

INTERNATIONAL LABOUR OFFICE

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**REPORT FORM**

FOR THE

**FISHERMEN'S COMPETENCY  
CERTIFICATES  
CONVENTION, 1966 (No. 125)**

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The present report form is for the use of countries which have ratified the Convention. It has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads as follows: "Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request."

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GENEVA  
1980

**REPORT**

for the period . . . . . to . . . . . , made by the Government of . . . . . , in accordance with article 22 of the Constitution of the International Labour Organisation, on the measures taken to give effect to the provisions of the

**FISHERMEN'S COMPETENCY CERTIFICATES CONVENTION, 1966**

ratification of which was registered on . . . . .

**I. Please give a list of the legislation and administrative regulations, etc., which apply the provisions of the Convention. Where this has not already been done, please forward copies of the said legislation, etc., to the International Labour Office with this report.**

**Please give any available information concerning the extent to which these laws and regulations have been enacted or modified to permit of, or as a result of, ratification.**

**II. Please indicate in detail for each of the following Articles of the Convention the provisions of the above-mentioned legislation and administrative regulations, etc., or other measures, under which each Article is applied.**

**If in your country ratification of the Convention gives the force of national law to its terms please indicate by virtue of what constitutional provisions the ratification has had this effect. Please also specify what action has been taken to make effective those provisions of the Convention which require a national authority to take certain specific steps for its implementation, such as measures to define its exact scope and the extent to which advantage may be taken of permissive exceptions provided for in it, measures to draw the attention of the parties concerned to its provisions, and arrangements for adequate inspection and penalties.**

**If the Committee of Experts or the Conference Committee on the Application of Conventions and Recommendations has requested additional information or has made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.**

**PART I. SCOPE AND DEFINITIONS**

*Article 1*

For the purposes of this Convention, the term "fishing vessel" includes all ships and boats, of any nature whatsoever, whether publicly or privately owned, which are engaged in maritime fishing in salt waters and are registered in a territory for which the Convention is in force, with the exception of—

- (a) ships and boats of less than 25 gross registered tons;
- (b) ships and boats engaged in whaling or similar pursuits;
- (c) ships and boats engaged in fishing for sport or recreation;
- (d) fishery research and fishery protection vessels.

*Article 2*

The competent authority may, after consultation with the fishing vessel owners' and fishermen's organisations where such exist, exempt from this Convention fishing vessels engaged in inshore fishing, as defined by national laws and regulations.

*Please indicate whether advantage is taken of the provisions of this Article. In the affirmative, please indicate whether the fishing vessel owners' and fishermen's organisations, where such exist, have been consulted and how inshore fishing is defined by national laws and regulations.*

*Article 3*

For the purpose of this Convention, the following terms have the meanings hereby assigned to them:

- (a) skipper: any person having command or charge of a fishing vessel;
- (b) mate: any person exercising subordinate command of a fishing vessel, including any person, other than a pilot, liable at any time to be in charge of the navigation of such a vessel;
- (c) engineer: any person permanently responsible for the mechanical propulsion of a fishing vessel.

PART II. CERTIFICATION

*Article 4*

Each Member which ratifies this Convention shall establish standards of qualification for certificates of competency entitling a person to perform the duties of skipper, mate or engineer on board a fishing vessel.

*Please indicate the provisions of the national laws or regulations which determine the standards of qualification entitling a person to perform the duties of a skipper, mate or engineer of fishing vessels.*

*Article 5*

1. All fishing vessels to which this Convention applies shall be required to carry a certificated skipper.
2. All fishing vessels over 100 gross registered tons engaged in operations and areas to be defined by national laws or regulations shall be required to carry a certificated mate.
3. All fishing vessels with an engine power above a level to be determined by the competent authority, after consultation with the fishing vessel owners' and fishermen's organisations where such exist, shall be required to carry a certificated engineer: Provided that the skipper or mate of a fishing vessel may act as engineer in appropriate cases and on condition that he also holds an engineer's certificate.
4. The certificates of skippers, mates or engineers may be full or limited, according to the size, type, and nature and area of operations of the fishing vessel, as determined by national laws or regulations.
5. The competent authority may in individual cases permit a fishing vessel to put to sea without the full complement of certificated personnel if it is satisfied that no suitable substitutes are available and that, having regard to all the circumstances of the case, it is safe to allow the vessel to put to sea.

