

Work package n°2 - Gap analysis of competencies and teaching materials

Report 2 - Double screening of approaches and teaching materials

Report about similarities between Faculty of Maritime Studies Split, Latvian Maritime Academy and Barcelona School of Nautical Studies.

The MareLaw project is researching the role of maritime law in the education of seafarers according to the STCW Convention. This report contains analysis of subjects that contain mandatory maritime law units prescribed by the STCW Convention. The maritime law contents of the appropriate courses at the Faculty of Maritime studies in Split, the Latvian Maritime Academy and the Barcelona School of Nautical Studies are compared.

The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) prescribes requirements for the training of seafarers. Based on STCW Convention Model course 7.01 (maritime navigation) and 7.02 (marine engineering) were adopted. The models prescribe the contents that students must master in order to be able to take the exam for ship master or deck officer and engine manager or engine officer. Knowing maritime law is one of the prerequisites for obtaining the highest titles at the management level.

The program Model Course is developed from many suggestions of Government of member states of the International Maritime Committee after adopting STCW Convention. By means of their contribution, IMO published many courses which help implementing STCW Convention, and to facilitate access to the knowledge and skills required by sophisticated maritime technologies.

STCW Convention is periodically changing due to fact that the technical standards in shipping are variable and legal regulation has to adequately monitor changes. The latest amendments to the STCW Convention were adopted at the Manila Diplomatic Conference in 2010, and entered into force and effect on 1 January 2012. Member states are required to complete the procedure of gradual implementation of the new provisions by 31 December 2016, with all seafarers being required to obtain certificates issued in accordance with the amended regulations by 1 January 2017. Model Course 7.01. builds up the knowledge and skills of Deck Officers (7.02 Engine Officer), improving their ability to ensure safety-at-work on board a ship and the protection of the marine environment. The content of Model Course 7.01.and 7.02. were revised following the 2010 amendments to the STCW Convention

Those changes in Model Course 7.01. have impose additional seafarer training requirements, inter alia, broadening the scope of mandatory contents to be covered by maritime law courses required for the obtainment of the professional title of ship officer.

Especially close attention is put to the newly adopted amendments in Model Course 7.01, which supplement and expand knowledge for positions at the management level.

Regarding Maritime law, changes that have been made in Model Course 7.01 are referring to United Nations Convention in the Law of the Sea, Maritime Labour Convention, salvage, marine insurance and liability, stowaways, shipping agents and agencies, places of refuge, Master/pilot relationship, International Convention for the Control and Management of Ships Ballast Water and Sediments, Port State Supervision and National Legislation. It is very important to point out that the most important change is that minimum number of hours in which the contents of maritime law should be processed increased from 36 to 54 hours

Analysing the newly adopted amendments and additions that need to be amended to the national legislation (which prescribes newly adopted standards in the education of seafarers) and study programs, it can be seen that in the field of education of seafarers in the field of maritime law this alignment has not been fully implemented.

The 2014 version of Model Course 7.01., section 3.2. Monitoring and Control of Compliance with Legislative Requirements, proscribes mandatory content from the domain of maritime law.

Table 1. Analysis of the content inclusion according to the Model Course 7.01 in maritime law subjects

Model Course 7.01 – 3.2 <i>Monitoring and Control of Compliance with Legislative Requirements</i>		Faculty of Maritime Studies Split (Nautical Studies)		Latvian Maritime Academy		Barcelona School of Nautical Studies	
Topic	Number of hours	Contains a topic	Number of hours	Contains a topic	Number of hours	Contains a topic	Number of hours
1.1 Certificates and other documents required to be carried on-board ships by international conventions	1	Yes	2	Yes	2	Yes (contained in the subject Regulation , Ship Operation and Logistics)	6
1.2 Responsibilities under the relevant requirements of the International Convention	1	Yes	1	Yes	2	Yes	1

