

Lebanon

Ministry of Public Works and Transport

Directorate-General of Land and Maritime Transport

**Application of the provisions of the International Convention on
Standards of Training, Certification and Watchkeeping for Seafarers,
1978, as amended in 1995¹**

Decree No. 168/1 of 4 April 2003

The Minister of Public Works and Transport,

Pursuant to Decree No. 4336 of 26 October 2000 on the formation of the
Government,

¹ *Translator's note:* Official title of in English is the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention).

Pursuant to Decree No. 1611 of 26 July 1971 on the organization of the Directorate-General of Transport,

Pursuant to the Maritime Commercial Code,

Pursuant to the Act implementing Decree No. 930 of 17 August 1983 approving the ratification by the Government of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention), concluded on 7 July 1978,

Pursuant to the Act implementing Decree No. 1005 of 9 September 1983 approving the accession by the Government to a number of International Labour Organization (ILO) Conventions, including the Medical Examination (Seafarers) Convention, 1946 (No. 73),

Pursuant to the amendments, adopted in 1995, to the Annex to the STCW Convention of 1978,

Having consulted State Consultative Council Opinion No. 211/2001-2002 of 28

May 2002, and

Pursuant to the proposal put forward by the Director-General of Land and

Maritime Transport,

Hereby decides the following:

Chapter I

General provisions

Section 1

Pursuant to the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention) of 7 July 1978, as amended in 1995, unless expressly provided otherwise:

- “Convention” shall mean the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention) of 1978, as amended in 1995;
- “Organization” shall mean the International Maritime Organization (IMO);
- “Ship” shall mean any seaworthy vessel;

- “Seafarer” shall mean any person of any rank and category working on board a ship;
- “Master” shall mean the person having command of a ship;
- “Officer” shall mean a member of the crew, other than the master, designated as such by law or, in the absence of such designation, by collective agreement or custom;
- “Rating” shall mean a member of the ship’s crew other than the master or an officer;
- “Chief engineer officer” shall mean the senior officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;
- “Second engineer officer” shall mean the officer in charge of watchkeeping in the Engine Department, upon whom the responsibility for the mechanical propulsion of the vessel as well as the operation and

maintenance of mechanical and electrical installations of the ship will fall

in the event of the incapacity of the chief engineer officer;

- “Engineer officer” shall mean a rank lower than second engineer officer;
- “Mechanic” shall mean a seafarer working in the Engine Department;
- “Party” shall mean a State for which the Convention has entered into force;
- “Administration” shall mean the Government of the Party whose flag the ship flies. In Lebanon, the competent authority for the application of the Convention is the Directorate-General of Land and Maritime Transport in the Ministry of Public Works and Transport;
- “Certificate” shall mean a valid document, by whatever name it may be known, issued, endorsed or recognized by the Administration, entitling the holder to serve in the capacity specified therein;
- “Alternative certificate” shall mean a certificate of one rank higher granted by the Administration to the seafarer at the request of the

shipowner's company in exceptional circumstances and under certain conditions;

- “Mandatory minimum certificates” shall mean the mandatory minimum requirements imposed under Chapter VI of the Convention to ensure that seafarers can secure their personal safety and that of the ship and cargo. These certificates may be obtained through theoretical and practical courses and programmes. The number of courses to be taken depends on the seafarer's rank and functions;
- “Regulations” shall mean regulations contained in the Annex to the Convention;
- “Company” shall mean the owner of the ship or any other party, such as the manager or charterer of the ship, who, in agreement with the shipowner, has assumed responsibility for operating the ship and therefore accepts to assume all of the duties and responsibilities imposed on the company by these regulations;

- “Seagoing service” shall mean service on board a ship relevant to the issuance of a certificate or other qualification and recorded in the seafarer’s book;
- “Foreign language” shall mean English or French.

Section 2

The Directorate-General of Land and Maritime Transport in the Ministry of Public Works and Transport, as the competent authority, shall undertake to apply the provisions of the STCW Convention, as amended in 1995, to seafarers working on board foreign ships flying the flag of a State Party present in Lebanese territorial waters, defined in Legislative Decree No. 138 of 16 September 1983² as being a zone 12 nautical miles wide starting from the lowest level of ebb tide, with the exception of those working on board the following ships:

² *Translator’s note:* Sic original. Date of Legislative Decree would appear to be 7 September 1983.

- warships, supply vessels and other State-owned vessels used for non-commercial government purposes;
- fishing vessels;
- pleasure yachts used for non-commercial purposes;
- wooden vessels of primitive manufacture.

Navigation within the aforementioned zone shall be deemed to be national coastal navigation, while navigation beyond this distance shall be deemed to be offshore navigation.

The Administration, with Lebanese consulates abroad, shall be the official representative of the Lebanese Government to the international authorities and parties concerned with the application of the Convention.

