INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR FISHING VESSEL PERSONNEL, 1995

THE PARTIES TO THIS CONVENTION,

NOTING the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (hereinafter referred to as the "1978 STCW Convention"),

DESIRING to further promote safety of life and property at sea and the protection of the marine environment by establishing in common agreement international standards of training, certification and watchkeeping for personnel employed on board fishing vessels,

CONSIDERING that this end may be best achieved by the conclusion of an International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, hereinafter referred to as "the Convention",

HAVE AGREED as follows:

ARTICLE 1

General obligations

1 The Parties undertake to give effect to the provisions of the Convention and the Annex thereto, which shall constitute an integral part of the Convention. Every reference to the Convention constitutes at the same time a reference to the Annex hereto.

2 The Parties undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the Convention full and complete effect, so as to ensure that, from the point of view of safety of life and property at sea and the protection of the marine environment, seagoing fishing vessel personnel are qualified and fit for their duties.

ARTICLE 2

Definitions

For the purpose of the Convention, unless expressly provided otherwise.

.1 "Party" means a State for which the Convention has entered into force.

.2 "Administration" means the Government of the Party whose flag the vessel is entitled to fly.

.3 "Certificate" means a valid document, by whatever name it may be known, issued or recognized in accordance with the provisions of the Convention, authorizing the holder to serve as stated in this document or as authorized by national regulations.

.4 "Certificated" means properly holding a certificate.

.5 "Organization" means the International Maritime Organization.

.6 "Secretary-General" means the Secretary-General of the Organization.

.7 "Fishing vessel" or "vessel" means any vessel used commercially for catching fish or other living resources of the sea.

.8 "Seagoing fishing vessel" means a fishing vessel other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply.

ARTICLE 3

Application

The Convention shall apply to personnel serving on board seagoing fishing vessels entitled to fly the flag of a Party.

ARTICLE 4

Communication of information

Each Party shall communicate to the Secretary-General the following information:

.1 a report on the measures it has taken to give full and complete effect to the provisions of the Convention, including a specimen of certificates issued in compliance with the Convention; and

.2 other information which may be specified or provided for in regulation I/5.

ARTICLE 5

Other treaties and interpretation

1 All prior treaties, conventions and arrangements relating to standards of training, certification and watchkeeping for fishing vessel personnel in force between the Parties, shall continue to have full and complete effect during the terms thereof as regards:

.1 fishing vessel personnel to whom this Convention does not apply; and

.2 fishing vessel personnel to whom this Convention applies, in respect of matters for which it has not expressly provided.