

Übersetzung durch den Sprachendienst des Bundesministeriums für Verkehr und digitale Infrastruktur.

Translation provided by the Language Service of the Federal Ministry of Transport and Digital Infrastructure.

Stand: Die Übersetzung berücksichtigt die Änderung(en) der Verordnung durch Artikel 66 der Verordnung vom 2. Juni 2016 (BGBl. I S. 1257)

Version information: The translation includes the amendment(s) to the Act by Article 66 of the Act of 2 June 2016 (Federal Law Gazette I p. 1257)

Zur Nutzung dieser Übersetzung lesen Sie bitte den Hinweis auf www.gesetze-im-internet.de unter "[Translations](#)".

For conditions governing use of this translation, please see the information provided at www.gesetze-im-internet.de under "[Translations](#)".

Regulations on the Competencies and Proficiencies of Seafarers in the Maritime Shipping industry (Seafarers' Competencies and Proficiencies Regulations)*

Seafarers' Competencies and Proficiencies Regulations of 8 May 2014 (Federal Law Gazette [BGBl.] Part I p. 460), last amended by Article 66 of the Act of 2 June 2016 (Federal Law Gazette I p. 1257)

Footnote *: These Regulations also transpose:

1. Directive 2012/35/EU of the European Parliament and of the Council of 21 November 2012 amending Directive 2008/106/EC on the minimum level of training of seafarers (OJ L 343, 14.12.2012, p. 78);
2. Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (recast) (OJ No L 323, 3.12.2008, p. 33);
3. Directive 2005/45/EC of the European Parliament and of the Council of 7 September 2005 on the mutual recognition of seafarers' certificates issued by the Member States and amending Directive 2001/25/EC (OJ No L 255, 30.9.2005, p. 160);
4. Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22), to the extent that professions in the seafaring sector are affected.

The Federal Ministry of Transport and Digital Infrastructure hereby makes the following Regulations, in both cases in conjunction with Section 1(2) of the Amendment of Responsibilities Act of 16 August 2002 (Federal Law Gazette I, p. 3165) and the Organizational Decree of 17 December 2013 (Federal Law Gazette I, p. 4310),

- on the basis of paras. 3a, 3c and 3d of the first sentence of Section 9(1) of the Maritime Shipping (Federal Competences) Act in the version promulgated on 26 July 2002 (Federal Law Gazette I, p. 2876), Section 9(1) and (2) as amended by Article 2(1)(6) of the Act of 20 April 2013 (Federal Law Gazette I, p. 868), after consulting the

Federal Ministry of Labour and Social Affairs and the Federal Ministry of Food and Agriculture, and

- on the basis of Section 12(2) of the Maritime Shipping (Federal Competences) Act in the version promulgated on 26 July 2002 (Federal Law Gazette I, p. 2876), as amended by Article 2(163) of the Act of 7 August 2013 (Federal Law Gazette I, p. 3154), in conjunction with Section 23(2) of the Federal Charges Act of 7 August 2013 (Federal Law Gazette, I p. 3154), after consulting the Federal Ministry of Finance:

Part 1
General Provisions

Chapter 1
Scope, definitions, responsibilities

Section 1
Scope

These Regulations govern

1. the competencies, proficiencies and other requirements for the issuing and withdrawal of certificates of competency, certificates of proficiency and other certificates for masters, officers and other seafarers serving on board commercial vessels;
2. the approval of training courses; and
3. the procedures for the recognition of vocational aptitude tests

unless otherwise specifically governed by other provisions.

Section 2
Definitions

(1) "STCW Convention" means the International Convention of 7 July 1978 on Standards of Training, Certification and Watchkeeping for Seafarers (Federal Law Gazette 1982 II, p. 297), as amended.

(2) "STCW Code" means the amendments, adopted by Resolution 2 of the Final Act of the Conference of Member States of the International Maritime Organization on 7 July 1995, to the Annex to the STCW Convention (Federal Law Gazette 1997 II, p. 1118), as amended.

(3) For the purposes of these Regulations:

1. "Federal Agency" means the Federal Maritime and Hydrographic Agency;
2. "Berufsgenossenschaft" means the occupational accident insurance fund for the transport industry;
3. "Certificate of competency" means the official certificate issued by a competent authority of a Party to the STCW Convention and, in the case of nautical service on fishing vessels and technical service on vessels with a propulsion power of less than 750 kilowatts, by another competent entity for masters, officers and GMDSS radio operators on which the powers, functions and/or levels of responsibility, including restrictions, of the holder of the certificate have been entered and which entitles the holder to serve in the capacity and perform the functions involved at the level of responsibility specified therein;
4. "Certificate of proficiency" means the certificate issued by a competent authority of a Party to the STCW Convention for seafarers on which the powers, functions and levels of responsibility, including restrictions, of the holder of the certificate of proficiency have been entered;
5. "Proof of qualification" means documentary evidence, in accordance with Section 51, other than a certificate of competency or certificate of proficiency, used to

establish that the requirements of the STCW Convention relevant to any given proof of qualification have been met;

6. "Endorsement of recognition" means an endorsement issued by the Federal Agency the purpose of which is to recognize a certificate of competency issued to a master, officer or GMDSS radio operator and obtained in another country or a certificate of proficiency for service on tankers on ships flying the flag of the Federal Republic of Germany;

7. "Certificate of equivalent competency" means a certificate issued by the Federal Agency the purpose of which is to recognize a certificate obtained in another country concerning a competence not subject to the STCW Convention for service on ships flying the flag of the Federal Republic of Germany;

8. "Certificates" means certificates of competency, certificates of proficiency, evidence of qualification and other certificates, in particular endorsements of recognition, certificates of equivalent competency and dispensations, issued in accordance with these Regulations;

9. "Management level" means the level of responsibility associated with crew members serving as master, chief mate, chief engineer officer or second engineer officer on board a seagoing ship and ensuring that all functions within the designated area of responsibility are properly performed;

10. "Operational level" means the level of responsibility associated with crew members serving as officer in charge of a navigational or engineering watch, electro-technical officer, designated duty engineer for periodically unmanned machinery spaces, GMDSS radio operator or ship's doctor and maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under the direction of an individual serving in the management level for that area of responsibility;

11. "Support level" means the level of responsibility associated with crew members performing assigned tasks, duties or responsibilities under the direction of the master or an officer;

12. "Training record book" means a record of activities published or approved by the Federal Agency to certify practical training and seagoing service;

13. "Month" means a calendar month or, if several periods each lasting less than one calendar month are involved, a period made up of 30 days;

14. "Domestic voyage" means a voyage from German ports to German ports and German islands;

15. "International voyage" means a voyage in the course of which ports outside the Federal Republic of Germany are called at;

16. "Near-coastal voyage" means an international voyage in the course of which ports in the European part of the Kingdom of the Netherlands, in the Kingdom of Denmark with the exception of the Faeroes and Greenland, and ports in the Republic of Poland are called at;

17. "Fishing vessel" means a commercial ship used for catching fish or other living marine resources;

18. "Coastal fishing" means fishing done on fishing voyages from coastal places in the Federal Republic of Germany or the neighbouring coastal countries over a distance not exceeding 30 nautical miles from the German coast;

19. "High sea fishing" means fishing done in the Baltic Sea, the North Sea and in the area bounded in the north by the 63rd parallel north from the Norwegian coast to the 10th meridian west, thence southwards to 60 nautical miles north of the Irish coast, continuing at a distance of 60 nautical miles along the west coast of Ireland to 50°30' north and 10° west and thence in a straight line to the Creach Lighthouse (Ushant) on the island of Ouessant;

20. "Deep sea fishing" means fishing done outside the boundaries of high sea fishing.

21. "Small vessel" means a commercial vessel less than 24 metres long used as an enforcement or inspection vessel, a pilot boat or a boat plying between two places;

22. Length means 96 percent of the total length on a waterline at 85 percent of the least moulded depth measured from the top of the keel or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that is greater.

In the case of para. 22 of the first sentence, in ships designed with a rake of keel, the waterline on which this length is measured shall be parallel to the designed waterline.

(4) For the purposes of these Regulations, the abbreviations listed in Annex 1 are used to designate the certificates of competency and certificates of proficiency for seafarers engaged in navigation, maritime mobile service, engineering, safety and security.

Section 3 Responsibilities

(1) Within the scope of these Regulations, the Federal Agency shall be responsible:

1. for issuing, replacing, exchanging, withdrawing and seizing certificates and declaring that certificates have been suspended;
2. for revalidating certificates of competency and certificates of proficiency by recognizing the continued existence of the competence or proficiency;
3. for approving training courses and activities and for conducting examinations;
4. for issuing training record books, if this is required by these Regulations;
5. subject to subsection 5(1), for establishing whether training courses in the fields of metalwork and electrical engineering satisfy the requirements; and
6. for issuing certificates of professional activity in maritime shipping.

(2) Notwithstanding subsection 1(1), the certification of officers in charge of the navigational watch or officers in charge of the engineering watch shall, in the case of candidates who have graduated from the training institutions established by the State of Mecklenburg-Western Pomerania, be the responsibility of the administrative authority designated by that state on the basis of the administrative arrangement between the Federal Republic of Germany and the State of Mecklenburg-Western Pomerania of 5 August 2005 (Federal Gazette, p. 12875).

(3) Notwithstanding subsection 1(1), evidence of qualification for service on passenger ships and evidence of qualification for the maintenance of competencies pursuant to Sections 44 to 46, shall not require a certificate issued by the Federal Agency if certificates are issued in accordance with Section 51(5) or 54(2).

(4) Notwithstanding subsection 1(3), the Berufsgenossenschaft shall be responsible for approving training courses in the fields of basic safety training, the operation of survival craft and rescue boats plus fast rescue boats and the control of fire-fighting operations. The first sentence also applies to training courses to ensure continued professional competence pursuant to Section 54(1).

(5) Within the scope of these Regulations, the Berufsbildungsstelle Seeschifffahrt e.V. shall be responsible for establishing whether regulated professions in the fields of metalwork and electrical engineering satisfy the requirements and for supervising the practical training and seagoing service of officer assistants. It shall be subject to technical supervision by the Federal Ministry of Transport and Digital Infrastructure.

Section 4 **Standardized formats for certificates**

The standardized formats for the certificates of competency, certificates of proficiency, endorsements of recognition and evidence of professional activity in maritime shipping shall be published by the Federal Ministry of Transport and Digital Infrastructure in the Federal Ministry of Transport Gazette.

Chapter 2 **Obtaining and issuing certificates**

Section 5 **General requirements for obtaining certificates**

(1) Persons wishing to obtain a certificate of competency, certificate of proficiency or evidence of qualification shall prove:

1. their identity and that they have reached the minimum age prescribed in Section 6;
2. their personal aptitude pursuant to Section 7;
3. their professional aptitude,
 - a) within the framework of training courses conducted under federal state law, by means of a vocational aptitude test, or
 - b) within the framework of approved training courses for obtaining competencies in German maritime shipping law in accordance with Annex 2, in maritime safety and security, for service on special types of vessel and other advanced vocational training courses;
4. that they have undergone the practical training and seagoing service required by these Regulations; and
5. that they have completed a basic safety training course and that they hold a corresponding valid certificate of proficiency.

Para. 5 of the first sentence does not apply to persons applying for a certificate of competency for GMDSS radio operators or a certificate of proficiency for ship security.

(2) Persons wishing to obtain a certificate of competency for navigation must, in addition to the requirements set out in subsection 1, prove:

1. in the case of domestic voyages, near-coastal voyages or coastal fishing, that they hold a Restricted Operator's Certificate (ROC) for GMDSS radio operators; and
2. in all other cases that they hold a General Operator's Certificate (GOC) for GMDSS radio operators.

(3) Subsection 1(1) and (2) shall be applied mutatis mutandis to the issuing of endorsements of recognition and certificates of equivalent competency.