Section 3

The Administration shall recognize and acknowledge the different types and levels of certificates of competency issued by States parties to the Convention, provided that they are on the “white list” approved by the International Maritime Organization and have maritime academies, schools, or institutes recognized by the Organization.

The Administration shall issue endorsement documents for certificates of competency awarded by the aforementioned parties.

In addition, it shall issue:

1. health certificates for seafarers working on board Lebanese ships;
2. certificates of competency and mandatory minimum certificates for such seafarers once an internationally recognized maritime institute is established in the country and through the Preparation and Training Centre,³ which plays a prominent organizational role in the

³ *Translator's note:* Reference is made to the Maritime Preparation and Training Centre in section 37, below.

Administration, in coordination with the other competent, qualified national and foreign authorities and institutions, both government and private.

Section 4

1. The Certificates of Competency and Equivalents Committee shall issue endorsement documents as well as certificates of competency and mandatory minimum certificates (provided that the conditions set forth in subparagraph 2 of section 3 of the present Decree are met), in addition to other official documents. The Committee shall consist of:

- the Director-General of Land and Maritime Transport, as Chairperson;
- the Head of the Maritime Transport Authority, as Vice-Chairperson;
- the Head of the Preparation and Training Centre, as a member;
- the Head of the Maritime Navigation Department, as a member;
- the Head of the Seafarers and Certificates Department, as a member.

The Committee may be assisted by competent experts; it shall meet at the invitation of its Chairperson, as the need arises, and the Head of the Seafarers and Certificates Department shall prepare the agenda and record the Committee's decisions.

2. The Joint Committee of the Ministry of Public Works and Transport/Directorate General of Land and Maritime Transport and the Ministry of Health, established by Decree No. 7802 of 20 April 2002, shall issue health certificates.

The Chairpersons of both committees are duly authorized to sign all documents, certificates of competency and other certificates issued by either committee.

Chapter II

Endorsement documents

Section 5

An applicant for an endorsement document shall:

1. be a Lebanese national or a foreign national working on board a Lebanese vessel;
2. hold a certificate of competency duly issued by a State on the Organization's white list;
3. be physically and mentally fit to work on board ship, as substantiated by a certificate issued by the competent medical committee in accordance with the standards and criteria set out in the Convention;

4. not have been convicted of a criminal offence, a major offence, drug use or drug trafficking or use of explosives, as substantiated by the submission of a clean judicial record dating back not more than one month;

5. hold the mandatory minimum safety certificates required by his certificate of competency; such certificates must be valid.

Section 6

The Certificates of Competency and Equivalents Committee referred to in section 4 of the present Decree, shall verify the authenticity of the certificates of competency by all available means, in particular by:

1. verifying the certificate itself, a duly authenticated copy of which shall be submitted;
2. ensuring that the issuing Party is on the white list and, as appropriate, contacting the issuing Party by fax or e-mail to request information for

verification purposes and to ascertain whether the certificate meets the requirements of the Convention.

However, the decision to recognize a certificate of competency or not to do so shall be a matter for the discretion of the Committee, even if the certificate is issued by a State Party on the white list.

Section 7

The Committee shall issue endorsement documents in respect of certificates of competency for ships' masters, commanding and engineer officers, radio operators and ratings.

Section 8

The Administration shall only recognize certificates of competency issued by States parties on the Organization's white list, provided that applicants meet all the procedural requirements for the issuance of such certificates. Nevertheless,

the Administration shall recognize seagoing service documents issued by a State not party to the Convention, provided that the service is documented in accordance with the requirements of the Convention.

Section 9

The Administration may, in cases of extreme need, issue an endorsement document for a certificate of competency for a period of three months, should it prove difficult for a seafarer obliged to travel on board a ship to provide all the documents required.

Section 10

Endorsement documents shall only be issued for original certificates of competency, not for equivalent certificates or endorsement documents of original certificates.

Section 11

Endorsement documents shall be issued in both Arabic and English, as shown in the sample document attached as an annex hereto. Endorsement documents shall be valid for as long as the certificate of competency remains valid and shall expire on the date that the certificate of competency expires. Endorsement documents shall only be renewed when the certificate of competency is renewed, in accordance with the requirements of the Convention.

Section 12

Endorsement documents shall resemble certificates of competence but, being documents and not certificates, differ from them. Every document shall be assigned a specific and distinctive number.

Section 13

1. An endorsement document shall expire in the event that it is withdrawn or cancelled, in accordance with the measures imposed on the holder as

provided for in the present Decree; the Administration shall notify the authority that issued the certificate of competency of the measures taken.

2. An endorsement document shall be suspended or cancelled in the event that the certificate of competency is suspended or revoked by the issuing body.

Section 14

If a document is reported lost, the holder shall establish the reason for the loss by various legal proofs and the Administration shall verify the facts. Once good faith is established, a replacement document shall be issued with a new number and this shall be noted in the holder's file and electronic record.

