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THE REPUBLIC OF PALAU

Standards of Training, Certification and Watchkeeping for Seafarers (STCW) Regulations 2017

National provisions:

Admiralty and Maritime Title 7:

Chapter 1:

- Section 124: Licensing of master and engineer...

Chapter 6:

- Section 607: Authority to issue licenses, certificates and other documents

Chapter 8:

- Section 802: Full complement required...
- Section 803: Officers' licenses...
- Section 804: Penalty for misuse of licenses or certificates
- Section 805: Employment of properly trained Palauan citizens



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PART 1

INTRODUCTORY PROVISIONS

Citation and commencement

The REPUBLIC OF PALAU, in order to promote safety of life and property at sea and the protection of the marine environment, adopts the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers and gives full effect to the Convention, including the 2010 Manila Amendments.

These regulations may be cited as the Standards of Training, Certification and Watch keeping for Seafarers (STCW) Regulations 2017.

1. In these Regulations:

“Appropriate certificate” means a certificate issued and endorsed in accordance with the provisions of Part 2 and entitling the lawful holder to serve in the capacity and perform the functions involved:

- (a) at the level of responsibility specified,
- (b) on a ship of the type, tonnage or power and means of propulsion indicated, and
- (c) while engaged on the voyage concerned;

“Approved” means approved by or on behalf of the Ministry of Public Infrastructure, Industries and Commerce of the Republic of Palau;

‘Administration’ means the Ministry of Public Infrastructure, Industries and Commerce of Republic of Palau;

“Certificate of competency” (CoC) means an appropriate certificate issued by the Minister of Public Infrastructure, Industries and Commerce for the purposes of regulation 6 (other than a certificate of endorsement);

“Certificate of Endorsement” (CoE) means an endorsement in the form of a separate document issued by the Administration, Industries and Commerce in accordance with regulation 29 to a master, officer or radio operator who holds an appropriate certificate issued by or under the authority of another Party to the STCW Convention;

“Certificate of proficiency” (CoP) means a certificate, other than a certificate of competency or a certificate of endorsement, issued to a seafarer, stating that the relevant requirements of training, competencies or seagoing service under the STCW Convention have been met;

“A certificate of proficiency in training for tanker cargo operations” means a certificate of proficiency issued in accordance with the provisions of STCW Regulations V/1-1 and V/1-2 in



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basic or advanced training for—

- (a) oil tanker cargo operations,
- (b) chemical tanker cargo operations, or
- (c) liquefied gas tanker cargo operations;

“Chemical tanker” means a ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the IBC Code;

“Chief engineer officer” means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;

“Chief mate” means the officer next in rank to the master and upon whom the command of the ship will fall in the event of the incapacity of the master;

“Company” in relation to a ship, means the owner of the ship or any other person, such as the manager or the bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by the STCW Regulations;

“Documentary evidence” means documentation, other than a certificate of competency or certificate of proficiency, used to establish that the relevant requirements of the STCW Convention have been met;

“Electro technical officer” means an officer designated as such and qualified in accordance with the provisions of Regulation III/6 of the STCW Convention;

“Electro technical rating” means a rating qualified in accordance with the provisions of Regulation III/7 of the STCW Convention;

“Endorsement Certificate”: means a license issued to an applicant who holds an appropriate and valid national certificate from another country in accordance with STCW Convention. And which may not be re-endorsed by another Party to the STCW Convention listed on the White-Listed

“Engineer officer” means an officer qualified in accordance with the provisions of Regulations III/1, III/2 or III/3 of the STCW Convention;

“Fast rescue boat” means a rescue boat being not less than 6 meters in length and not more than 8 meters, being capable of maneuvering for at least 4 hours, at a speed of at least 20 knots in calm water with a suitably qualified crew and at least 8 knots with a full complement of persons and equipment.

“Fishing ship” means a ship used for catching fish or other living resources of the sea;

“GMDSS” means the Global Maritime Distress and Safety System;

“GMDSS radio operator” means a person who is qualified in accordance with the provisions of Regulations IV/1 and IV/2 of the STCW Convention;



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“gt” means gross tonnage as determined under the International Convention on Tonnage Measurement of Ships, 1969;

“High speed craft” has the same meaning as in the High-Speed Craft Code;

“High Speed Craft Code” means the International Code of Safety for High Speed Craft 2000;

“IBC Code” means the latest Edition of the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk;

“IGC Code” means the latest Edition of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk;

“ISPS Code” means the International Ship and Port Facility (ISPS) Code;

“Length” has the same meaning as in the International Convention on Tonnage Measurement of Ships, 1969

“Life Raft” means a life raft complying with the requirements of chapter IV, paragraph 4.1 of the International Life Saving Appliance Code;

“Liquefied gas tanker” means a ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product listed in chapter 19 of the IGC Code;

Marine Notice means a notice issued by the Administration relating to the implementation of any Convention to which Palau is a party or related Code and any document amending said

National Certificate means a Certificate of Competency issued to an applicant who has satisfactorily met the requirements for service, age, medical fitness, training, qualification and examination in accordance with these Regulations and which may be endorsed by another Party of the STCW Convention for use on their Flag Vessels

Near-Coastal voyage, trade or operation of a vessel:

- a) within 200 nautical miles from the coastal baseline of Palau,
- b) within a similarly established zone of another country as requested in the application for a COC, and
- c) Within 200 nautical miles from the coastal baseline of Palau to neighboring countries where the Exclusive Economic Zone of the neighboring country meets that of Palau or a similarly established zone of another country. Ships engaged in “Near Coastal Voyages” shall not sail beyond 200 nautical miles of the coast of the country or countries listed on the certificate.

