

GOVERNMENT OF INDIA
MINISTRY OF SHIPPING
DIRECTORATE GENERAL OF SHIPPING
BETA BUILDING, 9th FLOOR
I-THINK TECHNO CAMPUS
KANJUR MARG (EAST)
MUMBAI - 400042

No.MSL-STCW-2(1)/2006-II

Date: 25-05-2012

MS NOTICE NO. 14 OF 2012 25 MAY

Sub: Engagement of Indian NCV Certificate holding seafarers for Near Coastal Voyages in other Coastal States.

Currently Indian seafarers who have limited endorsement of the Near Coastal Voyages (NCV) areas on their Certificate of Competency (COC) have their employment avenues restricted to the Bangladesh, India, Maldives, Myanmar and Sri Lanka (BIMMS) area under existing provisions of Regulation 1/3, which entered into force on 1st February 1997.

2. In the meantime it has come to the notice of this Directorate that there are a number of Coastal State Administration who are willing to have Indian NCV certificate holders work in their NCV areas.

3. The Manila amendments 2010 to the international Convention on standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended, have a provision for principles governing near- coastal voyages, i.e. Regulation 1/3 paragraph 2, which provides that quote - "A party that, for ships afforded the benefit of the near- coastal voyage provisions of the Convention, which includes voyages off the coast of other Parties within the limits of their near-coastal definition, shall

enter into an undertaking with the parties concerned specifying the details of both involved trading areas and other relevant conditions." — unquote,

4. Drawing out of formal bilateral undertakings may take some time. Therefore, as an interim measure to enhance employment opportunities of the Indian NCV COC holders, the Directorate General of Shipping vide powers under Rule 46 of the MS (STCW) Rules, 1998 read with Sec 456 of the MS Act, 1958 (as amended), hereby permits engagement of the Indian NCV COC holders, to serve on the NCV Coast of other State Parties, provided:

1. The Indian NCV COC is acceptable to the concerned flag State and the coastal State, subject to fulfillment of training and assessment requirements stated in sub para 2 below.

2. Fulfillment of additional training and assessment, if any, as *may be* applicable with respect to knowledge of local area, meteorological conditions, maritime legislation of coastal state, etc if and as prescribed by the administration where such Indian NCV COC holder is to be engaged for employment, shall be covered under Owner/RPSL agent's responsibilities.

3. The recruitment of the seafarer is through the INSA members or any approved Indian Recruitment & Placement Service License (RPSL) holders. Please refer to our website www.dgshibping.com for details of the license issued to the Recruitment & Placement services.

4. Such NCV COC holders shall not be permitted to undertake employment for being engaged in foreign going voyages. They will therefore, necessarily join and sign off to/from their ship, whilst such ship is operating within NCV areas only.

5. Necessary endorsements is made for the near-coastal voyages limits by the concerned flag state and acceptable to the concerned coastal state in accordance with the endorsement issued pursuant to regulation 1/2, paragraphs 5, 6 or 7.

.6 Meets the principles governing near-coastal voyages specified in section A-I/3 of the STCW Code.

5. To facilitate, a specimen of the Undertaking for engaging Indian NCV COC holders, is enclosed for consideration of the flag State and coastal State.

6. This facilitation is subject to review and issues with the permission of the Director General of Shipping & ex officio Addl. Secretary to the GOI.

(Ash Mohomad)
Asstt. Director General of Shipping

To

1. The Principal Officer, Mercantile Marine Department,
Mumbai/Kolkata/Chennai/Kochi/Kandla

2. The Surveyor-in-Charge, Mercantile Marine Department,
Goa/Haldiaharnanagar/New Mangalore/Noida /Paradip/Port
Blair/Tuticorin/Visakhapatnam