Section 15

An endorsement document issued by the Administration shall be cancelled in the event that the seafarer ceases to fulfil one of the requirements for obtaining the document, or in the event that the seafarer:

- falsifies documents submitted by him to the Administration;
- is convicted of a drug trafficking offence;
- helps bring clandestine passengers on board the ship on which he works;
- commits mutiny against the orders of the master or officer, in case of emergency or force majeure, resulting in damage to life, property or the marine environment
- is convicted of a criminal offence committed on board ship, in which case he shall be entitled to reapply for an endorsement document only after presenting a judicial record showing no decision against him.

Section 16

The endorsement document shall be suspended in the event that the seafarer ceases to fulfil one of the requirements for obtaining the document or in any of the cases set out in the following table:

Document	Violation	Suspension period
1.	Drug use	9 months

2.	Mutiny against the orders of the master or officer in case of emergency or force majeure	24 months
3.	Charged with a criminal offence on board ship	Until a decision is handed down
4.	Causing damage to safety equipment or cargo on board ship	6 months, to be extended until the cost of the damage is reimbursed
5.	Consumption of alcoholic beverages while on watch	3 months, to be doubled for a repeat violation
6.	Serious negligence that leads or could lead to damage to the ship or cargo	1 month, to be doubled for a repeat violation
7.	Minor negligence	Reprimand, possible suspension for a repeat violation
8.	Non-compliance with the applicable laws and decrees issued by the Government of Lebanon and foreign Governments, with no serious damage	3 months
9.	Transporting goods with a view to illicit trafficking, without the knowledge of the master or shipowner	3 months, to be doubled for a repeat violation

Section 17

The master of the ship on board which the offending seafarer works shall establish a report on the violation, which shall be recorded in the official deck incidents log book. The report shall be signed by the master and by a licensed officer working in the same department as the seafarer. In the event that the violation report concerns a licensed officer, it must be signed by the master and by at least two additional licensed officers.

The master shall file the report with the head of the port that issued the seafarer's book, who, in turn, shall refer it to the Head of the Seafarers and Certificates Department in the Administration.

Section 18

The Head of the Seafarers and Certificates Department in the Administration shall examine the report and conduct an investigation into the reported violation by all available means. He may request all necessary information from the competent security authorities in Lebanon and abroad, by approved methods. He shall then establish a report on the circumstances of the violation, containing proposals on action to be taken against the offender, and transmit the report to the Director-General of the Land and Maritime Transport Department in his capacity as Chairperson of the Certificates of Competency and Equivalents Committee.

Section 19

The Certificates of Competency and Equivalent Committee shall discuss the report and take the steps it deems appropriate in accordance with the present Decree and the applicable laws and regulations.

Section 20

The Administration shall inform the persons concerned of the substance of the Committee's decision, and, as appropriate, ask the seafarer to hand in his certificate should harsher measures be taken. Once a decision has been taken, the Administration shall deposit a report on the measures taken with the International Maritime Organization, for circulation to all ports of States parties to the Convention.

In addition, a summary of the Committee's decision shall be noted in the seafarer's record held by the Administration.

Chapter III

Certificates of competency

Section 21

The types and levels of certificates of competency issued by the Administration in accordance with the Convention shall be as follows:

1. Deck Department

- Ordinary rating
- Watch rating
- Crew foreman (boatswain)
- Trainee officer (cadet)
- Watch officer - coastal navigation
- Watch officer – open sea
- Chief officer - open sea on ships of between 500 and 3,000 gross tonnage

- Chief officer – open sea on ships of 3,000 gross tonnage or more
- Master on ships of less than 500 gross tonnage operating within and outside regional waters
- Master on ships of between 500 and 3,000 gross tonnage
- Master on ships of 3,000 gross tonnage or more

2. Engine Department

- Ship mechanic
- Electrical, electronic, welding or carpentry technician
- Trainee engineer (cadet)
- Engineer officer on ships powered by main propulsion machinery of less than 750 kW propulsion power
- Engineer officer on ships powered by main propulsion machinery of 750 kW propulsion power or more

- Second engineer officer on ships powered by main propulsion machinery of between 750 and 3,000 kW propulsion power
- Second engineer officer on ships powered by main propulsion machinery of 3,000 kW propulsion power or more
- Chief engineer officer on ships powered by main propulsion machinery of between 750 and 3,000 kW propulsion power
- Chief engineer officer on ships powered by main propulsion machinery of 3,000 kW propulsion power or more

3. Radio Department

- Certificate of competency in the use of the Global Maritime Distress and Safety System (GMDSS)

Section 22

Certificates of competency shall be issued to masters, officers, engineers and ratings of all categories on the basis of applications, submitted by those concerned to the Administration with supporting documentation as specified in the circulars issued by the Director-General of Land and Maritime Transport.

Section 23

Applicants for certificates of competency must meet the following requirements, according to the type of certificate applied for.

A. Deck Department

The Deck Department includes seafarers working in steering, watchkeeping, and seagoing service other than ship engineering. It consists of the categories and levels listed below; candidates for certification at these levels must meet the following requirements.