“Documentary evidence” means documentation, other than a certificate of competency or certificate of proficiency, used to establish that the relevant requirements of the STCW Convention have been met;

“Electro technical officer” means an officer designated as such and qualified in accordance with the provisions of Regulation III/6 of the STCW Convention;

“Electro technical rating” means a rating qualified in accordance with the provisions of Regulation



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III/7 of the STCW Convention;

“Endorsement Certificate”: means a license issued to an applicant who holds an appropriate and valid national certificate from another country in accordance with STCW Convention. And which may not be re-endorsed by another Party to the STCW Convention listed on the White-Listed

“Engineer officer” means an officer qualified in accordance with the provisions of Regulations III/1, III/2 or III/3 of the STCW Convention;

“Fast rescue boat” means a rescue boat being not less than 6 meters in length and not more than 8 meters, being capable of maneuvering for at least 4 hours, at a speed of at least 20 knots in calm water with a suitably qualified crew and at least 8 knots with a full complement of persons and equipment.

“Fishing ship” means a ship used for catching fish or other living resources of the sea;

“GMDSS” means the Global Maritime Distress and Safety System;

“GMDSS radio operator” means a person who is qualified in accordance with the provisions of Regulations IV/1 and IV/2 of the STCW Convention;

“gt” means gross tonnage as determined under the International Convention on Tonnage Measurement of Ships, 1969;

“High speed craft” has the same meaning as in the High-Speed Craft Code;

“High Speed Craft Code” means the International Code of Safety for High Speed Craft 2000;

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“IGC Code” means the latest Edition of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk;

“ISPS Code” means the International Ship and Port Facility (ISPS) Code;

“Length” has the same meaning as in the International Convention on Tonnage Measurement of Ships, 1969

“Life Raft” means a life raft complying with the requirements of chapter IV, paragraph 4.1 of the International Life Saving Appliance Code;

“Liquefied gas tanker” means a ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product listed in chapter 19 of the IGC Code;

Marine Notice means a notice issued by the Administration relating to the implementation of any Convention to which Palau is a party or related Code and any document amending said

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Near-Coastal voyage, trade or operation of a vessel:

- d) within 200 nautical miles from the coastal baseline of Palau,
- e) within a similarly established zone of another country as requested in the application for a COC, and
- f) Within 200 nautical miles from the coastal baseline of Palau to neighboring countries where the Exclusive Economic Zone of the neighboring country meets that of Palau or a similarly established zone of another country. Ships engaged in "Near Coastal Voyages" shall not sail beyond 200 nautical miles of the coast of the country or countries listed on the certificate.

Oil means petroleum in any form, including crude oil, fuel oil, sludge, oil refuse and refined products other than oil-like substances which are subject to the Dangerous or Noxious Liquid Substances in Bulk Code;

"Oil tanker" means a ship constructed or adapted primarily to carry oil in bulk in its cargo spaces and includes a combination carrier when it is carrying a cargo or part cargo of oil in bulk;

"Passenger ship" means a ship which carries more than 12 passengers;

"Prescribed fee" means the fee prescribed by Regulation promulgates under Section 603 of Title 7;

"Propulsion power" means the total maximum continuous rated output power in kilowatts of all a ship's main propulsion machinery which appears on the ship's certificate of registry or another official document;

"Rating" means a member of a ship's crew other than the master or an officer;

"Rescue boat" means a boat other than fast rescue boat designed to rescue persons in distress;

"Safe manning document" means a document, described as such, issued:

- (a) in the case of a Palau ship by the Minister of Public Infrastructure, Industries and Commerce of the REPUBLIC OF PALAU, or by the Administration on behalf and
- (b) in the case of any other ship by or on behalf of the government of the State whose flag the ship is entitled to fly;

"Seafarer" means any person, including a master, who is employed or engaged or works in any capacity on board a ship and whose normal place of work is on a ship; except a marine pilot

"Sea-going" means navigating to sea beyond the limits of waters within or closely adjacent to sheltered waters or areas where port regulations apply;

"Second engineer officer" means the engineer officer next in rank to the chief engineer officer and upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the chief engineer officer;

STCW Code means the Seafarers' Training, Certification and Watchkeeping Code adopted by



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the 2010 Manila Conference of Parties to the STCW Convention;

“STCW Certificate” means a certificate issued and endorsed in accordance with the provisions of the STCW Convention entitling the lawful holder to serve in the capacity and perform the functions involved:

- (a) at the level of responsibility specified;
- (b) on a ship of the type, tonnage or power and means of propulsion on which the seafarer is serving; and
- (c) while engaged on the voyage concerned.

“STCW Convention” means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended;

“STCW Regulation” means a Regulation contained in Attachment 1 to the Final Act of the 2010 Manila Conference of Parties to the STCW Convention;

“STCW State” means a State which is part of STCW Convention that has been identified to be in compliance with the STCW Convention.

“Tanker” means a chemical tanker, a liquefied gas tanker or an oil tanker;

“White List”: IMO list of States found to be giving full and complete effect to the provisions of the STCW Convention.

and

(2) Any reference in these Regulations to the ISPS Code, MLC, the STCW Convention or a STCW Regulation includes reference to any instrument amending the Code or Convention which is considered by the Minister of Public Infrastructure, Industries and Commerce to be relevant and is specified in a Marine Notice.

(3) Any reference to a requirement in an STCW Regulation also constitutes a reference to the corresponding section of Part A of the STCW Code.

PART 2 - TRAINING AND CERTIFICATION

Application of Part 2

2. This Part applies to a seafarer serving on board a sea-going ship registered in the Republic of Palau, except on:

- (a) a fishing ship,
- (b) a pleasure ship which is:
 - (i) less than 80 GT; or
 - (ii) under 24 meters in length; or
- (c) a wooden ship of primitive build.



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Requirement for seafarers to be qualified

3. This Part specifies standards of competence to be attained and other conditions to be satisfied by seafarers in order to be qualified for the purposes of section 802 of the Title.