Section 6 **Minimum age**

- (1) Notwithstanding the provisions of the Maritime Labour Act, the minimum age of candidates for a certificate of competency or a certificate of proficiency shall be 18 years. Persons applying for a master's certificate of competency must be at least 20 years old.
- (2) Notwithstanding subsection (1), persons must be at least 16 years old when applying for a certificate of proficiency for:
1. navigational watch proficiency;
 2. engine-room watch proficiency;
 3. proficiency regarding the basic requirements of safety on board;
 4. proficiency in ship security;
 5. proficiency required for service on an oil tanker, chemical tanker or liquefied gas tanker.
- (3) In the cases described in subsection (2), persons may obtain the proficiencies before their 16th birthday, and necessary examinations may also be taken before this time. However, certificates of proficiency may not be issued until the time stipulated in subsection (2)

Section 7 Personal aptitude

- (1) A person shall be deemed to possess the personal aptitude for obtaining or revalidating a certificate of competency or certificate of proficiency if they:
1. prove, by means of a certificate as described in Section 12, their medical fitness for the activity they are to perform at sea and for the relevant branch of service; and
 2. are not, on the basis of their behaviour in vessel traffic, unreliable.
- (2) Persons shall be deemed to be unreliable if they have seriously or repeatedly violated provisions governing criminal traffic offences in connection with the operation of a vessel and have been finally convicted for this.
- (3) Persons shall normally be deemed to be unreliable if, as the holder of a certificate of competency, they have violated the current provisions in the maritime shipping sector governing the consumption of alcohol or have performed watchkeeping duties under the influence of intoxicating substances.
- (4) In particular, persons may be regarded as unreliable if:
1. they have seriously violated provisions governing criminal traffic offences outside the maritime shipping sector a vessel and have been finally convicted for this;
 2. they have repeatedly committed infringements of shipping police rules that carry a fine;
 3. they have had a certificate of competency or endorsement of recognition for maritime shipping withdrawn by a final decision of the competent authority; or
 4. they have been repeatedly banned from operating in maritime shipping.
- (5) If there is sufficient reason for believing that a candidate does not possess the required reliability, the Federal Agency may require a candidate to:
1. apply for a certificate of good conduct under Section 30 of the Federal Central Criminal Register Act for submission to the Federal Agency; or
 2. submit
 - a) a report by a traffic psychologist, or

- b) a medico-psychological report.

Section 8 Time limits

- (1) The following shall be issued for a limited period of time and revalidated:
1. a certificate of competency for navigational service on commercial vessels not used for the purposes of fishing, for maritime mobile service on a ship and for the engine department, with the exception of the certificate of competency for engine operators;
 2. a certificate of proficiency for service on tankers;
 3. evidence of qualification for service on passenger ships; and
 4. an endorsement recognizing a certificate of competency issued by another country.
- (2) The period of time for which they are issued shall not exceed five years.
- (3) The period shall commence:
1. upon successful completion of training; or
 2. upon successful completion of a training course that is a requirement for the desired certificate; or
 3. in the case of certificates of competency for navigational service being issued or revalidated pursuant to Section 29(1) and (2), at the times stipulated in para. (1) or (2) or at the start of the period of time for which a licence to perform maritime mobile service on ships is issued.

The least recent event shall be taken as a basis. If the event is less than six months old, the date on which the certificate was issued shall be applicable for the start of the period.

Section 9 Restrictions

The Federal Agency shall issue and revalidate a certificate of competency with the restrictions resulting from Section 13(1) of the Maritime Labour Act, these Regulations and the regulations in the Annex to the STCW Convention, if appropriate, regarding a ship's size, propulsion power, trading area or technical equipment.

Chapter 3 Vocational aptitude tests and approvals

Subchapter 1 Vocational aptitude tests for masters and officers

Section 10 Vocational aptitude tests

- (1) Candidates for a certificate of competency
1. as a deck officer;
 2. as an engineer officer;
 3. as a master, if these Regulations make provision for this,
- must demonstrate their professional aptitude by means of a vocational aptitude test. The vocational aptitude test must be such that it can be used to determine whether the candidates possess the knowledge, understanding and proficiency required for the competencies prescribed in any given case and are able to use them confidently on board commercial vessels.
- (2) Persons wishing to be admitted to the vocational aptitude tests must demonstrate:

1. that they have completed the required practical training and seagoing service;
 2. that they have been trained at a training institution established under federal state law
 - a) in accordance with the syllabuses provided for in these Regulations and under federal state law,
 - b) for the duration provided for in these Regulations and under federal state law;
 3. that they have passed examinations:
 - a) in all training fields covered by the STCW Convention and the Annexes to the STCW Convention;
 - b) in German maritime shipping law pursuant to Annex 2(5).
- (3) Examinations at the training institutions established under federal state law that mark the conclusion of a shipping-related course of study or a shipping-related school education (final examinations) shall be the vocational aptitude tests referred to in subsection (1). Prerequisites for this shall be that the quality standards within the meaning of Section 11 are complied with, the quality standards system, including independent external assessment, is effectively in place and that the other requirements set out in these Regulations are met.

Section 11 **Quality standards**

- (1) The relevant requirements for ensuring the safety of life at sea and protection of the marine environment with regard to training and competencies under the STCW Convention shall be deemed to have been met for certification in accordance with the STCW Convention within the meaning of Section 2(2) of the Maritime Shipping (Federal Competences) Act if the Federal Agency does not raise any objections and compliance with the following provisions of the Annex to the STCW Convention is ensured:
1. compliance with Regulation I/6 with regard to the underlying training programmes;
 2. compliance with Regulation I/12 with regard to the use of simulators;
 3. compliance with the requirements set out in the appropriate chapters in conjunction with Regulation I/6 with regard to school and higher education or practical vocational education, training and competence on board;
 4. compliance with Regulation I/6 with regard to the competence, supervision and monitoring of the trainers and those responsible for training and assessment of competence;
 5. compliance with Regulation I/6 with regard to the proficiency and competence of candidates and with regard to the assessment of competence;
 6. compliance with Regulations I/6 and I/8 paragraph 1 with regard to the continuous monitoring of all activities through a quality standards system;
 7. compliance with Regulation I/8 paragraph 2 with regard to the third party supported self-monitoring of the training institution by means of regular evaluation, by a qualified independent body, of the measures and action taken in accordance with paras. (1) to (6).
- (2) The relevant requirements for ensuring the safety of life at sea and protection of the marine environment with regard to training and competencies for navigational service on fishing vessels shall be deemed to have been met for certification within the meaning of

Section 2(2) of the Maritime Shipping (Federal Competences) Act if there are no specific well-founded objections and compliance with the appropriate provisions of these Regulations and the application mutatis mutandis of subsection (1) is ensured.

Section 12

Quality standards system and external evaluation

(1) The requirements set out in Section 11(1)(6) and (7) shall be deemed to have been met if the shipping-related training institutions established under federal state law, after consultation with the Federal Agency:

1. have established quality standards systems on a permanent basis;
2. there is regular evaluation by selected qualified persons who are not themselves involved in the activities concerned; and
3. the necessary data, documents and information are provided for the reporting obligations specified in Regulation I/8 paragraph 3 of the Annex to the STCW Convention.

The Federal Agency shall forward the data, documents and information referred to in para. (3) of the first sentence to the Federal Ministry of Transport and Digital Infrastructure.

(2) The major factor determining whether a person is qualified within the meaning of subsection 1(2) shall be knowledge of international maritime shipping and the quality requirements resulting from conventions and codes of the International Maritime Organization, in particular the STCW Convention and its transposition into domestic law.

(3) The shipping-related training institutions established under federal state law shall give the Federal Agency an opportunity to attend the final examinations as an observer. Representatives of the Federal Agency shall not be members of the board of examiners but shall be given the right to suggest examination questions and inspect written examination papers. Suggestions made by the Federal Agency shall be taken into account when implementing subsections (1) and (2)

Section 13

Other requirements to be met by vocational aptitude tests

The requirements set out in paras. (1) and (2) of the first sentence of Section 11(1) and in Section 11(2) shall be deemed to have been met if the Federal Ministry of Transport and Digital Infrastructure and the Federal Agency are given an opportunity to provide comments regarding the adoption of course and examination regulations plus curricula. The Federal Agency shall be authorized to make comments in the interests of complete implementation of the relevant requirements set out in the STCW Convention.

Section 14

Suspension of recognition as vocational aptitude tests

(1) If the Federal Agency receives well-founded complaints, or if the Federal Republic of Germany is informed that another state or the International Maritime Organization believes that the requirements set out in Section 10 have not been met, recognition of a final examination as a vocational aptitude test can be suspended until the complaints have been addressed and resolved in consultation with the competent authorities of the federal state.

(2) If the complaints referred to in subsection (1) relate to an isolated case, the candidate may be required, before the requested certificate of competency is issued, to remove the shortcomings in accordance with these Regulations if the candidate is the cause of the complaint.

Subchapter 2

Approval of training courses

Section 15

Requirements to be met by training courses

Training courses within the meaning of Section 5(1)(3)(b) shall require approval by the Federal Agency; training courses within the meaning of Section 3(4) shall require approval by the Berufsgenossenschaft. The training courses, including any prescribed examinations, must be such that they provide the knowledge, understanding and proficiency for any given competency and demonstrate that they have been obtained.

Section 16 **Approval of training courses**

(1) A request for the approval of a training course shall be submitted in writing to the competent authority. The request must contain the following information:

1. a course name;
2. an outline of the training, containing at least the following:
 - a) duration of the training;
 - b) entry requirements for trainees regarding educational background, level of training, personal aptitude and the checking thereof;
 - c) specimen certificate of attendance;
 - d) minimum and maximum number of trainees permitted;
 - e) description of the classrooms and how they are equipped, including the equipment for practical exercises;
3. the course material to be used;
4. a training plan, containing at least the following:
 - a) overview of contents, stating the time devoted to the individual subjects, broken down into theory instruction and practical exercises (timetable);
 - b) detailed curriculum with in-depth description of the competencies to be acquired;
 - c) description of the instructional methodology and techniques to be used;
 - d) description of the procedure for assessing the competencies of the trainees, including the procedures for admission to examinations and the options and arrangements for resits;
5. a list of the instructors and examiners with a description of their training, qualifications, advanced training, instructor certification and relevant activities as an instructor;
6. a description of the procedure for compliance with the quality standards set out in Section 11(1) (1) to (5).

(2) If the documents submitted are complete and prove that the training course meets the requirements, provisional approval can be granted for a maximum of six months. Within the period of validity of the provisional approval, the competent authority shall check the training course at the premises of the training institution. If it meets the requirements, approval shall be granted for a maximum of three years. Collateral clauses may be attached to it, and this may also be done retroactively.

(3) The competent authority shall be notified without delay of any changes in circumstances relevant to the approval.

(4) The approval may be renewed if this is requested at least six months before the expiry of the period of validity and the requirements for approval are still met.

(5) The approval shall be withdrawn if the provider has obtained the approval:

1. by means of fraudulent misrepresentation, threat or bribery; or
2. by providing information, either intentionally or as a result of gross negligence, that was untrue or incomplete in major respects.

The approval shall be withdrawn if the provider no longer has the necessary professional skills, independence or reliability. This is without prejudice to Sections 48 and 49 of the Administrative Procedures Act.

Section 17 Record of attendees

The provider shall keep a record of the attendees who have successfully completed a training course within the last five years.

Subchapter 3 Periods of seagoing service and activities

Section 18 Periods of seagoing service and ships

Periods of seagoing service must be such that seafarers can obtain and continuously apply the knowledge, understanding and proficiency for any given competence. The seagoing service must be on ships covered by the scope of the STCW Convention in its Article III or on fishing vessels.

Section 19 Approved activities

Activities that are to be approved as appropriate to continued competency within the meaning of Section 53 must require knowledge, understanding and proficiency on which the relevant certificate of competency is based. The Federal Agency shall publish a list of approved activities.

