Maritime safety: minimum level of training of seafarers

1996/0240(SYN) - 25/05/1998 - Final act

OBJECTIVE: to amend Directive 94/58/EC on the minimum level of training of seafarers. COMMUNITY MEASURE: Council Directive 98/35/EC amending Directive 98/58/EC on the minimum level of training of seafarers. SUBSTANCE: the amendments to Directive 94/58/EC take account of the provisions of: a) the revised annex adopted in 1995 to the International Convention on Standards of Training, Certification and Watchkeeping (STCW Convention of 1978); b) the STCW Code adopted in 1995. The main changes concern the following points: -certificates for masters, officers and radio operators, -the principles governing near-coastal voyages, -penalties or disciplinary measures, -quality standards (training), -revalidation of certificates, -use of simulators, -responsibilities of shipping companies, -fitness for duty (particularly physical fitness, eyesight and hearing), -port State control, -detention. The Directive lays down the principle that Member States are to recognise seafarers' qualifications only if they have been issued by (or on behalf of) parties to the STCW and if the qualifications, at the minimum, comply with the provisions of the Convention. An annex (Annex I) clearly defines the training required by the Member States in accordance with the STCW Convention. However, Member States may adopt standards higher than the minimum standards laid down by the STCW Convention and the Directive. The Directive lays down common criteria for recognition by Member States of certificates issued in third countries (Annex II), while leaving them a measure of discretion where harmonised action is not necessary. Member States must ensure that standards of competence and rules on the issue and approval of certificates are fully complied with. These criteria will be reviewed within 5 years of the application of the Directive. As regards minimum rest periods for watchkeeping personnel, the Directive states that a separate instrument concerning length of working time will be adopted later. Nonetheless, it contains provisions on rest periods for officers in charge of a watch. Provisions are also laid down to facilitate comprehension of communications on board, particularly that personnel must receive essential information in a language which they understand. ENTRY INTO FORCE OF THE DIRECTIVE: 17.06.1998. DEADLINE FOR TRANSPOSITION OF THE DIRECTIVE INTO NATIONAL LAW: 01.07.1999.