

	CIRCULAR STCW 1998-001		
	DEPARTMENT OF MARINE SERVICES AND MERCHANT SHIPPING (ADOMS)		
	Responsibilities of Companies.	Ref	Merchant Shipping Act 2006.

**Companies operating ships under the flag of Antigua and Barbuda,
Ships registered in Antigua and Barbuda,
Authorised Filing Agents**

This Circular was previously published as No. 01-001-98. It is republished with minor editorial changes under this new numbering scheme.

The STCW Convention, the ISM Code and the MLC all contain references to the responsibilities of Companies and Company is defined as:

“Company means the owner of the ship or any other organisation or person such as the manager, or the bare boat charterer, who has assumed the responsibility for operation of the ship from the ship owner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by these regulations”.

Responsibilities Overview

The direct responsibilities for companies from the STCW Convention come from:

- Reg. I/14
- Reg. VI/1
- Reg. VI/6
- Reg. VIII/1

In detail these responsibilities cover:

- Seafarer Certificates
- Manning
- Measures to prevent fatigue
- Record keeping
- Crew-coordination
- Ship specific on-board familiarisation training
- Basic training
- Elementary safety familiarization for all seafarers
- Security-related training and instruction for all seafarers
- Refresher and updating training
- Effective oral communication
- Establishing who is responsible

These provisions of the STCW Convention are enforced by requiring Administrations to apply penalties.

To avoid unnecessary penalties, companies, crewing agencies and ship board personnel at the management level are herewith made aware of their responsibilities and obligations.

Responsibilities derived from STCW I/14 and A-I/14

This Administration will hold companies responsible for the assignment of seafarers for service on their ships in accordance with the provisions of the present Convention (STCW 78, as amended) and require every such company to ensure that:

- **Certificate:**
each seafarer assigned to any of its ships hold an appropriate certificate in accordance with the provisions of the Convention and as established by the Administration.
- **Manning:**
ships are manned in compliance with the applicable minimum safe manning requirements of the Administration as set out in the ship's Minimum Safe Manning Document.
- **Prevention of Fatigue:**
all seafarers are provided with sufficient hours of rest in accordance with the internationally agreed standards as set out in the Merchant Shipping (Maritime Labour Convention 2006) Regulations 2012.
- **Refresher and Updating Training:**
seafarers assigned to any of its ships have received refresher and updating training as required by the Convention.
- **Record-keeping:**
documentation and data relevant to all seafarers employed on its ships are maintained, readily accessible, and include but not limited to documentation and data on their experience, training, medical fitness and competency in assigned duties.
- **Ship Board Familiarisation:**
seafarers, on being assigned to any of its ships are familiar with their specific duties and with all ship arrangements, installations, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties.
- **Crew Coordination:**
the ship's complement can effectively coordinate their activities in an emergency situation and in performing functions vital to safety, security and to the prevention or mitigation of pollution.
- **Effective oral communication:**
at all times on board its ships there shall be effective oral communication in accordance with Chapter V, Regulation 14, paragraphs 3 and 4 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended.

It is the responsibility of companies, to ensure that the seafarers they employ meet minimum standards of competency as stipulated by this STCW regulation.

Responsibilities derived from STCW VI/1 and A-VI/1

Mandatory minimum requirements for safety familiarization and basic training and instructions for all seafarers means that all personnel who are assigned to any shipboard duties will have to undergo familiarisation concerning elementary safety matters before being assigned their duties. It also means that more comprehensive training or instruction in safety and emergency matters should be undertaken by seafarers with designated safety or pollution-prevention duties. It is a responsibility for Companies to arrange this and to fit it in to their ISM systems.

Responsibilities derived from STCW VI/6 and A-VI/6

Mandatory minimum requirements for security-related training and instructions for all seafarers means that all personnel who are assigned to any shipboard duties will have to undergo security-related familiarisation training and security-awareness training or instruction in accordance with Section A-VI/6-1 before being assigned to their duties.

Personnel who are designated to perform security duties, including anti-piracy and anti armed robbery related activities, are required to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-VI/6-2.

