



MARINE NOTICE 5/2015

TO: ALL SHIPOWNERS, OPERATORS, TRAINING INSTITUTIONS, MASTERS, AND SEAFARERS OF MERCHANT SHIPS AND RECOGNIZED ORGANIZATIONS

SUBJECT: Fitness for duty, Hours of Rest and Notice to all Ship owners, Employers, Ship masters and Seafarers as per STCW Regulation VIII/1, Code A-VIII/1 and B-VIII/1 Manila Amendment:

Reference

Standards of Training, Certification and Watch keeping Convention, 1978 as Amended

PURPOSE

This Marine Notice is to alert ship owners, ship managers and ship masters that the STCW convention has been amended. This notice explains the changes as they relate to hours of rest for seafarers.

1. Background

- 1.1 The International Convention on Standards of Training, Certification and Watch keeping 1978, as amended (STCW), was further amended in June 2010 (“the Manila amendments”). Most of the amendments deal with training requirements, but there are also changes to:
 - 1.1.1 Regulation I/9, Code A-I/9 and B-I/9 Medical certificates
 - 1.1.2 Regulation VIII/1, Code A-VIII/1 and B-VIII/1 Fitness for duty – hours of rest
 - 1.1.3 Regulation VIII/1, Code A-VIII/1 and B-VIII/1 Fitness for duty – alcohol limitsMedical certificate is covered in MN4, Alcohol limit is covered in MN5, This MN explains those changes to hours of rest as they apply to Ethiopian ships.

2. Watch keeping Fitness for duty

- 2.1 For the purpose of preventing fatigue every shipping company shall establish and enforce rest periods for watch keeping personnel and those whose duties involve designated safety, security and prevention of pollution duties in accordance with the provisions of section A-VIII/1 of the STCW Code; as stated on 2.3 below.
- 2.2 Require that watch systems are so arranged that the efficiency of all watch keeping personnel is not impaired by fatigue and that duties are so organized that the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and otherwise fit for duty.
- 2.3 All persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch and those whose duties involve designated safety, prevention of pollution and security duties shall be provided with a rest period of not less than:
 - 2.3.1 A minimum of 10 hours of rest in any 24-hour period; and
 - 2.3.2 77 hours in any 7-day period.



The Federal Democratic Republic of Ethiopia
Ministry of Transport
Ethiopian Maritime Affairs Authority (EMAA)
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Tel: +251-115 503640/0115 503638 Fax: +251-115 503960 ☒ 1861
Email: MaritimeAdministration@maritimeaff.gov.et / maritime@ethionet.et Website: www.etmaritime.com

- 2.4 The hours of rest may be divided into no more than two periods, one of which shall be at least 6 hours in length, and the intervals between consecutive periods of rest shall not exceed 14 hours.
- 2.5 The requirements for rest periods need not be maintained in the case of an emergency or in other overriding operational conditions. Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations and by international instruments, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.
- 2.6 Ethiopian Maritime affairs Authority (EMAA) requires that watch schedules be posted where they are easily accessible. The schedules shall be established in a standardized format* in the working language or languages of the ship and in English.
- 2.7 When a seafarer is on call, such as when a machinery space is unattended, the seafarer shall have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.
- 2.8 EMAA require that records of daily hours of rest of seafarers be maintained in a standardized format, in the working language or languages of the ship and in English, to allow monitoring and verification of compliance with the provisions of this section. The seafarers shall receive a copy of the records pertaining to them, which shall be endorsed by the master or by a person authorized by the master and by the seafarers. The shipping company may arrange equivalent arrangement of updating the seafarer for records.

Nothing in this section shall be deemed to impair the right of the master of a ship to require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. Accordingly, the master may suspend the schedule of hours of rest and require a seafarer to perform any hours of work necessary until the normal situation has been restored. As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest.

- 2.9 EMAA allows exceptions from the required hours of rest in paragraphs 2.3.1 and 2.3.2 above provided that the rest period is not less than 70 hours in any 7-day period. Exceptions from the weekly rest period provided for in paragraph 2.3.1 shall not be allowed for more than two consecutive weeks. The intervals between two periods of exceptions on board shall not be less than twice the duration of the exception.
- 2.10 The hours of rest provided for in paragraph 2.3.1 may be divided into no more than three periods, one of which shall be at least 6 hours in length and neither of the other two periods shall be less than one hour in length. The intervals between consecutive periods of rest shall not exceed 14 hours.
- 2.11 Exceptions shall not extend beyond two 24-hour periods in any 7-day period.
- 2.12 Exceptions shall, as far as possible, take into account the guidance regarding prevention of fatigue in section B-VIII/1.

* The IMO/ILO Guidelines for the development of tables of seafarers' shipboard working arrangements and



formats of records of seafarers' hours of work or hours of rest may be used.

- 2.13 Fitness for duty is significantly affected by sobriety of the seafarer, EMMA issued Marine Notice No.3 that constitute a limit of not greater than 0.05% blood alcohol level (BAC) or 0.25 mg/l alcohol in the breath or a quantity of alcohol leading to such alcohol concentration for masters, officers and other seafarers while performing designated safety, security and marine environmental duties.

Guidance regarding fitness for duty

Prevention of fatigue

3. *In observing the rest period requirements, “overriding operational conditions” should be construed to mean only essential shipboard work which cannot be delayed for safety, security or environmental reasons or which could not reasonably have been anticipated at the commencement of the voyage.*
4. *EMAA interprets this to mean that a planned passage under pilotage or the additional work due to cargo operations during a scheduled port call – unless bad weather or unexpected port delays disrupt normal schedules to an unforeseen extent – cannot be considered to be “overriding operational conditions” which would justify a breach of minimum hours of rest.*
5. *Although there is no universally accepted technical definition of fatigue, everyone involved in ship operations should be alert to the factors which can contribute to fatigue, including, but not limited to, those identified by the Organization*, and take them into account when making decisions on ship operations.*
6. *In applying this Marine notice the following should be taken into account:*
 - 6.1 *Provisions made to prevent fatigue should ensure that excessive or unreasonable overall working hours are not undertaken. In particular, the minimum rest periods specified above should not be interpreted as implying that all other hours may be devoted to watch keeping or other duties;*
 - 6.2 *the frequency and length of leave periods, and the granting of compensatory leave, are material factors in preventing fatigue from building up over a period of time; and*
 - 6.3 *the provisions may be varied for ships on short sea voyages, provided special safety arrangements are put in place.*

Exceptions provided for in section 2.9, should be construed to mean the exceptions laid down by the ILO Convention on Seafarers' Hours of Work and the Manning of Ships, 1996 (No.180) or the Maritime Labour Convention, 2006, when it enters into force.

Hence EMMA Here by Advise Owners, Masters, Officers, Ratings to

1. Keep Proper records of hours of work/rest to be maintained and be available during flag state inspection.
2. Record of hours of rest to include port watches resulting in watch keeping personnel on duty for departures and first sea watches are being adequately rested;
3. Records of hours of work/rest shall reflecting actual working arrangements; and
4. The Safety Management System to have a proper paragraph for implementation of the ship shall not hinder compliance.

* See the annex to IMO Assembly resolution A.772(18) on Fatigue factor in manning and safety, paragraphs 2 to 4.4.1 and MSC/Circ.1014. on Guidance on fatigue mitigation and management.