Chapter 4 Foreign certificates and evidence of qualification

Section 20 Certificates of competency issued by other Member States of the European Union or other states parties to the Agreement on the European Economic Area

- (1) A certificate of competency within the meaning of Article 5 of Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (recast) (OJ L 323, 3.12.2008, p. 33), as amended, issued by another Member State of the European Union or a state party to the Agreement on the European Economic Area shall, upon request, be recognized by the Federal Agency.
- (2) Recognition shall be granted by issuing an endorsement in accordance with the requirements set out in section A-I/2, paragraph 3, of the STCW Code. Recognition shall be confined to the functions, capacities and levels of responsibility indicated on the certificate of competency submitted for recognition. Limitations included on the certificate of competency submitted shall be retained in accordance with the STCW Convention.
- (3) If the certificate of competency includes functions at the management level, candidates for an endorsement must demonstrate that they have appropriate knowledge of German maritime shipping law by having successfully attended an approved training course. If this proof cannot be furnished at the time of application, an endorsement of recognition valid for a maximum of three months can be issued, although not for service as a master.
- (4) The endorsement shall be issued for a fixed period of time pursuant to Section 8. However, the period of validity must not exceed the period of validity of the certificate of competency submitted for recognition.
- (5) The Federal Agency may, upon request, recognize certificates of competency and professional certificates for service on ships other than those referred to in subsection (1)

issued by another Member State of the European Union or state party to the Agreement on the European Economic Area or issue certificates of equivalent competency if the holders of a certificate of competency prove that they have knowledge equivalent to that required of the holder of a comparable German seafarer's qualification. An adaptation period or appropriate professional experience may be required in individual cases. This applies in particular to the seafaring professions and qualifications listed in Annex II to Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 on the recognition of professional qualifications (OJ L 255, 30.9.2005, p. 22), as amended if their holders are entitled to recognition.

Section 21

Certificates of competency from third states

A certificate of competency from states other than those referred to in Section 20 may, upon request, be recognized if this has been agreed with the third state in question within the meaning of Regulation I/10, paragraph 1.2 of the Annex to the STCW Convention Section 20 (2) to (5) shall be applied mutatis mutandis.

Section 22

Foreign certificates of proficiency, evidence of qualification

A certificate of proficiency or evidence qualification issued by a Party to the STCW Convention shall be deemed to be the corresponding certificate of proficiency and qualification under these Regulations without a procedure as described in Section 20 or 21 being required. The first sentence does not apply to certificates of proficiency as master or officer on tankers specified in sections A-V/1-1 and A-V/1-2 of the STCW Code.

Chapter 5

Other general provisions

Section 23

Fraud and other unlawful practices in connection with certificates

As part of its remit for keeping the Record of Seafarers' Competencies under Section 9f of the Maritime Shipping (Federal Competences) Act, the Federal Agency shall act as the competent authority within the meaning of Article 8 of Directive 2008/106/EC. It shall be responsible for taking the measures necessary for detecting and combating fraud or other unlawful practices in connection with the issuing and revalidation of certificates. This shall also include the exchange of information with the competent authorities of other countries within the meaning of Article 8(2) of Directive 2008/106/EC, taking into account the provisions of Section 9f(4) and (5) of the Maritime Shipping (Federal Competences) Act.

Section 24

Authorizations in the case of deviations from the training course and the obtaining of certificates

The Federal Agency may, upon request, authorize deviations from the provisions governing the obtaining of certificates of competency and certificates of proficiency if the candidate has, through other training courses and activities, in particular in the Federal Waterways and Shipping Administration, the federal fisheries protection and deep-sea fishing monitoring agencies, the Federal Armed Forces, the Federal Police and the federal state river police forces, obtained competencies that are equivalent to the provision of these Regulations. This rule shall not be applied in the cases listed in Section 43(2)(1).

Section 25

Dispensations

The Federal Agency may, if this does not cause danger to persons, property or the environment, upon request authorize a dispensation in accordance with Article VIII of the STCW Convention or Article 16 of Directive 2008/106/EC permitting a specified officer to serve on a specified commercial ship flying the flag of the Federal Republic of Germany for a

specified period not exceeding six months in a capacity for which he or she does not hold the appropriate certificate. No dispensation shall be authorized for a master or chief engineer officer except in circumstances of force majeure and then only for the shortest possible period.

Section 26

Requirement to keep certificates available on board

Holders of certificates shall be obliged to keep the originals of these certificates available on board if the certificates are relevant to the tasks they have been assigned.

Section 27

Issuing of replacements

(1) Persons who can credibly show that they have lost a certificate issued to them under these Regulations, or that the certificate has become unusable, or that they have changed their name shall, upon request, receive an identical certificate.

(2) Subsection (1) does not apply to certificates of proficiency for ship safety or certificates that include an equivalent competency. The provisions governing the revalidation of certificates of proficiency shall be applied mutatis mutandis.

(3) The Federal Agency may, upon request, issue a confirmation of lost or unusable certificates.

Part 2

Competencies and proficiencies for the deck department

Chapter 1

Navigational service excluding fishing vessels

Section 28

Seagoing service requirements

(1) To obtain the certificates of competency referred to in Section 29(1), candidates must complete seagoing service on commercial vessels of 500 gross tonnage or more or on commercial vessels engaged on international voyages.

(2) Their seagoing service must not be on fishing vessels.

(3) Subsections (1) and (2) apply mutatis mutandis to the demonstration of continued professional competence pursuant to Section 53.

Section 29

Certificates of competency and certificates of proficiency

(1) For navigational service, certificates of competency shall, upon request, be issued for certification as:

1. officer in charge of the navigational watch (NWO);
2. chief mate (NEO); and
3. master (NK).

The certificate of competency as officer in charge of the navigational watch shall include certification as chief mate on commercial vessels of less than 3000 gross tonnage.

(2) For navigational service on ships of less than 500 gross tonnage engaged on near-coastal voyages within the meaning of Regulation II/3 of the Annex to the STCW Convention, certificates of competency shall, upon request, be issued for certification as:

1. officer in charge of the navigational watch on near-coastal voyages (NWO 500);
and
2. master on near-coastal voyages (NK 500).

(3) For navigational service on small vessels engaged on domestic voyages, a certificate of competence shall, upon request, be issued for certification as skipper (NSF). Certificates of

competency for navigational service pursuant to subsections (1) and (2) shall include certification as skipper (NSF).

(4) For navigational service at the support level, certificates of proficiency shall, upon request, be issued certifying:

1. navigational watch proficiency (NWB), which qualifies ratings to form part of a navigational watch;
2. proficiency as able seafarer deck (NVM) in accordance with Section 64(5)(2).

Section 30

Requirements for obtaining certificates of competency

(1) To obtain a certificate of competency as officer in charge of the navigational watch (NWO), candidates shall demonstrate that:

1. they
 - a) are in possession of a certificate of final examination in the regulated profession of ship mechanic or
 - b) have completed an approved course of practical training and seagoing service as an assistant navigational officer in accordance with the Guidelines for the Training of Assistant Officers in Maritime Shipping of 8 January 2009 (Federal Ministry of Transport Gazette 2009, p. 48) of at least twelve months:
2. they have completed a course of training lasting at least two years in accordance with the requirements set out in sections A-II/1, A-II/2, A-IV/2 and A-VI/4 of the STCW Code at a training institution established under federal state law;
3. they have completed approved courses of training in accordance with the requirements set out in sections A-VI/2, paragraphs 1 to 4, and A-VI/3, paragraphs 1 to 4, of the STCW Code unless this training is already part of training under federal state law.

In the case referred to in para. 1(b) of the first sentence, the training and seagoing service may also be completed as a placement under educational law or in the form of practical semesters during their training at a training institution established under federal state law. In the case referred to in the second sentence, candidates shall keep a training record book in which the master or a qualified officer confirms that the candidates performed, during the required seagoing service, bridge watchkeeping duties under the supervision of the master or a qualified officer for a period of not less than six months and that the onboard training met the appropriate requirements set out in section A-II/1 of the STCW Code.

(2) To obtain a certificate of competency as chief mate (NEO), candidates shall demonstrate that they have seagoing service of not less than twelve months as officer in charge of a navigational watch (NWO).

(3) To obtain a certificate of competency as master (NK), candidates shall demonstrate that, in addition to the seagoing service referred to in subsection (2), they have further seagoing service of not less than twelve months as chief mate (NEO) or 24 months as officer in charge of a navigational watch (NWO).

(4) To obtain a certificate of competency as officer in charge of the navigational watch (NWO 500), candidates shall demonstrate that:

1. they
 - a) are in possession of a certificate of final examination in the regulated profession of ship mechanic;
 - b) have completed an approved course of practical training and seagoing service as an assistant navigational officer in maritime shipping of not less than twelve months;

c) are in possession of a certificate of final examination in the regulated profession of fish farmer specializing in middle-water and coastal fishing and that they subsequently completed twelve months of seagoing service in the deck department; or

d) have seagoing service of not less than 36 months in the deck department;

2. they have completed a course of training in accordance with the requirements set out in sections A-II/3, A-VI/2, A-VI/4, paragraphs 1 to 3, of the STCW Code lasting normally one half of a school year at a training institution established under federal state law;

3. they have completed approved courses of training in accordance with the requirements set out in sections A-VI/2, paragraphs 1 to 4, and A-VI/3, paragraphs 1 to 4, of the STCW Code unless this training is already part of training under federal state law.

In the cases referred to in para. 1(b) of the first sentence, candidates shall keep a training record book in which the master or a qualified officer confirms that the onboard training met the appropriate requirements set out in section A-II/3 of the STCW Code.

(5) To obtain a certificate of competency as master (NK 500), candidates shall demonstrate that they have seagoing service of not less than twelve months as officer in charge of a navigational watch (NWO 500).

(6) A certificate of competency as officer in charge of the navigational watch (NWO 500) or as master (NK 500) shall be issued with the following restrictions pursuant to Section 9:

1. it shall be valid exclusively for domestic voyages unless candidates can demonstrate that they hold a certificate of knowledge of the English language that corresponds at least to the basic knowledge in accordance with level A2 of the Common European Framework of Reference for Languages recommended for use by the Council of Europe in Recommendation (2008) 7 of the Committee of Ministers of 2 July 2008 and by the European Community in the Council Resolution of 14 February 2002 on the promotion of linguistic diversity and language learning in the framework of the implementation of the objectives of the European Year of Languages 2001 (OJ 2001 C 50, p. 1 ff.);

2. it shall not be valid for service on commercial vessels with automatic radar plotting aids (ARPAs) unless candidates furnish proof that they have completed an approved course of training on ARPAs;

3. it shall not be valid for service on commercial vessels with electronic chart display and information systems (ECDIS) unless candidates meet the requirement specified in para. (2) and furnish proof that they have completed an approved course of training on ECDIS.

The first sentence also applies to revalidation pursuant to Section 53.

(7) To obtain a certificate of competency as skipper (NSF), candidates shall demonstrate that they have at least twelve months of seagoing service in the deck department and that they have completed a course of training at a training institution established or recognized under federal state law in accordance with Annex 3.

Section 31

Requirements for obtaining certificates of proficiency

To obtain a navigational watch (NWB) certificate of proficiency, candidates must demonstrate that

1. they have completed:

a) seagoing service of not less than six months; or

b) an approved course of training, either on board ship or pre-sea, including a period of seagoing service of at least two months;

and

2. they have the standard of competence specified in section A-II/4 of the STCW Code.

The seagoing service and training referred to in para. (1) of the first sentence shall be associated with navigational watchkeeping duties and must be performed under the direct supervision of the master or an officer in charge of the navigational watch. In cases referred to in para. (1)(a), proof of the standard of competence required by para. (2) of the first sentence shall normally be furnished by means of a computerized examination, upon request, conducted by the Federal Agency in accordance with Annex 4.

Chapter 2

Navigational service on fishing vessels

Section 32

Seagoing service requirements

Seagoing service within the meaning of this chapter must be on fishing vessels of twelve metres length and over. The first sentence does not apply to obtaining a certificate of competency as skipper (BKü).

