



Circular N° CH 44-7

- To:** Shipowners, Operators and Masters of Swiss flagged Vessels and Recognized Organizations
- Sub.:** Standards regarding watchkeeping in accordance with STCW 2010 Manila Amendments
- Ref.**
- a) STCW Convention 1978, as amended 2010; Chapter VIII
 - b) STCW Code sections A-VIII/1 and A-VIII/2
 - c) Maritime Labour Convention 2006, Regulation 2.3
 - d) Swiss Maritime Statute (Navigation Act, SMS) Art.52 – 53, Art.139 / Ordinance implementing the Federal Law on Navigation under the Swiss Flag (Navigation Ordinance, SMO) Art.9, Art.23 – 31
 - e) Swiss Maritime Navigation Office Circular N° CH 43-3 “Minimum Hours of Rest”

PURPOSE:

The 2010 Manila Amendments to the STCW Convention 1978, as amended, require specific consideration with respect to new provisions in force concerning the fitness for duty, the prevention of fatigue, the prevention of drug and alcohol abuse and watchkeeping arrangements.

APPLICABILITY:

This Circular applies to all shipowners and operators of Swiss Flag commercial ships and seafarers employed on vessels under the Swiss Flag.

REQUIREMENTS:

- 1. Fitness for duty**
 - 1.1. For the purpose of preventing fatigue and the involved dangers, shipowners of vessels under the Swiss Flag shall establish and enforce rest periods for watchkeeping officers and ratings as well for personnel with designated safety, security or prevention of pollution duties. The rest periods shall be set in accordance with the requirements of STCW Code section A-VIII/1, the Maritime Labour Convention 2006 regulation 2.3 and follow the Swiss Maritime Navigation Office Circular N° CH 43-3 “Minimum Hours of Rest”.
 - 1.2. On each seagoing vessel under Swiss Flag, there shall be watch schedules posted where they are easy accessible. The watch schedule shall be in accordance with the format and requirements given in the Swiss Maritime Navigation Office Circular N° CH 43-3 paragraph 4 and its Annex I “Table of Shipboard Working Arrangements”.
 - 1.3. Records of daily hours of rest shall be maintained in accordance with the format and requirements given in the Swiss Maritime Navigation Office Circular N° CH 43-3 paragraph 5 and its Annex II “Records of Hours of Rest”.
 - 1.4. Musters, fire-fighting and lifeboat drills and other required drills shall be conducted in a manner that minimizes the disturbance of rest periods and that does not induce fatigue.

- 1.5. 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.
- 1.6. Whereas the Company and the master have an obligation to ensure that the required rest periods be observed, the individual seafarers also have an obligation to use the time available for effective rest.

2. Exceptions from provisions of hours of rest

In accordance with the ILO Convention on Seafarers' Hours of Work and the Manning of Ships 1996 (No.180) Article 5.6 and of the Maritime Labour Convention 2006 (Standard A2.3 Article 13), the Swiss Maritime Administration may permit exceptions of the provisions of hours of rest as set out in Swiss Maritime Navigation Office Circular N^o CH 43-3 "Minimum Hours of Rest" paragraph 2.

3. Distress situations concerning hours of rest

Nothing in the provisions of rest hours 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.

3. Prevention of drug and alcohol abuse

- 3.1. Shipowners, masters and seafarers shall be aware, that drug and alcohol abuse directly affect the fitness and ability of a seafarer to perform watchkeeping duties or duties that involve designated safety, prevention of pollution and security duties. Seafarers found to be under the influence of drugs or alcohol should not be permitted to perform watchkeeping duties or duties that involve designated safety, prevention of pollution and security duties, until they are no longer impaired in their ability to perform those duties.
- 3.2. The Swiss Maritime Administration sets the 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.
- 3.3. Flag State Inspectors and ISM Auditors may randomly verify the alcohol level in breath during the Annual Flag State Inspections and ISM Audits. The limits may also be subject of Port State Control Inspections. Violations shall result in penalties in accordance with Art. 139 of the Swiss Maritime Statute.
- 3.4. Companies should consider the implementation of a clearly written policy of drug and alcohol abuse prevention, including prohibition to consume alcohol within four hours prior to serving as a member of a watch either by inclusion in the company's quality management system or by means of providing adequate information and education to the seafarers.

4. Standards, principles and guidance regarding watchkeeping

- 4.1. Referring to the entry into force of the Manila Amendments on 01 January 2012 and in particular to chapter VIII of the Convention, the Swiss Maritime Administration instructs Shipping Companies, Masters, Officers and all watchkeeping personnel employed on vessels under the Swiss Flag, to **consider the standards, principles and guidance regarding watchkeeping as described in STCW Code section A-VIII/2** in order to ensure the maintenance of safe and continuous watches on all vessels under the Swiss Flag at all times and according to the prevailing circumstances and conditions.
- 4.2. In general, the master of a vessel under the Swiss Flag shall ensure that the watchkeeping arrangements are adequate for safe watches at all times taking into account the prevailing circumstances and conditions. Under the master's general direction stand:
- .1 The chief engineer officer shall ensure that watchkeeping arrangements are adequate to maintain a safe engineering watch at all times, taking into account the prevailing circumstances and conditions.
 - .2 Officers in charge of the navigational watch shall be responsible for navigating the ship safely at all times during their periods of duty, when they shall be physically present on the navigating bridge or in a directly associated location such as the chartroom or bridge control room.
 - .3 Radio operators are responsible for maintaining a continuous radio watch on appropriate frequencies during their periods of duty.
 - .4 Officers in charge of an engineering watch under the direction of the chief engineer officer, shall be immediately available and on call to attend the machinery spaces and, when required, shall be physically present in the machinery space during their periods of responsibility.
 - .5 Personnel of an appropriate and effective watch or watches maintained for the purpose of safety at all times, while the ship is at anchor or moored and, if the ship is carrying hazardous cargo, the organization of such watches takes full account of the nature, quantity, packing and stowage of the hazardous cargo and of any special conditions prevailing on board, afloat or ashore.
 - .6 Personnel maintaining, as applicable, an appropriate and effective watch or watches for security purposes.

Swiss Maritime Navigation Office SMNO