Qualification as an officer

4. (1) A person must hold, in respect of the category and capacity in which that person is serving listed in column 1 (ANNEX 1):
- (a) An appropriate Certificate of Competency (CoC) or an appropriate certificate of endorsement (CoE),
 - (a) A medical fitness certificate in compliance with §7.4(b) of the Republic of Palau Maritime Regulation and STCW Regulation I/9, Section A-I/9 & Table A-I/9 and
 - (b) A Certificate of Proficiency (CoP) as defined in this Part.
- (2) Subject to paragraph (f), the Administration may issue a CoC or a C o P to a person only if that person complies with the criteria in the STCW Regulations listed in column (2) of that Table in relation to the category of service listed in column (1) (ANNEX 1)
- (3) A Certificate of Competency required by this regulation:
- (a) must be issued and endorsed in accordance with this Part;
 - (b) entitles the holder to serve in the specified capacity; and
 - (c) entitles the holder to perform the functions involved:
 - (i) at the specified level of responsibility;
 - (ii) on a ship of the type, GT or power and means of propulsion as indicated on it; and
 - (iii) while engaged on the voyages concerned.
- (4) In the circumstances specified in paragraph (5), the Administration may permit a person who does not hold an appropriate certificate of endorsement to serve in an appropriate capacity on board a ship for a maximum period of three months.
- (5) The circumstances referred to in paragraph (4) are:
- (a) the person holds a valid certificate of competency issued by a STCW Party
 - (b) that certificate is appropriate for the capacity in which the person is to serve; and
 - (c) the person has applied to the Administration under regulation 29 for a certificate of endorsement (CoE).
- (6) The Administration may issue an alternative certificate in accordance with Chapter VII of STCW.



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Engine-room watch duties

5. (1) This regulation applies to a seafarer performing watchkeeping duties in a manned or periodically unmanned engine room on a ship whose main propulsion machinery has a propulsion power of not less than 350 kilowatts, but less than 750 kilowatts.

The seafarer must hold one of the engineering certificates of competency referred to in regulation 4; or

Radio communication and radio personnel on a GMDSS ship

6. (1) A seafarer in charge of or performing radio duties on a ship required to participate in the GMDSS must hold a certificate of competency related to the GMDSS.

(2) A certificate of competency under this regulation may not be issued to a person ("the applicant") by the Administration unless the person:

- (a) is at least 18 years of age; and
- (b) has completed the education and training and meets the standards of competence specified in section A-IV/2 of the STCW Code.

Seafarers on an oil or chemical tanker - basic training

7. (1) A seafarer assigned specific duties and responsibilities related to cargo or cargo equipment on an oil or chemical tanker must hold a certificate of proficiency in basic training for oil and chemical tanker cargo operations.

(2) The Administration may issue a certificate of proficiency required by paragraph (1) only to a person who meets the criteria specified in STCW Regulation V/1-1, paragraph 2.

Seafarers on an oil tanker - advanced training

8. (1) This regulation applies to the following seafarers serving on board an oil tanker—

- (a) the master;
- (b) a chief engineer officer;
- (c) a chief mate;
- (d) a second engineer officer; and
- (e) any other seafarer with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo related operations.

(2) A person to whom this regulation applies must hold a certificate of proficiency in advanced training for oil tanker cargo operations.

(3) The Administration may issue a certificate of proficiency required by paragraph (2) only to a



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person who meets the criteria specified in STCW Regulation V/1-1, paragraph 4.

Seafarers on a chemical tanker - advanced training

9. (1) This regulation applies to the following seafarers serving on board a chemical tanker—
- (a) the master;
 - (b) a chief engineer officer;
 - (c) a chief mate;
 - (d) a second engineer officer; and
 - (e) any other seafarer with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo related operations.
- (2) A person to whom this regulation applies must hold a certificate of proficiency in advanced training for chemical tanker cargo operations.
- (3) The Administration may issue a certificate of proficiency required by paragraph (2) only to a person who meets the criteria specified in STCW Regulation V/1-1, paragraph 6.

Seafarers on a liquefied gas tanker - basic training

10. (1) An officer or rating assigned specific duties and responsibilities related to cargo or cargo equipment on a liquefied gas tanker must hold a certificate of proficiency in basic training for liquefied gas tanker cargo operations.
- (2) The Administration may only issue a certificate of proficiency required by paragraph (1) to a person who meets the criteria specified in STCW Regulation V/1-2, paragraph 2.

Seafarers on a liquefied gas tanker - advanced training

11. (1) This regulation applies to the following seafarers serving on board a liquefied gas tanker:
- (a) the master;
 - (b) a chief engineer officer;
 - (c) a chief mate;
 - (d) a second engineer officer; and
 - (e) any other seafarer with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo related operations.
- (2) A person to whom this regulation applies must hold a certificate of proficiency in advanced training for liquefied gas tanker cargo operations.



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(3) The Administration may issue a certificate of proficiency required by paragraph (2) only to a person who meets the criteria specified in STCW Regulation V/1-2, paragraph 4.

Ratings forming part of a navigational watch

12. (1) A rating forming part of a navigational watch on a ship of 500 GT or more must hold a certificate of proficiency to perform such duties.

(2) The Administration may issue a certificate of proficiency required by paragraph (1) only to a person who meets the criteria specified in STCW Regulation II/4, paragraph 2.

(3) This regulation does not apply to:

- (a) a rating under training; or
- (b) a rating whose duties are of an unskilled nature.

Ratings forming part of an engine-room watch

13. (1) A rating forming part of an engine-room watch or designated to perform duties in a periodically unmanned engine-room on a ship powered by main propulsion machinery of 750 kilowatts propulsion power or more must hold a certificate of proficiency to perform such duties.

