

Memorandum of Understanding
on the mutual recognition of certificates for the safe operation
of traditional ships in European waters and
of certificates of competency for crews on traditional ships

The Maritime Authorities of

Denmark
Estonia
Finland
Germany
The Netherlands
Norway
Spain
Sweden
the United Kingdom

hereinafter referred to as "the Authorities" –

(1) noting that during the past few decades an increasing public interest in keeping historically valuable ships alive has led to a range of activities in the field of maritime heritage aiming at the preservation of such ships in active use, usually for private, social or cultural purposes but also as a commercial venture;

(2) noting further that the variety of types of vessels developed under different influences of geography, culture and economy ranges from primarily sailing vessels with an auxiliary engine to power-driven vessels, many of them with steam propulsion, former fishing boats and cargo vessels as well as coastal passenger traditional ships, tugs, icebreakers, light vessels and others. Many of them are preserved, having been well maintained in public service. Figures available indicate that around 5,000 sea-going ships of historical interest and regional character have survived until now in Europe. An overwhelming majority of them have proved to be safe and seaworthy when properly maintained, equipped and operated by experienced crews;

(3) noting also that, in several countries in Northern and Western Europe, Governments have adopted standards for traditional ships with different approaches concerning the standards applicable to the construction and equipment as well as the

safe operation and the certification of crews for such ships, which causes problems during port state control;

(4) noting with appreciation the progress achieved in this field by the Common European Maritime Heritage Congress (CEMHC);

(5) recognizing that the preservation of historically valuable ships in their traditional condition and their operation as a common living maritime heritage is of public interest;

(6) stating that a possible lack of modern technology on traditional ships should be compensated for by operational measures to provide an equivalent level of safety without destroying the historical character of the ships;

(7) recognizing the need to have special minimum standards different from regulations governing commercial ships, which will enable the traditional ships to comply with a level of safety that is equivalent to the safety level of modern ships subject to generally accepted international conventions, regulations, procedures and practices as well as to national law and, as far as traditional ships flying a flag of a Member State of the European Union are concerned, to binding provisions based on the EC Treaty such as Directive 98/18/EC, as amended;

(8) recognizing also that where IMO Conventions are applicable to all ships, for instance with respect to environmental issues, traditional ships have to comply with these regulations and therefore the subject will not be dealt with in this Memorandum;

(9) recognizing further, that a traditional ship as such should be used to promote traditional skills, seamanship and awareness of the maritime heritage; not to be engaged in transport on a profit base beyond the costs of operation and maintenance.

(10) convinced of the necessity, for these purposes, of mutual recognition of national certificates for the safe operation of traditional ships in European waters and of certificates of competency of crews on such traditional ships on the basis of a minimum standard adopted by the Common European Maritime Heritage Congress (CEMHC) as well as of national safety certificates for traditional ships concerning construction, equipment and radio requirements;

(11) convinced further that minimum safety standards for traditional ships would enhance the safety and the unhindered navigation and strengthen the co-operation and exchange of information among owners of such ships and the Authorities -

have reached the following understanding:

Section 1 - Compliance

- 1.1 Each Authority is prepared to comply with the guidelines provided for by the present Memorandum.
- 1.2 Each Authority confirms that a Document of Compliance shall be issued in the format listed in Annex I. The Document of Compliance confirms that the ship complies with the requirements of its national legislation for the operation of traditional ships flying the flag of the state of that Authority and meet the guidelines provided for by the present Memorandum and its Annex II.

Each Authority is willing to recognize

- The Document of Compliance for ships classed as Traditional Ships;
- national certificates of competency of crews of traditional ships under the flag of a state whose Authority is a signatory to this Memorandum, when calling at a port or participating in races, parades and festivals in its waters, provided that the certificates for safety, the safe operation and the competency of crews are issued under the guidelines of the present Memorandum and its Annex II thereto as guidance to minimum standards subject to the amendment procedure in section 3.3 and to the generally

accepted international conventions, regulations, procedures and practices as well as to national law and, as far as traditional ships flying the flag of a Member State of the European Union are concerned, to binding provisions based on the EC Treaty such as Directive 98/18/EC.

- 1.3 The Authorities might carry out port state control inspections, which would consist in a visit on board a traditional ship in order to check whether the ship has valid certificates as referred to in section 1.2 above. Furthermore, the Authorities might satisfy themselves that the crew and the overall condition of the traditional ship including the engine room meets the generally accepted minimum standards reproduced in Annex II hereto.

In the absence of valid certificates, or if there are clear grounds for believing that the condition of a traditional ship or of its equipment or its crew does not substantially meet the requirements of the Annexes hereto, the flag state would be informed.

In the case of deficiencies which are clearly and immediately hazardous to safety, health or the environment, the Authority would ensure, except as provided for in section 1.4 below, that the hazard is removed before the traditional ship is allowed to proceed to sea. For this purpose, appropriate action would be taken, which might include detention or formal prohibition of a traditional ship to continue operating on grounds of established deficiencies which, individually or together, would render the continued operation hazardous.

- 1.4 Where deficiencies which have caused a detention as referred to in section 1.3 above cannot be rectified in the port of inspection, the Authority might allow the traditional ship concerned to proceed to the nearest appropriate repair yard available as chosen by the master and the Authority, provided that the conditions determined by the competent authority of the flag state and agreed by the Authority are complied with. Such conditions would be aimed to ensure that the traditional ship can proceed without risk to the safety

and health of the crew or risk to other ships or without being an unreasonable threat of harm to the marine environment.

- 1.5 In the case of a detention, the Authority would immediately notify the flag state Administration in writing, which includes the report of inspection.

Section 2 - Definition

For the purposes of the present Memorandum of Understanding, “traditional ships” can be all kinds of historical ships and their replicas including those designed to encourage and promote traditional skills and seamanship, that together serve as living cultural monuments, operated according to traditional principles of seamanship and technique, and holding a Document of Compliance in the format listed in Annex I.

Section 3 - Committee

- 3.1 A committee should be established, which should be composed of a representative of each of the participating Authorities. In addition, this committee should include designated representatives of the Common European Maritime Heritage Congress (CEMHC) as observer.
- 3.2 The committee should meet on a regular basis and at such other times as it may decide under the chairmanship of an Authority, which should hand over the chairmanship to another Authority at the next meeting.
- 3.3 The committee should
 1. promote the unhindered navigation of traditional ships and resolve any major problems which might arise from port state control;
 2. develop and review procedures for the exchange of information;

3. keep under review the present Memorandum, the Annexes thereto and other matters relating to the operation of traditional ships and the effectiveness of the Memorandum, for instance the legal status of persons on board, i.e. passengers, trainees etc;
4. decide on the application for membership by other interested Maritime Authorities;
5. take full account of the specialist advice available from the EMH representatives in the committee.

Section 4

- 4.1 The present Memorandum is without prejudice to rights and obligations under any international convention or agreement.
- 4.2 A Maritime Authority of a European coastal state or of a coastal state of the North Atlantic Basin from North America to Europe, which complies with the standards reproduced at the Annexes hereto, might sign to the present Memorandum of Understanding with the consent of all Authorities which are already signatories to this Memorandum.
- 4.3 Termination
A signatory might terminate his participation in the present arrangement by announcing this intention to the other signatories 90 days in advance.

Section 5 - Amendments

- 5.1 The MoU may be amended at a Committee meeting.
- 5.2 Each member state or observer organisation may propose amendments to the MoU. The member states shall agree on amendments by consensus.

- 5.3 Amendments that have been agreed upon at a committee meeting should come into force three months after the closure of the meeting unless prior to that date one or more member states have communicated their objection to the member state having the chair.
- 5.4 The whole MoU text, including the amendments, should be reproduced when a new version comes into force. The amended parts of the revised version should be indicated in the margin.
- 5.5 If there is a need for a prompt change of the MoU between two committee meetings, this can be done by circulating the proposed amendments for acceptance by all member states. The member state hosting the latest meeting should be responsible for circulating such amendments. Providing that there is consensus between the member states the revised MoU enters into force on the date indicated in the circulated amendments.

Section 6 – Prior Agreement

The present Memorandum of Understanding signed in _____ on the Two Thousand And Five replaces and abrogates the Memorandum of Understanding on the mutual recognition of certificates for the safe operation of traditional ships in European waters and of certificates of competency for crews on traditional ships originally signed in Wilhelmshaven on the eighth day of September Two Thousand.

Section 7 - Entry into force

This Memorandum of Understanding shall enter into force on the date of signature thereof.

[NAME OF MARITIME ADMINISTRATION]

DOCUMENT OF COMPLIANCE
WITH THE SPECIAL REQUIREMENTS FOR
TRADITIONAL SHIPS

Name of ship:

Call sign:

Port of registry:

Gross tonnage:

Length:

Year of construction:

IMO Number:
(where applicable)Maximum number of
persons onboard:

Area of operation:

Sea area (according to
Directive 98/18/EC, as
amended)
when used for day trips:

Remarks with further restrictions or additional requirements:

THIS IS TO CONFIRM that the above mentioned vessel complies with the requirements of the
 [Name of maritime administration] to operate as a Traditional Ship under the
**“Memorandum of Understanding on the mutual recognition of certificates for the safe
 operation of traditional ships in European waters and of certificates of competency for
 crews on traditional ships”.**

This document is valid until

Issued at

Date of issue.....

.....
(Signature of authorized official issuing the certificate)

E uropean

M aritime

H eritage



Standard
upon
Safe Operation of Traditional Ships
in
European Waters
and Standards required for
Ship Safety Certification

AVEC LE PATRONAGE DE L'AGENCE EUROPÉENNE POUR LA CULTURE (UNESCO)

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Maritime Heritage as a Safety and a Cultural Commitment

During the past few decades, an increasing public interest in keeping historically valuable ships alive has led to a range of activities in the field of maritime heritage aiming at their preservation in active use, usually for private, social, educational or cultural purposes but also as a commercial venture.