3. The Shipping Masters, Mumbai/Kolkata/Chennai.

4. The Secretary, Indian National Shipowners' Association, 22 Maker Tower F
(2nd Floor), Cuffe Parade, Mumbai —400 005.

5. The Director, Foreign Owner Representatives & Shipmanagers Association (FOSMA), 1517, Maker Chamber V, Nariman Point, Mumbai 400 021.
6. The Indian Coastal Conference Shipping Association, Scindia House, Basement, N. M. Marg, Ballard Estate, Mumbai 400 001.
7. The Secretary, Maritime Association of Shipowners, Shipmanagers & Agents (MASSA), Mackinnon Mackenzie Building, 1st Floor, 4, Shoorji Vallabhdas Marg, Ballard Estate, Mumbai — 400 001.
8. The Chief Surveyor with the Govt. of India
9. The Nautical Adviser to the Govt. of India
10. The Chief Ship Surveyor
11. DDG - Crew
12. DDG-Training
13. Computer Cell
14. Hindi Cell
15. PS to DG for kind information
16. PS to Jt.DG for kind information
17. Guard file

SPECIMEN OF UNDERTAKING FOR ENGAGING INDIAN NEAR
COSTAL VOYAGES CERTIFICATES HOLDERS UNDER THE TERMS
OF THE INTERNATIONAL CONVENTION ON STANDARDS OF
TRAINING CERTIFICATION AND WATCHKEEPING FOR
SEAFARERS, 1978, AS AMENDED

1. This 'UNDERTAKING' is for the principles governing near-costal voyages made under the terms of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended. The Convention is referred to in this 'UNDERTAKING' as "STCW 78 as amended", including 2010 Manila Amendments, and the Code annexed to STCW 78 is referred to as "the STCW Code". This 'UNDERTAKING' is made without prejudice to the national laws of either Party to this 'UNDERTAKING'.

2. For the purpose of this Undertaking

1. The..... means the "Maritime Administration acting on behalf of the Government of....."

2. The term "Indian Administration" means the Directorate General of Shipping, Ministry of Shipping acting on behalf of the Government of India.

3. Having regarded to the provisions of paragraph 2 the Regulation 1/3 of STCW 78 as amended including the related provisions of the STCW Code, the parties to the undertaking in para (2) have reached the following undertaking.

- i) The Indian Administration is the Party whose national NCV certificates are to be recognized for use in other Parties defined NCV area and
"Maritime Administration" that will provide its Certificates of Recognition (endorsements) as evidence of such recognition.
- ii) The Indian Administration will ensure that the training and assessment of seafarers as required under STCW 78 is administered and monitored in accordance with the provisions of section A-1/6 of the STCW Code, and that a register or registers of all certificates and endorsements is maintained and the information will be made available as required by regulation 1/9 of STCW 78. Similarly the Administration will as per regulation 1/3 paragraph 3 shall ensure that those who are responsible for, and that those who provide such training and assessment are qualified in accordance with the provisions of section A-1/6 of the STCW Code for the type and level of training or assessment involved.
- iii) -In accordance with regulation 1/3 paragraph 6, the Indian Administration and Administration shall ensure the principles governing near coastal voyages, shall
 - a) meet the principles governing near-coastal voyages specified in section A-1/3;
 - b) communicate to the Secretary-General, in conformity with the requirements of regulation 1/7, the details of the provisions adopted; and

c) incorporate the near-coastal voyages limits in the endorsements issued pursuant to regulation 1/2, paragraphs 5, 6 or 7

iv) Where the Indian Administration for disciplinary reasons suspends, revokes or otherwise withdraws its Certificate of Recognition of a certificate issued by the Administration, the Indian Administration will provide the Administration with full details of the circumstances, within ninety (90) days of so doing.

v) This 'UNDERTAKING' comes into effect on the date of execution of this undertaking by the Administration. It will continue to have effect for a period of five (5) years.

vi) This 'UNDERTAKING' may be terminated by either Party to this 'UNDERTAKING' by written notice given at least six (6) months before the date on which it intends that the undertaking will cease to have effect. Unless either Party gives such notice at least six (6) months before the date when this undertaking would have ceased to have effect under the preceding paragraph, it will be renewed automatically for a further period of five (5) years.

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For theAdministration.....

Date this.... Day of.....2012

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For the Indian Administration

Date this.... Day of2012