Section 33

Certificates of competency

(1) For navigational service on fishing vessels of 24 metres length and over, the following shall be issued upon request:

1. regarding certification as skipper, a certificate of competency
 - a) as master (BG) authorizing the holder to serve as skipper and chief mate in deep sea fishing and
 - b) as master (BK) authorizing the holder to serve as skipper in high sea fishing
2. regarding certification as officer, a certificate of competency
 - a) as officer in charge of the navigational watch (BGW) authorizing the holder to serve as officer of the watch in deep sea fishing and
 - b) as officer in charge of the navigational watch (BKW) authorizing the holder to serve as officer of the watch in high sea fishing.

(2) For navigational service on fishing vessels of less than 24 metres length engaged in coastal fishing, a certificate of competency as skipper (BKü) shall be issued upon request. Certificates of competency as skipper (BKü) obtained before 1 June 2014 shall retain their validity regarding the operation of fishing vessels measuring up to 75 GRT/ 150 gross tonnage, irrespective of the length of the vessel.

(3) The powers of a certificate of competency as a higher-order master shall include the powers of a lower-order certificate of competency. The certificate of competency as officer in charge of the navigational watch (BGW) shall include the powers of the certificate of competency as officer in charge of the navigational watch (BKW). By way of supplement to the first sentence, the certificate of competency as officer in charge of the navigational watch (BKW) shall include the powers of the certificate of competency as skipper (BKü) if the requirements set out in Section 6 are met. Certificates of competency for navigational service on fishing vessels shall include certification as skipper (NSF).

(4) Holders of a certificate of competency as skipper (BKü) who have passed their final examination at the training institutions established under federal state law and whose certificate of final examination states that their achievement in marine engineering is at least

adequate shall, upon request, receive the following addition on their certificate of competence (BKü): "The holder is also authorized to supervise automated machinery with power up to an including 300 kilowatts on fishing vessels engaged in coastal fishing and on small vessels."

(5) Holders of certificates of competency described in subsections (1) and (2) who furnish proof that they have completed an approved course of training on ARPA or ECDIS shall, upon request, receive an appropriate endorsement regarding their competencies in their certificate of competency.

Section 34

Requirements for obtaining certificates of competency

(1) To obtain a certificate of competency as officer in charge of the navigational watch (BGW), candidates shall demonstrate that they:

1. have at least twenty-four months of seagoing service in the deck department on deep sea fishing vessels; or
2. are in possession of a certificate of final examination in the regulated profession of ship mechanic, able seafarer or fish farmer specializing in middle-water and coastal fishing and that they subsequently completed twelve months of seagoing service in the deck department on deep-sea fishing vessels.

In addition, candidates shall demonstrate that they have completed a course of training lasting at least two years in accordance with the requirements set out in Annex 5 at a training institution established under federal state law.

(2) To obtain a certificate of competency as officer of the navigational watch (BKW) and skipper (BKü), candidates shall demonstrate that they are in possession of a certificate of final examination in the regulated profession of ship mechanic, able seafarer or fish farmer specializing in middle-water and coastal fishing and that they subsequently completed twelve months of seagoing service in the deck department on deep-sea fishing vessels, plus,

1. to obtain a certificate of competency as officer in charge of the navigational watch (BKW), that they have successfully completed a course of training lasting at least two semesters and
2. to obtain a certificate of competency as skipper (BKü), that they have successfully completed a course of training lasting at least one semester

in accordance with the requirements set out in Annex 5 at a training institution established under federal state law.

(3) To obtain a certificate of competency as master (BG), candidates shall demonstrate that they have seagoing service of 24 months as officer in charge of a navigational watch in deep sea fishing.

(4) To obtain a certificate of competency as master (BK), candidates shall demonstrate that they have seagoing service of 24 months as officer in charge of a navigational watch in high sea fishing.

Chapter 3

Maritime mobile service

Section 35

Certificates of competency

For the performance of maritime mobile service on radio stations on commercial vessels participating in the Global Maritime Distress and Safety System (GMDSS), the following certificates of competency shall, in accordance with section A-IV/2 of the STCW Code and upon request, be issued for the certification of GMDSS radio operators:

1. the General Operator's Certificate (GOC) for the unrestricted performance of maritime mobile service on ship radiotelephone stations, ship earth stations and all GMDSS radio equipment; and
2. the Restricted Operator's Certificate (ROC) for performance of maritime mobile service on VHF ship radiotelephone stations and VHF GMDSS radio equipment

Section 36

Requirements for obtaining certificates of competency

To obtain a certificate of competency as GMDSS radio operator, candidates shall demonstrate that they have completed courses of nautical training in accordance with Sections 30 and 34 at training institutions established under federal state law. The requirements referred to in the first sentence shall be deemed to have been met if candidates have successfully completed an approved course of training in accordance with the requirements set out in section A-IV/2 of the STCW Code.

Part 3

Competencies for the engine department

Section 37

Seagoing service requirements

- (1) Seagoing service within the meaning of this part shall be on commercial ships with a propulsion power of 750 kilowatts or more.
- (2) Subsection (1) does not apply to candidates for a certificate of competency pursuant to Section 38(2).
- (3) Subsection (1) applies mutatis mutandis to the demonstration of continued professional competence pursuant to Section 53.

Chapter 1

Marine engineering service

Section 38

Certificates of competency and certificates of proficiency

(1) For marine engineering service in a manned engine room or as a designated duty engineer in a periodically unmanned engine room for propulsion plants of any power output, certificates of competency shall, upon request, be issued for certification as:

1. officer in charge of the engineering watch (TWO);
2. second engineer officer (TZO); and
3. chief engineer officer (TLM).

The certificate of competency as second engineer officer shall include certification as chief engineer officer for propulsion plants with a power output not exceeding 3,000 kilowatts; this shall not apply to certificates of competency issued under the condition stipulated in Section 53(2).

(2) For marine engineering service for propulsion plants with a power output not exceeding 750 kilowatts, a certificate of competency as engine operator (TSM) shall be issued upon request.

(3) For marine engineering service in a manned engine room or as a designated duty engineer in a periodically unmanned engine room with a propulsion plant with a power output of 750 kilowatts or more, certificates of proficiency shall, upon request, be issued for:

1. engine-room watch proficiency (TWB), qualifying the holder to form part of watch in a manned engine room or to be designated to perform duties in a periodically unmanned engine room; and
2. proficiency as able seafarer engine (TVM) in accordance with Section 64(5).

Section 39

Requirements for obtaining certificates of competency

(1) To obtain a certificate of competency as officer in charge of the engineering watch (TWO), candidates shall demonstrate that:

1. they
 - a) are in possession of a certificate of final examination in the regulated profession of ship mechanic;
 - b) are in possession of a certificate of final examination in a regulated metalworking or electrical engineering profession that includes a course of training in metalwork in accordance with Annex 6 lasting at least three months and the expansion in depth of this proficiency by means of the practical application of the syllabus during the period of vocational training and have at least twelve months of seagoing service as an engineer; or
 - c) have completed an approved course of practical training and seagoing service as an assistant engineer officer in accordance with the Guidelines for the Training of Assistant Officers in Maritime Shipping of at least eighteen months;

and that they

2. have completed a course of training lasting at least two years in accordance with the requirements set out in sections A-III/1 and A-III/2, including section A-VI/4, paragraphs 1 to 3, of the STCW Code at a training institution established under federal state law;
3. have completed approved courses of training in accordance with the requirements set out in sections A-VI/2, paragraphs 1 to 4, and A-VI/3, paragraphs 1 to 4, of the STCW Code unless this training is already part of training under federal state law.

(2) In the case referred to in para. 1(c) of the first sentence, the training and seagoing service may also be completed as a placement under educational law or in the form of practical semesters during their training at a training institution established under federal state law. In the case referred to in the second sentence, candidates shall keep a training record book in which the chief engineer officer or a qualified officer confirms that the candidates performed, during the required seagoing service, engineering watchkeeping duties under the supervision of the chief engineer officer or a qualified officer for a period of not less than six months and that the onboard training met the appropriate requirements set out in section A-III/1 of the STCW Code.

(3) To obtain a certificate of competency as second engineer officer (TZO), candidates shall demonstrate that they have seagoing service of not less than twelve months as officer in charge of an engineering watch (TWO).

(4) To obtain a certificate of competency as chief engineer officer (TLM), candidates shall demonstrate that, in addition to the seagoing service referred to in subsection (2), they have further seagoing service of not less than twelve months as second engineer officer or 24 months as officer in charge of an engineering watch.

(5) To obtain a certificate of competency as engine operator (TSM), candidates shall demonstrate that:

1. they
 - a) are in possession of a certificate of final examination in the regulated profession of ship mechanic: or
 - b) are in possession of a certificate of final examination in a regulated metalworking or electrical engineering profession that includes a course of

training in metalwork in accordance with Annex 6 lasting at least three months and the expansion in depth of this proficiency by means of the practical application of the syllabus during the period of vocational training and at least six months of seagoing service as an engineer; or

c) are in possession of a certificate of navigational competence in accordance with Part 2 and have completed a course of training in metalwork in accordance with Annex 6;

and that they

2. have completed a course of training in accordance with the requirements set out in Annex 7 lasting normally one half of a school year at a training institution established under federal state law;

3. have completed approved courses of training in accordance with the requirements set out in sections A-VI/2, paragraphs 1 to 4, and A-VI/3, paragraphs 1 to 4 of the STCW Code.

Section 40

Requirements for obtaining certificates of proficiency

To obtain a certificate of engine-room watch proficiency, candidates shall demonstrate that:

1. they

a) are in possession of a certificate of final examination as a ship mechanic or in a regulated metalworking or electrical engineering profession that includes a course of training in metalwork in accordance with Annex 6 lasting at least three months and the expansion in depth of proficiency by means of the practical application of the syllabus during the period of vocational training, or have completed a course of training in metalworking in accordance with Annex 6 and seagoing service of at least six months; or

b) have completed an approved course of training, either on board ship or pre-sea, including a period of seagoing service of at least two months; and

2. have the standard of competence specified in section A-III/4 of the STCW Code.

The seagoing service and training referred to in the first sentence shall be associated with engine-room duties and must be performed under the direct supervision of another crew member who is qualified in accordance with this chapter, with the exception of an engine operator. In cases referred to in para. (1)(a), proof of the standard of competence required by para. (2) of the first sentence shall normally be furnished by means of a computerized examination, upon request, conducted by the Federal Agency in accordance with Annex 4.

Chapter 2

Electro-technical service

Section 41

Certificate of competency and certificate of proficiency

For electro-technical service on ships with propulsion plants with a power output of 750 kilowatts or more, a certificate of competency as electro-technical officer (ETO) and a certificate of proficiency as electro-technical rating (ESE) shall be issued upon request.

Section 42

Requirements for obtaining a certificate of competency and a certificate of proficiency

(1) To obtain a certificate of competency as electro-technical officer (ETO), candidates shall demonstrate that they:

1. are in possession of a certificate of final examination in a regulated electrical engineering profession and have at least six months of seagoing service;
2. have completed a course of training lasting at least two years in accordance with the requirements set out in sections A-III/6, including section A-VI/4, paragraphs 1 to 3, of the STCW Code at a training institution established under federal state law; and
3. have completed approved courses of training in accordance with the requirements set out in sections A-VI/2, paragraphs 1 to 4, and A-VI/3, paragraphs 1 to 4, of the STCW Code unless this training is already part of training under federal state law.

In addition, candidates shall keep a training record book in which the chief engineer officer or a qualified officer confirms that the onboard training met the appropriate requirements set out in section A-III/6 of the STCW Code. Holders of a certificate of competency described in Section 38(1) shall be deemed to have met the requirements set out in the first sentence if they demonstrate that they have completed a course of training in accordance with section A-III/6 of the STCW Code at a training institution established under federal state law.