Maritime Heritage springs from many very different sources. This is evident from the variety of types of vessels developed under the several influences of geography, culture and economy. In Europe as a whole it is estimated that more than 5000 vessels of historic interest and regional character ply their home waters today. The majority of traditional ships are primarily sailing vessels. A considerable number, however, are power driven, many of them with steam propulsion. The original uses to which these preserved ships were put covers a wide range, whether engine powered or under sail. Quite a lot of former fishing boats and cargo carrying vessels exist as well as coastal passenger ships, tugs, ice breakers, light vessels, yachts, pleasure craft and others. A considerable number of them survived as a result of their use in public service. In their overwhelming majority these ships have proved to be safe and seaworthy when operated by experienced crews. They have, as a result, through the years survived until now. Old ships are things of grace and beauty and give a special atmosphere to the harbours they visit. Apart from their historical value they became the elements of the magnificent and colourful scenery characterising maritime events of today.

The European flag states of Traditional Ships flying their colours have only partly reacted to this appearance of a maritime heritage scene and this reaction is inadequate to the public impression produced. The official governmental and administrative reaction is currently restricted to some shipping administrations in north European countries, discussing or regulating the question of safety of persons on board these old ships. Very reluctantly and hesitantly some governments approach the cultural dimension of maritime heritage and the linked problems in the field of preservation such as reconstruction, maintenance, operation and last but not least financing. Outside the maritime museums, which generally do not have the financial resources to do the job as they would love to, and which in general cannot act as a ship operator, this is left to private initiative. Except for Denmark in all European countries the private initiative to preserve the maritime heritage suffers from a lack of official governmental assistance and from the absence of an administrative background which a framework in cultural politics would offer. A common basic understanding is to be developed:

1. Governments of seagoing nations have to acknowledge that sea- and freshwater patrimony is a vital part of history and presents an irreplaceable testimony upon their ethnical, commercial, technical or pleasure roots.
2. Ships, boats and other watercraft of historical interest are more than heralds of seawater and freshwater patrimony, they are the tools to transmit and teach to coming generations the skills which allowed for navigation expansion and water-connected commercial developments. These skills are the most human part of the water-borne patrimony, and as such are the most precious part.

3. In consequence governments have a duty to maintain the navigability of such ships, boats and other watercrafts of historical interest in a state as original as possible so that they might continue to transmit these skills.
4. Recognising the cultural dimension in the operation of Traditional Ships the flag states have to support and encourage the owners of watercraft of historical interest to develop their use under own responsibility without the danger of financial and fiscal disadvantages which might be induced by their restoration, maintenance and operation.

Parallel to progress in the field of safe operation of Traditional Ships European nations have to commit themselves to a common approach in preserving floating heritage and traditional seafaring.

Fields of Operation

To make the efforts of reconstruction and maintenance lasting, old ships must be preserved in operation and that means for most Traditional Ships they need a new purpose to find a contribution to the costs of preservation. Only a few of them have a purpose as a stationary museum ship, belong to a navy or to other public institutions and are preserved under public subsidising. Some may exist as houseboats, smaller ones will remain as a private yacht. These possibilities are not adequate to the great public interest in maritime heritage. They do not count for the broad and deep engagement of interested people in keeping the knowledge, craftsmanship and seamanship alive, which is connected to the reconstruction, maintenance and the operation of vessels with traditional propulsion systems. The manifold maritime events in Europe could not develop their character with only stationary, nonliving ships.

An appropriate way to earn an income is to take persons on board. Traditional Ships shall not compete with passenger ships. But there are niches in which they may operate, as for instance

- carrying school classes in field training expeditions
- international sail training activities
- educational seafaring
- training on steam engines or other engines of historical value
- experience holidays with performance of traditional seamanship
- coastal sightseeing in connection with maritime events
- promotion of conferences or exhibitions including cultural events

In some niches the Traditional Ships proved to be very successful, that is

- training of young people in social competence
- rehabilitation of young persons in severe social difficulties

- promotion of sympathy among nations and improvement of international understanding
- acting as an ambassador for nations, regions and the maritime culture
- keeping the traditional seamanship in active seafaring alive.

Present Framework for the Operation in European-Countries

The operation of Traditional Ships increased strongly since the 70ies mostly in the northern and western countries of the EU, where private individuals and associations form the majority of the owners and operators, while in the southern/Mediterranean countries the maritime museums are the main drivers of the idea to keep historical ships in operation. With increasing per capita income and available individual free time in the southern regions of Europe, it can be predicted that these countries will experience similar developments in the future. Today the largest fleet of operating traditional ships is located in The Netherlands, followed by Denmark, Sweden, the U.K. and Germany.

Old ships must be preserved in operation to make the efforts of reconstruction and maintenance lasting. But ships of traditional construction and use may not be compared to modern cargo and passenger ships. Operating such vessels calls for safety requirements that take account of the special conditions of their use, as distinct from the regulations governing commercial operation.

Legally, the operation of traditional ships is regulated by the applicable ship safety rules. Since the vast majority of the operating Traditional Ships were taken for "non-SOLAS-vessels" by size, type and trade and the phenomenon had not been considered during the international treaties of the last decades (too local and too small number), Traditional Ships have for long time operated under yachting rules or with special exemptions from the merchant shipping regulations.

In the past two decades, with the increasing number of ships and participants, in The Netherlands, Germany, Denmark and Sweden the national governments have implemented (or are just in the process of implementing) special safety regulations for the operation of traditional ships. These regulations have been developed jointly with the owners representatives and experts and are considering the important fact, that the safety philosophy of the SOLAS-treaty calls for continuous application of the latest technologies and developments in shipbuilding which are in many cases not matching the requirements for the preservation of floating monuments. Consequently, the principle has been followed, that safety of operation must be the subject of a concept individually tailored to the respective Traditional Ships, based of a set of basic guidelines. These rules are now proven successfully in practice. This approach is in compliance with the latest ISM-Code / ISO 9000 philosophy.

National regimes for Traditional Ships generally restrict them to national waters. For international voyages some governments agreed to accept their neighbours national rules and papers. However, especially in the Mediterranean countries there is little knowledge about other than SOLAS-rules and frequently disputes occur during port state control

actions. To call at ports of these countries a permission must be asked for. Long distance voyages of sail training ships are to be prepared under these conditions.

With the growing European integration accompanied by growing fleets of Traditional Ships the mutual acceptance of national safety rules for old ships between some European countries, thus opening these waters to old ships based on bilateral agreements, is not satisfactory any longer. The development calls for a mutual recognition of standards and a regime for common certification to be implemented by the European nations concerned in this field of shipping operation. A joint European view on the operation of Traditional Ships would be advantageous in many aspects. To find this common view and to improve the safe operation of Traditional Ships, a door between the governing cultural demands and the safety principles in international shipping is to be opened. The possible key can be found with a performance of equivalent safety in terms of construction, equipment and organisation.

International Standards to Improve Ship Safety

Traditional Ships represent the culture and the technical standard of their time. Preserving them and keeping them in operation is not practicable if all rules and standards of modern shipping are to be applied. From their original construction they incorporate a large variety of safety precautions as a direct result of their type, size and usage. Their present operation as Traditional Ships, however, involves a change of use which is not necessarily compatible with their built in safety characteristics.

Differences from the safety standards of today do not imply less safety for the persons on board, if safety concepts entirely appropriate to these ships are applied. Modern technical systems and devices which conflict with the historic character of a ship can in most cases be effectively replaced by an intensive safety organisation on board such vessels. This is particularly true when the crews of Traditional Ships are considerably larger than in today's merchant ships, which will be found in almost every case. Under these operational aspects persons on board Traditional Ships must generally not be considered as passengers. With extensive instructions and safety drills under tight control they are integrated into the ship organisation, take part in the manoeuvring of the vessel and can even help in case of emergency.

This is evident from the development and introduction of tailored safety concepts for traditional ships in several European countries. Apart from technical requirements safety systems and ship operation are outlined after the seasons, the time and the radius of operation and allow for differences in weather conditions to be observed. Under the aspect of equivalent safety operational measures to compensate for technical shortcomings are to be considered under a comparison of safety elements i.e. in

- Construction
- Buoyancy
- Stability
- Propulsion

- Fire Safety
- Life saving appliances
- Safety of navigation
- Communication

Examples for a compensation of technical deficits by equipment, organisation of ship handling and by increased manpower are:

- Prohibition of smoking below decks and restriction of smoking on deck to certain areas instead of a requirement for non-combustible furniture.
- Fire fighting equipment and training of crews compensating for wooden construction below decks.
- Watchkeeping with sufficient personnel on deck, below deck and in engine rooms with non-automated machinery, including fire patrols as necessary.

In consequence the requirements for an operation in international waters must be adequate.

What Traditional Ships lack in modern technology, must be compensated for by operational measures that ensure their safe operation without destroying their historical character.

This compensation must amount to a level of safety performed within a safety system which is equivalent to the safety system in modern shipping.

The national safety regulations provide technical rules to perform an equivalent level of safety in terms of construction, equipment and organisation. Their aim is still to offer Traditional Ships the possibility to earn an income and thus avoid risks from deficits in ship safety.

The safety system in modern shipping is comprised within SOLAS and ISM rules. The first question to be answered is, to what extent the SOLAS regulations on construction and equipment are applicable for Traditional Ships. The second question will be, how the principles of safe operation can be adopted.

In general all ships are subject of SOLAS-rules. The exact range of application of SOLAS is determined within each chapter. After certain exemptions SOLAS is not applicable for cargo ships of less than 500 gross tonnage, ships not propelled by mechanical means, wooden ships of simple construction and pleasure yachts not operating in commercial trades. To what extent Traditional Ships can be comprised within these clauses is a question to be answered with

respect to regional or national structure of fleets or at least in every single case. For sure a great number of Traditional Ships have been small cargo vessel, most of them cargo vessels under sails, the sailing ships will be equipped with an auxiliary engine now but their main propulsion remain the sails and a great number of simply constructed wooden Traditional Ships do exist. Many Traditional Ships were originally been built as yachts, and the cultivation of maritime tradition should encompass the understanding of pleasure because it is so different from commercial trade.