on Load Lines							
1.3 Responsibilities under the relevant requirements of the International Convention on Safety of Life at Sea (SOLAS)	2	Yes	1	Yes	2	Yes (1 hour contained in the subject Management of Safety and Pollution Prevention)	5
1.4 Responsibilities under the International Convention for the Prevention of Pollution from Ships (MARPOL),	3	Yes	3	No (the content is being processed in subject Environmental maritime protection – 3 hours)	0	Yes (1 hour contained in subject Maritime Law and Maritime Economics)	1
1.5 Maritime declarations of health and the requirements of the International Health Regulations (incoming documents and procedures, plague, cholera, yellow fever, documents),	3	No (Content is being processed in subject Medicine for Seafarers 3 hours)	0	No	0	No	0
1.6 Responsibilities proscribed	37	Partially	30	Partially	18	Partially	16

by other international maritime law embodied in international agreements and conventions affecting the role of management level Deck Officers							
1.6.1 Convention on Facilitation of International Maritime Traffic (FAL)	1	Yes	1	Yes	1	No	0
1.6.2 United Nations Convention on the Law of the Sea (UNCLOS)	2	Yes	4	Yes	4	Yes	N/A (no hourly rate is specified, it is performed in the subject Maritime Legislation)
1.6.3 Maritime Labour Convention (MLC)	6	Yes	4	Yes (additional 4 hours are covered in the course Ship management)	2	No	0
1.6.4 Collision	1	Yes	3	Yes	2	Yes (contained in subject Maritime Law and	1

						Maritime Economics)	
1.6.5 Rescue and salvage	3	Yes	6	Yes	2	Yes (10 hours contained in subject Management of Safety and Pollution Prevention and 1 hour contained in subject Maritime Law and Maritime Economics)	11
1.6.6 Convention on Limitation of Liability for Maritime Claims	1	Yes	2	Yes	2	Yes	N/A (no hourly rate is specified , it is performed in the subject Maritime Legislation)
1.6.7 Classification of companies	1	Yes	2	Yes	1	Yes	N/A (no hourly rate is specified , it is performed in the subject Maritime Legislation)
1.6.8 Cargo (Cargo (Hague-Visby Rules,	5	Yes	9	Yes	3	Yes (7hours contained in subject	8

Accident Investigation Ordinance, Charter parties, the Hamburg Rules)						Maritime Law and Maritime Economics and 1 hour contained in subject Regulation , Ship Operations and Logistics)	
1.6.9 Common average and marine insurance	3	Yes	3	Yes	2	Yes (1 hour contained in subjects Maritime Law and Maritime Economics)	1
1.6.10 Marine insurance and liability (protest statement and lodging, protest letter)	5	Yes	6	Yes (3 additional hours contained in the subject Ship management)	4	Yes (6 hours contained in subject Maritime Law and Maritime Economics)	6
1.6.11 Stowaways	3	Yes	2	Yes	1	No	0
1.6.12 Shipping agents and agencies,	2	Yes	1	No	0	Yes (1 hour contained in the subject Regulation , Ship Operations and Logistics)	1
1.6.13 Procedures	2	Yes	1	No	0	No	0

in places of refuge							
1.6.14 Master-pilot relationship	2	Yes	2	No	0	Yes (1 hour contained in the subject Regulation , Ship Operations and Logistics)	1
1.7 Responsibilities under international instruments affecting the safety of the ship, passengers, crew and cargo	4	Yes	2	Yes (1 additional hour contained in the subject Environmental maritime protection)	2	No	0
1.8 Methods and aids to prevent pollution of the marine environment by ships,	2	Yes	4	Yes	4	Yes (5 hours contained in the subject Management of Safety and Pollution Prevention)	5
1.9 National legislation implementing international agreements and conventions.	1	Yes	2	Yes	1	No	0

In the study program at the Faculty of Maritime Studies, Nautical studies, there are two basic maritime law subjects through which the contents of maritime law are studied according to STCW Convention, Model Course 7.01. These subjects are Maritime Law 1 and

Maritime Law 2. Total number of hours for both subjects is 75, while Model Course 7.01 requires 54 hours. It can be concluded that the number of hours is satisfactory, but some contents and themes are not represented in the required number of hours. Besides that, in syllabus there is no numerical designation from STCW Convention, Model Course 7.01. Regarding the literature, there are two basic textbooks, but they are obsolete and the publication of a new faculty textbook is underway. Presentations that are used at the lectures are covering thematic units, they are aligned with the program.