1. Ordinary rating

Candidates shall:

- be not less than 16 years of age;
- have completed the mandatory courses on maritime safety for seafarers;
- have completed their intermediate education.

2. Watch rating

Candidates shall:

- be not less than 18 years of age;
- have completed seagoing service of not less than 6 months;
- have undergone training and service as an assistant rating in watchkeeping service under the supervision of a qualified chief officer for not less than 3 months;
- meet the standards of competence specified in section A-II/4 of the Convention;

- be exempted from the above conditions provided that they have at least 12 months' watchkeeping service prior to 2 August 1998;
- hold the mandatory certificates in maritime safety for seafarers.

3. Crew foreman (boatswain)

Candidates shall:

- be not less than 20 years of age;
- hold a watch rating certificate of competency;
- have seagoing service of not less than 18 months, as a certificated watch rating;
- meet the standards of competence specified in section A-II/4⁴ of the Convention;
- hold the mandatory certificates in maritime safety for seafarers.

4. Trainee officer (cadet)

⁴ *Translator's note:* Sic original. It would appear that the standards of competence intended are those specified in section A-II/5 of the Convention.

Candidates shall:

- hold a watch rating certificate of competency;
- have seagoing service of not less than 6 months as a certificated watch rating;
- hold a Baccalauréat (high school diploma), part II, a Technical Baccalauréat or official equivalent;
- successfully pass an examination in English or French, organized by the Administration;
- hold the mandatory certificates for seafarers;
- have successfully completed basic studies at an internationally recognized maritime institute and have obtained the mandatory watch rating certificates.

A trainee officer may apply for the rank of watch officer if he has performed seagoing service of not less than 36 months and if he successfully passes the appropriate examination in accordance with section A-II/1 of the Convention.

5. Watch officer - coastal navigation

Candidates shall:

- be not less than 20 years of age;
- have seagoing service of not less than 12 months as part of a specific training programme, or have seagoing service of 36 months and know how to read, write and use the maritime terminology relevant to this department in a foreign language;
- have completed approved education and training and meet the standards of competence specified in section A-II/3 of the Convention;
- hold the mandatory certificates for navigation officers.

6. Watch officer - open sea

Candidates shall:

- be not less than 21 years of age;
- have not less than 12 months' seagoing service for this category of ships as part of an approved training programme documented in accordance with the requirements of section A-II/1 of the Convention, or hold a trainee officer certificate of competency and have performed seagoing service of not less than 36 months;
- have worked for at least 6 months as part of his seagoing service as a trainee assistant watch officer under the supervision of the master or a qualified officer;
- have completed approved education and training and meet the standards of competence specified in section A-II/1 of the Convention;
- hold a Lebanese Baccalauréat, part II, or official equivalent;
- hold the mandatory certificates for navigation officers.

7. Chief officer - open sea on ships of between 500 and 3,000 gross tonnage

Candidates shall:

- be not less than 22 years of age;
- have completed, having obtained a certificate of competency as watch officer, seagoing service of not less than six months with full responsibility for watchkeeping duties on ships of between 500 and 3,000 gross tonnage;
- have completed approved education and training and meet the standards of competence specified in section A-II/2 of the Convention;
- have obtained the mandatory certificates for navigation officers set out in the present Decree;
- hold a Lebanese Baccalauréat, part II, or official equivalent.

8. Chief officer - open sea on ships of 3,000 gross tonnage or more

Candidates shall:

- be not less than 22 years of age;

- have obtained a watch officer certificate of competency;
- have completed seagoing service of not less than 12 months as a certificated watch officer with full responsibility for watchkeeping duties, one third of which on ships of 3,000 gross tonnage or more;
- have completed approved education and training and meet the standards of competence specified in section A-II/2 of the Convention;
- have obtained the mandatory certificates for navigation officers;
- hold a Lebanese Baccalauréat, part II, or equivalent.

9. Master on ships of less than 500 gross tonnage operating within and outside territorial waters

Candidates shall:

- be not less than 22 years of age;
- have obtained a certificate of competency as a watch officer on ships of less than 500 gross tonnage operating in coastal navigation;

- have completed seagoing service as a certificated watch officer for this category of ship of not less than 18 months as officer responsible for watchkeeping duties;
- have completed approved education and training specified in section A-II/3 of the Convention;
- hold a Lebanese Baccalauréat, part II, or equivalent.

10. Master on ships of between 500 and 3,000 gross tonnage

Candidates shall:

- be not less than 24 years of age;
- have obtained a certificate of competency as chief officer;
- have completed seagoing service of not less than 18 months as a certificated chief officer with full responsibility for watchkeeping duties, or seagoing service of at least 24 months, at least 12 of which as chief

officer with full responsibility for watchkeeping duties on ships of

between 500 and 3,000 gross tonnage;

- have completed approved education and training and meet the standards of competence specified in section A-II/2 of the Convention;
- have obtained the mandatory certificates for masters;
- hold a Lebanese Baccalauréat, part II, or equivalent.

