

Explanatory Statement 13 of 2022

2021 amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978 (STCW 1978)

MSC.486(103)

(adopted 13 May 2021)

Practical and legal effect

This treaty action is Australia's acceptance of amendments to Chapter 1 of the *International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978* (STCW) to provide for a new definition for 'High-Voltage' and to amend the definition for 'Operational Level' as a consequential amendment from the introduction of the 2010 Manila Amendments.

These amendments are minor and not expected to have any significant practical, financial or legal impacts for Australian maritime industry stakeholders.

Nature and timing of proposed treaty matter

The 1978 STCW Convention is an international instrument establishing basic requirements of training, certification and watchkeeping for seafarers on an international level. It is maintained by the Maritime Safety Committee (MSC) of the International Maritime Organization (IMO) – a specialised agency of the United Nations.

The amendments to Chapter 1 of STCW outlined in resolution MSC.486(103) were adopted by MSC on 13 May 2021. The amendments were deemed to have been accepted on 1 July 2022 and will enter into force on 1 January 2023.

Reasons for Australia to take the proposed action relating to the treaty matter

Australia's acceptance of the amendments is consistent with our longstanding advocacy, as an IMO Council Member, for greater transparency, efficiency and innovation to enable the IMO to adapt to rapid changes in the maritime industry.

Implementing Legislation

No legislative changes are needed to implement the proposed treaty action.

Marine Order 72 (MO72) gives effect to STCW and the amendment provided for by the resolution. The amendment will be automatically accommodated in MO72, and no amendment to the marine order is required.

Maritime Shipping

The Department of Infrastructure, Transport, Regional
Development and Communications and the Arts

Submitted to JSCOT
2022

RESOLUTION MSC.486(103)
(adopted on 13 May 2021)

**AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF
TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978
(STCW 1978)**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO article XII of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 ("1978 STCW Convention"), concerning the procedures for amending the 1978 STCW Convention,

NOTING the repeated references to "high-voltage" in the Seafarers' Training, Certification and Watchkeeping Code ("STCW Code"), without a specific definition for this term,

HAVING CONSIDERED, at its 103rd session, amendments to the 1978 STCW Convention proposed and circulated in accordance with article XII(1)(a)(i) thereof,

1 ADOPTS, in accordance with article XII(1)(a)(iv) of the 1978 STCW Convention, amendments to the said Convention, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article XII(1)(a)(vii)(2) of the 1978 STCW Convention, that the said amendments shall be deemed to have been accepted on 1 July 2022, unless, prior to that date, more than one third of Parties, or Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant shipping of ships of 100 gross register tons or more, have notified the Secretary-General of the Organization that they object to the amendments;

3 INVITES Parties to note that, in accordance with article XII(1)(a)(ix) of the 1978 STCW Convention, the amendments annexed hereto shall enter into force on 1 January 2023 upon their acceptance, in accordance with paragraph 2 above;

4 URGES Parties to implement the amendments to regulation I/1.1 at an early stage;

5 REQUESTS the Secretary-General, for the purposes of article XII(1)(a)(v) of the 1978 STCW Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Parties to the 1978 STCW Convention;

6 REQUESTS ALSO the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization which are not Parties to the 1978 STCW Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF
TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978
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**CHAPTER I
General provisions**

1 In regulation I/1.1, the following new definition is added:

".44 *High-voltage* means an alternating current (AC) or direct current (DC) voltage in excess of 1,000 volts."