*Please indicate :*

- (a) *how the operations and areas mentioned in paragraph 2 of this Article have been defined by national laws or regulations ;*
- (b) *the engine power determined by the competent authority in conformity with paragraph 3 ;*
- (c) *the grades and categories of certificates of skippers, mates and engineers determined by national laws or regulations in conformity with paragraph 4 ;*
- (d) *whether fishing vessels have been permitted to put to sea in the circumstances described in paragraph 5 and, if so, whether any rules have been laid down for this purpose.*

*Article 6*

1. The minimum age prescribed by national laws or regulations for the issue of a certificate of competency shall be not less than—

- (a) 20 years in the case of a skipper;
- (b) 19 years in the case of a mate;
- (c) 20 years in the case of an engineer.

2. For the purpose of service as a skipper or mate in a fishing vessel engaged in inshore fishing and for the purpose of service as an engineer in small fishing vessels with an engine power below a level to be determined by the competent authority after consultation with the fishing vessel owners' and fishermen's organisations, where such exist, the minimum age may be fixed at 18 years.

*Please indicate :*

- (a) *the minimum age laid down by national laws or regulations for the issue of a certificate of competency to a skipper, mate, and engineer of a fishing vessel ;*
- (b) *whether advantage is taken of the provisions of paragraph 2 and, if so, the competent authority responsible for granting exemptions referred to in that paragraph.*

Article 7

The minimum professional experience prescribed by national laws or regulations for the issue of a mate's certificate of competency shall be not less than three years' sea service engaged in deck duties.

*Please indicate the minimum amount and type of professional experience required by national laws and regulations before a mate's certificate of competency is granted.*

Article 8

1. The minimum professional experience prescribed by national laws or regulations for the issue of a skipper's certificate of competency shall be not less than four years' sea service engaged in deck duties.

2. The competent authority may, after consultation with the fishing vessel owners' and fishermen's organisations where such exist, require a part of this period to be served as a certificated mate; where national laws or regulations provide for the issue of different grades of certificates of competency, full and limited, to skippers of fishing vessels, the nature of the qualifying service as a certificated mate or the type of certificate held while performing such qualifying service may vary accordingly.

*Please indicate the minimum amount and nature of professional experience required by national laws or regulations for the granting of the various grades of skipper's certificates of competency existing in your country.*

Article 9

1. The minimum professional experience prescribed by national laws or regulations for the issue of an engineer's certificate of competency shall be not less than three years' sea service in the engine-room.

2. In the case of a certificated skipper or mate a shorter qualifying period of sea service may be prescribed.

3. In the case of the small fishing vessels referred to in Article 6, paragraph 2, of this Convention, the competent authority may, after consultation with the fishing vessel owners' and fishermen's organisations where such exist, prescribe a qualifying period of sea service of 12 months.

4. Work in an engineering workshop may be regarded as equivalent to sea service for part of the qualifying periods provided for in paragraphs 1 to 3 of this Article.

*Please indicate :*

- (a) *the minimum amount and type of professional experience required by national laws and regulations for the issue of an engineer's certificate of competency ;*
- (b) *whether advantage is taken of the exception permitted by paragraph 3 ;*
- (c) *whether and to what extent advantage is taken of the provision of paragraph 4.*

Article 10

In respect of persons who have successfully completed an approved training course, the periods of sea service required in virtue of Articles 7, 8 and 9 of this Convention may be reduced by the period of training, but in no case by more than 12 months.

*Please indicate whether and to what extent advantage is taken of the provisions of this Article.*

PART III. EXAMINATIONS

Article 11

In the examinations organised and supervised by the competent authority for the purpose of testing whether candidates for competency certificates possess the qualifications necessary for performing the corresponding duties, the candidates shall be required to show knowledge, appropriate to the categories and grades of certificates, of such subjects as—

(a) in the case of skippers and mates—

- (i) general nautical subjects, including seamanship, shiphandling and safety of life at sea, and a proper knowledge of the international Regulations for Preventing Collisions at Sea;
- (ii) practical navigation, including the use of electronic and mechanical aids to navigation;
- (iii) safe working practices, including safety in the handling of fishing gear;

(b) in the case of engineers—

- (i) theory, operation, maintenance and repair of steam or internal combustion engines and related auxiliary equipment;

- (ii) operation, maintenance and repair of refrigeration systems, pumps, deck winches and other mechanical equipment of fishing vessels, including the effects on stability;
- (iii) principles of shipboard electric power installations, and maintenance and repair of the electrical machinery and equipment of fishing vessels; and
- (iv) engineering safety precautions and emergency procedures, including the use of life-saving and fire-fighting appliances.