11. Master on ships of 3,000 gross tonnage

Candidates shall:

- be not less than 24 years of age;
- have completed, having obtained a certificate of competency as chief officer, seagoing service of not less than 24 months, of which 12 months as chief officer with full responsibility for watchkeeping duties, or have completed, having obtained a certificate of competency as watch officer,

seagoing service of at least 36 months with full responsibility for

watchkeeping duties on ships of 3,000 gross tonnage or more;

- have completed approved education and training and meet the standards of competence specified in section A-II/2 of the Convention;
- have obtained the mandatory certificates for masters;
- hold a Lebanese Baccalauréat, part II, or equivalent.

B. Engine Department

The Engine Department includes all seafarers working in engine operation and maintenance. The Department consists of the ranks and categories described below; candidates for certification at these levels must meet the following requirements.

1. Ship mechanic

Candidates shall:

- be not less than 18 years of age;
- have obtained a seafarer certificate of competency;
- have completed seagoing service of not less than nine months in an engine-room under the supervision of an engineering officer of the watch;
- meet the standards of competence specified in section A-III/4 of the Convention;
- have obtained the mandatory certificates for seafarers;
- be exempted from the above conditions provided that they have completed watchkeeping service of at least 12 months in the Engine Department prior to 2 August 1998.

2. Electrical, electronic, welding or carpentry technician

Candidates shall:

- be not less than 18 years of age;
- have obtained a seafarer certificate of competency;

- be duly qualified as an electrician, electronic technician, welder or carpenter with not less than 12 months of experience, of which six months on board seagoing ships;
- meet the standards of competence specified in section A-III/4 of the Convention;
- have obtained the mandatory certificates for seafarers.

3. Trainee engineer (cadet)

Candidates shall:

- hold a ship mechanic certificate of competency;
- have completed, having obtained the aforementioned certificate, seagoing service of not less than 18 months;
- hold at least a Lebanese Technical Baccalauréat, part II, or equivalent in mechanical, electrical or electronic engineering;
- have obtained the mandatory certificates for seafarers.

A trainee engineer (cadet) may apply for the rank of engineer officer if he has performed seagoing service of not less than 36 months, having obtained his trainee engineer (cadet) certificate of competency, and passed the appropriate examination in accordance with section A-III/1 of the Convention.

4. Engineer officer on ships powered by main propulsion machinery of less than 750 kW propulsion power

Candidates shall:

- be not less than 21 years of age;
- hold at least the Technical Baccalauréat, part II in mechanical, electrical or electronic engineering, or equivalent;
- have completed seagoing service of 36 months, of which 12 months at least under the supervision of an engineer officer;
- meet the standards of competence specified in section A-III/1 of the

Convention;

- have obtained the mandatory certificates for engineer officers.

5. Engineer officer on ships powered by main propulsion machinery of 750 kW propulsion power or more

Candidates shall:

- be not less than 21 years of age;
- have completed seagoing service in the Engine Department of not less than 12 months, of which at least six months as assistant engineer officer, and have obtained an assistant engineer officer certificate of competency;
- have completed approved education and training of at least 30 months, including approved and documented practical training;
- meet the standards of competence specified in section A-III/1 of the Convention;
- have obtained the mandatory certificates for engineer officers.

6. Second engineer officer on ships powered by main propulsion machinery**of between 750 and 3,000 kW propulsion power**

Candidates shall:

- be not less than 22 years of age;
- have obtained a certificate of competency as an engineer officer on ships powered by main propulsion machinery of 750 kW propulsion power or more and have completed actual service of at least 12 months;
- have completed approved education and training and meet the standards of competence specified in section A-III/4 of the Convention;
- have obtained the mandatory certificates for engineer officers.

7. Second engineer officer on ships powered by main propulsion**machinery of 3,000 kW propulsion power or more**

Candidates shall:

- be not less than 22 years of age;

- have obtained a certificate of competency as an engineer officer on ships powered by main propulsion machinery of more than 750 kW propulsion power and have completed actual service of at least 12 months, of which at least two thirds on ships powered by main propulsion machinery of more than 3,000 kW propulsion power;
- have completed approved education and training and meet the standards of competence specified in section A-III/2 of the Convention;
- have obtained the mandatory certificates for engineer officers.

8. Chief engineer officer on ships powered by main propulsion machinery of between 750 and 3,000 kW propulsion power

Candidates shall:

- be not less than 24 years of age;
- have obtained a certificate of competency as second engineer officer on ships powered by main propulsion machinery of between 750 kW and 3,000 kW and have completed actual service of at least 24 months;

- have completed approved education and training and meet the standards of competence specified in section A-III/4 of the Convention;
- have obtained the mandatory certificates for engineer officers.

