended with a view to including therein appropriate security-related provisions. Furthermore, the group should note that the Committee expected a holistic proposal on the matters which needed to be addressed and that the drafting of specific amendments would be initiated after the Committee had reviewed and endorsed the proposals of the Sub-Committee.

Education and Training Requirements for Fatigue Prevention, Mitigation and Management IFSMA arranged for the Nautical Institute to report on their research into fatigue at an informal session at STW subcommittee meetings and this was well received.

At his opening address the IMO Secretary General drew attention to the outcome of recent analyses of accidents which indicated that, due to inappropriate levels of manning and watchkeeping arrangements, particularly in short sea voyages, fatigue had emerged as a significant contributory factor in accidents. In this context, the IMO principles of safe manning and the provisions related to watchkeeping arrangements and hours of rest within the STCW Convention were arguably sufficiently comprehensive.

However, against the background of continuing accidents attributable to fatigue, he expressed the view that perhaps the time had come for these principles to be re-assessed, possibly by the identification of factors against which maritime Administrations could evaluate proposed or actual manning levels on ships of similar types, size and trade.

The Sub-Committee recalled that, in considering the report of the Joint MSC/MEPC Working Group on the Human Element (MSC 75/WP.10), MSC 75 had considered the issue of education and training for fatigue prevention, mitigation and management to be very important and of some urgency and had agreed to include, in the Sub-Committee's work programme and provisional agenda for STW 34, a high priority item on .Mandatory education and training requirements for fatigue prevention, mitigation and management..

STW 34 had decided that training in fatigue management should be addressed through voluntary guidance rather than mandatory requirements and had invited Member Governments to submit information on their experience with the application of the Guidelines on fatigue, as set out in MSC/Circ.1014, and the hours of work and rest provisions in STCW chapter VIII and ILO Convention 180;

STW 35 had decided that, in light of no submissions from Member Governments related to their experiences with the application of the above provisions, it was premature to develop a model course, as proposed by the United States; and

STW 36 had agreed that, since only one submission related to experiences with

the application of the above provisions had been received, it was still premature to decide on this issue.

The Sub-Committee, noting the information provided by some administrations requested the delegation to provide STW 38 with the results of the research and noted the information provided by a study commissioned by the Dutch Government concerning fatigue and fatigue prevention and that detailed findings could be submitted to MSC 81. In light of this the sub-committee requested MSC 81 to extend the target completion date to 2007.

### ***Development of Competency for Ratings***

The Sub-Committee recalled that MSC 79 had considered the outcome of the ILO Preparatory Technical Conference and had instructed STW 36 to consider the issue and the possible implications arising from standards for training related to ratings being regulated by the Organization, and to suggest the best way forward to MSC 80 and that:

there was a need for ILO to consider the legal status of those countries that had ratified ILO Convention No.74;

there was a need to provide for transitional arrangements for seafarers holding certificates issued under the provision of ILO Convention No.74;

the term 'able seamen' needed to be retained as it had implications within the ILO regulatory framework, in particular to basic wage recommendations;

the proposed standards to be developed should include both deck and engine-room ratings, with a possibility of also addressing general purpose ratings; the proposed standards should follow the structure of the present STCW Convention namely:

competence;

knowledge, understanding and proficiency;

methods of demonstrating competence; and

criteria for evaluating competence,

To facilitate the development of competence for ratings, STW 36 had also established a correspondence group, under the co-ordination of the United Kingdom, to continue the work intersessionally.

The Sub-Committee agreed with the proposal of the correspondence group to adopt a two-stage grading structure while developing competences for ratings without using the terms Grades 1 and 2, as follows:

entry point as trainee as defined by paragraph 1 of existing regulations II/4 and III/4;

deck and engine-room watchkeeping rating, as defined by existing regulations II/4 and III/4 respectively; and

able seafarer and motorman as defined by the proposed new regulations II/5 and III/5 respectively.