Apart from such exemptions Traditional Ships are subject of SOLAS if they are considered as passenger vessels taking more than 12 passengers.

After rule 2.e the term "passenger" refers to every persons other than

"(i). the master, the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship."

In Traditional Ships operating internationally the persons on board will generally be covered by this definition. They are integrated into the ship operation and that means, they are engaged on the business of that ship without being employed. Under this supposition they are not to be considered as passengers and that means such Traditional Ships are no passenger ships, even if more than 12 persons are on board.

Apart from these requirements the application of SOLAS differs within the chapters. In some cases the application depends on the tonnage, chapter V is anyhow compulsory for all ships. In case a chapter of SOLAS is applicable to a certain Traditional Ship member states may allow different equipment, material, devices or instruments to be used, installed or taken on board provided that they are at least as efficient as those prescribed and their equivalence is confirmed under test or by other methods.

This interpretation of the SOLAS treaty allows the introduction of respective national regulations and agreements on specific international standards for Traditional Ships based on the principle of equivalent compensation.

To enhance safety on board Traditional Ships the question of safe operation has to be answered:

Safe ship operation is described by the

International Management Code for the Safe Operation of Ships and for Pollution
Prevention,
the
ISM Code

as well as the

Standards of Training, Certification and Watchkeeping, the STCW Convention.

Adequate international minimum standards are developed by the Common European Maritime Heritage Congress by modifying the existing standards and making them applicable for Traditional Ships without leaving the system and without reduction in level.

Mutual acceptance of national regulations on construction and equipment correlated to international standards on a safety management system as well as to requirements for the competence of crews will be a base to introduce European Ship Safety Certification of Traditional Ships if established by a common understanding.

Governments opting for a common understanding on mutual recognition of safety certificates for Traditional Ships could in common accept the standards specifically

elaborated for Traditional Ships by the CEMHC Safety Council as in the same way efficient as those prescribed by SOLAS, the ISM and the STCW code. Certification based on such a recognition could also be accepted as exceptional SOLAS certification if SOLAS applies. In case of such exceptional SOLAS certification notification to IMO is compulsory. The process of notification could lead to an international acceptance and acknowledgement of these standards.

European Traditional Ship Safety Certification Regime

The appropriate international system to approve safe ship management as the base for an "European Traditional Ship Safety Certification Regime" is the ISM Code, the appropriate system to approve the competence of crews is the STCW 95 convention. Under the guidance of equivalency a ship safety certification for Traditional Ships can be established from two elements:

1. An international standard on the competence of crews in Traditional Ships developed in conjunction with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers and according to the STCW (95) code, counting for the operational conditions in Traditional Ships with simple and conventional equipment but demanding a special competence in ship handling (Annex 1).
2. An international Safety Management System for Traditional Ships based on the ISM Code including a sample Safety Management Manual to give evidence of the responsibilities and procedures for safe operation in the individual ship and by the owner confirmed by a document of compliance (Annex 2).

An additional common standard leading to a common certification would meet the routine of port state controls and would enable authorities to control these standards, eliminating problems which may accompany a call at foreign ports. Common certification must follow a homogeneous safety system and must conform with a safety system introduced into international shipping. In so far the Safety Management System for Traditional Ships and the international standard of competence of crews will be an umbrella to national safety regulations and enhance safety for those ships operating in European waters.

Certification and control of these standards should be performed under a common

Memorandum of Understanding
on the Mutual Recognition of Certificates on the Safe Operation of
Traditional Ships in European waters.

Sources and contributions

The draft proposals in the annexes were elaborated by numerous delegates, nominated by the members of European Maritime Heritage to represent the EMH Safety Council, including private cooperation with members of the

Nautical Institute UK
World Maritime University Malmö Sweden
Sjöfartsverket Sweden
Kalmar Maritime Academy Sweden
Nautical College Enkhuizen The Netherlands
Ministry of Transport Germany
Ship Preservation Trust Denmark

The proposals are based on or referring to different international and European documents:

The IMO STCW 95 Convention and Code and the ISM Code.
Approved ISM Manuals from Denmark, Sweden and the Netherlands.
Maritime and Coast Guard Agency – UK: The ISM Code - “Draft Instructions for the guidance of Surveyors”.
Warsash Maritime Centre UK – Commercial Yachtmaster Certificate of Competency - Course Program.
Kalmar Maritime Academy Sweden – Deck Officer Training Course.
Proposed regulations for competency and experience of engineers on ships with piston steam engine propulsion - Sweden.
Yacht Skipper Certificate Ordinance Germany and connected Guidelines for Competency and Experience of Masters and Engineers in Traditional Ships (under the supervision of German Sailing Association and Common Historic Ships Commission appointed by the Ministry of Transport).
Nautical College Enkhuizen The Netherlands – Competency of Mates and Masters in Traditional Sailing vessels – Course program and certificates approved by the Shipping Administration (Scheepvaartinspectie).

and

National Safety Regulations for Traditional ships such as

- Register Holland – The Netherlands
- The Safety of Sail Training ships – A Code of Practice and Stability Information Booklet - The Department of Transport – Marine Directorate – United Kingdom
- Guidelines to Safety of Traditional Ships based on § 6 Ship safety Ordinance, Germany
- The Technical Regulation NR. 12 (December 15th 1995) for ships worth of preservation, Denmark
- United States Sailing School and Passenger Vessel Regulations - US Coast Guard.

E uropean

M aritime

H eritage



Minimum Requirements for Certification

according to a

Minimum Standard of Competence

**for Masters, Mates and Engine Operators on
Traditional Ships of less than 500 Gross Tonnage
based on the STCW Convention and the STCW 95 Code
for seagoing vessels**

AVEC LE PATRONAGE DE L'AGENCE EUROPÉENNE POUR LA CULTURE (UNESCO)

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Preface

This European minimum standard for the competence of crews in Traditional Ships is developed from the operational conditions in these ships with simple and traditional equipment and considers the special competence needed to handle them.

The standard follows the principle of equivalency (Article IX) in the sense of possible adoption of educational and training arrangements, including those involving seagoing service and shipboard organisation especially adapted to **the technical situation in special types of ships**. The adoption of equivalency in this sense acknowledges the fact that

- the majority of crews in Traditional Ships are not professional sailors but start their career on board these ships or as yachtsmen.
- Traditional Ships do generally not carry cargo.
- the main propulsion is given by sails or engines of historical value both demanding for a larger number of crews as ships for trading purposes with modern technique and crews reduced to a minimum.
- Ship operation is generally restricted to a season comprising the months between May and October.
- the cultivation of maritime tradition is to be comprised within the understanding of pleasure because it is not a primary consideration in commercial trades.

Certificates shall be issued in the sense of Regulation II / 3 number 7 :

The Administration, if it considers that a ship's size and the conditions of its voyage are such as to render the application of the full requirements of this regulation and section A-II/3 of the STCW Code unreasonable or unpractical, may to that extent exempt the master and the officer in charge of a navigational watch on such a ship or class of ships from some of the requirements, bearing in mind the safety of all ships which may be operating in the same waters.

Under this provision minimum requirements for certification and minimum standards of competence are developed for ships of smaller than 24 m in length of the hull, according to the "International Tonnage Certificate", and for ships exceeding this length, both distinguished by their engagement on near-coastal voyages and beyond that area.

The standard of competence for masters and mates on ships with less than 24 m of length of the hull shall follow the national requirements for the certification of yachtsmen, as already practised by many nations, and shall be adjusted to the STCW standard in safety requirements (section A-II/5 and A-II/7).

The standard of competence for masters and mates on ships of more than 24 m of length of the hull (section A-II/6) is based on section A-II/3 of the STCW Code and counts for the STCW standard in safety requirements. The standard is adapted to the knowledge and proficiency needed for watchkeeping and command on traditional ships, especially on sailing vessels. The minimum standard of certification for masters on ships not engaged on near-coastal voyages (section A-II/8) is adjusted by elements selected from the sections A-II/1 and A-II/2 of the STCW Code.

The standard of competence for engine operators (section A-III/5) is based on section A-III/1 of the STCW Code.

Mandatory Minimum Requirements for Certification based on Regulation II/3 and III/1 of the STCW 95 Convention

Master and Deck Department

Ships engaged on near-coastal voyages

Section A-II/5

Mandatory minimum requirements for certification of officers in charge of a navigational watch and masters on ships up to 24m length of the hull.

OFFICER IN CHARGE OF A NAVIGATIONAL WATCH

Standard of competence

Every candidate for certification as officer in charge of a navigational watch shall:

1. be no less than 18 years of age
2. have completed :
 - 2.1. special training, including a period of appropriate seagoing service on board traditional ships (as required by the Administration).
 - 2.2. approved education and training and meet the standard of competence as a yachtskipper under a certification as recognised by the Administration.
3. meet the standards of competence as set out in the tables
 - A-VI/1-1 (Minimum standard of competence in personal survival techniques)
 - A-VI/1-3 (Minimum standard of competence in elementary first aid)
 - A-VI/1-4 (Minimum standard of competence in personal safety and social responsibilities)
4. have basic understanding in fire fighting and fire prevention.
5. meet the applicable requirements of the regulations in chapter IV STCW Convention, as appropriate, for performing designated radio duties in accordance with the Radio Regulations.

MASTER

Standard of competence

Every candidate for certification as master shall:

6. be not less than 20 years of age,
7. have approved a period of appropriate seagoing service as officer on board traditional ships (as required by the Administration) and
8. meet the standard of competence as set out in the tables
 - A-VI/1-2 (Minimum standard of competence in fire prevention and fire fighting) and
 - A-VI/2-1 (Minimum standard of competence in survival craft and rescue boats other than fast rescue boats)

Section A-II/6

Mandatory minimum requirements for certification of officers in charge of a navigational watch and masters on ships of more than 24m length of the hull.

OFFICERS IN CHARGE OF A NAVIGATIONAL WATCH.