9. Chief engineer officer on ships powered by main propulsion machinery of 3,000 kW propulsion power or more

Candidates shall:

- be not less than 24 years of age;
- have obtained a second engineer officer certificate of competency on ships powered by main propulsion machinery of 3,000 kW or more and have completed at least 24 months of actual service;
- have completed approved education and training, and shall meet the standards of competence specified in section A-III/2 of the Convention;
- have obtained the mandatory certificates for engineer officers.

C. Radio Department (for officers and masters)

This department includes seafarers who, in addition to their rank as commanding officer or master, hold an additional certificate of competency in the use of the GMDSS.

Candidates for certification shall:

- be not less than 20 years of age;
- have completed approved education and training and meet the standards of competence specified in section A-IV/2 of the Convention.

Section 24

All procedures relating to education and training materials, examinations and verification of competency shall be determined by a Lebanese naval institute recognized by the International Maritime Organization. Should the assistance of a foreign institute be sought, the procedures shall be duly determined by agreement between the two parties.

Section 25

All of the certificates of competency specified in Chapter III of the present Decree shall be issued by the Committee provided for in section 4 thereof.

Section 26

Certificates of competency shall be valid for a period of five years and are renewable provided that the applicants meet the following requirements. An applicant shall:

1. have completed seagoing service of 18 months during the past five years, during which he performed functions appropriate to or equivalent to his rank;
2. remain physically and mentally fit to work on board ship, as certified by a report issued by the competent authority;
3. have passed all mandatory safety courses required by his seafarer's certificate of competency, which shall remain valid;

Comment [sb1]: B ijazah bahriyah

4. successfully pass a refresher course, programme and admission requirements for which are to be defined by the Administration;
5. have paid all annual fees due.

Section 27

The provisions of sections 13, 14, 15 and 16 of the present Decree shall apply to the expiration, suspension, loss and cancellation of certificates of competency.

Chapter IV

Alternative certification (dispensation)

Section 28

Alternative certificates shall be issued by the Directorate-General of Land and Maritime Transport to seafarers holding Lebanese certificates, under the conditions and in the situations set out below.

1. Alternative certificates shall only be issued in cases of absolute necessity.

The Certificates of Competency and Equivalents Committee shall assess the exceptional nature of those cases.

2. Dispensation shall only be given to seafarers who hold a certificate of competency for the rank directly below the rank for which the alternative certificate is requested.

3: No dispensation shall be given to a radio officer.

4. Dispensations shall be issued for a period not exceeding six months for officers of all ranks, with the exception of the master and chief engineer officer who may not be given dispensation for a period of more than two months.

5. The Administration shall verify that an applicant for dispensation is competent to fill the vacant post to be filled and shall be entitled to ask him to prove that by all available means, including by passing a test or examination set by the Certificates of Competency and Equivalence Committee.

6. The Administration shall ensure that the issuance of a dispensation will not cause danger to persons, property or the environment.

7. Dispensations shall be granted only for certificates of competency and not for equivalents.

Section 29

If the applicant for a dispensation holds a certificate of competency as second or chief engineer officer, dispensation shall be granted only if he proves that he has completed at least 24 months of actual service in his present position in accordance with the provisions of the Convention.

Section 30

Applications for dispensation shall be considered by the Certificates of Competency and Equivalence Committee, as the authority competent to approve or reject such applications.

Section 31

Applicants for dispensation shall be given a normal certificate of competency showing the nature and duration of the dispensation.

Section 32

No further dispensation shall be given to the same seafarer until three years have elapsed since the first dispensation.

A seafarer is entitled to a maximum of three dispensations throughout his seagoing service.

Section 33

Dispensation certificates shall be recorded in a special log and assigned special numbers. The Head of the Seafarers and Certificates Department shall, at the end of each year, report to the Director-General of Land and Maritime Transport on the dispensations granted and the grounds for and duration of those dispensations.

Section 34

The provisions of sections 13, 14, 15 and 16 of the present Decree shall apply to the expiration, suspension, loss and cancellation of alternative certificates (dispensations).

Chapter V

Mandatory safety certificate

Section 35

Every seafarer shall have the mandatory safety certificates required by the Convention according to his rank.

Section 36

The Administration shall issue mandatory certificates for ratings, officers, engineer officers and masters and shall recognize the mandatory certificates issued by member States of the International Maritime Organization on the white list.

Section 37

The Maritime Preparation and Training Centre⁵ in the Directorate-General of Land and Maritime Transport shall prepare, organize and schedule course programmes, supervise training activities, organize examinations and prepare certificates. The Centre may seek the assistance of ministries, government departments and public institutions and of foreign institutes and academies in connection with training activities, in addition to the assistance of bodies, associations and persons specialized in safety, environmental protection and disaster control.

Section 38

Every rating, officer, engineer officer and master is required to obtain the following mandatory safety certificates, according to his rank.

A. Ratings

1. Personal survival techniques

⁵ See footnote 3, above.