The Sub-Committee agreed that the proposed new grades of able seafarer and motorman should be trained and certificated in accordance with the requirements of existing regulations II/4 and III/4 respectively, prior to being certificated in the proposed new grades. In this context, the Sub-Committee agreed that it was necessary to strengthen the requirements of chapters II and III by the inclusion of new draft regulations II/5 and III/5 for able seafarer and motorman respectively to reflect the proposed new grading structure.

The Sub-Committee also agreed that the existing requirements in regulations II/4 and III/4 were appropriate for deck and engine-room watchkeeping rating, and that in doing so, there was also no need to address the issue of new entrants/trainees since paragraph 1 of existing regulations II/4 and III/4 already provided for trainee ratings on board ship.

Some delegations were of the view that in order to provide flexibility, it was appropriate to explore the possibility of developing competences for General Purpose (GP) ratings.

The Sub-Committee therefore agreed that the proposed correspondence group should be

tasked to consider the need for the development of training and certification requirements for General Purpose (GP) ratings and prepare such requirements, if deemed necessary.

The Sub-Committee considered in detail the qualification requirements for the proposed new grading structure and agreed that the able seafarer should have proficiency in survival craft and rescue boats only but not in advanced fire-fighting while the motorman would not require training in either.

The Sub-Committee agreed that it was necessary to develop definitions for the terms .able seafarer. and motorman. for inclusion in the STCW Convention to reflect the proposed new ratings grading structure taking into consideration the definition in the ILO Certification of Able Seamen Convention, 1946 (C74). Accordingly, the Sub-Committee prepared the following definitions for .able seafarer. and .motorman.:

*Able seafarer* means a rating qualified in accordance with the provisions of regulation II/5 of the Convention.

*Motorman* means a rating qualified in accordance with the provisions of regulation III/5 of the Convention.

In this context, the Sub-Committee also agreed that the proposed correspondence group should also explore the possibility of resolving the gender issue relating to the term .motorman.

The Sub-Committee discussed in detail the actual seagoing service required for certification as an able seafarer and agreed that it should be not less than 18 months or, not less than 12 months with completion of approved training.

The Sub-Committee agreed the actual seagoing service required for certification as a motorman should be not less than 12 months or not less than 6 months with completion of approved training.

The Sub-Committee considered in detail the mandatory minimum requirements for certification of ratings as able seafarer, and as motorman in a manned engine-room or designated to perform duties in a periodically unmanned engine-room, to reflect the proposed new grading structure for ratings and also agreed that appropriate transitional arrangements should be put in place so that existing seafarers certified in accordance with the provisions of the ILO Certification of Able Seamen Convention 1946 (C74) are not at a disadvantage.

### ***Revalidation of GMDSS Operators Certificate***

The Sub-Committee noted that COMSAR 9, had invited the Committee to change the title to .Revalidation of GMDSS operator's certificate. MSC 80 had concurred with the recommendations of both STW 36 and COMSAR 9 and had added a corresponding new work programme item with a target completion date of 2007 and included it in the agenda for STW 37.

The Sub-Committee agreed that there was a real skills problems associated with GMDSS operators and that the long-term solution could be addressed through standardization of equipment and operating procedures. In this context, the Sub-Committee agreed to invite COMSAR 10 to include this in the IMO liaison statement to WRC 2007. As an immediate solution, the Sub-Committee prepared an MSC circular on promoting and verifying continued familiarization of GMDSS operators on board ships, as set out in annex 4 and invited the Committee to approve it.

### ***Consolidated amendments to STCW Convention***

The Secretary-General in his opening address, noted that the 1995 version of the STCW Convention had been amended four times since its adoption and was likely to be amended

further over the medium-term, expressed the view that since more than ten years had elapsed since its last major revision, perhaps the time had come for the Sub-Committee to give some preliminary consideration to the need for, and the timing of, another comprehensive review of the Convention to ensure that it met the new challenges facing the shipping industry in the years to come and if appropriate to advise the MSC accordingly with full justification. In considering the remarks made by the Secretary-General on the need for a preliminary consideration of another comprehensive review of the STCW Convention, the Sub-Committee, after an in-depth discussion, agreed that it was indeed necessary and timely to undertake such a review of the STCW Convention and the STCW Code with a view to consolidating the various changes, additions and modifications including the removal of any anomalies that could arise. This would ensure that the Convention meets the new challenges facing the shipping industry including, but not limited to, rapid technological advances today and in the years to come.