Standard of competence

1. Every candidate for certification shall:
 - .1 be no less than 18 years of age
 - .2 have approved seagoing service as required by the Administration on board traditional ships as part of an approved training programme which includes on – board training which is documented in an approved training record book.
The approved on board training which is to be documented in an approved training record book may in addition to the seagoing service be performed during the winter season on ships laid up for maintenance and repair.
2. Every candidate for certification shall:
 - 2.1. be required to provide evidence of having received appropriate approved basic training or instructions in:
 - 2.1.1. personal survival techniques as set out in table A-VI/1-1,
 - 2.1.2. fire prevention and fire fighting as set out in table A-VI/1-2,
 - 2.1.3. elementary first aid as set out in table A-VI/1-3, and
 - 2.1.4. personal safety and social responsibilities as set out in tables A-VI/1-14.
3. Every candidate for certification shall:
 - 3.1. be required to demonstrate the competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-II/6
 - 3.2. at least hold an appropriate certificate for performing VHF radio communication in accordance with the requirements of the Radio Regulations; and
 - 3.3. if designated to have primary responsibility for radio communications during distress incidents, hold an appropriate certificate issued or recognized under the provision of the Radio Regulations.
4. The minimum knowledge, understanding and proficiency required for certification is listed in column 2 of table A-II/6
5. The level of knowledge of the subjects listed in column 2 of table A-II/6 shall be sufficient to enable the candidate to serve in the capacity of officer in charge of a navigational watch on board a traditional ship.
6. Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of table A-II/6.

MASTER

Standard of competence

1. Every candidate for certification shall:
 - .1 be no less than 20 years of age
 - .2 have approved seagoing service of not less than six months or three seasonal voyages, each voyage comprising a minimum of 40 days at sea, as officer of a navigational watch on board traditional ships.
 - .3 meet the requirements for an officer of a navigational watch on board traditional ships engaged on near-coastal voyages, and
 - .4 be required to provide evidence of knowledge and ability to carry out all the duties as master on board traditional ships engaged on near-coastal voyages
2. In addition every candidate for certification shall:
 - .1 meet the standards of competence as specified in table A-VI/2-1, minimum standard of competence in survival craft and rescue boats other than fast rescue boats,
 - .2 meet the standards of competence as specified in table A-VI/4-1, minimum standards of proficiency in medical first aid, and
 - .3 shall be required to show evidence of having received training or instruction in advanced fire fighting on board traditional ships.

Ships not engaged on near-coastal voyages

Section A-II/7

Mandatory minimum requirements for certification of officers in charge of a navigational watch and masters on ships up to 24m length of the hull.

OFFICER IN CHARGE OF A NAVIGATIONAL WATCH

Standard of competence

Every mate in charge of a navigational watch shall at least hold a certificate as a master for ships up to 24m length of the hull engaged on near-coastal voyages.

MASTER

Standard of competence

Every candidate for certification as master shall:

1. be not less than 20 years of age,
2. have approved a period of appropriate seagoing service on board traditional ships as required by the administration as officer in charge.
3. have completed approved education and training for basic understanding of celestial navigation and radar operation in accordance with section A-II/3 and
4. meet the standard of competence as set out in the tables
 - A-VI/1-2 (Minimum standard of competence in fire prevention and fire fighting)
 - A-VI/2-1 (Minimum standard of competence in survival craft and rescue boats other than fast rescue boats)
 - A-VI/4-1 (Minimum standard of proficiency in medical first aid)

Section A-II/8

Mandatory minimum requirements for certification of officers in charge of a navigational watch and masters on ships of more than 24 m length of the hull.

OFFICERS IN CHARGE OF A NAVIGATIONAL WATCH.

Standard of competence

1. Every candidate for certification shall:
 - .1 be no less than 18 years of age
 - .2 have approved seagoing service as required by the Administration on board traditional ships as part of an approved training programme which includes on – board training which is documented in an approved training record book.
The approved on board training which is to be documented in an approved training record book may in addition to the seagoing service be performed during the winter season on ships laid up for maintenance and repair.
2. Every candidate for certification shall be required to demonstrate the competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-II/8, operational level.
3. The minimum knowledge, understanding and proficiency required for certification is listed in column 2 of table A-II/8, operational level.
4. The level of knowledge of the subjects listed in column 2 of table A-II/8 shall be sufficient to enable the candidate to serve in the capacity of officer in charge of a navigational watch on board a traditional ship.
5. Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of table A-II/8, operational level.
6. In addition every candidate for certification shall:
 - .1 meet the standards of competence as specified in table A-VI/2-1, minimum standard of competence in survival craft and rescue boats other than fast rescue boats,
 - .2 meet the standards of competence as specified in table A-VI/4-1, minimum standards of proficiency in medical first aid, and
 - .3 shall be required to show evidence of having received training or instruction in advanced fire fighting on board traditional ships.

MASTER

Standard of competence

1. Every candidate for certification shall:
 - .1 be no less than 20 years of age
 - .2 have approved seagoing service of not less than six months or three seasonal voyages, each voyage comprising a minimum of 40 days at sea, as officer of a navigational watch on board traditional ships. As a minimum half of the seagoing service shall been on board traditional ships not engaged on near - coastal voyages.
 - .3 meet the requirements for an officer of a navigational watch on board traditional ships engaged on near-coastal voyages, and
 - .4 be required to provide evidence of knowledge and ability to carry out all the duties as master on board traditional ships
2. Every candidate for certification shall be required to demonstrate the competence to undertake the tasks, duties and responsibilities listed in column 1 of table A-II/8, management level.
3. The minimum knowledge, understanding and proficiency required for certification is listed in column 2 of table A-II/8, management level.
4. The level of knowledge of the subjects listed in column 2 of table A-II/8 shall be sufficient to enable the candidate to serve in the capacity of officer in charge of a navigational watch on board a traditional ship not engaged on near – coastal voyages.
5. Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence in accordance with the methods for demonstrating competence and the criteria for evaluating competence tabulated in columns 3 and 4 of table A-II/8, management level.
6. In addition every candidate for certification shall meet the standards of competence as specified in table A-VI/4-2, minimum standards of proficiency for persons in charge of medical care on board ship.

Revalidation of certificates

Professional competence

- 1 Continued professional competence shall be established by:
 - .1 approved seagoing service on board traditional ships, performing functions appropriate to the certificate held, for a period required by the administration during the preceding five years; or
 - .2 having performed functions considered equivalent to the seagoing service required in paragraph 1.1, or
 - .3 one of the following:
 - .3.1 passing an approved test, or
 - .3.2 successfully completing an approved course, or
 - .3.3 having completed approved seagoing service on board traditional ships, performing functions appropriate to the certificate held, for a period as required by the administration in a supernumerary capacity or in a lower rank than that for which the certificate held is valid immediately prior to taking up the rank for which it is valid.
- 2 The refresher and updating courses required shall be approved and include changes in relevant national and international regulations concerning the safety of life at sea and the protection of the marine environment and take account of any updating of the standard of competence concerned.

Table A-II/6 Specification of minimum standard of competence for officers in charge of a navigational watch and masters on traditional ships up to 500 Gross tonnage engaged on near - coastal voyages

Column 1 Competence	Column 2 Knowledge, understanding and proficiency	Column 3 Methods for Demonstrating competence	Column 4 Criteria for evaluating competence
Plan and conduct a coastal passage and determine position	Navigation Ability to determine the ship's position by the use of: .1 landmarks .2 aids to navigation, including lighthouses, beacons and buoys .3 dead reckoning, taking into account winds, tides, currents and estimated speed Thorough knowledge of and ability to use navigational charts and publications, such as sailing directions, tide tables, notice to mariners, radio navigational warnings and ship's routeing information. Passage planning in sailing ships under the prevailing regional and seasonal conditions and with respect to the type of sailing ship and it's manoeuvring characteristics. Reporting in accordance with the Guidelines and Criteria for Ship Reporting Systems <i>Note:</i> This item only required for certification as master	Examination and assessment of evidence obtained from one or more of the following: .1 Approved in-service experience .2 approved training ship experience .3 approved simulator training, where appropriate .4 approved laboratory equipment training using: chart catalogues, charts including pilot charts, navigational publications, radio navigational warnings, sextant, azimuth mirror, electronic navigation equipment, echo-sounding equipment, compass	Information obtained from navigational charts and publications is relevant, interpreted correctly and properly applied The primary method of fixing the ship's position is the most appropriate to the prevailing circumstances and conditions The position is determined within the limits of acceptable instrument / system errors The reliability of the information obtained from the primary method position fixing is checked at appropriate intervals Calculations and measurements of navigational information are accurate Charts and publications selected are the largest scale on board suitable for the area of navigation and charts are corrected in accordance with the latest information available

Column 1 Competence	Column 2 Knowledge, understanding and proficiency	Column 3 Methods for Demonstrating competence	Column 4 Criteria for Evaluating competence
Plan and conduct a coastal passage and determine position (continued)	<i>Navigational aids and equipment</i> Ability to operate safely and determine the ship's position by use of all navigational aids and equipment commonly fitted on board the ships concerned <i>Compasses</i> Knowledge of the errors and corrections of magnetic compasses Ability to determine errors of the compass using terrestrial means, and to allow for such errors <i>Meteorology</i> Ability to use and interpret information obtained from shipborne meteorological instruments Knowledge of the characteristics of the various weather systems, reporting procedures and recording systems Ability to apply the meteorological information available	Assessment of evidence obtained from approved radar navigation simulator training	Performance checks and tests of navigation systems comply with manufacturer's recommendations. Good navigational practice and IMO resolutions on performance standards for navigational equipment Interpretation and analysis of information obtained from radar is in accordance with accepted navigational practice and takes account of the limits and accuracy levels of radar Errors in magnetic compasses are determined and applied correctly to courses and bearings Measurements and observations of weather conditions are accurate and appropriate to the passage Meteorological information is evaluated and applied to maintain the safe passage of the ship and in sailing ships with respect to sailing tactics and passage planning