2. Fire prevention and fire fighting
3. Elementary first aid
4. Personal safety and social responsibilities
5. Watchkeeping course (watch rating, steering, mechanic)

B. Watch officer

1. Personal survival techniques
2. Elementary first aid
3. Personal safety and social responsibilities
4. Communications course
5. Advanced training in fire prevention and fire fighting
6. Proficiency in survival craft and rescue boats

7. Marine pollution prevention and control
8. Marine radar and Automatic Radar Plotting Aids (ARPA)
9. Global Maritime Distress and Safety System (GMDSS)

C. Chief officer

The chief officer shall pass all of the aforementioned courses for a watch officer, in addition to the following courses.

1. Radar simulation
2. Advanced communications
3. Nursing care

D. Master

The master shall pass all of the aforementioned courses for a chief officer, in addition to a course in steering and manoeuvring a ship.

E. Engineer and chief engineer officers

1. Personal survival techniques
2. Elementary first aid
3. Personal safety and social responsibilities
4. Advanced training in fire prevention and fire fighting
5. Proficiency in survival craft and rescue boats
6. Marine pollution prevention and control

Section 39

The Director-General of the Directorate-General of Land and Maritime Transport shall designate, by order: training course programmes, materials and duration; requirements for trainers, examiners and candidates for mandatory safety certificates; the form that applications shall take and the supporting

documents to be attached thereto; training and examination committees and their functions; training and examination schedules and locations; methods of conduct of examinations and examination standards and grading.

Section 40

Every successful candidate shall be given a mandatory certificate in the subject of the course attended, valid for five years and renewable on demonstration of the necessary skill in accordance with the requirements of the Convention.

Certificates shall be issued in Arabic and English as shown on the sample certificate attached herewith and shall be signed by the Director-General of the Directorate-General of Land and Maritime Transport.

Section 41

The certificate shall be cancelled if the holder ceases to meet one of the certification or renewal requirements and shall also be suspended or cancelled as all other certificates in accordance with the provisions of the present Decree.

Chapter VI

Medical certificates

Section 42

Subject to section 144 of the Lebanese Maritime Commercial Code, the provisions of ILO Convention No. 73 and the STCW Convention, as amended in 1995, the medical committee provided for in section 4 of the present Decree shall examine all candidates for seafarer certificates of competency, equivalents, documents and dispensations.

The Committee shall review the health status of and medical reports submitted by seafarers after their examination, as appropriate, by officially accredited specialist physicians.

Section 43

The Directorate-General of Land and Maritime Transport shall issue medical certificates for seafarers in accordance with the standards established in the

Convention and the report of the medical committee confirming that the seafarer concerned is fit to work on board ship. Certificates shall be issued in Arabic and English as shown on the sample certificate attached herewith and shall be valid for two years, renewable subject to a repeat examination.

Section 44

The certificate shall be cancelled or suspended if the holder ceases to meet one of the certification or renewal requirements.

Chapter VII

Records and registers

Section 45

The Administration shall keep registers of all endorsements, certificates of competency and equivalents that it issues, by means of duly indexed records, cards and files containing all documents pertaining to every seafarer. It shall also keep electronic registers on which all necessary information shall be stored.

Section 46

The aforementioned registers shall contain the following information:

1. the seafarer's name, place and date of birth, nationality, sex, photograph, address, telephone number, fax number, e-mail address and languages spoken;
2. seafarer's school, university, professional and academic naval certificates, with dates and the issuing authority;

3. type, number, date of issue, expiration, renewals and status (valid, suspended, cancelled, lost, destroyed) of the certificate of competency, dispensation or equivalent held by the seafarer;
4. the seafarer's functions and, if any, limits and constraints imposed on particular functions;
5. seagoing service counted in months and days, in addition to the ships on board which the seafarer has worked, their gross tonnage and propulsion power in kW;
6. mandatory safety, radio and other types of certificate with date, validity period and source;
7. name and address of employer and type and duration of contract;
8. medical certificate, if any, with date of issuance, validity period and remarks pertaining to the seafarer's health.

Section 47

Member States of the International Maritime Organization, private companies and other parties concerned with maritime transport and navigation may consult the electronic information database provided by the Administration.

Chapter VIII

Responsibilities of companies

Section 48

Companies shall assume responsibility for the appointment of seafarers to serve on board their ships in accordance with the Convention and are required to ensure that:

- every seafarer appointed to work on any of its ships holds an appropriate certificate in accordance with the Convention;
- its ships are crewed in accordance with the safe crewing requirements issued by the Administration;
- documentation and data pertaining to the experience, training, medical fitness and competency of every seafarer employed on its ships are maintained and available to the Administration;

- seafarers newly recruited to any of its ships are familiarized with their specific duties on board and with all ship arrangements, facilities and equipment for routine or emergency use;
- the crew can coordinate its activities effectively in an emergency and when performing safety, prevention or mitigation of pollution functions.