The Sub-Committee noted the following illustrative list of issues to be reviewed in the Convention and Code included:

- security provisions;
- development of competence for ratings;
- the review of *near coastal voyage*;
- competence standards for tankers, including LNG carriers;
- demonstration of competence;
- the review of alternative certification in chapter VII; and
- the criteria for safe manning and inclusion of rest provisions.

This being the case, the Sub-Committee also agreed that it would be appropriate at this stage to also harmonize the various inconsistencies that may arise during the review, and taking into account new and innovative training methodologies including, but not limited to, the use of simulator in training and e-learning.

The Sub-Committee further agreed that, taking into account the experience gained after the 1995 revision and a number of subsequent amendments, it would be more pragmatic to ensure that the resulting amendments were developed concurrently and therefore a comprehensive review of the STCW Convention and Code should be undertaken.

This will benefit Administrations, training institutions, ship-owners and seafarers will benefit from the proposed comprehensive review as follows:

- Administrations would need to amend laws, decrees and regulations relating to training and certification requirements only once, instead of several times, thereby saving legislative time and reducing administrative burden;

- training institutions would need to revise their curriculum only once to meet these requirements resulting in more time being available for training;

- shipowners would have the benefit of planning the training of its crew in a holistic manner, rather than in a piecemeal process leading to saving of time and money; and

- seafarers normally have to undertake the new training requirements during their leave period after a long spell on board. It would be beneficial for them to undertake these requirements in a single phase rather than every time they are on leave.

This matter should have high priority since there is benefit for all sectors of the industry. It is expected that the review could be completed by the end of 2008 with a proposed entry into force date of 1 January 2010.

### **The International Labour Conference 94<sup>th</sup> (Maritime) Session in Geneva**

During this three week conference members of the ILO agreed to adopt an instrument consolidate maritime labour standards. Although the Provisional Record is with the Secretariat, time does not permit a meaningful explanation of this complex document at this

time. However once ratified by sufficient members it will have a positive effect on our industry.

**The Sub-Committee on Ship Design and Equipment (DE) (49<sup>th</sup> session) held 20<sup>th</sup> -24<sup>th</sup> February 2006**

Much of DE's work is technical and routinely checks on equipment etc. Some interesting developments are listed below.

Mandatory Emergency Towing systems in ships other than Tankers of not less than 20,000 DWT

The Sub-Committee recalled that DE 48 had established a correspondence group under the co-ordination of Germany and instructed it to prepare a proposal for draft amendments to SOLAS regulation II-1/3-4 on Emergency towing arrangements on tankers, and related guidelines for the assessment of deck equipment to be used in emergency towing, taking into account comments and proposals made in plenary.

The Sub-Committee had for its consideration the report of the correspondence group (DE 49/7) and also document DE 49/INF.3 (both by Germany). The Sub-Committee noted that, due to a lack of commonly agreed scope and content of the procedures, the correspondence group had not been able to develop specific wording for the SOLAS amendments and the related guidelines as requested in its terms of reference. The report contains, in annex 1, an outline for the draft amendments and related comments and, in annex 2, a rough outline for guidelines and related comments. Document DE 49/INF.3 contains the report of a shipmaster on the connection of two tugs using both anchor chains under SW monsoon conditions and the subsequent towing of the vessel, intended to illustrate the issue under discussion.

The Sub-Committee agreed, in principle, to the draft amendments to SOLAS regulation II-1/3-4 for further consideration at DE 50.