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for Demonstrating competence	Criteria for Evaluating competence
Maintain a safe navigational watch	Watchkeeping Thorough knowledge of content, application and intent of the International Regulations for Preventing Collisions at Sea Knowledge of content of the Principles to be observed in keeping a navigational watch Use of routeing in accordance with the General Provisions on Ship's Routeing	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved training ship experience .3 approved simulator training, where appropriate .4 approved laboratory equipment training	The conduct, handover and relief of the watch conforms with accepted principles and procedures A proper look-out is maintained at all times and in conformity with accepted principles and procedures Lights, shapes and sound signals conform with the requirements contained in the International Regulations for Preventing Collisions at Sea and are correctly recognized The frequency and extent of monitoring of traffic, the ship and the environment conforms with accepted principles and procedures Action to avoid close encounters and collisions with other vessels is in accordance with the International Regulations for Preventing Collisions at Sea Decisions to adjust course and/or speed are both timely and in accordance with accepted navigation procedures A proper record is maintained of movements and activities relating to the navigation of the ship Responsibility for safe navigation is clearly defined at all times, including periods when the master is on the bridge and when under pilotage

Column 1 Competence	Column 2 Knowledge, understanding and proficiency	Column 3 Methods for Demonstrating competence	Column 4 Criteria for Evaluating competence
Respond to emergencies	Emergency procedures, including: .1 precautions for the protection and safety of passengers in emergency situations .2 initial assessment of damage and damage control .3 action to be taken following a collision .4 action to be taken following a grounding In addition, the following material should be included for certification as master: .1 emergency steering .2 arrangements for towing and for being taken in tow .3 rescuing persons from the sea .4 assisting a vessel in distress .5 appreciation of the action to be taken when emergencies arise in port	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved training ship experience .3 approved simulator training, where appropriate .4 practical instruction	The type and scale of the emergency is promptly identified Initial actions and, if appropriate, manoeuvring are in accordance with contingency plans and are appropriate to the urgency of the situation and the nature of the emergency
Respond to a distress signal at sea	Search and rescue Knowledge of the contents of the IMO Merchant Ship Search, and Rescue Manual (MERSAR)	Examination and assessment of evidence obtained from practical instruction or approved simulator training, where appropriate	The distress or emergency signal is immediately recognized Contingency plans and instructions in standing orders are implemented and complied with

Column 1 Competence	Column 2 Knowledge, understanding and proficiency	Column 3 Methods for Demonstrating competence	Column 4 Criteria for Evaluating competence
Manoeuvre the ship, including ship under sails and operate small ship power plant	<i>Ship manoeuvring and handling</i> Knowledge of factors affecting safe manoeuvring and handling, including rigging principles, interaction of forces in the rig and the sails Knowledge of ship handling under sails with respect to the type of rig, the type of sails and adoption of sail area to the prevailing conditions The operation of small ship power plants and auxiliaries Proper procedures for anchoring and mooring	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved training ship experience .3 approved simulator training, where appropriate	Safe operating limits of ship under sail Safe operating limits of ship propulsion, steering and power systems are not exceeded in normal manoeuvres Adjustments made to the ship's Course and speed maintain safety of navigation Plant, auxiliary machinery and equipment is operated in accordance with technical specifications and within safe operating limits at all times
Ensure compliance with pollution-prevention requirements	<i>Prevention of pollution of the marine environment and anti-pollution procedures</i> Knowledge of the precautions to be taken to prevent pollution of the marine environment and anti-pollution procedures Anti-pollution procedures and all associated equipment	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved training ship experience	Procedures for monitoring shipboard Operations and ensuring compliance with MARPOL requirements are fully observed
Maintain seaworthiness of the ship	<i>Ship stability</i> Working knowledge of stability and trim, including principles of ship stability under sail Understanding of fundamental actions to be taken in the event partial loss of intact buoyancy	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved training ship experience	Stability conditions comply with intact stability criteria under all conditions Actions to ensure and maintain the watertight integrity of the ship are in accordance with accepted practice

Column 1 Competence	Column 2 Knowledge, understanding And proficiency	Column 3 Methods for Demonstrating competence	Column 4 Criteria for Evaluating competence
Maintain sea-worthiness of the ship (continued)	Understanding of the fundamentals of watertight integrity <i>Ship construction</i> General knowledge of the principal structural members of a ship and the proper names for the various parts	.1 approved simulator training, where appropriate .2 approved laboratory equipment training	
Prevent, control and fight fires on board	<i>Fire prevention-and fire-fighting appliances</i> Knowledge of fire prevention Ability to organize fire drills Knowledge of classes and chemistry of fire Knowledge of fire-fighting system Understanding of action to be taken in the event of fire, including fires involving oil systems	Assessment of evidence obtained from approved fire-fighting training and instruction	The type and scale of the problem is promptly identified and initial actions conform with the emergency plans for the ship Evacuation, emergency shutdown and isolation procedures are appropriate to the nature of the emergency and are implemented promptly The order of priority, and the levels and time – scale of making reports and informing personnel on board, are relevant to the nature of the emergency and reflect the urgency of the problem
Operate life-saving appliances	<i>Life saving</i> Ability to organize abandon ship drills and knowledge of the Operation or survival craft and rescue boats, their launching appliances and arrangements, and their equipment, including radio life-saving appliances, satellite EPIRBs, SARTs, immersion suits and thermal protective aids. <u>Knowledge of survival at sea techniques</u>	Assessment of evidence obtained from approved training and instruction	Actions in responding to abandon ship and survival situations are appropriate to the prevailing circumstances and conditions and comply with accepted safety practices and standards

Column 1 Competence	Column 2 Knowledge, understanding and proficiency	Column 3 Methods for Demonstrating competence	Column 4 Criteria for Evaluating competence
Organize and manage the crew	Knowledge in integrating the persons on board into Ship organisation and Ship routine, especially in sailing ships		
Apply medical first aid on board ship	<i>Medical aid</i> Practical application of medical guides and advice by radio, including the ability to take effective action based on such knowledge in the case of accidents or illness that are likely to occur on board ship	Assessment of evidence obtained from approved training and instruction	The identification of probable cause, nature and extent of injuries or conditions is prompt and treatment minimizes immediate threat to life
Monitor compliance with legislative requirements	Basic working knowledge of the relevant IMO conventions concerning safety of life at sea and protection of the marine environment	Assessment of evidence obtained from examination or approved training	Legislative requirements relating to safety of life at sea and protection of the marine environment are correctly identified

Table A-II/8 Specification of minimum additional standard of competence for officers in charge of a navigational watch and for masters on traditional ships up to 500 Gross tonnage not engaged on near - coastal voyages

Function: Navigation at the operational level

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for Demonstrating competence	Criteria for evaluating competence
Plan and conduct a passage and determine position	<i>Celestial navigation</i> Ability to use celestial bodies to determine ship's position	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved training ship experience	The position is determined within acceptable limits Calculations and measurements of navigational information are accurate
Use the Standard Marine Navigational Vocabulary and use English in written and oral form	<i>English language</i> Adequate knowledge of the English language to enable the officer to use charts and other publications, to understand meteorological information and messages concerning ship's safety and operation, to communicate with other ships and coast stations and to perform the officer's duties also with a multilingual crew, including the ability to use and understand the Standard Marine Navigational Vocabulary	Examination and assessment of evidence obtained from practical instructions	Calculations and measurements of navigational information are accurate
Transmit and receive information by visual signaling	<i>Visual signaling</i> Ability to use the International Code of Signals	Assessment of evidence obtained from practical instruction	Communications within the operator's area of responsibility are consistently successful

Function: Navigation at the management level

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for Demonstrating competence	Criteria for Evaluating competence
Plan a voyage and conduct navigation	Voyage planning and navigation for all conditions by acceptable methods of plotting ocean tracks, taking into account, e.g. : .1 restricted waters .2 meteorological conditions .3 ice .4 restricted visibility .5 traffic Separation schemes .6 areas of extensive tidal effects Voyage planning in sailing ships under the prevailing regional and seasonal meteorological conditions and in context with sailing ship pilots and routeing charts Reporting in accordance with the Guidelines and Criteria for Ship Reporting Systems	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved simulator training, where appropriate .3 approved laboratory equipment training using: chart catalogues, charts including pilot charts, navigational publications and ship	The equipment, charts and nautical publications required for the voyage are enumerated and appropriate to the safe conduct of the voyage The reasons for the planned route are supported by facts and statistical data obtained from relevant sources and publications Positions, courses, distances and time calculations are correct within the accepted accuracy standards for navigational equipment All potential navigational hazards are accurately identified
Determine and allow for compass errors	Ability to determine and allow for errors of the magnetic compass	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved simulator training, where appropriate .3 approved laboratory equipment training using: celestial observations and terrestrial bearings	The method and frequency of checks for errors of magnetic compasses ensures accuracy of information

Function: Navigation at the management level (continued)

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for Demonstrating competence	Criteria for Evaluating competence
Forecast weather and oceanographic conditions	Ability to understand and interpret a synoptic chart and to forecast area weather, taking into account local weather conditions and information received by weather fax Knowledge of the characteristics of various weather systems, including tropical revolving storms and avoidance of storm centres and the dangerous quadrant Knowledge of ocean current Systems Ability to calculate tidal conditions Use all appropriate navigational publications on tides and currents	Examination and assessment of evidence obtained from one or more of the following: .1 approved in-service experience .2 approved laboratory equipment training	The likely weather conditions predicted for a determined period arc based on all available information Actions taken to maintain safety of navigation minimize any risk to safety of the ship Reasons for intended action arc backed by statistical data and observation s of the actual weather conditions
Respond to navigational emergencies	Precautions when beaching a ship Action to be taken if grounding is imminent, and after grounding Refloating a grounded ship with and without assistance Action to be taken if collision is imminent and following a collision or impairment of the watertight integrity of the hull by any cause Assessment of damage control Emergency steering Emergency towing arrangements and towing procedures	Examination and assessment of evidence obtained from practical instructions, in-service experience and practical drills in emergency procedures	The type and scale of any problem is promptly identified and decisions and actions minimize the effects of any malfunction of the ship's systems Communications arc effective and comply with established procedures Decisions and actions maximize safety of persons on board