In the study program of **Latvian Maritime Academy (Department of Maritime Transport)** there are 4 subjects through which the contents of maritime law according STCW Convention are studied (Model Course 7.01). The basic subject, Maritime Law consists of 80 teaching hours, from which 48 is theoretical learning, and 32 hours is self-learning. The other three subjects: Technology of Cargo Transportation, Ship Management and Environmental Maritime Protection have only some maritime law contents. That especially refers to Environmental Maritime Protection. Number of hours in basic subject (Maritime law – 48 hours) and other subjects which contain Maritime law is sufficient, but not all contents are included. For the subject Ship Management, it is needed to previously master the contents of Maritime Law course. Regarding the literature, the textbook is from 1997, so it is obsolete, but the other literature is International Conventions and other relevant legislation.

Universitat Politècnica de Catalunya BarcelonaTech (UPC) has four subjects covering material of Maritime law: Maritime Legislation (compulsory subject for bachelor's degree); Regulation, Ship Operation and Logistics (compulsory subject for bachelor's degree); Maritime Legislation, Regulations and Economy (optional subject for bachelor's degree); Management of Maritime Safety and Pollution Prevention (compulsory subject for Master's degree). In comparison to Syllabuses of UNIST, several subjects are identified as similar or almost similar in course content of Syllabuses of UPC. The difference is that they are, primarily, focused on, Maritime Administrative Law and the most important maritime institutes. Accordingly they give basic knowledge regarding UNCLOS, main IMO safety conventions, Ship's seaworthiness (within MARITIME LEGISLATION); Legal concept of vessel, Registration and flag, Property of the ships, Ships Financial Tax Lease and Tax Tonnage, The classification of ships and classification documents (within Legal Status of Ship – REGULATION, SHIP OPERATIONS AND LOGISTICS); Protection of Human Life at Sea (within MANAGEMENT OF SAFETY AND POLLUTION PREVENTION); Prevention of Marine Pollution from Ships and Risk Management (within MANAGEMENT OF SAFETY AND POLLUTION PREVENTION); Maritime Contracts including Bareboat Charter, Voyage Charter, Time Charter, Bills of Lading and waybills (within Maritime Contracts - REGULATION, SHIP OPERATIONS AND LOGISTICS and MARTIME LEGISLATION AND ECONOMICS); Maritime Agent Services in Shipping (within Servants of Shipowner – REGULATION, SHIP OPERATIONS AND LOGISTICS); Collisions, Average, Salvage (MARITIME LAW AND MARITIME ECONOMICS) and Maritime Insurance

(MARITIME LAW AND MARITIME ECONOMICS). Contrary to that, some important topics which are represented in the course content of UNIST are not covered by UPC course content or, at least, it can't be concluded that they are from the Syllabuses provided from UPC. Following topics are not represented in course contents of UPC: Organization of navigation safety, pilotage, ports, arrival into port; Port State control; Maritime Labour law; Carriage of passengers by sea. It is advised for these topics to be included since they represent important institutes of Maritime law that every seafarer has to be acquainted with in general terms at least. It is also recommended for bibliography to be updated and extended with relevant legal and internet sources as well as with recent scientific books and articles. It can be concluded that total teaching hour is more than satisfactory, since the total teaching hours is higher than it is prescribed by the recommendations in accordance with STCW Convention. However, some contents and themes are not represented in the required number of hours, which presents deficiency of the existing program. Moreover, some important maritime law institutes are not covered at all within the courses offered at UPC. Stated should be corrected and syllabuses should be extended at least by basic knowledge about the missing maritime law institutes.