

REGULATION FOR SEAFARERS AND MARINE PILOTS

PART I

Objective, Scope, Basis and Definitions

CHAPTER I

Objective, Scope, Basis and Definitions

Objective and scope

ARTICLE 1 – (1) The purpose of this Regulation is to arrange the competences, trainings, examinations, certifications, medical status, electronic registration procedures, watchkeeping terms and disciplinary proceedings of the seafarers and marine pilots as well as the administrative sanctions for institutions and organizations providing maritime training for seafarers.

Basis

ARTICLE 2 – (1) This Regulation was drawn up on the basis of No.665 and dated 26/09/2011 (b), (c), (d), (f) and (k) of the first paragraph of Article 9 of the Decree on the Organization and Duties of the Ministry of Transport and Infrastructure as well as Article 28 and accepted with Law No. 3539 and 20/4/1989 dated International Convention on Standards of Training, Certification and Watchkeeping for Seafarers.

Definitions

ARTICLE 3 – (1) As referred in this Regulation;

- a) Regulation dated 1997: Regulation on the Principles of Training, Documentation, Examination, Watchkeeping, Registering and Fitting of Seafarers published in the Official Gazette dated 30/1/1997 and No. 22893,
- b) Regulation dated 2002: Regulation on Seafarers issued in the Official Gazette dated 31/7/2002 and No. 24832,
- c) Month: A calendar month or 30 days made up of periods of less than one month;
- d) Minister: Minister of Transport and Infrastructure,
- e) Ministry: Ministry of Transport and Infrastructure,
- f) Fishing boat deck rating: A fishing-class seafarer serving in deck of fishing vessels.
- g) Chief Engineer: The senior engineer officer who is responsible for the mechanical propulsion, operation and maintenance of the machinery onboard the ships powered by main propulsion machinery between 750-3000 kW as described in paragraphs 1, 2.1, 2.1.2 and 2.2 of the Rule III/3 of the Convention,
- h) Documentary evidence: Documentation, other than a certificate of competency or certificate of proficiency, used to establish that the relevant requirements of the Convention have been met.
- i) Chief Officer: The seafarer who works onboard the ship between 500-3000 GT and ranks below the master as described in paragraphs 3,4.1 and 4.3 of the Rule II/2 of the Convention,
- j) Ship in operation: Ships with valid seaworthiness certificate,
- k) Maritime safety trainings: Trainings including personal life-saving techniques, elementary first aid, fire prevention and fire fighting, personnel safety and social responsibility and the proficiency in survival crafts at sea,
- l) Company: The owner of the ship or bareboat charterer or other commercial management which has taken over the ship owner to operate the vessel and has to fulfill all the duties and responsibilities specified in this Regulation,
- m) School related to maritime: Schools providing maritime training in the levels of high school, associate or undergraduate degree,
- n) Others on Board: Except of seafarers and passengers, shipowner's, charterer's and master's wives and children who are issued the passage document by harbour master, responsible or technical service personnel for the control, testing, maintenance and repair of all kinds of

machinery, deck equipment and devices of vessels, guides of vessels holding tourism operated certificates, scientists working on science ships and such stuff of the ship as well as the clerk and the assistant clerk and the cabin officer, the persons for fishing and storing onboard fishing vessels as well as the persons whom the master accepted onboard the ship for rescuing, security and professional underwater operations,

o) Manning Directive: The Directive to be issued under these regulations to man the ships with seafarers,

p) Training Vessel: A vessel built or adapted to be used as a training ship to train the seafarers and to be equipped with proper equipments, a vessel specified as training vessel onboard the ship documents and has sufficient number of maritime instructors,

q) Electro-technical Officer: An officer qualified in accordance with the provisions of chapter III of the Convention

r) Electro-technical rating: a rating qualified in accordance with the provisions of chapter III of the Convention;

s) GAEBS Module: The software called The Seafarers Training Information System managed by the Ministry, where the students and trainees' studying in authorized training institutions data are held electronically and their processes are carried out.

t) Ship: A vessel which is capable of service in domestic and/or international waters by any means other than oars without its tonnage, operational purpose or under whatever title it is named,

u) Ship security officer: Responsible to master onboard; one of the ship's officers appointed by the company to be responsible for ship security including the maintenance and implementation of the ship security plan and the relationships of the company security officer and the port facility security officer,

v) Seafarer: Ship master, officers, assistant officers, interns, ratings and other assistant service staff,

w) Seafarers Information System: The Ministry-managed electronic system, which includes information of seafarer, certificates of proficiency and competency, documents of certificate and seaman's book.