(2) The Administration may issue a certificate of proficiency required by paragraph (1) only to a person who meets the criteria specified in STCW Regulation III/4, paragraph 2.

(3) This regulation does not apply to:

- (a) a rating under training; or
- (b) a rating whose duties are of an unskilled nature.

Ratings as able seafarer deck

14. (1) An able seafarer deck serving on board a ship of 500 GT or more must hold a certificate of proficiency.

(2) The Administration may issue a certificate of proficiency required by paragraph (1) only to a person who meets the criteria specified in STCW Regulation II/5, paragraph 2 or paragraph 6.

Ratings as able seafarer engine

15. (1) An able seafarer engine serving on board a ship powered by main propulsion machinery of 750 kilowatts propulsion power or more must hold a certificate of proficiency.

(2) The Administration may issue a certificate of proficiency required by paragraph (1) only to a person who meets the criteria specified in STCW Regulation III/5, paragraph 2 or 4.



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Electro-technical ratings

- 16. . (1)** An electro-technical rating serving on board a ship powered by main propulsion machinery of 750 kilowatts propulsion power or more, must hold a certificate of proficiency.
- (2)** The Administration may only issue a certificate of proficiency required by paragraph (1) to a person who meets the criteria specified in STCW Regulation III/7, paragraph 2 or 4.

Seafarers designated to launch or take charge of a survival craft or rescue boat (other than a fast rescue boat)

17. . (1) A seafarer designated to launch or take charge of a survival craft or a rescue boat, other than a fast rescue boat, must hold a certificate of proficiency in such craft.

(2) The Administration may issue a certificate of proficiency required by paragraph (1) only to a person who meets the criteria specified in STCW Regulation VI/2, paragraph 1.

Seafarers designated to launch or take charge of a fast rescue boat

18. . (1) A seafarer designated to launch or take charge of a fast rescue boat must hold a certificate of proficiency in such craft.

(2) The Administration may issue a certificate of proficiency required by paragraph (1) only to a person who meets the criteria specified in STCW Regulation VI/2, paragraph 2.

Ship security officers

19. . (1) A ship security officer must hold a certificate of proficiency for the performance of the duties or functions of such a role.

(2) The Administration may issue a certificate of proficiency required by paragraph (1) only to a person who meets the criteria specified in STCW Regulation VI/5, paragraph 1.

(3) In this regulation, “ship security officer” means the person on board a ship, accountable to the master, designated by the company as responsible for the security of the ship including implementation and maintenance of the ship security plan and liaison with the company security officer and port facility security officers.

Seafarers on a passenger ship engaged on international voyages (other than a high-speed craft)

20. . (1) This regulation applies to seafarers serving on board a passenger ship engaged on international voyages, other than a high-speed craft.

(2) Prior to being assigned shipboard duties on board a passenger ship, a seafarer must have completed the training required by paragraphs (3) to (6) in accordance with their capacity, duties



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and responsibilities.

(3) Training in crowd management as specified in section A-V/2 of the STCW Code must be completed by the following:

- (a) the master;
- (b) each officer; and
- (c) any other seafarer designated on muster lists to assist passengers in emergency situations on board passenger ships.

(4) Safety training specified in section A-V/2 paragraph 2 of the STCW Code must be completed by a seafarer providing direct service to passengers in passenger spaces on board a passenger ship.

Approved training in passenger safety, cargo safety and hull integrity as specified in section

(5) A-V/2, paragraph 4 of the STCW Code must be completed by:

- (a) the master;
- (b) a chief engineer officer;
- (c) a chief mate;
- (d) a second engineer officer; and
- (e) any other seafarer assigned immediate responsibility for embarking and disembarking passengers, loading, discharging or securing cargo, or closing hull openings on board a ro-ro passenger ship.

(6) Approved training in crisis management and human behavior specified in section A-V/2, paragraph 3, of the STCW Code must be completed by:

- (a) the master;
- (b) a chief engineer officer;
- (c) a chief mate;
- (d) a second engineer officer; and
- (e) any other seafarer designated on muster lists as having responsibility for the safety of passengers in emergency situations.

Seafarers on a high-speed craft

21. (1) This regulation applies to a seafarer serving on board a high-speed craft constructed on or after 1st January 1996.

(2) Before being assigned shipboard duties on board a high-speed craft to which this regulation applies, a seafarer must complete the training specified in section 18.3.3 of the High-Speed Craft Code.

(3) A person providing the training referred to in this regulation must issue documentary evidence to every person successfully completing such training.



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Safety familiarization, basic training and instruction for all seafarers

22. Before being assigned to shipboard duties, a seafarer must—

- (a) receive familiarization and basic training or instruction in accordance with section A-VI/1 of the STCW Code; and
- (b) meet the appropriate standard of competence specified in that section.

Seafarers designated as a fire fighting controller

23. A seafarer designated to control fire-fighting operations must:

- (a) have successfully completed advanced training in techniques for fighting fire, with emphasis on organization, tactics and command in accordance with section A-VI/3, paragraphs 1 to 4 of the STCW Code; and
- (b) meet the standard of competence specified in that section.

Seafarers designated as a provider of medical first aid or to take charge of medical care

24. (1) A seafarer designated to provide medical first aid on board a ship must meet the standard of competence in medical first aid specified in section A-VI/4, paragraphs 1 to 3 of the STCW Code.

(2) A seafarer designated to take charge of medical care on board a ship must meet the standard of competence in medical care on board ships specified in section A-VI/4, paragraphs 4 to 6 of the STCW Code.

Security-related familiarization training for seafarers on an ISPS ship

25. (1) This regulation applies to a seafarer serving on a seagoing ship which is required to comply with the provisions of the ISPS Code.

(2) Before being assigned to shipboard duties, a seafarer must—

- (a) receive security-awareness familiarization and security-awareness training or instruction in accordance with section A-VI/6, paragraphs 1 to 4 of the STCW Code; and
- (b) meet the appropriate standard of competence specified in that section.