(2) To obtain a certificate of proficiency as electro-technical rating (ESE), candidates shall demonstrate that they:

1. are in possession of a certificate of final examination in a regulated electrical engineering profession; and
2. have seagoing service of not less than six months.

Part 4 Proficiencies in ship operations

Section 43 Certificate of proficiency in ship operations

(1) For service at the support level in ship operations, a certificate of proficiency as ship mechanic (GSM) in accordance with the Vocational Training of Seafarers Regulations shall, upon request, be issued in accordance with section A-VII/2 in conjunction with section A-II/5 and A-III/5 of the STCW Code.

(2) To obtain a certificate of proficiency as ship mechanic (GSM), candidates shall demonstrate that they:

1. are in possession of a certificate of final examination in the regulated profession of ship mechanic; and
2. have completed an approved course of training in accordance with the requirements set out in section A-VI/2, paragraphs 1 to 4, of the STCW Code in conjunction with Section 54(1) and (2).

(3) Trainee ship mechanics may be given, upon request:

1. after successful completion of inter-company training courses in fire-fighting, rescue operations and security – certificates of proficiency in basic safety training and basic security training; and
2. after successful completion of part I of the final examination – certificates of navigational watch proficiency, engine-room watch proficiency and proficiency in the operation of survival craft and rescue boats.

Part 5 Proficiencies in ship safety and security

Section 44

Certificate of proficiency regarding the basic requirements of safety on board (basic safety training)

(1) Seafarers shall, upon request, be issued a certificate of proficiency in basic safety training (SGA). Notwithstanding the master's obligation under Section 23 of the Maritime Labour Act to conduct a safety briefing for all persons on board who are not passengers, one crew member, to whom duties regarding the ensuring of ship safety and the prevention of environmental pollution on board are to be assigned, must be the holder of a certificate of proficiency certifying completion of basic safety training.

(2) To obtain a certificate of proficiency certifying completion of basic safety training, candidates must demonstrate that they have completed an approved course of training in:

1. personal survival techniques in accordance with the requirements set out in table A-VI/1-1 of the STCW Code;
2. fire prevention and fire fighting in accordance with the requirements set out in table A-VI/1-2 of the STCW Code;
3. elementary first aid in accordance with the requirements set out in table A-VI/1-3 of the STCW Code; and
4. personal safety and social responsibilities in accordance with the requirements set out in table A-VI/1-4 of the STCW Code.

Certificates of successful attendance at a course of training in first aid comprising eight double lessons which are not older than five years shall meet the requirements set out in table A-VI/1-3 of the STCW Code. Documentary evidence of attendance at a course of training in first aid shall be furnished by means of a certificate issued by a recognized provider of such instruction or courses or by a public authority.

(3) For service on fishing vessels, a certificate of proficiency in accordance with subsection (1) may, upon request, be issued for holders of a certificate of competency as described in Section 33 without reference to regulation VI/1 of the Annex to the STCW Convention.

Section 45

Certificates of proficiency for the operation of survival craft and rescue boats plus fast rescue boats

(1) For service on survival craft and rescue boats, a certificate of proficiency for the operation of survival craft and rescue boats (SÜB) shall be issued upon request.

(2) To obtain the certificate referred to in subsection (1), candidates shall demonstrate that they:

1. have seagoing service of not less than six months; and
2. have completed an approved course of training in accordance with the requirements set out in section A-VI/2, paragraphs 1 to 4, of the STCW Code.

The course of training referred to in para. (2) of the first sentence must also provide proficiency in the safe operation of free-fall lifeboats.

(3) For service on survival craft and fast rescue boats, a certificate of proficiency for the operation of survival craft and fast rescue boats shall be issued upon request.

(4) To obtain the certificate referred to in subsection (3), candidates shall demonstrate that they:

1. are in possession of the certificate described in subsection (1) in conjunction with Section 54(1) and (2); and
2. have attended an approved course of training in accordance with the requirements set out in section A-VI/2, paragraphs 7 to 10, of the STCW Code.

Section 46

Certificate of proficiency in the control of fire-fighting operations

- (1) A certificate of proficiency in the control of fire-fighting operations (SLB) shall be issued upon request.
- (2) To obtain the certificate referred to in subsection (1), candidates shall demonstrate that they have completed an approved course of training in accordance with the requirements set out in section A-VI/3, paragraphs 1 to 4, of the STCW Code, with particular emphasis on the organization, planning and tactics in the conduct of fire-fighting operations.

Section 47

Certificate of proficiency for ship security officers

For service as ship security officer, a certificate of proficiency for ship security officers (SSO) shall be issued upon request. To obtain a certificate of proficiency as ship security officer, candidates shall demonstrate that they:

1. meet the requirements for obtaining a certificate of proficiency in basic security training;
2. have seagoing service of not less than twelve months; and
3. have completed an approved course of training in accordance with the requirements set out in section A-VI/5 of the STCW Code.

Section 48

Certificates of proficiency for crew members in ship security (basic security training)

(1) Seafarers shall, upon request, be issued a certificate of proficiency in basic security training (SRT). Notwithstanding the master's obligation under Section 23 of the Maritime Labour Act to conduct a safety briefing, all persons on board who are not passengers shall receive familiarization training in accordance with section A-VI-6, paragraph 1, of the STCW Code from the ship security officer or another qualified crew member so that they are able to:

1. recognize and report security threats, including threats by pirates or other armed attacks;
2. know the procedures to be followed in the event of a security threat; and
3. perform functions set out in the security plan.

(2) To obtain a certificate of proficiency certifying completion of basic security training (SRT), candidates must demonstrate that they have completed an approved course of training:

1. in accordance with the requirements set out in table A-VI/6-1 of the STCW Code (proficiency for crew members without designated ship security duties); and
2. in accordance with the requirements set out in table A-VI/6-2 of the STCW Code (proficiency for crew members with designated ship security duties).

Part 6

Additional proficiencies for service on special types of ship

Chapter 1

Proficiencies for service on tankers

Section 49

Certificates of proficiency for service on oil and chemical tankers

- (1) For officers and other crew members with duties and responsibility with regard to the cargo and the loading and discharge equipment on oil and chemical tankers, a certificate of proficiency for service on oil and chemical tankers shall be issued upon request.
- (2) To obtain the certificate referred to in subsection (1), candidates shall demonstrate that they:

1. have seagoing service of at least three months on oil or chemical tankers and adequate knowledge in accordance with the requirements set out in section A-V/1-1, paragraph 1, of the STCW Code; or
2. have completed an approved course of training in accordance with the requirements set out in section A-V/1-1, paragraph 1, of the STCW Code.

(3) For the master, the chief engineer officer, the chief mate, the second engineer officer and every other crew member with immediate responsibility for loading and discharge operations, cargo handling, tank cleaning or any other duty relating to the cargo on oil tankers, a certificate of proficiency in loading and discharge on oil tankers shall be issued upon request.

(4) To obtain the certificate referred to in subsection (3), candidates shall demonstrate that they:

1. in addition to the requirements set out in subsection (2)
 - a) have seagoing service of not less than three months on oil tankers; or
 - b) have completed an approved course of training lasting at least one month on board oil tankers in a supernumerary capacity, in which at least three loading and discharge operations have been performed and the training is documented in an approved training record book in accordance with the guidance provided in section B-V/1 of the STCW Code; and
2. have completed an approved course of training in accordance with the requirements set out in section A-V/1-1, paragraph 2, of the STCW Code.

(5) For the master, the chief engineer officer, the chief mate, the second engineer officer and every other crew member with immediate responsibility for loading and discharge operations, cargo handling, tank cleaning or any other duty relating to the cargo on chemical tankers, a certificate of proficiency in loading and discharge on chemical tankers shall be issued upon request.

(6) To obtain the certificate referred to in subsection (5), candidates shall demonstrate that they:

1. in addition to the requirements set out in subsection (2)
 - a) have seagoing service of not less than three months on chemical tankers; or
 - b) have completed an approved course of training lasting at least one month on board chemical tankers in a supernumerary capacity, in which at least three loading and discharge operations have been performed and the training is documented in an approved training record book in accordance with the guidance provided in section B-V/1 of the STCW Code;

and

2. have completed an approved course of training in accordance with the requirements set out in section A-V/1-1, paragraph 3, of the STCW Code.

Section 50

Certificates of proficiency for service on liquefied gas tankers

(1) For officers and other crew members with duties and responsibility with regard to the cargo and the loading and discharge equipment on liquefied gas tankers, a certificate of proficiency for general service on liquefied gas tankers shall be issued upon request.

(2) To obtain the certificate referred to in subsection (1), candidates shall demonstrate that they:

1. have seagoing service of at least three months on liquefied gas tankers and adequate knowledge in accordance with the requirements set out in section A-V/1-2, paragraph 1, of the STCW Code; or
 2. have completed an approved course of training in accordance with the requirements set out in section A-V/1-2, paragraph 1, of the STCW Code.
- (3) For the master, the chief engineer officer, the chief mate, the second engineer officer and every other crew member with immediate responsibility for loading and discharge operations, cargo handling, tank cleaning or any other duty relating to the cargo on liquefied gas tankers, a certificate of proficiency in loading and discharge on liquefied gas tankers shall be issued upon request.
- (4) To obtain the certificate referred to in subsection (3), candidates shall demonstrate that they:
1. in addition to the requirements set out in subsection (2)
 - a) have seagoing service of not less than three months on liquefied gas tankers; or
 - b) have completed an approved course of training lasting at least one month on board liquefied gas tankers in a supernumerary capacity, in which at least three loading and discharge operations have been performed and the training is documented in an approved training record book in accordance with the guidance provided in section B-V/1 of the STCW Code;
- and
2. have completed an approved course of training in accordance with the requirements set out in section A-V/1-2, paragraph 2, of the STCW Code.

Chapter 2 **Proficiencies for service on passenger ships**

Section 51

Evidence of qualification for service on passenger ships

- (1) For the master and every other member of the crew of a passenger ship designated on muster lists to assist passengers in emergency situations, a qualification certifying their competence in crowd management in accordance with the requirements set out in section A-V/2, paragraph 1, of the STCW Code shall be issued.
- (2) For every member of the crew of a passenger ship providing direct service to passengers in passenger spaces, evidence of qualification certifying additional passenger safety training in accordance with the requirements of section A-V/2, paragraph 2, of the STCW Code shall be issued.
- (3) For the master, the chief engineer officer, the chief mate, the second engineer officer and every other member of the crew of a passenger ship designated on muster lists as having responsibility for the safety of passengers, evidence of qualification certifying their competence in crisis management and human behaviour in emergency situations in accordance with the requirements set out in section A-V/2, paragraph 3, of the STCW Code shall be issued.
- (4) For the master, the chief engineer officer, the chief mate, the second engineer officer and every other member of the crew of a passenger ship with immediate responsibility for the embarkation and disembarkation of passengers, the loading, discharging and securing of cargo or the closing of the cargo loading doors on board ro-ro passenger ships, evidence of qualification certifying their competence in ensuring passenger safety, cargo safety and hull integrity in accordance with the requirements set out in section A-V/2, paragraph 4, of the STCW Code shall be issued.

(5) The proficiencies referred to in subsections (1) to (4) may also be acquired by attending an approved course of training. The proficiencies shall be confirmed by the provider with the relevant evidence of qualification.

Part 7 Revalidation of certificates

Section 52

General requirements for the revalidation of certificates

(1) A certificate issued for a fixed period can, upon request, be revalidated. A new certificate shall be issued for purposes of revalidation. The revalidation of certificates presupposes that candidates have furnished evidence of their identity and personal aptitude in accordance with Section 7.

(2) This part does not apply to:

1. certificates of competency for skippers on small vessels, navigational service on fishing vessels and engine operators;
2. certificates of proficiency for navigational, marine engineering and electro-technical service and in ship operations plus ship security.