Section 49

Companies, masters and crew members shall assume responsibility for the safe operation of the ship by providing preliminary programmes and written instructions to the master of every ship identifying appropriate procedures to ensure that all newly appointed seafarers on board the ship have reasonable opportunity to familiarize themselves with on-board equipment and operating procedures and all other arrangements necessary for them to perform their functions prior to assigning those functions to them. The company or master shall designate a crew member responsible for ensuring that every newly

appointed seafarer has the opportunity to receive the basic information in a language that the seafarer understands.

Section 50

Companies shall undertake to ensure that all seafarers have received the basic training and education approved by the Convention and, in addition, are familiar with personal survival techniques, safety requirements and pollution prevention and that they have established their competence in their previous jobs prior to assigning them any duties on board.

Section 51

Companies shall undertake to prepare a comprehensive training plan and an on-board training programme in stages for officers responsible for navigational or engineering watches.

Section 52

The company shall entrust the administration of the on-board training programme and coordination with education institutes and training institutions to the company training officer, in addition to a qualified naval officer.

Section 53

The master shall oversee the proper implementation of the training programme and the maintenance of the training log book with a view to substantiating experience and practical training at sea. The master shall monitor progress in performance to competency, which candidate officers must achieve by the end of the programme.

Section 54

Except under circumstances of force majeure which cannot be deferred in view of considerations of safety or environmental conservation, companies shall undertake to provide all those assigned as officer in charge of a watch or rating forming part of a watch with a rest period of not less than ten hours in any period of 24 hours.

- Hours of rest may be divided into no more than two periods of at least 6 hours;
- the minimum rest period of ten hours may be reduced to less than 6 consecutive hours provided that the reduction is not applied over a period of more than 2 days and that rest hours are not less than 70 in any period of 7 days;
- companies are required to maintain records of seafarers' daily work and rest hours.

Section 55

The Administration shall apply the procedures relating to navigational watchkeeping arrangements and principles established in Chapter VIII of the Convention and companies shall comply with those procedures.

Chapter IX

Monitoring procedures

Section 56

The Directorate-General of Land and Maritime Transport shall monitor all Lebanese and non-Lebanese ships; it may entrust monitoring to the competent authorities as the need arises and in accordance with the rules.

Section 57

Monitoring procedures aim to ensure that ships comply with all of the requirements under international conventions pertaining to safety, environmental protection and pollution prevention, in particular the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended, the International Convention for the Prevention of Pollution from Ships (MARPOL), the STCW Convention, as amended in 1995, and the ILO Conventions, as amended.

Section 58

Persons authorized to conduct monitoring activities shall ensure that:

1. all seafarers serving on board are certificated or hold valid endorsements, equivalents or dispensations, as well as the mandatory safety and medical certificates;
2. the number of seafarers serving on board ship and their certificates of competency conform to the requirements of the Administration's safe crewing certificate;
3. the ship is fully equipped with safety and security equipment, in accordance with SOLAS, as amended, and other conventions;
4. international safety management requirements are applied in accordance with the International Safety Management Code (ISM Code);
5. all seafarers are competent to operate safely, in order to prevent pollution;
6. the ship's hull and on-board machinery are in working condition and meet the safety requirements for seafarers and the marine environment;

7. seafarers comply with the watchkeeping principles identified and adopted by the flag State with regard to steering or mechanical functions;
8. seafarers are competent; personnel authorized to conduct monitoring activities may select a number of crew members of different ranks and test their competence on board, with regard to their functions or their capacity to perform safety and rescue and marine environment protection functions;
9. the ship applies ILO Conventions, in particular those pertaining to seafarers.

Section 59

In the event that any shortcomings or deficiencies are found under the terms of section 61, above,⁶ the authorized monitor shall draft and transmit a report to the Administration in accordance with the established form. The Administration shall immediately notify the master of the ship, the Consul of the flag State, its diplomatic representative or maritime authority by fax, so that appropriate action

⁶ *Translator's note:* Sic original. However, the reference would appear to be to section 58, above.

may be taken. Nevertheless, if the competent authorities take no such action the Administration shall have the right to stop the ship, refuse it permission to sail and impose an appropriate fine, in accordance with the established rules, until it meets minimum safety standards.

Section 60

The shipowner or master is required to remedy the aforementioned deficiencies. If such deficiencies do not endanger safety, property and the environment, the Administration may allow the ship to make a single trip in order to remedy them. However, if they are deemed to be too serious to be overlooked, the ship must be suspended until safety requirements are met.

Section 61

Personnel authorized to conduct monitoring activities shall take all possible measures to prevent a ship from being unduly delayed or stopped.

Chapter X

Final provisions

Section 62

All texts which contravene the provisions of the present Decree or are inconsistent with the substance thereof shall be revoked.

Section 63

All seafarers who have previously obtained certificates of competency or other certificates or equivalents of any type from the Directorate-General of Land and Maritime Transport shall be bound by the provisions of the present Decree.

Section 64

The present Decree shall be published and announced as appropriate.

4 April 2003

Minister of Public Works and Transport

Najib Miqati