Responsibilities derived from STCW VIII/1 and A-VIII/1

Companies will be held responsible for preventing fatigue on board of Antigua and Barbuda flagged ships and are required to:

- establish and enforce through the ship's command, rest periods for all seafarers in accordance with the Merchant Shipping (Maritime Labour Convention 2006) Regulations 2012 and Section A-VIII/1 of STCW and the MLC.
- ensure through the ship's command that the watch system is arranged so that the efficiency of all watchkeeping personnel is not impaired by fatigue and that the duties are organized that the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and otherwise fit for duty.
- ensure for the purpose of preventing drug and alcohol abuse, that adequate measures are established in accordance with the provisions of Section A-VIII/1 while taking into account the guidance given in Section B-VIII/1 of the STCW Code and bearing in mind Director's Directive 004-2012.

Company Instructions to Masters

Complete awareness about the companies' policy and the requirements of the STCW Convention are of utmost importance to the Master and the ship's command. Company instructions should generate awareness of the consequences to the ship and its personnel in case of non-compliance with the requirements of the Convention.

For this purpose, similar written instructions are to be made available by companies to their Masters on at least the following items:

- Enforcement of the STCW requirements through the Flag State and Port State Control.
- The importance of ensuring that all seafarer's certificates of competency, endorsements and seafarer's books issued by this Administration and required by the STCW Convention, are in accordance with the requirements of this Administration and issued on the basis of a recognized valid foreign national equivalent certificate. All of these certificates must be available in original on board the ship.
- The importance of ensuring that the number and certificate type held by the seafarer serving on board the ship are in conformity with the applicable safe manning requirements of this Administration. All documents and data relevant to all seafarers employed on board are maintained and accessible.
- Requirements to ensure that seafarers are familiarised with their specific duties and obligations on board before they are assigned to their duties.
- Arrangements to ensure that ships crews are able to coordinate their activities in an emergency situation on board their ship.
- Arrangements to ensure compliance to the required rest periods to avoid fatigue.
- The provision on board of instructions/guidelines for on board training.
- Arrangements to ensure that all officers on board have appropriate knowledge of the Flag State's maritime legislation.
- Arrangements to ensure that officers on board are in possession of the required competence and can demonstrate it in accordance with the criteria laid down in the Code of the Convention.
- Arrangements to ensure that STCW 2010 related training carried out on board is conducted in accordance with Reg. I/6 and Section A-I/6 and is documented in a training record book or an appropriate record book.
- Arrangements to ensure that all seafarers on board, forming part of a watch, are in possession of certificates in compliance with the requirements of Chapter II and Chapter III of the Convention and that they are able to meet the minimum standards of competence.
- Arrangements to ensure that the provisions for the maintenance of proper radio watchkeeping and corresponding personnel is complied with at all times. All officers concerned are to be aware about misuse of radio equipment and unnecessary false alert of emergency signals.

- Arrangements to ensure that seafarers on board tankers can comply with the requirements as defined in STCW Reg. V/1-1 and V/1-2 and Section A-V/1 and A-V/1-2 when applicable.
- Arrangements to ensure that all seafarers concerned have completed the necessary training and possess the required certificates under the provisions of STCW Chapter VI (standards regarding emergency, occupational safety, security, medical care and survival functions). These certificates should be available in original on board of the ship.
- Arrangements to ensure that watchkeeping duties on board meet the provisions of STCW Chapter VIII. Every effort is to be made to prevent fatigue on board the ship. In observing rest period requirements, overriding operational conditions are to be construed only to mean essential shipboard work which cannot be delayed for safety reasons or anticipated at the commencement of the voyage.
- Arrangements to ensure that seafarers are informed of the direct effect of drugs and alcohol on their ability to perform watchkeeping duties. Every effort is to be made to prevent drugs and alcohol from impairing the ability of watchkeeping personnel.

Control

Companies are required to instruct Masters to have written ship board procedures, records, lists, documentation, guidelines, entries into log book, etc. in compliance with the items mentioned above. The aforementioned will be subject to inspections and surveys carried out by the Flag State.

Updated January 2013.