(3) A seafarer with designated security duties must meet the standard of competence specified in section A-VI/6, paragraphs 6 to 8 of the STCW Code.

Application for a CoC or a CoP

26. An application for the issue of a certificate required by this Part must be made in a form



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specified by the Administration and be accompanied by the prescribed fee and evidence of identity, age, relevant service, standards of competence and certificates or qualifications held.

Form of a certificate and approval of seagoing service

27. (1) A certificate of competency or a certificate of proficiency issued under this Part must be in the form specified in section A-I/2, paragraph 1, of the STCW Code.

(2) When approving seagoing service required by the Convention, the Administration must act in accordance with section A-I/2, paragraph 5, of the STCW Code.

Endorsements on a certificate

28. Where the Administration issues a certificate under regulations in this Part, the certificate must be duly signed and sealed by the Administration in the form prescribed in STCW Regulation I/2.

Exemptions

(1) The Administration may grant an exemption from the requirements of this Part if he becomes satisfied that:

- (a) in the case of a master or chief engineer officer, the conditions specified in paragraphs (2) and (3) are met;
- (b) in the case of a radio operator, the conditions specified in paragraph (2) are met and the relevant requirements of the radio regulations annexed to, or regarded as being annexed to the International Telecommunication Convention, as amended, are met; or
- (c) in the case of any other category of seafarer, the conditions specified in paragraph (2) are met.

(2) The conditions referred to in each subparagraph of paragraph (1) are that:

- (a) an exemption is necessary and does not pose a danger to persons, property or the environment;
- (b) the seafarer is adequately qualified to fill the vacant post in a safe manner; and
- (c) the seafarer is:
 - (i) properly certificated to fill the post immediately below that which the seafarer now performs; or
 - (ii) where certification of the post immediately below is not required, the qualification and experience of the seafarer are of clear equivalence to the requirements for the post to be filled and the seafarer passes a test accepted by the Administrations demonstrating



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that an exemption may safely be issued.

- (3) The conditions referred to in paragraph (1)(a) only is that circumstances of force majeure exist.
- (4) The Administration must specify the duration of an exemption and the duration must be:
- (a) in the case of a seafarer referred to in paragraph (1)(a), the shortest possible period; and
 - (b) in the case of another category of seafarer, a period not exceeding six months.
- (5) In exercising the function specified in paragraph (4) the Administration must have as an objective ensuring that the post in question is filled by the holder of an appropriate certificate as soon as possible.
- (6) The Administration may impose such additional terms on an exemption under this regulation as the Administration may consider appropriate.
- (7) The Administration may amend or cancel any exemptions granted under this regulation.

Endorsement for the Recognition of a Certificate issued by another STCW State

29. (1) This regulation applies to the following certificates issued by or under the authority of another STCW State:
- (a) a certificate of competency issued to a master or an officer;
 - (b) a certificate of competency issued to a GMDSS radio operator; or
 - (c) a certificate of proficiency in training for tanker cargo operations issued to a master or an officer.
- (2) The Administration may recognize such a certificate if:
- (3) Subject to paragraphs (5) and (6), where the Administration recognizes a certificate pursuant to paragraph (2) He shall, on application of the holder of a certificate, issue a certificate of endorsement (CoE) attesting to its recognition.
- (4) The Administration must not issue a certificate of endorsement (CoE) to an applicant, unless the applicant can demonstrate possession of adequate English language proficiency and, has an appropriate knowledge of the maritime legislation of the "Administration" relevant to the functions he is permitted to perform, in accordance with the requirements in Regulation I/10 of the STCW Convention.
- (5) Where, pursuant to paragraph (2), the Administration recognizes the standard of competence or proficiency required for the issue of a certificate by another STCW State as satisfying only in part the standard required for officers qualified for this Part, the Administration may specify additional standards which are to be attained, and how such standards may be demonstrated, for the issue of a certificate of endorsement (CoE).
- (6) A certificate of endorsement (CoE) issued under this regulation must be in the form set out in section A-I/2, paragraph 3 of the STCW Code.



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Validity of a certificate or endorsement

30. (1) Subject to regulations 28 and 29, a certificate issued under this Part remains valid for sea-going service provided the holder complies with the standards and conditions:

- (b) as to medical fitness prescribed by these Regulations; and by the Medical Standards in STCW Regulation I/9, Section A-I/9 & Table A-I/9
- (c) of professional competency to act in the appropriate capacity required by the STCW Convention and this Part.

(2) Subject to regulation 28, an endorsement issued under regulation 29 remains valid for sea-going service if the certificate which is endorsed has not expired or been withdrawn, suspended or cancelled.

Revalidation of certain certificates and endorsements

31. (1) This regulation applies to:

- (a) a certificate of competency issued to a master or an officer;
- (b) a certificate of endorsement (CoE) issued to a master or an officer issued under regulation 29 and
- (c) a certificate of proficiency in training for tanker operations issued to a master or an officer;

(2) A certificate or endorsement to which this regulation applies is not valid for seagoing service unless, at intervals not exceeding five years, it is revalidated by the Administration of the REPUBLIC OF PALAU.

(3) Before revalidating a certificate or endorsement to which this regulation applies, the Administration must be satisfied that the holder of the certificate has established continued professional competence in accordance with section A-I/11 of the STCW Code.

(4) An application for revalidation must be made in a form specified by the Administration be accompanied by:

- (a) evidence of identity, age, relevant service, standards of competence and certificates or qualifications held; and
- (b) the prescribed fee.

Refresher training for certain seafarers

32. (1) Paragraph (2) applies to a seafarer who holds a certificate of proficiency in the following:

- (a) personal survival techniques;



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- (b) survival craft and rescue boats;
- (c) advanced firefighting;
- (d) fire prevention and firefighting; and
- (e) fast rescue boats.

