



# Kiribati Ship Registry

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## MARINE CIRCULAR 6-2008

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**FOR:** Ship Owners, Ship Managers, Ship Charterers, Ship Masters and the Shipping Community

**SUBJECT:** Certificate of Endorsement (COE) for Officers Onboard Kiribati Ships

### About STCW and STCW-F

The International Maritime Organisation (IMO) has adopted special measures to enhance maritime safety.

The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978 was adopted 7 July 1978 and came into force 28 April 1984. The 1995 amendments, which completely revised the Convention, came into force 1 February 1997.

The International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995 was adopted 7 July 1995.

The Kiribati Ship Registry (KSR) is the Administration responsible for ensuring the implementation on Kiribati-registered ships. As a responsible flag state, KSR informs of the information provided in this circular.

### Crew-related Detainable Deficiencies

The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995, Chapter I, Regulation I/4(2) states:

*The deficiencies deemed to pose a danger to persons, property or the environment include the following:*

- (1) failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the Administration in accordance with regulation I/10, paragraph 5;*
- (2) failure to comply with the applicable safe manning requirements of the Administration;*
- (3) failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the Administration;*
- (4) absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radiocommunications or the prevention of marine pollution; and*
- (5) inability to provide for the first watch at commencement of a voyage and for subsequent relieving watches persons who are sufficiently rested and otherwise fit for duty.*

Failure to correct any of the deficiencies mentioned could result in detention. Detention fine and penalty shall apply. The flag state should be notified of any change of officers (and crew list) and new officers joining the ship should apply for Certificates of Endorsement (COE).

## **Crew List**

The Kiribati Merchant Shipping Act 2006, Part VIII, Section 148 states:

- (1) An owner or the master of a vessel shall make a list of the crew of the vessel, which list shall be known as the Crew List, and which shall be deposited with Registrar of Seafarers or a person or class of persons designated by the Director, before the vessel departs from the port.*
- (2) The Crew List shall contain all the crew and their positions on board the vessel and only those crew on board the vessel at the time of sailing, and if the names and address of the next-of-kin are not recorded in the Articles of Agreement, then the crew list shall contain each seafarer's next-of-kin and their current address.*
- (3) A person who without reasonable cause fails to maintain the Crew List of a vessel or fails to deposit a copy with the Registrar of Seafarers commits an offence and shall be liable upon conviction to a fine not exceeding US\$5,000.00.*

## **Fines for Non-compliance and Fraud**

The Kiribati Merchant Shipping Act 2006, Part VII, Section 94(2) states:

*Where, in respect of the manning of a vessel that is registered under this Act, there is a failure to comply:*

- (a) with a requirement of the STCW Convention or the Code; or*
  - (b) with the provisions of any Regulations made under this Act,*
- the owner and master of the vessel commit an offence and each shall be liable upon conviction to a fine not exceeding US\$10,000.00.*

The Kiribati Merchant Shipping Act 2006, Part VII, Section 110 states:

- (1) No person shall go to sea purporting to be a holder of a Certificate, issued under STCW Convention or Code, of a particular class or designation who does not hold a Certificate of that class or designation, and any person who does so commits an offence and shall be liable upon conviction to a fine not exceeding US\$5,000.00 or a term of imprisonment not exceeding 2 years.*
- (2) Neither the owner nor the master of a vessel shall knowingly permit a person who does not hold a Certificate, issued under the STCW Convention or Code, of a particular class or designation, to go to sea on the vessel as a seafarer of that class or designation, and any owner or master who does so commits an offence and each shall be liable upon conviction to a fine not exceeding US\$10,000.00 or a term of imprisonment not exceeding 5 years.*
- (3) Any person who fails to comply with any of the provisions of this Part in respect of Pilotage, for which no other penalty is provided, commits an offence and shall be liable upon conviction to a fine not exceeding US\$5,000.00 or a term of imprisonment exceeding 1 year.*

Vessels should be manned by suitably qualified crew holding valid COE corresponding to the minimum safe manning requirements as stipulated on the Minimum Safe Manning Certificate.

We believe that a prudent ship owner and manager will comply with the above crew certification requirements. Compliance will help prevent unnecessary detentions and reduce unnecessary delays

The above shall apply with immediate effect. Please be guided seriously.

All KSR Circulars and the Kiribati Merchant Shipping Act 2006 can be found on the KSR website at <http://www.kiribaship.com>.

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