x) Seaman's book: A book issued to persons fulfilling the requirements to become a seafarer, including a seafarer's certificate of competency, certificate of proficiency and documentary evidences,

y) Seafarers Commission: The commission established for the carrying out the seafarer examinations and for arranging the documents,

z) Seafarers Center: The center established by the Administration and located in Istanbul where Seafarers Commission's activities carried out,

aa) Certificate of proficiency, apart from the seafarer's certificate of competency, refers to the document in compliance with the training, competencies or offshore services specified in the the Rules of II/4, III/4, VII/2, II/5, III/5, III/7, VII/2, V/1-1, V/1-2, V/1, V/2, VI/3, VI/4, VI/5 and VI/6 of the Convention.

bb) Certificate of competency: The document of competency issued in accordance with the rules of II, III, IV or VII of the Convention, designated by the Administration, entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level of responsibility specified therein, included in the seafarer's book or arranged as an independent document under the name of the seafarers document containing the identification information.

cc) General Director refers to General Director of Maritime Affairs and Inland Waters,

dd) GMDSS: Global Maritime Distress and Safety System,

ee) Gross Tonnage (GT): It refers to ship's gross tonnage shown in the document prepared in accordance with the 1969 International Convention and the Regulation on the Measurement of Gross Tonnages, published in the Official Gazette dated 12/3/2009 and No. 27167, which are approved by the Law dated 21/9/1978 and No. 2169.

ff) Security duties: Ship's whole security duties and tasks as defined in International Convention for the Safety of Life at Sea (SOLAS 1974) Chapter XI-2 and its amendments and International Ship and Port Facility Security Code (ISPS code).

- gg) IMO refers to International Maritime Organization,
- hh) Administration refers to General Directorate of Maritime Affairs and Inland Waters,
- ii) Second engineer: the seafarer who works onboard the ships powered by main propulsion machinery between 750-3000 kW and ranks below the chief engineer, as described in paragraphs 1, 2.1, 2.1.1, and 2.2 of the Rule III/3 of the Convention,
- jj) Primary school: According to the legislation of the Ministry of National Education, a school which has eight years of uninterrupted education, or four plus four education system,
- kk) Cabotage voyage: Voyage between Turkish Ports passing beyond the limits of the Port of Departure,
- ll) Master: The seafarer who is in charge of a seagoing ship between 500-3000 GT, as described in paragraphs 3,4.2 and 4.3 of the Rule II/2 of the Convention,
- mm) Marine pilot: The person who has the marine pilot certificate of competency as specified in the this Regulation,
- nn) Marine pilotage service area: The sea area of which boundaries are to be set by the Administration,
- oo) Marine pilotage organization: Enterprises authorized by the Administration to carry out pilotage/ towage services in particular boundaries,
- pp) Harbour master: Harbour Master of Ministry,
- qq) Harbour voyage: Voyage within harbours limits,
- rr) Engineer Officer : The seafarer described in the Rule III/1 of the Convention, who works onboard the ships powered by main propulsion machinery between 750 – 3000 kW,
- ss) Undersecretary: Undersecretary of Ministry,
- tt) ÖSYM: Assessment, Selection and Placement Directorate of Higher Education Council,
- uu) Restricted chief engineer: The seafarer who is responsible for the operation and maintenance of the machinery onboard the ships powered by main propulsion machinery less than 750 kW and operated in the near coastal voyage and also who have the sea service and training specified by the Administration,
- vv) Restricted master: The seafarer who works onboard the ships less than 500 GT and operated in near coastal voyages, as described in paragraphs 5 and 6 Rule II/3 of the Convention,
- ww) Restricted engineer officer: The seafarer who ranks below the Chief Engineer, working onboard the ships powered by main propulsion machinery less than 750 kW and operated in near coastal voyage and also who have the sea service and training specified by the Administration,
- xx) Restricted watchkeeping officer: The seafarer who ranks below the master, working onboard the ships less than 500 GT and operated in near coastal voyages, as described in paragraphs 3 and 4 of the Rule II/3 of the Convention,
- yy) STCW: International Convention on Standards of Training, Certification and Watchkeeping for Seafarers,
- zz) Cadet/trainee: The seafarer who has been trained to become a seafarer and is stated to have of such competency in laws or regulations,
- aaa) Rating: A member of the ship's crew other than the master, officers, assistant officers and cadets, who are employed in deck, engine or cabin departments of a ship,
- bbb) Able seaman: The seafarer who has the qualifications in accordance with the provisions of the Convention II/5,
- ccc) Engine able seaman: The seafarer who has the qualifications in accordance with the Rule III/5 of the Convention,
- ddd) Oceangoing voyage: Voyage made outside of the near coastal area,
- eee) Oceangoing chief engineer: The seafarer who is responsible for the operation and maintenance of the machinery onboard the ships without any restriction of engine-power or service area, as described in paragraphs 1, 2.1, 2.1.1 and 2.2 of the Rule III/2 of the Convention.
- fff) Oceangoing chief officer: The seafarer who works onboard the ships without any restriction of tonnage or service area and who ranks below the master, as described in paragraphs 1,2.1.1 and 2.2 of the Rule II/2 of the Convention,