Section 53

Revalidation of certificates of competency

(1) For revalidation of their certificate of competency, masters and officers must demonstrate their continued competence by means of:

1. seagoing service, performing functions appropriate to the certificate to be revalidated, for a period of at least:
 - a) twelve months in total during the preceding five years; or
 - b) three months in total during the preceding six months immediately prior to the application for revalidation; or
 - c) one-and-a-half months during the preceding five years, in conjunction with the performance of approved activities for at least twelve months during the preceding five years; or
2. seagoing service of not less than three months, either:
 - a) as a crew member carried exclusively for training purposes and performing functions appropriate to the certificate to be revalidated; or
 - b) immediately prior to taking up the rank for which the certificate to be revalidated is valid, in a lower officer rank than permitted by the highest power of the certificate of competency submitted for revalidation.

Masters or officers who cannot demonstrate their continued competence in accordance with the first sentence must, for the revalidation of their certificates of competency, demonstrate that they have attended approved training courses in accordance with section A-I/11, paragraph 1.1.4, of the STCW Code. For revalidation of their certificate of competency, GMDSS radio operators must demonstrate their continued competence by means of:

1. seagoing service within the meaning of the first sentence; or
2. passing an examination for maritime mobile service in accordance with Annex 4, which shall, upon request, be conducted by the Federal Agency.

(2) To enable them to complete the seagoing service required by subsection (1)(2), the Federal Agency may, upon request, issue special certificates or a certificate of competency in the lower rank, taking the other requirements into account.

(3) If certificates of competency include powers of certificates of proficiency that require revalidation in accordance with Section 54, the revalidation of the latter shall be a prerequisite for revalidation in accordance with subsection (1).

(4) Section 5(2) shall be applied mutatis mutandis to the revalidation of certificates of competency for nautical service. Notwithstanding the first sentence, possession of a VHF radio operator's certificate in accordance with Annex 3 of the Ship Safety Regulations shall suffice for the revalidation of certificates of competency for navigation service on domestic voyages in order to meet the requirements of Section 5(2)(1).

(5) In accordance with regulation I/11, paragraph 4, of the Annex to the STCW Convention, holders of a certificate of competency issued under Section 29(1) must demonstrate that they have sufficient competence for the operation of ECDIS systems by having completed an approved course of training if the certificate of competency as officer in charge of the navigational watch was first issued before 1 January 2006. In particular, this shall include training on an ECDIS simulator that meets the standards set out in section A-I/12 of the STCW Code. If this competence is not demonstrated, the certificate of competency shall, with effect from 1 January 2017, be issued with a restriction in accordance with Section 9 in conjunction with Section 30(7)(3).

Section 54

Revalidation of certificates of proficiency

(1) To maintain their proficiency, holders of a certificate of proficiency in ship safety, with the exception of certificates of proficiency in security, must, at intervals not exceeding five years, demonstrate that they continue to meet the requirements of the corresponding sections of the STCW Code by completing one or more approved courses of training and by furnishing evidence of appropriate qualifications. The Berufsgenossenschaft may, when granting approval, take account of advanced training courses on board and relevant professional experience to the extent permitted by sections A-VI/1, A-VI/2 and A-VI/3 of the STCW Code.

(2) The evidence required by subsection (1) shall be furnished by submitting evidence of qualification that certifies that the holder has attended one or more approved courses of training. Holders can maintain their proficiency, as required by subsection (1), by attending approved courses of training. Course providers shall ensure that the requirements of the STCW Convention are met. The course providers shall certify the proficiencies by issuing evidence of qualification (one or more documents).

(3) To revalidate their certificate of proficiency, holders of certificates of proficiency for service on tankers shall, if they obtained their certificate of proficiency more than five years previously, demonstrate that they have attended an approved course of training or have seagoing service of at least three months within the last five years during which they exercised powers appropriate to the certificate of proficiency.

Section 55

Renewal of evidence of qualification

After the expiry of evidence of qualification for service on passenger ships, the proficiencies required in any given case can be renewed by attending an approved course of training in accordance with Section 51.

Part 8

Withdrawal, suspension and seizure of certificates of competency

Section 56

Withdrawal of certificates of competency

(1) A certificate of competency shall be withdrawn if the holder is unreliable within the meaning of Section 7(2).

(2) A certificate of competency may be withdrawn if the holder has proved unreliable within the meaning of Section 7(3) or (4) after its issue.

(3) A certificate of competency may also be withdrawn if the holder is unfit for service at sea.

(4) In the cases referred to in subsections (1), (2) and (3), the Federal Agency may impose time limits and conditions for the issue of a new certificate of competency of a lower, equivalent or higher order.

(5) The shipping police authorities shall immediately notify the Federal Agency of any facts that it requires for checking whether the conditions for a withdrawal have been met.

(6) The permit on which the certificate of competency is based shall expire upon withdrawal. After withdrawal, the certificate of competency shall be immediately surrendered to the Federal Agency. The second sentence also applies if the withdrawal of the certificate of competency has been contested and instructions have been issued for the immediate execution of the withdrawal.

(7) In the case of a foreign certificate of competency, the effect of withdrawal shall be to deprive the holder of the right to use their certificate of competency in Germany. The second sentence of subsection (6) applies mutatis mutandis, with the proviso that the certificate of competency shall be submitted to the Federal Agency so that the order referred to in the first sentence can be stored on the index of seafarers' competencies and proficiencies for the duration of the order.

(8) The holder and the competent agency that issued the foreign certificate of competency shall be informed immediately in writing that it has been withdrawn or that the holder is no longer entitled to sail.

(9) Subsections (1) to (8) apply mutatis mutandis to the withdrawal of endorsements recognizing foreign certificates of competency.

Section 57

Suspension of certificates of competency

(1) The Federal Agency may, for a specific period of time, order that certificates of competency be suspended if the holders do not yet meet the conditions for withdrawal but there are doubts as to their reliability. If these doubts are dispelled before the end of ordered period, the order shall be lifted. During the period for which the suspension of the certificate of competency has been ordered, the holder may not make use of the permit on which the certificate of competency is based.

(2) Doubts as to their reliability shall, as a rule, be deemed to exist if the holder of a certificate of competency, as a result of being under the influence of alcoholic beverages or other intoxicating substances in shipping traffic, was not or is not able to operate a ship safely or, as a member of the ship's crew, to perform other activities on the bridge or in the deck or engine department.

(3) In individual cases where there are good reasons for doing so, certain types of ship or certain types of waterway navigable by sea-going ships may be excluded from the suspension of a certificate of competency.

(4) Holders of a certificate of competency within the meaning of these Regulations shall surrender the certificate to the Federal Agency for official safekeeping no later than the time at which the order becomes enforceable. Holders of another certificate of competency shall surrender it to the Federal Agency no later than the time at which the order becomes enforceable so that it can be endorsed with the order to suspend the certificate of competency. After expiry of the period of suspension imposed, or in the event of the order being lifted before it expires, this shall be indicated on the certificate of competency, and the certificate shall be returned to the holder or a person identified by a written power of attorney.

(5) If an endorsement recognizing a foreign certificate of competency has been issued, the first sentence of subsection (4) shall apply mutatis mutandis.

Section 58

Enforcement

The Federal Agency may, if the holder of the certificate so requests, order that the withdrawal or suspension commence at a later date. The later date must not be more than four weeks after the date originally ordered.

Section 59

Temporary seizure of certificates of competency

- (1) If there are cogent reasons for assuming that a certificate of competency will be withdrawn or suspended, the temporary seizure of the certificate of competency may be ordered.
- (2) A temporarily seized certificate of competency shall be surrendered to the Federal Agency immediately, stating the reasons.
- (3) As soon as it has received the information that an order has been issued for the seizure of a certificate of competency, the Federal Agency shall decide whether the certificate is to be suspended or withdrawn. The temporary seizure shall be lifted and the certificate of competency returned to the holder or an authorized person if the reason for the order no longer applies or if the Federal Agency does not withdraw or suspend the certificate of competency.
- (4) If an endorsement recognizing a foreign certificate of competency has been issued, subsections (1) to (3) shall apply *mutatis mutandis*.

Section 60

Enforcement assistance

The Federal Agency shall avail itself of the assistance of the federal state police forces, including the river police, of the Federal Police and of the customs authorities in accordance with the agreements between the Federal Government and the federal states on the exercise of shipping police enforcement duties, the supplementary agreement to the agreement on the exercise of shipping police enforcement duties concluded between the Federal Government and the federal coastal states, and the Regulations on the Assignment of Maritime Shipping Duties of 23 June 1982 (Federal Law Gazette I, p. 733).

Section 61

Relationship to other legislation

Sections 56 to 59 shall be without prejudice to the responsibilities and powers set out in the Maritime Safety Investigation Act, the Sea Fisheries Act and other legislation governing the withdrawal of entitlements, the imposition of restrictions on entitlements or the seizure and confiscation of the appropriate documents.

Part 9

Evidence of professional activity in maritime shipping

Section 62

Evidence of professional activity in maritime shipping (seafarer's identification document)

- (1) Seafarers may, upon request and in accordance with subsections (2) and (3), be issued documentary evidence of professional activity in maritime shipping in the form of a "seafarer's identification document". This document shall only be valid in conjunction with a valid passport or identity card and shall not be a replacement passport or an official identity card. The document may additionally bear the title "seafarer's card".
- (2) The document referred to in subsection (1) may be issued to:
 1. the holder of a valid certificate in accordance with these Regulations;
 2. any other crew member on a commercial vessel flying the flag of the Federal Republic of Germany.
- (3) The document referred to in subsection (1) shall be valid for ten years and shall contain a passport photograph and the following particulars:
 1. surname and first name;
 2. date and place of birth;

3. nationality;
4. card number;
5. date of issue and period of validity; and
6. issuing authority.

The terms in the first sentence may additionally be used in an English translation.

Part 10 Data protection

Section 63 Use of personal data

(1) The administrative authorities responsible in accordance with these Regulations shall, within the scope of their respective areas of responsibility, be authorized to collect, store and use personal data necessary for the purpose of checking whether the conditions for obtaining or revalidating certificates have been met. Upon completion of the check referred to in the first sentence, these data shall be deleted immediately unless they are stored on the Index of Seafarers' Competencies under Section 9f of the Maritime Shipping (Federal Competences) Act or longer retention periods exist under other legislation.

(2) The Federal Agency shall immediately enter the information regarding the withdrawal or suspension of a certificate of competency, including the time limits and conditions set out in Sections 56 and 57, on the Index of Seafarers' Competencies. The data referred to in the first sentence shall be deleted immediately after one of the measures referred to in the first sentence has ended.

(3) Subsection (1) also applies to the providers of approved training courses, with the proviso that the personal data of every trainee on the record of attendees pursuant to Section 18 shall be deleted immediately five years after the trainee has successfully completed the course, using automated deletion in the case of electronic storage, unless longer retention periods exist under other legislation.

Part 11 Final Provisions

Section 64 Transitional provisions

(1) Training segments and seagoing service begun before 1 June 2014 for obtaining certificates of competency and certificates of proficiency under the provisions applicable hitherto shall, until 31 December 2016, be regarded as proof that the relevant requirements of these Regulations have been met

(2) The period of validity of certificates of competency and certificates of proficiency shall expire on 31 December 2016 if the candidate does not meet the requirements set out in these Regulations but was entitled to revalidation of the relevant certificate under the provisions applicable hitherto. In the case of the certificates of competency referred to in Section 3(2) of the Officer Training Regulations, the time limit referred to in the first sentence shall be extended until 31 May 2019.

(3) Metalworking or electrical engineering professions that were approved before 1 June 2014 shall be deemed to satisfy the requirements to be met by metalwork training set out in Annex 6.

(4) Where this statutory instrument limits the period of validity of certificates of competency and certificates of proficiency, these time limits shall, when these Regulations enter into force, also apply to relevant certificates issued under the provisions applicable hitherto.