In the context of the possible application of the proposed draft SOLAS amendments and in view of the decision made earlier to apply the proposed amendments to cargo ships above 500 gross tonnage and all passenger ships, the Sub-Committee noted possible difficulties regarding the application to existing ships, in particular that in existing ships certain information may not always be available, e.g. capacity of bollards. However, the Sub-Committee agreed that the proposed draft SOLAS amendments should apply to existing ships and the above-mentioned difficulties could be taken into account when developing the guidelines for procedures. Bearing in mind that one date of coming into force for all ships, both new and existing, could lead to a bottleneck in developing the required procedures, the Sub-Committee agreed to split the date of entry into force into two phases: one date for new ships, existing cargo ships of not less than 20,000 dwt, and existing passenger ships; and another date for existing cargo ships of less than 20,000 dwt two years later.

Noting that SOLAS regulation II-1/3-4 requires emergency towing arrangements on tankers of not less than 20,000 dwt the Sub-Committee discussed the application of emergency towing procedures also to such tankers. Noting further that the existing SOLAS requirements as well as the Guidelines on emergency towing arrangements for tankers, adopted by resolution MSC.35(63), do not explicitly contain requirements for procedures, but on the other hand most of those ships are provided with respective procedures anyway, the Sub-Committee agreed to apply the new procedures also to tankers of not less than 20,000 dwt.

The Sub-Committee noted the comments made during previous meetings and in the correspondence group and discussed the exemption of ships fitted with redundant propulsion systems. Some delegations were of the opinion that having a redundant

propulsion would significantly reduce the likelihood of a ship facing such emergency situations and consequently such additional investments in the ship's safety should be encouraged by exemptions, while other delegations felt that emergency towing procedures would be beneficial also for ships having redundant propulsion. However, after further discussion, the Sub-Committee agreed not to provide for exemption of ships having redundant propulsion systems. In case of, for example, offshore supply vessels, it was mentioned that, in particular, such ships could be used for towing and, subsequently, it could be of additional value to reflect this different view in their onboard procedures.

Regarding the question as to whether to limit the procedures to towing over the bow only or not, aside from possible misinterpretations in case of, for example, double ended ferries, the Sub-Committee was of the opinion that there would be no benefits in such a limitation, in particular as the additional burden to extend the considerations for establishment of emergency towing procedures to towing over the aft would be minor. Subsequently no such limitation to one end of a ship was included in the draft SOLAS amendments.

With regard to the draft SOLAS amendments, a certain affinity to the ISM requirements was noted and it was discussed whether the proposed text would be more suitable as part of SOLAS chapter IX. However, having in mind the different concept in ship management requirements, it was agreed that detailed requirements closely related to technical equipment should better remain in SOLAS chapter II-1 and to refer to implications regarding ISM Code matters with a clear reference in the guidelines to be developed.

The Sub-Committee, noting the special characteristics and operational environment of high-speed craft agreed to instruct the correspondence group (see below to consider the need of such procedures for high-speed craft, including the implications this might have for other instruments like the HSC Code).

Furthermore, the Sub-Committee noted possible implications on navigational issues and instructed the Secretariat to inform the NAV Sub-Committee about the ongoing work on emergency towing procedures in the Sub-Committee.

In order to progress the work on the item intersessionally, the Sub-Committee agreed to establish a correspondence group taking into account comments and proposals made in plenary, to finalize the related guidelines for owners/operators on the development of emergency towing procedures.

The Sub-Committee agreed to recommend to the Committee an extension of the target completion date for the item to 2007 in order to complete the work at the next session.

#### Revision of the Guidelines for Handling Oily Wastes in Machinery Spaces of Ships

The Sub-Committee had for its consideration document DE 49/9, containing the draft revision of the Guidelines for systems for handling oily wastes in machinery spaces of ships (MEPC/Circ.235), incorporating the design concept of integrated bilge water treatment systems (IBTS).

During the discussion, while the draft revised circular was supported in principle, views were expressed that large quantities of waste water generated by automatic back-flushing oil had not been addressed and that difficulties could be expected concerning the storage, incineration and discharge ashore of slops with a very high water content. With regard to the flow diagram of IBTS (annex 1 of document DE 49/9), The Sub-Committee agreed to include clean water tanks in the diagram.

The Sub-Committee considered that work on the item had been completed, and agreed to recommend to the MEPC the deletion of the item from the Sub-Committee's work programme.