(2) A seafarer to whom this paragraph applies must at intervals not exceeding five years, successfully complete approved refresher training relating to the certificate held.

(3) A master and a seafarer designated to take charge of medical care on board ship must at intervals not exceeding five years successfully complete approved refresher training relating to that designation.

(4) Every master and officer must for continuing sea-going service on ships referred to in regulations 22 and 23 successfully complete approved refresher training relating to the training and qualifications required under those sections at intervals not exceeding five years.

Cancellation of a certificate

33. The Administration may cancel a certificate issued under this Part where:

- (a) the holder is convicted of an offence under section 47(5) of the Act; or
- (b) a certificate or endorsement is issued and the conditions for its issue prescribed in these Regulations have not been complied with.

Appeal against refusal or cancellation of a certificate

34. (1) If the Administration intends to:

- (a) refuse the issue of;
- (b) refuse the revalidation of; or
- (c) cancel,

a document specified in paragraph (2) for any reason, the Administration must give notice in writing to the applicant or holder of the certificate.

(2) The documents referred to in paragraph (1) are:

- (a) a certificate of competency;
- (b) a certificate of endorsement (CoC);
- (c) a certificate of proficiency; or
- (d) an endorsement issued under regulation 30.

(3) The applicant may, before a date specified in the notice, require the refusal or cancellation to be reviewed at an inquiry.

(4) If the Administration fails either to:



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- (a) issue or revalidate a certificate of endorsement (CoE); or
- (b) to give notice in writing pursuant to paragraph (1) to an applicant for a certificate of endorsement (CoE) within twenty-eight days of the application being made,

the Administration is deemed to have refused the application and the applicant has the right, to require in writing before the expiry of a further twenty-eight days, that the application be reviewed at an inquiry.

(5) If the applicant has required an inquiry in accordance with paragraph (3) or (4), the Administration must cause such an inquiry to be held by one or more persons appointed by the Administration of the REPUBLIC OF PALAU.

Loss of a certificate

35. Where a person who holds, a certificate has lost or been deprived of it, the Administration may, upon receipt of the prescribed fee, issue a certified copy of the certificate to the holder.

Register of certificates and endorsements

36. (1) The Registrar must keep a register of certificates and endorsements issued under this Part ("the register") recording the items of information listed in section A-I/2, paragraph 9, of the STCW Code.

(2) Upon the request of a State or company referred to in paragraph (3) the Registrar must provide from the register the information listed in paragraph (4) in so far as such information is necessary to verify the authenticity or validity of documents held by a seafarer.

(3) For the purposes of paragraph (2) a State or company is:

A third-party State; or

A company which employs, or is considering employing, the seafarer to whom the information relates on board a ship.

(4) The information mentioned in paragraph (2) is information on the status of:

- (a) a certificate of competency;
- (b) a certificate of proficiency in training for tanker cargo operations issued to a master or an officer;
- (c) an endorsement issued in respect of a certificate within (i) or (ii); or
- (d) any dispensation or exemption granted under sections 48 or 54 of the Act which relates to the seafarer to whom the request relates.

Provision and quality of training

37. (1) Any organization providing training or assessment of seafarers for certification



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under the STCW Convention or this Part, on behalf of the Republic of Palau to grant approval must ensure that:

- (a) such training or assessment is administered, supervised and monitored in accordance with section A-I/6 of the STCW Code; and
- (b) those responsible for such training are appropriately qualified in accordance with that section for the type and level of training involved.

(2) Any organization providing training specified by the Administration must issue documentary evidence to every person successfully completing such training

(3) The Administration must ensure that:

A quality standards system meeting the requirements of STCW Regulation I/8 is in place; and Periodically and at intervals of not more than five years an evaluation is undertaken in accordance with that Regulation.

PART 3

TRAINING AND CERTIFICATION: NEAR COASTAL VOYAGES

38. The Types of competency for service on board ships engaged in near coastal voyages and specific requirements apply are:

- Master of ships of less than 500 GT engaged in near coastal voyages
- Officer in charge of a navigational watch on ships of less than 500 GT engaged in near coastal voyages
- Skipper of a ship up to 200 gross tonnage engaged in near coastal voyages
- Chief engineer officer on ships powered by main propulsion machinery of between 750 and 3000 kilowatts propulsion power
- Engineer officer on ships powered by main propulsion machinery of between 750 and 3000 kilowatts propulsion power

Certificates

39. Regulations 27 to 36 apply to certificates issued under regulation 42 as they apply to certificates issued under Part 2.

Exemptions

40. The Administration may grant an exemption from the requirements of this part on the same ground as defined in regulation 31.

PART 4

SAFE MANNING AND WATCH KEEPING



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Application of Part 4

41. (1) This Part applies to sea-going ships which are:

- Palauan flagged ships wherever they are; and
- other ships when in Palau waters.

(2) This Part does not apply to:

- (a) a fishing ship;
- (b) a pleasure ship; or

Safe manning:

Safe manning document

42. (1) In relation to a ship of 500 GT or more, a company must ensure that:

- a safe manning document issued by the Administrations in force in respect of the ship and the manning of the ship;
- the safe manning document is kept on board the ship always; and
- the manning of the ship is maintained always to at least the levels specified in the safe manning document.

(2) The master of a ship to which this regulation applies must ensure that the ship does not proceed to sea unless there is on board a valid safe manning document issued in respect of the ship and the manning of the ship complies with that document.

(3) A company applying for a safe manning document in respect of a Palau ship must submit to the Administration proposals as to the numbers and grade of seafarer it considers must be carried so that the ship is safely manned if it proceeded to sea on an intended voyage.

(4) The Administration may issue guidance to companies on safe manning to assist them in preparing proposals under paragraph (3).