(5) Seafarers who demonstrate that they have seagoing service of at least twelve months in an equivalent capacity within the last five years before 1 June 2014 may, upon request:

1. be issued a certificate of competency as electro-technical officer (ETO) provided that the requirements set out in Section 42(1)(2) and Section 42(1)(3), including demonstration that they have completed an approved course of training in the operation and maintenance of power systems in excess of 1,000 volts, have been met;
 2. be issued a certificate of proficiency as able seafarer deck (NVM) provided that the requirements set out in Section 29(4)(1) and Section 45(1) in conjunction with Section 54(1) and (2) have been met;
 3. be issued a certificate of proficiency as able seafarer engine (TVM) provided that the requirements set out in Section 38(3)(1) have been met.
- (6) Seaman's Books issued under the hitherto applicable provisions of the Shipping Office Regulations shall be valid as evidence within the meaning of Section 62 until 31 May 2019.
- (7) Courses of training approved before these Regulations enter into force shall remain approved for a period not exceeding three after years after their approval.
- (8) Certificates of competency for navigation or marine engineering as officer or master issued before 1 June 2014 without a time limit imposed on the permit may, upon request and in accordance with the first sentence of Section 24, be exchanged for certificates of competency issued under these Regulations.

Section 65

Amendments to the Regulations governing the fees charged for administrative acts of the Federal Maritime and Hydrographic Agency

Section II of the table of fees in the Regulations governing the fees charged for administrative acts of the Federal Maritime and Hydrographic Agency (Annex to Section 2(1)) of 20 July 2012 (Federal Law Gazette I, p. 1642), as most recently amended by Article 2(166) of the Federal Fees Act (Federal Law Gazette I, p. 3154), is amended to read as follows:

"II. Certificates, training courses, examinations

2001	Issuing, replacing and exchanging maritime radio operator's certificates under the Ship Safety Regulations and certificates of competency or certificates of proficiency including the revalidation of these certificates in accordance with Parts 2 to 7 of the Seafarers' Competencies Regulations plus endorsements of recognition in accordance with Sections 20 to 22 of the Seafarers' Competencies and Proficiencies Regulations and other certificates for seafarers in accordance with Sections 24, 25 and 53(2) of the Seafarers' Competencies and Proficiencies Regulations (per certificate)	25 – 145
2002	Holding examinations in accordance with the third sentence of Section 31, the third sentence of Section 40 or Section 53(1)(2)(b) of the Seafarers' Competencies and Proficiencies Regulations	25 – 75

2003	Approving training courses in accordance with Section 20(3), Section 30(7)(2) and (3), Section 31(1)(b), Section 33(5), the second sentence of Section 36, Section 40(1)(b), Section 44(2), Section 45(2)(2), Section 45(4)(2), Section 46(2), Section 47(3), Section 48(2), Section 49(2)(2), Section 49(4)(2), Section 49(6)(2), Section 50(2)(2), Section 50 (4)(2), Section 51(5), Section 53(1)(2)(a), Section 53(5), Section 54(1) and (3), Section 55 and Section 64(5)(1)	1,500 – 4,320
2004	Extending the approval of training courses based on the chargeable acts in 2003	300 – 1,300
2005	Issuing the seafarer's identification document referred to in Section 62 of the Seafarers' Competencies and Proficiencies Regulations	12.50 – 37.50".

Section 66

Entry into force, termination

- (1) These Regulations shall enter into force on 1 June 2014.
(2) At the same time, the following shall cease to have effect:

1. the Officer Training Regulations in the version promulgated on 15 January 1992 (Federal Law Gazette I, pp. 22, 227), as amended by Article 1 of the Regulations of 2 May 2011 (Federal Law Gazette I, p. 746);
2. the Shipping Office Regulations of 21 October 1981 (Federal Law Gazette I, p. 1146), as amended by Article 4 of the Regulations of 27 October 2006 (Federal Law Gazette I, p. 2403).

Berlin, 8 May 2014
The Federal Minister of Transport and Digital Infrastructure
A. Dobrindt

Annex 1 (to Section 2) Abbreviations

The abbreviations listed below are used for certificates of competency and certificates of proficiency for seafarers engaged in navigation, maritime mobile service, engineering and electro-technical service, safety and security.

1. Navigational service excluding fishing vessels
- | | |
|---------|---|
| NWO | Officer in charge of the navigational watch |
| NEO | Chief mate |
| NK | Master |
| NWO 500 | Officer in charge of the navigational watch on near-coastal voyages |
| NK 500 | Master on near-coastal voyages |

NSF	Skipper on small vessel
NWB	Navigational watch proficiency
NVM	Able seafarer deck
2.	Navigational service on fishing vessels
BKW	Officer in charge of the navigational watch in high sea fishing
BGW	Officer in charge of the navigational watch in deep sea fishing
BKü	Skipper in coastal fishing
BK	Master in high sea fishing
BG	Master in deep sea fishing
3.	Maritime mobile service
GOC	General Operator's Certificate
ROC	Restricted Operator's Certificate
4.	Ship operations
GSM	Ship mechanic
5.	Marine engineering service
TWO	Officer in charge of the engineering watch
TZO	Second engineer officer
TLM	Chief engineer officer
TSM	Engine operator
TWB	Engine-room watch proficiency
TVM	Able seafarer engine
6.	Electro-technical service
ETO	Electro-technical officer
ESE	Electro-technical rating
7.	Ship safety and security
SGA	Basic safety training
SÜB	Operation of survival craft and rescue boats
SLB	Control of fire-fighting operations
SRT	Basic security training
SSO	Ship security officer

**Annex 2
(to Section 5)**

Approval of courses of training in German maritime shipping law

1. Courses

The courses of training in German maritime shipping law shall be addressed to officers at the management level and masters.

2. Requirements

The courses of training referred to in paragraph 1 must provide the knowledge specified in this Annex. Courses for masters shall be courses with compulsory classroom attendance and shall always be held in German.

3. Trainees

The courses of training referred to in paragraph (1) are to be attended by persons holding a valid certificate of competency as officer or master for navigational or engineering service which is to be recognized by the Federal Agency in accordance with these Regulations.

4. Course objectives

Courses of training for officers shall provide basic knowledge and courses of training for masters shall provide in-depth knowledge of German maritime law and, in particular, enable the trainees to apply the relevant German provisions in order to meet the responsibility assigned to them for human life, protection of the marine environment and property and maritime security.

5. Course syllabuses

The course of training should cover the following subjects:

- 5.1 Legal system of the Federal Republic of Germany
- 5.2 Responsibilities and structure of the shipping administration
- 5.3 General maritime transport law
- 5.4 Training of seafarers, certification of seafarers
- 5.5 Manning of ships
- 5.6 Maritime Labour Act and secondary legislation, including health and safety law
- 5.7 Criminal law and administrative offences related to maritime law
- 5.8 Civil law provisions related to maritime law
- 5.9 Public law provisions related to maritime law
- 5.10 Law relating to labour relations at the workplace
- 5.11 Social law

Annex 3 (to Section 31)

Requirements for the proof of professional aptitude to be provided by candidates wishing to obtain a certificate of competency as skipper on small vessels

Skippers on small vessels shall acquire the necessary knowledge and skills that enable them to perform the activities listed below in paragraph 1. Taking into account the general training objectives listed in paragraph 2, the training shall cover the provision of the necessary knowledge and skills in the fields mentioned in paragraph 3.

1. Activities of skippers

Within the scope of their powers, they shall perform the following navigational duties on small vessels:

- 1.1 navigating and manoeuvring a ship, operating and monitoring the technical equipment on the bridge, organizing and monitoring bridge and watchkeeping duties;
 - 1.2 performing sea surveillance and operating the ship;
 - 1.3 performing and monitoring marine radiocommunications;
 - 1.4 planning, performing and monitoring ship operation activities in the navigational sphere;
 - 1.5 assessing processes in the engine operation;
 - 1.6 establishing and monitoring the seaworthiness of the ship;
 - 1.7 ensuring that the ship's fire prevention, rescue and other safety equipment is complete, in working order and ready for operation;
 - 1.8 performing and monitoring administrative duties;
 - 1.9 assuming responsibility for the welfare of the crew;
 - 1.10 managing people in the operation of the ship, planning and executing the assignment of work and on-board training;
 - 1.11 maintenance;
 - 1.12 performing the functions assigned by acts and other legislation; and
 - 1.13 performing the functions assigned by the shipowner.
2. General training objectives

Skippers must be able to confidently apply the knowledge and skills in the fields listed in paragraph 3 and to assess the technical processes in the operation of the ship and how they are interlinked.

3. Knowledge and skill fields

Candidates wishing to obtain a certificate of proficiency as skipper shall demonstrate that they have the necessary knowledge and skills in the following fields:

3.1 Navigation

3.1.1 Terrestrial navigation

Course plotting

Base lines and ships' positions

Current navigation

Nautical publications

Working with nautical charts

Aids to navigation and beaconage/buoyage systems

Fundamentals of tidal theory

3.1.2 Technical navigation

Operation of sounders and speed logs

Operation of radiodetermination systems

Operation of compass systems

Interpretation of the results of sounders, speed logs and radiodetermination systems

Satellite navigation procedures

Radar navigation and plotting procedures

ARPA systems

Operation of automatic pilot systems

3.1.3 Maritime shipping law

Public shipping law and maritime labour law, in particular:

Provisions governing the responsibilities of the Federal Government in the field of maritime shipping

Flag law

Maritime Safety Investigation Act

Maritime Labour Act and the statutory instruments enacted on the basis of this Act

Ship Safety Act, Ship Safety Regulations

International and national provisions for protection of the marine environment

International and national traffic rules and regulations

Provisions governing telecommunications

Law governing flotsam and jetsam

Official documents required to be carried on board ships

Ship dispatching

Provisions governing occupational health and safety and accident prevention

Guidelines and bulletins published by the Berufsgenossenschaft

3.2 Seamanship

3.2.1 Safety technology

Fire safety, fire fighting

Rescue of persons, ship and cargo

Behaviour in the event of accidents

Survival of persons in distress

Safety service

Maintenance of the safety equipment

3.2.2 Design and construction of the ship

Ship components and structures

Shipyard documents, freeboard, charting and classification

3.2.3 Stability and trim of the ship

Measures for ascertaining, appraising and impacting trim and stability

Influences on stability

Stability and survivability of the damaged ship

3.2.4 Manoeuvring

Manoeuvring and handling ships in ports, in pilotage waters and at sea, in rough weather and in ice

3.3 Operation and monitoring of marine engine systems up to 300 kW

3.4 Structure, mode of operation and reading of meteorological instruments

3.5 Restricted Operator's Certificate

3.6 First aid

3.7 Specialized English, Standard Marine Navigational Vocabulary, sea protests and reports in English

Annex 4
(to Sections 31, 40, 53)
Examination regulations of the Federal Agency

1. Applicability

These examination regulations apply to examinations to determine proficiency:

- 1.1 under section A-II/4 of the STCW Code (navigational watch proficiency),
- 1.2 under section A-III/4 of the STCW Code (engine-room watch proficiency) and
- 1.3 for maritime mobile service with regard to continuing proficiency.

2. Examination procedure and contents

2.1 The date, time and venue of the examination shall be set by the Federal Agency (examination authority) and communicated to the candidates or, in the case of paragraph 3.2 of this Annex, to the point of contact. A record shall be made of the examination.

Before the start of the examinations, candidates must prove their identity by presenting an identity card or passport.

2.2 The examination referred to in paragraph 2.1 must ensure that the competence to be demonstrated exists.

2.3 If candidates withdraw during the examination for reasons that are other than cogent, they shall be deemed not to have passed the examination.

2.4 Unauthorized aids, such as mobile phones, books, pocket calculators or the like, or the help of third parties must not be used during the examination. In the event of attempted cheating, the candidate shall be deemed not to have passed the examination. This also applies to parts of the examination that have already been successfully completed. Before the start of the examination, the candidates shall be informed of the consequences of attempted cheating.

2.5 The examination authority shall decide on the result of the examination. Candidates shall be deemed to have passed the examination if they have demonstrated,

in all parts of the examination, skills and knowledge that are adequate in accordance with paragraph 6.