Function: Controlling the operation of the ship and care for persons on board at the management level

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for Demonstrating competence	Criteria for Evaluating competence
Monitor and control compliance with legislative requirements and measures to ensure safety of life at sea and the protection of the marine environment	Knowledge of international maritime law embodied in international agreements and conventions Regard shall be paid especially to the following subjects: .1 certificates and other documents required to be carried on board ships by international conventions, how they may be obtained and their period of validity .2 responsibilities under the relevant requirements of the International Convention for the Safety of Life at Sea .3 responsibilities under the International Convention for the Prevention of Pollution from Ships .4 maritime declarations of health and the requirements of the International Health Regulations .5 responsibilities under the international instruments affecting the safety of the ship, passengers and crew .6 methods and aids to prevent pollution of the marine environment by ships .7 national legislation for implementing international agreements and conventions	Examination and assessment of evidence obtained from practical instructions and from one or more of the following: .1 approved in-service experience .2 approved training ship experience	Procedures for monitoring operations and maintenance comply with legislative requirements Potential non-compliance is promptly and fully identified Planned renewal and extension of certificates ensures continued validity of surveyed items and equipment

Function: Controlling the operation of the ship and care for persons on board at the management level (continued)

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for Demonstrating competence	Criteria for Evaluating competence
Maintain safety and security of the ship's crew and passengers and the operational condition of life-saving, fire-fighting and other safety systems	Organization of fire and abandon ship drills Maintenance of operational condition of life-saving, fire-fighting and other safety systems Actions to be taken to protect and safeguard all persons on board in emergencies Actions to limit damage and save the ship following a fire, explosion, collision or grounding	Examination and assessment of evidence obtained from practical instruction and approved in-service training and experience	Procedures for monitoring fire-detection and safety systems ensure that all alarms are detected promptly and acted upon in accordance with established emergency procedures
Organize and manage the crew	A knowledge of personnel management, organization and training on board ship	Examination and assessment of evidence obtained from approved training	The crew are allocated duties and informed of expected standards of work and behavior in a manner appropriate to the individuals concerned Training objectives and activities are based on an assessment of current competence and capabilities and operational requirements.

Engine Department

Section A–III/5

Mandatory minimum requirements for certification of engine operators in charge of engine powered traditional ships

Education and training

- 1 The education and training required shall include training in mechanical and electrical workshop skills relevant to the duties of an engine operator.

On board training

- 2 Every candidate for certification as engine operator on traditional ships engine powered shall follow an approved programme of on-board training which:
 - 1 ensures that during the required period of service the candidate receives systematic practical training and experience in the tasks, duties and responsibilities of an engine operator.
 - 2 is closely supervised and monitored by a qualified and certificated engine operator aboard the ships in which the approved service is performed; and
 - 3 is adequately documented in an approved training record book,

Standard of competence

- 3 Every candidate for certification as engine operator on traditional ships engine powered shall be required to demonstrate ability to undertake, at the operational level, the tasks, duties and responsibilities listed in column 1 of table A – III / 5
- 4 The minimum knowledge, understanding and proficiency required for certification is listed in column 2 of table A – III / 5.
- 5 The level of knowledge of the subject listed in column 2 of table A – III / 5 shall be sufficient for engine operators on different kinds of propulsion machinery's.
- 6 Every candidate for certification for service in ships in which steam boilers do not form part of their machinery may omit the relevant requirements of table A - III /5. A certificate awarded on such a basis shall not be valid for service on ships in which steam boilers form part of ship's machinery until the engine operator meets the standard of competence in the items omitted table A – III / 5. Any such limitation shall be stated on the certificate.
- 7 Every candidate for certification shall be required to provide evidence of having achieved the required standard of competence.

Periods of Practical Training and Experience

The approved on board training, which is to be documented in an approved training record book, may in addition to the seagoing service be performed during the winter season on ships laid up for maintenance and repair.

**Specification of standards of competence required for engine operators on Traditional Ships
based on
Table A III / 1 of the STCW 95 Code**

Function: Marine engineering at the operational level

Column 1	Column 2
Competence	Knowledge, understanding and proficiency
Use appropriate tools for repair operations typically performed on ships	Characteristics and limitations of materials used in repair of ships equipment Characteristics and limitations of processes used for repair Properties and parameters considered in the repair of systems and components Application of safe working practices in the workshop environment
Use hand tools and measuring equipment for dismantling, maintenance, to repair and reassemble shipboard plant and equipment	Interpretation of machinery drawings and handbooks Operational characteristics of equipment and systems
Use hand tools, electrical and electronic measuring and test equipment for fault finding, maintenance and repair operations	Safety requirements for working on shipboard electrical systems Operational characteristics of shipboard electrical systems and equipment Operation of electrical test and measuring equipment
Maintain a safe engineering watch	Thorough knowledge of Principles to be observed in keeping an engineering watch, including: .1 duties associated with taking over and accepting a watch .2 routine duties undertaken during a watch .3 maintenance of the machinery space log-book and the significance of the readings taken .4 duties associated with handing over a watch Safety and emergency procedures; change-over of remote to local control of all systems Safety precautions to be observed during a watch and immediate actions to be taken in the event of fire or accident, with particular reference to oil systems
Operate main and auxiliary machinery and associated control systems	Main and auxiliary machinery: .1 preparation of main machinery and preparation of auxiliary machinery for operation .2 operation of steam boilers, including combustion systems .3 methods of checking water level in steam boilers and action necessary if water level is abnormal .4 location of common faults in machinery and plant in engine and boiler rooms and action necessary to prevent damage
Operate pumping systems and associated control systems	Pumping systems: .1 routine pumping operations .2 operation of bilge and ballast pumping systems

Function: Electrical, electronic and control engineering at the operational level

Competence	Knowledge, understanding and proficiency
Operate alternators, generators and control systems	Generating plant: .1 Appropriate basic electrical knowledge and skills .2 Preparing, starting and changing over alternators or generators .3 Location of common faults and action to prevent damage Control systems: Location of common faults and action to prevent damage
Maintain marine engineering systems, including control systems	Marine systems: Appropriate basic mechanical knowledge and skills Safety and emergency procedures: Safe isolation of electrical and other types of plant and equipment required before personnel are permitted to work on such plant or equipment Undertake maintenance and repair to plant and equipment

Function: Controlling the operation of the ship and care for persons on board at the operational level

Competence	Knowledge, understanding and proficiency
Ensure compliance with pollution-prevention requirements	Prevention of pollution of the marine environment: Knowledge of the precautions to be taken to prevent pollution of the marine environment Anti pollution procedures and all associated equipment
Maintain seaworthiness of the ship	Ship stability: Understanding of the fundamentals of watertight integrity Understanding of fundamental actions to be taken in the event of water ingress Ship construction: General knowledge of the principal structural members of a ship and the proper names for the various parts
Prevent, control and fight fires on board	Fire prevention and fire-fighting appliance: Knowledge of fire prevention Ability to organise fire drills Knowledge of classes of fire Knowledge of fire-fighting systems Action to be taken in the event of fire, including fires involving oil systems
Operate life-saving appliances	Life-saving: Knowledge of the operation of survival craft, their launching appliance and arrangements, and their equipment. Knowledge of survival at sea techniques
Monitor compliance with legislative requirements	Basic working knowledge of the relevant IMO conventions concerning safety of life at sea and protection of the marine environment

E uropean

M aritime

H eritage



**Guidance for the Implementation of a
Safety Management System for the Operation
of
Traditional Ships**

based on the

International Safety Management

I S M

Code

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Guidance for the Application of a Safety Management System for the Operation of Traditional Ships

This guidance applies for traditional vessels up to 500 gross tonnage

The MoU states (under No 6) that a possible lack of modern technology on traditional ships should be compensated for by operational measures to provide an equivalent level of safety without destroying the historical character of the ships. To achieve a corresponding safety management system requires making full use of the flexibility incorporated in the ISM Code.

Traditional ships cannot fulfil the modern requirements for safety because of their traditional design and building. The lack of fulfilling modern requirements shall be compensated by other technology, which will give an adequate level of safety. If other technology cannot be applied, operational matters shall be introduced to achieve the required level of safety. The implementation of a safety management system according to the ISM Code shall be the documentation of the validity of such operational measures.

From construction and shipbuilding traditional vessels are of very individual character, which is to be preserved. Generalised technical rules will often not apply. Other technical measures shall be applied to achieve the same level of safety. If other technology cannot be applied, operational measures shall be introduced to achieve the required level of safety. The implementation of a safety management system has to count for these conditions. The implementation of the system shall therefore be performed and controlled by the ship-owner and audited by the maritime administration. When preparing such implementation the maritime administration shall involve persons or organisations that are familiar with the characteristics of the vessels.

In any case master and crew must be enabled to develop their specific safety procedures and to perform the result in the inaugural audit to the officer from the maritime administration. The system will be documented in the Safety Management Manual. The elaboration of the manual can be supported by a skeleton manual covering generalised characteristic safety procedures in traditional ships (such as steamers and sailing vessels). The development of a skeleton manual by EMH is recommended by the committee and shall be presented for acceptance. Structure and description of the contents of the manual shall follow the committee's proposal.

The description of safety procedures shall focus on how persons on board are integrated into the operation of the ship.

To a large extent vessels falling under such a regime are not linked to a shore based organisation. In case no shore based organisation exists a link to those on board is not appropriate. This means that a designated person shall be appointed among crew members. The master can be the person to initiate the annual internal audit.

After verification by or on behalf of the Administration that activities comply with the safety management system a DOC and a SMC shall be issued to the shipping company respectively its vessels. For companies that only operate one ship and have no land-based administration/activities, such ships will be issued with a national Safety Management Certificate stating so.