(5) After any approval by the Administration of proposals and the issue of a safe manning document, a company must inform the Administration as soon as there is any change in the

(6) circumstances which are pertinent to that document.

(7) Upon receipt of notification by a company under paragraph (5), the Administration may review the document's continuing validity or approve fresh proposals from the company.

(8) A Dispensation (an Exemption as per Reg. 31 in Part 2 of the present) may be granted in circumstances of exceptional necessity and an emergency; it is issued by the Administration in the form of a "Crew Dispensation Letter", and permits a person to serve temporarily in the capacity next



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highest to that for which he or she is presently certificated for a period not to exceed six (6) months. A Dispensation shall not be granted in the capacities of Master, Chief Engineer, Radio Officer, GMDSS General Operator or Ship Security Officer.

(9) Dispensations may be revoked or suspended at any time by the Administration, or an official who is authorized to act for and on behalf, when the Administration declares that the emergency referred to above no longer exists

Watchkeeping:

Fitness for duty

43. Rest periods are established for watchkeeping personnel and those whose duties involve designated safety, prevention of pollution and security duties in accordance with the provisions of section A-VIII/1 of the STCW Code;
44. Watch systems shall be so arranged that the efficiency of all watchkeeping 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.
45. Seafarers found to be under the influence of drugs or alcohol are not 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.
46. Companies shall implement 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. The provision of adequate information and education to the seafarers shall be recorded and initialed by the seafarers.
47. For preventing alcohol abuse, a limit is defined as follows:
 - Not greater than 0.05% blood alcohol level (BAC) or
 - 0.25 mg/l alcohol in the breath or
 - Any quantity of alcohol leading to such alcohol concentration for masters, officers and other seafarers while performing designated safety, security and marine environmental duties.

Arrangements generally and at sea

48. (1) The master of a ship must ensure that the watchkeeping arrangements for the ship are always adequate for maintaining safe navigational, engineering and radio watches:
 - in accordance with STCW Regulation VIII/2, paragraph 2; and



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- considering:
- the prevailing circumstances and conditions; and
- section A-VIII/2 of the STCW Code.

(2) Without prejudice to the duties of a master provided by paragraph (1), a master must give directions to the deck watchkeeping officers responsible for navigating the ship safely during their periods of duty, in accordance with:

Section A-VIII/2, Part 4-1, of the STCW Code; and

(3) The chief engineer officer of a ship must ensure that the engineering watchkeeping arrangements for the ship are always adequate for maintaining a safe watch, in accordance with: Section A-VIII/2, Part 4-2, of the STCW Code; and

Arrangements in port

49. (1) The master of a ship which is safely moored or safely at anchor under normal circumstances in port must arrange for an appropriate and effective watch to be maintained for the purposes of safety.

(2) The arrangements required by paragraph (1) must be in accordance with —
Section A-VIII/2, Part 5, of the STCW Code; and

Watchkeeping arrangements in port for ships carrying hazardous cargo

50. (1) The master of a ship which is carrying hazardous cargo, and which is in port, even when safely moored or safely at anchor must, in addition to any watchkeeping arrangements required under regulation 48, in the case of:

- a ship carrying hazardous cargo in bulk, ensure that a safe deck watch and safe engineering watch are maintained by the ready availability on board of a duly qualified officer or officers and, where appropriate, ratings; and
- a ship carrying hazardous cargo other than in bulk, ensure that in organizing safe watchkeeping arrangements account is taken of the nature, quantity, packing and stowage of the hazardous cargo and of any special conditions on board, afloat and ashore.

(2) In this regulation “hazardous cargo” means cargo which is or may be explosive, flammable, toxic, health-threatening or environment-polluting.

Exemptions

51. The Administration may grant, on such terms, if any, as may be specified, exemptions from all or any of the provisions of this Part for classes of case or individual cases and may amend or cancel any exemptions so granted.

PART 5

GENERAL PROVISIONS



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Responsibilities of companies, masters and others

52. (1) This regulation applies to a sea-going ship registered in the Republic of Palau, except for:

- (a) a fishing ship;
- (b) a pleasure ship which is:
 - (i) less than 80 GT; or
 - (ii) under 24 meters in length; or
- (c) a wooden ship of primitive build.

(2) A company must ensure that:

- (a) a seafarer assigned to any of its ships holds an appropriate certificate in respect of any function that person performs on that ship;
- (b) a seafarer on any of its ships has had training specified in Part 2 in respect of any function that person performs on that ship; and
- (c) documentation and data relevant to a seafarer employed on its ships are maintained and readily available for inspection and include, without being limited to, documentation and data on their experience, training, medical fitness and competency in assigned duties.

(3) Nothing in paragraph (2) prohibits the allocation of tasks for training under supervision or in case of force majeure.

(4) A company must provide written instructions to the master of each of its ships setting out the policies and the procedures to be followed to ensure that all officers and ratings who are newly employed on board the ship are given a reasonable opportunity to become familiar with the shipboard equipment, operating procedures and other arrangements needed for the proper performance of their duties, before being assigned to those duties.

(5) The policies and procedures referred to in paragraph (4) include:

- (a) allocation of a reasonable period during which each newly employed officer or rating will have an opportunity to become acquainted with:
 - (i) the specific equipment the officer or rating will be using or operating; and
 - (ii) ship-specific watchkeeping, safety, environmental protection and emergency procedures and arrangements the officer or rating needs to know to perform the assigned duties properly; and
- (b) designation of a knowledgeable crew member responsible for ensuring that an opportunity is provided to each newly employed officer or rating to receive essential information in a language the officer or rating understands.

(6) A master and a member of a crew designated with an obligation under paragraph (5)(b) must carry out that obligation.