2.6 The examination authority may allow persons who demonstrate a justified interest to be present during the examination.

3. Registration for examinations

3.1 Candidates wishing to take an examination must register with the examination authority, stating which examination they wish to take. A fully completed request for the issue or revalidation of the certificate being sought shall be enclosed with the registration. Registration should be done ten days before the date of the examination. In individual cases, this deadline may be waived, provided that the required staff and material are in place at the examination venue.

3.2 Candidates may also be registered for an examination as a group, provided that one person is named as a point of contact.

3.3 The examination authority may also reschedule an examination if there are important reasons for doing so. Candidates may request that an examination be rescheduled if there are important reasons for doing so. The request shall be submitted without delay.

4. Admission to examinations

The examination authority shall decide whether a candidate is to be admitted to an examination. Persons who can credibly show that, with the exception of the examination being sought, they have all the other evidence required for issue or revalidation shall be admitted to examinations.

5. Conduct of examinations

5.1 Before the start of the examination, the examiner shall explain how the examination is to be conducted. The examination shall last a maximum of 30 minutes.

5.2 The subject of the examination shall be the standards of competence set out in Table A-II/4 (navigational watch proficiency), A-III/4 (engineering watch proficiency) or A-IV/2 (GMDSS radio operators) of the STCW Code. The requirements regarding the standards set out in Table A-IV/2 of the STCW Code shall apply mutatis mutandis to the VHF radio operator's certificate, the Restricted Operator's Certificate I and II and the General Operator's Certificate.

6. Results of examinations

Candidates shall be deemed to have passed an examination if they have demonstrated, within the time allowed, adequate skills and knowledge regarding all the subjects of the examination, i.e. that they have met, in accordance with the standards of good seamanship, the criteria listed in the applicable tables referred to in paragraph 5 for the evaluation of the competencies and proficiencies to be examined in any given case.

7. Resits

7.1 Candidates who have not passed an examination may resit the examination. The resit shall comprise the entire examination and may be held at the earliest five working days and at the latest six months after the date of the examination that was not passed.

7.2 Candidates who fail a resit twice shall, before they re-register for the examination, demonstrate that they have:

7.2.1 approved seagoing service in accordance with Section 31(1)(a) of at least two months for navigational watch proficiency;

7.2.2 approved seagoing service in accordance with Section 40(1)(a) of at least two months for engineering watch proficiency;

7.2.3 attended an approved course of training in accordance with Section 53(1)(2)(a) for GMDSS radio operators.

**Annex 5
(to Section 34)**

Requirements for the proof of professional aptitude to be provided by candidates wishing to obtain certificates of competency for navigational service on fishing vessels

The knowledge and skills required by Section 34(1)(2) and Section 34(2) must enable candidates to perform the activities listed below in paragraph 1. Taking into account the general training objectives listed in paragraph 2, the training shall cover the provision of the necessary knowledge and skills in the fields mentioned in paragraph 3.

1. Activities of officers and masters with certificates of competency issued in accordance with Section 33

Within the scope of their powers, officers and masters shall perform the following navigational duties on fishing vessels:

1.1 navigating and manoeuvring a ship, operating and monitoring the technical equipment on the bridge, organizing and monitoring bridge and watchkeeping duties;

1.2 performing sea surveillance and operating the ship;

1.3 performing and monitoring marine radiocommunications;

1.4 planning, performing and monitoring ship operation activities in the navigational sphere and during fishing;

1.5 assessing processes in the engine operation;

1.6 establishing and monitoring the seaworthiness of the ship;

1.7 ensuring that the ship's fire prevention, rescue and other safety equipment is complete, in working order and ready for operation;

1.8 preparing the ship for the catch;

1.9 caring for the catch during the voyage and in port;

1.10 performing and monitoring administrative duties;

1.11 assuming responsibility for the welfare of the crew;

1.12 managing people in the operation of the ship, planning and executing the assignment of work and on-board training;

1.13 maintenance;

1.14 performing the functions assigned by acts and other legislation; and

1.15 performing the functions assigned by the shipowner.

2. General training objectives

Officers in charge of the navigational watch (BKW) and skippers (BKü) are to be able to confidently apply the knowledge and skills in the fields listed in paragraph 3. Officers in charge of the navigational watch (BGW) are to be able to confidently apply the knowledge and skills in the fields listed in paragraph 3 and to assess the technical processes in the operation of the ship and how they are interlinked.

3. Fields of knowledge and skill

Candidates wishing to obtain a certificate of proficiency as officer in charge of the navigational watch (BGW) or (BKW) or as skipper (BKü) shall demonstrate that they have the necessary knowledge and skills in the following fields:

	Fields	Not required for BKW	Not required for BKü
3.1	Navigation		
3.1.1	Terrestrial navigation		
	Course plotting		
	Base lines and ships' positions		
	Rhumb-line navigation		X
	Great-circle navigation	X	X
	Current navigation		
	Nautical publications		
	Working with nautical charts		
	Aids to navigation and beaconage/buoyage systems		
	Compass checking procedures		X
	Fundamentals of tidal theory		
3.1.2	Celestial navigation		X
	Base lines and ships' positions		
	Orientation using celestial bodies		
	Compass checking procedures		
3.1.3	Technical navigation		
	Sounders and speed logs:		
	Operation		
	Structure		X
	Mode of operation		X
	Radiodetermination systems:		
	Operation		
	Structure	X	X
	Mode of operation		X
	Interpretation of the results of sounders, speed logs and radiodetermination systems		

	Compass systems:		
	Operation		
	Structure	X	X
	Mode of operation		X
	Geomagnetism and ship's magnetism		X
	Making allowance for errors	X	X
	Checking radio correction		X
	Starting radio correction	X	X
	Satellite navigation procedures		
	Radar systems:		
	Structure and mode of operation		X
	Radar navigation and plotting procedures		
	ARPA systems		
	Automatic pilot systems:		
	Operation		
	Structure	X	X
	Mode of operation		X
3.2	Maritime shipping law		
3.2.1	Public shipping law and maritime labour law, in particular:		
	Provisions governing the responsibilities of the Federal Government in the field of maritime shipping		
	Flag law		
	Maritime Safety Investigation Act		
	Maritime labour act and the statutory instruments enacted on the basis of this Act		
	Ship Safety Act, Ship Safety Regulations		
	International Convention for the Safety of Life at Sea (SOLAS), 1974		X
	International and national provisions for protection of the marine environment		
	International and national traffic rules and regulations		
	Provisions governing telecommunications		
	Fisheries legislation		
	International law of the sea	X	X
	Provisions governing the maintaining of ships' logs and oil record books		X
	Shipping Register Regulations		X
	Consular, passport and foreigners law		X

	Law governing flotsam and jetsam	
	Official documents required to be carried on board ships	
	Ship dispatching	
	Provisions governing occupational health and safety and accident prevention	
	Guidelines and bulletins published by the Berufsgenossenschaft for the Transport Industry,	
	The bodies responsible for shipsafety and occupational health and safety and their main functions	X
	Social insurance law	X
	Unfair Dismissal Protection Act	X
	Act governing labour relations at the workplace	X
	Collective bargaining law	X
3.2.2	Private shipping law, in particular	X
	Marine insurance law	
3.3	Seamanship	
3.3.1	Safety technology	
	Fire safety	
	Fire fighting	
	Rescue of persons, ship and cargo	
	Behaviour in the event of accidents	
	Survival of persons in distress	
	Safety service	
	Maintenance of the safety equipment	
3.3.2	Cargo technologies and fishing techniques	
	Fishing gear	
	Cargoworthiness and seaworthiness	
	Cargo-handling equipment	
	Fishing equipment	
	Cargo space equipment	X
	Ballast distribution	X
	Receiving, stowing and discharging the catch and its products	
	Deadweight capacity and workability of the ship	X
	Care of cargo	X
	Environmental protection	

3.3.3	Design and construction of the ship	
	Ship components and structures	
	Fish processing systems	X
	Shipyard documents, freeboard, charting and classification	
	Supervising construction and repair	X
3.3.4	Stability and trim of the ship	
	Measures for ascertaining, appraising and impacting trim and stability	
	Influences on stability	
	Stability and survivability of the damaged ship	
3.3.5	Manoeuvring	
	Manoeuvring and handling ships in ports, in pilotage waters and at sea, in rough weather, in ice and during the catch	
	Structure and mode of operation of control systems	X
	Manoeuvring characteristics, manoeuvring attempts and manoeuvring documents	X
	Anchoring and towing manoeuvres	X
	Search, rescue and assistance measures	X
3.4	Marine engineering	
	Prime movers and driven machines	X
	Apparatus and containers: Structure, mode of operation and employment	
	Reading technical drawings	X
	Shaft lines, propellers and steering gear:	X
	Structure and mode of operation	X
	Power distribution	X
	Fundamentals of ship automation	X
	Operation and monitoring of marine engine systems up to 300 kW (only for BKü)	
3.5	Meteorology and oceanography	
	Fundamentals of meteorology and oceanography	X
	Processing meteorological and oceanographic information	X
	Meteorological instruments: Reading, structure and mode of operation	
	Weather situations and weather developments	
	Typical weather situations, climates	X

	Meteorological navigation		X
	Navigation in storms	X	X
3.6	Biology of seafish and caring for the catch		
	Marine habitat		
	Types of commercially harvested fish		
	Hygienic treatment of seafish from catch to marketing		
3.7	(Radio)communications		
	Communications using the International Code of Signals		
	General Operator's Certificate		X
	Restricted Operator's Certificate (only for BKü)		
3.8	Medical treatment of injuries and illnesses		
	Diagnosis and treatment		X
	Fundamentals of maritime medicine		X
	Anatomy		X
	Physiology, including nutritional, occupational and climatic physiology		X
	Use of drugs and medicines		X
	Onboard medical equipment		X
	Provisions of maritime medicine		X
	Medical consultation by radio		X
	Injection techniques, bandaging, nursing and wound treatment		X
	Diseases of and injuries to the throat, nose, ears, eyes and skin		X
	Internal and infectious diseases		X
	Neurological disorders and mental illnesses		X
	Problems of addiction		X
	Treatment in emergencies and after accidents		X
	Poisoning		X
	Medical problems of persons in distress		X
	Tropical diseases	X	X
	Accident reports		X
	First-aid course (only for BKü)		
3.9	Personnel management		X
	Social behaviour		
	Personnel management		

	Duties of superiors	
	Management tools and management style	
	Group problems	
	Staff appraisal	
	On board training and instruction	
3.10	Business administration	X
	Operation and structure of shipping companies	
	Competitiveness in maritime shipping	
	Pricing at seafish markets	
	International and national fisheries policy	
	Risks and insurance in maritime shipping	
	Marketing enterprises	
	Costs and services of shipping companies	
3.11	English	
	Specialized English	
	Standard Marine Navigational Vocabulary	
	Sea protests and reports	

Annex 6
(to Sections 39, 40, 53)
Metalwork training requirements

A course of training in metalwork must provide at least the following knowledge, understanding and proficiency:

1. Planning and preparing operational processes and checking/assessing the outcome
2. Reading, applying and preparing technical documentation
3. Distinguishing, allocating and using materials, auxiliaries and supplies
4. Testing, measuring, gauging
5. Scribing, centre punching, marking
6. Aligning and clamping tools and workpieces
7. Manual and mechanical machining
8. Drilling, countersinking, reaming
9. Turning
10. Sawing
11. Surface grinding
12. Cutting

13. Shaping
14. Joining
15. Arc welding, oxyacetylene welding, soldering

**Annex 7
(to Section 39)**

**Requirements for the proof of professional aptitude to be provided by candidates
wishing to obtain a certificate of competency as engine operator**

Candidates wishing to obtain a certificate of competency as engine operator on commercial vessels with a propulsion power of less than 750 kilowatts shall demonstrate that they have adequate competencies in the following fields:

1. Communications
2. Marine engineering
3. Maintenance
4. Electrical engineering, control engineering
5. Monitoring technical ship operation.