Manual for the Safety Management Organisation

- 1. Safety and Environment Protection Declaration**
- 2. Ownership and Operation**
- 3. Safety and Environmental Responsibility**
- 4. Responsibility and Authority**
- 5. Standards of Competence and Training**
- 6. Checklists for Operational Procedures**
- 7. Emergency Routines and Training**
- 8. Evaluation and Updating**
- 9. Maintenance**
- 10. Documentation**

This guidance outlines the minimum of documentation necessary. Organisations may and shall adapt it to the system suiting their actual activities best.

The manual is applicable to all organisations operating traditional ships, irrespective of sailing area.

1. Safety and Environment Protection Declaration

The declaration shall be signed by the top manager of the company, who with that takes the responsibility for the safety management organisation described in the manual.

2. Ownership

The following shall be stated by the company:

- Name and full address.
- Operator's name, address and fields of responsibility, in case the owner is not the operator. This shall be reported to the Maritime Administration at the review of the documentation.

3. Safety and Environment Responsibility

One person shall be responsible for supervision and maintenance of the safety management system.

The identity of the responsible person, tasks and responsibilities shall be documented. The person shall if possible be within the land-based organisation. It shall be evident that the person responsible for safety and environment has got direct contacts with the top manager of the company. The person responsible for safety and environment shall have full knowledge of the land-based organisation and the ships' operations concerning safety and environment protection. The company shall ensure that requisite resources to carry out these tasks have been given the responsible person.

4. Responsibility and Authority

The following shall be laid down:

- Job descriptions showing how tasks and requirements of the manual are distributed among the officials in the safety management system.
- If needed, an organization plan of company and ships shall be presented.
- A description of the master's comprehensive responsibility and authority shall be available. It shall be beyond all doubts that the master has the incontestable authority to make all necessary decisions concerning safety and environmental protection and have the authority to request the company's support, if needed. The master shall have the right and possibility to deviate from the routines of the safety manual if needed for safety reasons.
The master shall continually look over the safety management system onboard and report deficiencies, if any, to the person responsible in the shore-based organization.

5. Standards for Competence and Training

In the company there shall be directions for

- Recruitment of personnel.
The company shall have full control and knowledge of the qualifications, other competences and doctor's certificates of the personnel.
- Familiarity and ship knowledge.
The company shall ensure that new and transferred employees have got the practical skills and knowledge of the ship required for each position.
- Advanced training for all personnel in the safety management organization.

6. Checklists for Operational Procedures

Checklists shall be made for routines on deck and in engine rooms. The following shall be comprised as a minimum:

- Start up
- When in operation
- Routines at the end of a working period.
- Bunkering
- Emptying of sewage tank
- Bilge-water pumping
- Waste management
- Anchoring
- Registration of passengers (passenger ships only)
- Loading and unloading operations, if applicable.

Reference can be made to manuals or other appropriate instructions, available to be checked by the Swedish Maritime Administration.

7. Emergency Routines and Training

Routines for the below listed emergency situations shall be made, as a minimum:

- Grounding
- Collision
- Fire
- Abandoning ship
- Man over board
- Sickness
- Water pollution

Emergency phone numbers shall be at hand. A supportive group, if any, in the shore-based organization shall be presented. Support from shore shall always be available when the ship is in operation. Drills shall be scheduled and performed. Drills shall be noted. In case there is a shore-based organization it shall also be included in the performance of the drills.

8. Evaluation and Updating

The company shall have routines for periodic evaluations of the complete safety management system. The company shall decide the interval, considering activity and scope. The evaluation shall also comprise checks in practice of the staff's application of their respective competence within the safety management organization. All persons involved shall be informed about the result of such evaluations and deficiencies, if any, shall be rectified at once.

In companies with more than one ship or where a safety and environment responsible person is not always on board it shall be possible to make reports in writing about deficiencies and faults in the system. Forms shall be easily accessible on board and ashore. Deficiencies shall be corrected immediately.

Accidents and near-accidents shall be reported to the Casualty Investigation Division of the Maritime Administration and be investigated without delay within the company. Information regarding the results shall be made known to all the company's ships.

If needed the routines described in the safety manual shall be altered or extended in order to prevent similar accident.

9. Maintenance

The following sections of the ship's maintenance shall be described:

- Machinery
- Deck
- Docking
- Inventory of safety equipment

10. Documentation

The company shall keep routines for checking of all documents and all information included in the safety management system. Furthermore, the company shall ensure that:

- documents in force shall be available at relevant places,
- alterations and changes in documentation shall be checked and approved by authorized personnel, and
- documentation which is no longer in force shall immediately be withdrawn.

E uropean

M aritime

H eritage



**Recommendation for a Common Practice
for the
Performance of Day Trips from Ports of Call
in the Waters of the Member Countries
based on the
EU Directive 1998/18 of the Council
for Passenger Vessels**

28th November 2005

28th November 2005

AVEC LE PATRONAGE DE L'AGENCE EUROPÉENNE POUR LA CULTURE (UNESCO)

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Performance of Day Trips from Ports of Call in the Waters of the Member Countries

The increasing public interest in the preservation of historically valuable ships in their traditional condition and their operation as common living maritime heritage (MoU clause 5) is clearly expressed by the attendance of an increasing number of visitors to maritime festivals and events.

Along with these festivals it is a broad public demand to find a possibility to experience historical ships in operation, even if this possibility is small and restricted.

The present MoU allows for calls at ports and for participation in festivals, parades and races, but it does not deal with operations based in a foreign port.

The above mentioned increase in public interest had been one of the important reasons to establish the MoU. In order to meet the demands of this public interest, the MoU shall in a first step be accommodated that way that under supervision and upon application the guest state issues permits for short trip day cruises in connection with maritime festivals*.

The application shall be based on a national certificate for traditional ships, confirming an equivalent safety status to passenger ships in existing legislation, and the common recognition of such legislation under the MoU. Technical requirements and operational restrictions for such a certification shall therefore be taken from the Directive 1998/18 of the European Parliament and the Council on passenger vessel in domestic waters as e.g. for vessels in category D.

(* Denmark reserved its position on the recommendation for day trips and explained, that for the time being Denmark would not allow for such.)

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Attachment

to the

Memorandum of Understanding
on the mutual recognition of certificates for the safe operation
of traditional ships in European waters and
of certificates of competency for crews on traditional ships

for the information of member states.



THE BARCELONA CHARTER

EUROPEAN CHARTER FOR THE CONSERVATION AND RESTORATION OF TRADITIONAL SHIPS IN OPERATION

Contents:
The Barcelona Charter
Commentary

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Edited by: Ingo Heidbrink

Implemented into the Memorandum of Understanding 28th November 2005

THE BARCELONA CHARTER

EUROPEAN CHARTER FOR THE CONSERVATION AND RESTORATION OF TRADITIONAL SHIPS IN OPERATION

Preamble

The VENICE CHARTER was created in 1964 as a statement of principles for the conservation and restoration of monuments and sites. It opens with the preamble:

"Imbued with a message from the past, the historic monuments of generations of people remain to the present day as living witnesses of their age-old traditions. People are becoming more and more conscious of the unity of human values and regard ancient monuments as a common heritage. The common responsibility to safeguard them for future generations is recognized. It is our duty to hand them on in the full richness of their authenticity.

It is essential that the principles guiding the preservation and restoration of ancient buildings should be agreed and be laid down on an international basis, with each country being responsible for applying the plan within the framework of its own culture and traditions.

By defining these basic principles for the first time, the ATHENS CHARTER of 1931 contributed towards the development of an extensive international movement which has assumed concrete form in national documents, in the work of ICOM and UNESCO and in the establishment by the latter of the International Centre for the Study of the Preservation and the Restoration of Cultural Property".

Both Charters focus on monuments and sites ashore. Maritime heritage is not covered despite its close affinity. Therefore the 4th EMH Congress, meeting in Barcelona in 2001, resolved to adapt the VENICE CHARTER for maritime heritage in Europe, to be known as the "BARCELONA CHARTER".

DEFINITIONS

ARTICLE 1. The concept of maritime heritage afloat embraces the single traditional ship in which is found the evidence of a particular civilisation or significant development as well as traditional sailing, seamanship and maritime workmanship. This applies both to larger ships and to more modest craft of the past, which have acquired cultural significance with the passing of time.

ARTICLE 2. The preservation, restoration and operation of traditional ships must have recourse to all the sciences, techniques and facilities, that can contribute to the study and safeguarding of the maritime heritage afloat.

AIM

ARTICLE 3. The intention in preserving and restoring traditional ships in operation is to safeguard them whether as works of art, as historical evidence or for perpetuating traditional skills

PRESERVATION

ARTICLE 4. It is essential for the continued survival of traditional ships in operation that they be maintained on a permanent basis.

ARTICLE 5. Making use of traditional ships for some socially useful purpose always facilitates their preservation. Such use is therefore desirable but it must not significantly change the exterior layout of the ship. Modifications demanded by a change of function should be kept within these limits.

ARTICLE 6. A traditional ship is inseparable from the history to which it bears witness and from the waters it sailed. Therefore its homeport and area of operation ideally should be in the regions of its former usage.

RESTORATION

ARTICLE 7. The process of restoration is a highly specialised operation. Its aim is to preserve and reveal the aesthetic, functional, and historic value of traditional ships and is based on respect for original material and authentic documents. The restoration in any case must be preceded and accompanied by a historical study of the ship.

ARTICLE 8. The restoration of traditional ships will best be accomplished by means of traditional materials and techniques. Where traditional materials or techniques prove inadequate, the consolidation of traditional ships in operation can be achieved by the use of modern materials for conservation, the efficacy of which has been shown by scientific data and proved by experience.

ARTICLE 9. The restoration of a traditional ship does not require that the ship shall be restored to the original building year. Some ships have a great historical value in a later period of their former time of working. Restoration to any period should be executed only after thorough consideration of the quality of the historical and technical documentation available for the chosen period.

ARTICLE 10. Obligatory navigation- and safety equipment must integrate harmoniously with the whole, but at the same time must be distinguishable from the original so that restoration does not falsify the artistic or historic evidence.

ARTICLE 11. Additions cannot be allowed except in so far as they do not detract from the interesting parts of the ship, its traditional setting and the balance of its composition.