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Carriage of documents

53. A company and a master must ensure that there are carried always on board ship all original certificates and other documents issued pursuant to the STCW Convention and Part 2 of these Regulations indicating the qualification of any member of the crew to perform functions which they are required to perform aboard ship during their designated duties.

Inspection of non-Palau ships

54. (1) An authorized person may inspect any ship which is not a Palau ship for the purposes of:

- verifying that a seafarer serving on board who is required to be certificated holds valid STCW certificates; and
- assessing the ability of a seafarer in the ship to maintain the watchkeeping standards required by Part 4 of these Regulations where there are clear grounds for believing that such standards are not being maintained because, while in a port in Palau or approaching to that port, any of the following have occurred:
 - the ship has been involved in a collision, grounding or stranding;
 - there has been a discharge of substances from the ship when underway, at anchor or at a berth, which is unlawful under any international convention;
 - the ship has been maneuvered in an erratic or unsafe manner, or safe navigation practices and procedures have not been followed; or
 - the ship has otherwise been operated in such a manner as to pose a danger to persons, property, the environment, or a compromise to security.

(2) If an authorized person finds on inspection any deficiency of a kind specified in paragraph (3), the authorized person must notify in writing:

- (d) the master of the ship; and
- (e) the nearest maritime, consular or diplomatic representative of the flag State, that

such a deficiency has been found.

(3) Deficiencies referred to in paragraph (2) are:

- (a) a failure of a seafarer to hold an STCW certificate, or a valid exemption from that requirement;
- (b) a failure to comply with the safe manning requirements of the flag state administration;
- (c) a failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the competent authority of the country in which the ship is registered;



Palau International Ship Registry



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- (d) absence on a watch of a person qualified to operate equipment essential to safe navigation, safety radio communications or the prevention of marine pollution;
- (e) inability of the master to provide adequately rested and fit for duty persons, for the first watch at the commencement of a voyage and for subsequent relieving watches.

(4) In this regulation:

“authorized person” means a person authorized by the Administration for the purposes of these Regulations; and

Power to detain

55. (1) Paragraph (2) applies in any case where it is found:

- in relation to a ship which is a Palau ship, that there is any contravention of these Regulations; or
- in relation to a ship which is not a Palau ship, that there is:
 - a contravention of regulation 47, 48 or 49;
 - a breach of a term of an exemption granted under regulation 50; or
 - a failure to correct a deficiency of a kind specified in regulation 53(3) after notification to the master pursuant to regulation 53(2), and there is in consequence a danger to persons, property or the environment.

(2) Where this paragraph applies, the ship may be detained,

(3) Rights of appeal and compensation, arbitration and compensation for unjustified detention apply as those in relation to a detention under Port State Control MOUs requirements.

Penalties

56. The shipowner or Master of the vessel shall be liable for the following penalties if the ship or seafarer are found not in compliance with these STCW regulations.

- (1) A ship-owner who contravenes regulation 46, or 52 is guilty of an offence, punishable on summary conviction by a fine of 2000 USD
- (2) A master who contravenes regulation 46, 48, 49, or 52 is guilty of an offence punishable on summary conviction by a fine of 2500 USD
- (3) A member of the crew who contravenes regulation 52(6) is guilty of an offence, punishable on summary conviction by a fine of 2500 USD
- (4) A chief engineer who contravenes regulation 48(3) is guilty of an offence punishable on summary conviction by a fine of 2500 USD;
- (5) It is a defense for a person charged with an offence under these Regulations that the person took all reasonable steps to avoid commission of the offence.



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- (6) In any proceedings for an offence under these Regulations, consisting of a failure to comply with a duty or requirement to do something so far as it is reasonably practicable, it is for the person charged to prove that it was not reasonably practicable to do more than was in fact done to satisfy the duty or requirement.

Signed by authority of the Administration for Palau International Ships Registry

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ANNEX	
QUALIFICATION AS AN OFFICER: REGULATION 4	
<i>Categories and capacity</i>	<i>STCW Regulation in which the requirements for the issue of a certificate of competency are Contained</i>
<p>Master and deck department:</p> <ul style="list-style-type: none"> ➤ Officer in charge of a navigational watch on any ship on voyages not limited to near-coastal voyages ➤ Master or chief mate on a ship of 3000 GT or more ➤ Master on a ship of between 500 GT and 2999 GT not engaged on near-coastal voyages Chief mate on a ship of between 500 GT and 2999 GT ➤ Officer in charge of a navigational watch on a ship of less than 500 GT engaged on near-coastal voyages ➤ Master on a ship of less than 500 GT engaged on near-coastal voyages ➤ Skipper of a ship up to 200 gross tonnage engaged in near coastal voyages 	<ul style="list-style-type: none"> ✓ Regulation II/1, paragraph 2 & ✓ Regulation II/2, paragraph 2 ✓ Regulation II/2, paragraph 4 ✓ Regulation II/3, paragraph 4 ✓ Regulation II/3, paragraph 6 ✓ Regulation II/3, paragraph 4
<p>Engine department:</p> <ul style="list-style-type: none"> ➤ Officer in charge of an engineering watch in a manned engine-room, or designated duty engineer officer in a periodically unmanned engine-room, on a ship powered by main propulsion machinery of 750 kilowatts propulsion power or more ➤ Chief engineer officer or second engineer officer on a ship powered by main propulsion machinery of 3000 kilowatts propulsion power or more ➤ Chief engineer officer and second engineer officer on a ship powered by main propulsion machinery of between 750 and 3000 kilowatts propulsion power ➤ Electro-technical officer on a ship powered by main propulsion machinery of 750 kilowatts propulsion power or more 	<ul style="list-style-type: none"> ✓ Regulation III/1, paragraph 2 ✓ Regulation III/2, paragraph 2 ✓ Regulation III/3, paragraph 2 ✓ Regulation III/6, paragraph 2