*Please give a brief outline of the examinations (including practical tests) to be passed to obtain a certificate of competency for skippers, mates and engineers of fishing vessels, and explain the methods of organising and supervising these examinations.*

#### Article 12

The examinations for certificates of skippers and mates referred to in Article 11, subparagraph (a), of this Convention may also cover the following subjects:

- (a) fishing techniques, including where appropriate the operation of electronic fish-finding devices, and the operation, maintenance and repair of fishing gear; and
- (b) stowage, cleaning and processing of fish on board.

*If any of the subjects cited in this Article are included in examinations for certificates as fishing skippers or mates, please describe briefly the knowledge of the subjects required of candidates.*

#### Article 13

During a period of three years from the date of the coming into force of national laws or regulations giving effect to the provisions of this Convention, competency certificates may be issued to persons who have not passed an examination referred to in Articles 11 and 12 of this Convention, but who have in fact had sufficient practical experience of the duties corresponding to the certificate in question and have no record of any serious technical error against them.

*Please indicate whether advantage is taken of the provisions of this Article, and, if so, how it is applied.*

### PART IV. ENFORCEMENT MEASURES

#### Article 14

1. Each Member shall ensure the enforcement of national laws or regulations giving effect to the provisions of this Convention by an efficient system of inspection.

2. National laws or regulations giving effect to the provisions of this Convention shall provide for the cases in which the authorities of a Member may detain vessels registered in its territory on account of a breach of these laws or regulations.

*With reference to paragraph 1, see under Point III below.*

*As regards paragraph 2, please indicate the provisions of national laws or regulations under which, and the procedure by which, a vessel may be detained in pursuance of the paragraph.*

#### Article 15

1. National laws or regulations giving effect to the provisions of this Convention shall prescribe penalties or disciplinary measures for cases in which these laws or regulations are not respected.

2. In particular, such penalties or disciplinary measures shall be prescribed for cases in which—

- (a) a fishing vessel owner or his agent, or a skipper, has engaged a person not certificated as required;
- (b) a person has obtained by fraud or forged documents an engagement to perform duties requiring certification without holding the requisite certificate.

*Please indicate the cases in which penalties or disciplinary measures are prescribed in pursuance of this Article, and the nature of the penalties or disciplinary measures.*

### III. Paragraph 1 of Article 14 of the Convention is as follows:

Each Member shall ensure the enforcement of national laws or regulations giving effect to the provisions of this Convention by an efficient system of inspection.

**Please state to what authority or authorities the application of the laws or regulations implementing the Convention is entrusted and by what methods their application is supervised and enforced. In particular, please supply information on the organisation and working of the inspection system.**

- IV. Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.**
- V. Please give a general appreciation of the manner in which the Convention is applied in your country including, for instance, extracts from official reports and information on any practical difficulties in the application of the Convention.**
- VI. Please indicate the representative organisations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the International Labour Organisation.<sup>1</sup> If copies of the report have not been communicated to representative organisations of employers and/or workers, or if they have been communicated to bodies other than such organisations, please supply information on any particular circumstances existing in your country which explain the procedure followed.**

**Please indicate whether you have received from the organisations of employers or workers concerned any observations, either of a general kind or in connection with the present or the previous report, regarding the practical application of the provisions of the Convention or the application of the legislation or other measures implementing the Convention. If so, please communicate the observations received, together with any comments that you consider useful.**

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<sup>1</sup> Article 23, paragraph 2, of the Constitution reads as follows: "Each Member shall communicate to the representative organisations recognised for the purpose of article 3 copies of the information and reports communicated to the Director-General in pursuance of articles 19 and 22."