ARTICLE 12. In all works of restoration there should always be precise documentation in the form of analytical and critical reports, illustrated with drawings and/or photographs and other appropriate media. Every stage of the work of dismantling, treatment, reassembly and addition of new parts, as well as technical and structural features identified during the course of the work, should be included.

The BARCELONA CHARTER as adopted by the EMH Working Group
28th of September 2002 in Enkhuizen.

Arne Gotved
(Chairman EMH Cultural Council)

Anders Berg
(President EMH)

Signed March 30th 2003
on board Fregatten *Jylland*, Ebeltoft DK

The Barcelona Charter – Commentary –

INTRODUCTION

It is a matter of fact that the majority of historic buildings, ships and other items, which have survived intact, have done so largely because they have been put to good use, even in recent years and even when that use is very different from the original. The inescapable fact is that continued use ensures that these treasures receive the funding and upkeep they require and deserve.

This was recognised more than 80 years ago by architects in respect of buildings. At the same time, they realised that it was important that any new usage did not destroy the very thing its curators were trying to save, whether by misuse or modification. To this end, an international group of architects and museum technicians drew up a code of best practice and published it in 1931 as the ATHENS CHARTER. This was subsequently reviewed and improved in 1964 when it was re-issued as the VENICE CHARTER.

Both Charters provided guidelines for those in charge of historic buildings how best to ensure their preservation for the future. The adoption of these guidelines has helped them to gain public support, not only in funding but also in tax concessions and other preferential treatment. Furthermore, the Charters' principles have influenced most of today's European laws on the protection of monuments.

WHY HAVE A CHARTER?

For some time, the owners of traditional vessels and historians working in the field of maritime history have sought public recognition that adherence to traditional designs and methods of operation are undertaken, not for personal convenience, but in the public interest, i.e. the preservation of our maritime heritage. Hopefully such recognition should be reflected in exemption from draconian or superfluous safety measures as well as in public grant-funding or concessions from harbour, navigation or tax authorities.

Naturally such concessions should be granted only to vessels which achieve a certain level of historical authenticity, or where authentic techniques of traditional seamanship relevant to the vessel's history are regularly employed. The BARCELONA CHARTER provides a base-level for safeguarding quality. Consequently, if the vessel itself is treated in accordance with the principles of the Charter, and authentic seamanship procedures are employed in operating the vessel, it will attain this minimum level of authenticity which qualifies it as a traditional vessel.

The Charter will provide useful guidelines to owners of traditional vessels, even if they are not familiar with the general principles of keeping historic monuments and objects. Observance of these should ultimately enhance the authenticity and therefore the historic value of their vessels. "Restoration, maintenance, and operation according to the BARCELONA CHARTER" shall be indicative of quality.

A ship or boat which can "earn her keep" is more likely to be preserved for posterity than one subject to too many restrictions which may cause the vessel to be a drain on the owner's resources. For this reason, a degree of flexibility has been recommended which will allow the vessel to be sailed or steamed while not destroying the intrinsic value of the artefact to be preserved.

Indeed, it is believed that the education of future generations and their interest in maritime heritage will be enhanced by, if not dependent on, the operation of traditional vessels, which, if in compliance with the terms of the Charter, will help to create a general understanding that such vessels help to fulfil the public interest in the conservation of both artefacts and skills.

European Maritime Heritage (EMH) believes that such a charter for the floating heritage was long overdue and has adapted the terms of the VENICE CHARTER as appropriate. It should be noted, however, that the terms of the BARCELONA CHARTER (so named because the concept of such a charter was first discussed and agreed at the EMH Congress held in Barcelona in 2001) have been extended to include the traditional seamen's skills which many historians and curators consider as important as the vessels themselves.

COMMENTARIES on specific articles of the BARCELONA CHARTER

Article 1:

“Evidence of a particular civilization or significant developments as well as traditional sailing, seamanship and maritime workmanship” may include a wide variety of specific historical aspects. For example, this can include a specific technical feature (engine, propulsion, rigging etc.) as well as participation of a vessel in a certain historic event.

“Traditional sailing, seamanship and maritime workmanship” are especially linked to such activities that are no longer part of regular maritime activity and require special knowledge, which will be forgotten without the continuation of their use (firing of a coal-fired-boiler, pure astronomical navigation, sailing without an auxiliary engine, etc.).

Article 2:

Although “preservation, restoration and operation” mainly should be a practical demonstration of historical methods, modern science, techniques and facilities are not totally excluded. The products of research that can contribute to long-term preservation should be used where they are appropriate. Nevertheless this will not justify the use of modern materials solely because their use will make maintenance easier.

Article 3:

“Works of art” refers to a wider sense of art. In particular ship design or technical equipment can be seen as a kind of art in the sense of applied art.

Article 4:

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Article 5:

EMH believes that “using” a ship will not only help to ensure that she is safeguarded by the increase in funding which such use will generate and justify, but may also help to exhibit her to a wider audience.

“Socially useful” may include an educational element but may also include a commercial development, e.g. conversion of an industrial or freight area for passenger use.

With reference to “exterior layout”: The prohibition placed on any change to “the exterior layout of the ship” is aimed to protect outward appearance. It is important that activities undertaken to ensure the ship’s survival do not destroy the very thing we seek to preserve. Furthermore, there is a strong argument for saying that any change to the structure of a vessel should allow the owner to revert to the original design.

Article 6:

This is a recommendation. In other words, it is *desirable* that vessels ply in home waters but not *essential*. After all, by their very nature, ships and boats move.

Article 7:

The historical study of the ship is meant to provide the background for any decision that might arise during restoration or maintenance. Its purpose is to prohibit any restoration based on supposition that “this is what it should have been” or pure conjecture.

Article 8:

The limitation to materials whose “efficacy has been shown by scientific data and proved by experience” is part of the Charter, because any other material would lead to a situation of the ship as an experimental playground.

This cannot be complying with the concept of a traditional watercraft as a singular artefact, because otherwise a failure of unproved material would result in additional restoration, resulting solely from the experiment and not from the long-time upkeep of the ship.

Article 9:

Ships may change over the years, whether due to changes in cargo carried, method of propulsion or some other reason, even during their commercial life.

This article endorses restoration to any period of that life.

Article 10:

The objective here is to ensure that modern equipment should not be confused with the vessel’s original or traditional equipment.

Article 11:

It is considered that modern safety or navigation devices are necessary for the safe operation of a traditional vessel. Nevertheless the addition of such components should be done in a way that does not interact with “the interesting parts of the ship, its traditional setting and the balance of its composition”

Article 12:

Documentation is absolutely needed to secure the long-time quality of a vessel as a historic artefact, because otherwise it will not be possible in future times to decide which features are still original and what is material added later.

Commentary written by: Dr. Ingo Heidbrink

Based on material by: David Morgan

Supplementary contributions: John Robinson

3rd September 2003

Attachment

to the

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on the mutual recognition of certificates for the safe operation
of traditional ships in European waters and
of certificates of competency for crews on traditional ships

for the information of member states.



Definition of NEAR COASTAL VOYAGES

as determined by the member states

with respect to the

S T C W CODE

or national regulation as remarked.

Denmark

Trade in the North Sea east of 3 degrees east longitude and south of 62 degrees north latitude, trade in the Baltic Sea as well as trade along the coast of Greenland at a distance of not more than 30 nautical miles from the coast (i.e. from the base line).

Estonia

“Domestic Voyages” means shipping in Estonian coastal waters not more than 20 nautical miles from the shore.

“Short sea shipping” means shipping in the Baltic Sea without entering the Kiel Canal and in the Kattegat Strait to the south of the parallel of Cape Skagen.

Finland

Trade in the Baltic Sea including the Gulf of Finland and the Gulf of Bothnia with the latitude of Skagen, 57° 44.8' of northern latitude, as the boundary to the North Sea between Denmark and Sweden.

Germany

(with respect to the “Traditional Ship Safety Directive”)

Trade in any coastal waters up to 30 nautical miles from the coast line as well as the sea areas of the North Sea, the Baltic Sea, the English Channel, the Bristol Channel, the Irish and the Scottish Sea.

Norway

Trade in the North Sea east of 3 degrees east longitude and south of 62 degrees north latitude, 30 miles from the base line north of 62 degrees north latitude to the border between Norway and Russia as well as trade in the Baltic Sea.

Spain

(with respect to the national regulation for sailing areas)

	Passenger-	Class G	Ships and crafts in trips less than 70 miles from the departure port which, in the course of their voyage, do not proceed more than 20 miles from the nearest land with fine weather and restricted periods.
	ships	Class H	Ships and crafts with a maximum of 250 passengers which, in the course of their voyage do not proceed more than 15 miles from a refuge port and 3 miles from the nearest land with fine weather and restricted periods.

Group I	Passenger-	Class I	Ships and crafts with a maximum of 50 passengers, in voyages of not more than 6 miles and less than 3 miles of the nearest land. No restriction in reference to weather and restricted periods.
		Class J	Ships and crafts sailing in sheltered waters (bays, creeks e.t.c.)
	ships	Class K	Ships and crafts sailing in calm waters (ports, canals, rivers e.t.c.)
Group II	Cargo Ships	Class X	Cargo ships of less than 500 GT
Group III	Recreational Ships	ClassQ	Recreational and pleasure boats that don't carry out commercial trips.

Sweden

Trade to or from Swedish or foreign ports located in the Baltic Sea or in waters connected with the Baltic Sea by maritime communication, but not beyond a line running from Hanstholm to Lindesnes, and trade through the Kiel Canal to Cuxhaven.

The Netherlands

The use of a ship with a gross tonnage of less than 500 and a propulsion power of less than 3000 kW, within an area of 30 nautical miles from the coast with observance that the ship must be within 12 hours sailing from a particular harbour which has been noted on the ships certificate and within six hours of sailing from a sheltered harbour or mooring (anchor) area.

United Kingdom

Near Coastal Area is within 150 miles from a safe haven in the United Kingdom or 30 miles from a safe haven in Eire. This applies for vessels of less than 500 GT.