

How we give effect to the STCW Convention

Policy (OD 01)

Date issued August 2024

New Zealand is a party to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978 as amended (the Convention). The Convention seeks to ensure that seafarers on commercial vessels are qualified and fit for their duties. As a party to the Convention, New Zealand has agreed to introduce laws and take all necessary steps to give effect to the Convention.

New Zealand applies the Convention outside of restricted limits. The near-coastal provisions of the convention apply in the combined area of the coastal and offshore limits, excluding restricted limits.

A set of technical regulations and guidelines are included in the Convention, called the STCW Code. The STCW Code aims to assist all countries that are a party to the Convention to implement it in a uniform manner by:

- setting out details of mandatory minimum standards for the training, certification and watchkeeping of seafarers, and
- providing guidance on implementing, applying, and enforcing the requirements.

This policy sets out how we give effect to the Convention and the STCW Code, collectively referred to as the STCW Convention in this policy.

We give effect to the STCW Convention through legislation

We give effect to the STCW Convention through the Maritime Transport Act 1994 (MTA) and maritime rules by setting legislative requirements regarding:

- standards of competence for different types of seafarer certificates and ancillary proficiencies;
- seafarer education, training, and sea service;
- issuing and renewing seafarer certificates and endorsements;
- fitness for duty, prescribed hours of rest, and the performance of watchkeeping duties;
- standards for the qualifications and experience of assessors and examiners;
- recognition of foreign maritime documents including STCW certificates;
- medical fitness standards for seafarers; and
- approval of medical practitioners.

How we meet our obligations under the STCW Convention

We meet our obligations under the STCW Convention by:

- updating maritime rules to reflect STCW Convention amendments;
- updating our operational policy and practice materials to reflect the MTA and rule amendments;
- issuing and renewing all STCW certificates according to the MTA and maritime rules;
- implementing quality assurance measures such as designing quality checks and reporting for key business processes ; and
- documenting the findings of audits and reviews, such as audits of New Zealand maritime schools, and addressing identified gaps.

Legislative basis for this policy

The legislative basis for this policy:

- Section 35 of the MTA sets out the requirements for a seafarer applying for a maritime document;
- Section 36 of the MTA allows maritime rules to be made which implement the requirements of conventions (such as STCW), provide for the minimum number of seafarers on a commercial vessel and their qualifications and experience, and the requirements for people engaged in maritime activities (including qualifications, licensing and medical requirements);
- Section 41 of the MTA sets out the granting of maritime documents and recognition of documents, which includes STCW certificates;
- Section 48 of the Maritime Transport Act sets out the powers of the Director in relation to examinations;
- Maritime Rules Part 31 sets out requirements relating crewing and watchkeeping and fitness for duty and requirements for ancillary proficiencies;
- Maritime Rules Part 32 sets out rules for national certificates and certificates including those under the STCW Convention;
- Maritime Rules Part 34 sets the standards of medical fitness for seafarers, including the requirements of the STCW Convention and approval of medical practitioners; and
- Maritime Rules Part 35 provides the basis for approval of training for purposes of Part 32, assessments and examinations, and the approval process for examiners and assessors.

Key Terms

For the purposes of this document:

Coastal limits

are as defined in Maritime Rules Part 20.

Commercial vessel

for the purposes of this policy means vessel, ship, or boat and is a generic term that is not associated with the size of the craft. It does not include pleasure craft, vessels solely powered manually or vessels solely powered by sail.

Maritime document

- means any licence, permit, certificate or other document issued under Part 5 of MTA to or in respect of any person, ship, cargo, maritime procedure, or maritime product; and



- includes any foreign licence, permit, certificate, or other document recognised by the Director under section 41 or accepted by the Director under section 42 of MTA.

Near-coastal

means coastal and offshore limits (excluding restricted limits).

Necessary steps

means steps necessary to give the STCW Convention full and complete effect, to ensure that from the point of view safety of life and property at sea and the protection of marine environment, seafarers on board ships are qualified and fit for their duties.

Offshore limit

are as defined in Maritime Rules Part 20.

Restricted limits

means enclosed water limits and inshore limits as defined in Maritime Rules Part 20.

Seafarer certificate

means a certificate of competency or a certificate of proficiency issued under Maritime Rules Part 32. It includes STCW certificates.

STCW certificate

means:

- a certificate of competency for masters, officers and GMDSS radio operators issued in accordance with the requirements of the STCW Convention; or
- an STCW tanker endorsement or certificate of proficiency; or
- a certificate of proficiency for ratings issued in accordance with the requirements of the STCW Convention.

Disclaimer

This document provides information and sets out how Maritime NZ gives effect to the STCW Convention. It is not a substitute for the STCW Convention or legislation.

This document may not be the most current version available so please check [Maritime NZ website](#) to confirm that you are referring to the current version of this document.