ggg) Oceangoing second engineer: The seafarer who is responsible for the operation and maintenance of the machinery onboard the ships without any restriction of engine-power or service area and who ranks below the chief engineer, as described in paragraphs 1, 2.1, 2.1.1 and 2.2 of the Rule III/2 of the Convention,

hhh) Oceangoing master: The seafarer who is in charge of any ship without any restriction of tonnage or service area, as described in paragraphs 1, 2.1, 2.1.1 and 2.2 of the Rule II/2 of the Convention,

iii) Oceangoing watchkeeping engineer: The seafarer who works onboard the ships without any restriction of engine-power or service area, has completed the maritime training specified by the Administration, in addition to the training level described in the Regulation III/1 of the Convention.

jjj) Oceangoing watchkeeping officer: The seafarer who works onboard the ships without any restriction of tonnage or service area, has completed the maritime training specified by the Administration, in addition to the training level described in the Regulation II/1 of the Convention.

kkk) Watchkeeping Officer : The seafarer who works onboard the ships between 500-3000 GT, as described in the Convention Regulation II/1,

lll) Near coastal voyage: The voyage made beyond the Cabotage boundaries, both in The Black Sea and The Mediterranean, to the sea area east of the line connecting the Finistre Cape and Mauritania's southern border of Dakhla Port, including the northern coast to the French border of the Red Sea and Spain,

mmm) YDS: Foreign Language Level Test Exam conducted by ÖSYM.

nnn) Authorized training institution: The organized and non-formal training institutions affiliated to The Ministry of National Education or Higher Education Council authorized by the Administration to issue seafarers' certificate of competency to the students/graduates or, and the training institutions affiliated to the Ministry of National Defense, provided that they are to be re-accredited by the Administration after the date this Regulation entered into force,

ooo) Passenger: A person older than one year of age travelling on board charged or free of charge,

ppp) Directive: Directive for Education, Training and Examination of Seafarers and Marine Pilots

qqq) Propulsion power (kW): The total power of the engines and their maximum continuous output as indicated in ship's certificate and registry or other official papers in terms of kW, (1 kW = 1.34 HP, 1 HP = 0.746 kW)

PART II

The Competencies and Certificates of Seafarers

CHAPTER I

Competency Levels and Limits

Competency Levels

ARTICLE 4 – (1) The competencies and levels for deck department seafarers are as follows:

- a) Ratings: Ordinary seaman, able seaman and deck boatswain,
- b) Master and deck officers: Restricted watchkeeping officer, restricted master, watchkeeping officer, chief officer, master, oceangoing watchkeeping officer, oceangoing chief officer, oceangoing master

(2) The competencies and levels of engine department seafarers are as follows:

- a) Ratings: Oiler, engine able rating and engine boatswain,
- b) Chief engineer and engineer officers: Restricted engineer officer, restricted chief engineer, engineer officer, second engineer, chief engineer, oceangoing watchkeeping engineer, oceangoing second engineer, oceangoing chief engineer

(3) The competencies and levels of assistant department seafarers are as follows:

a) Radio officers: Short range radio operator, long range radio operator, GMDSS restricted operator, GMDSS general operator, radio electronic officer, according to Regulations of Radio Operator Competencies and Examination published in the Official Gazette dated 4/6/2004 and No. 25482,

b) Electricity/Electronic seafarer: Electro-technical rating, electro-technical officer,

c) Medical Officers: Nurse, medical officer, doctor,

d) Cadets/trainee: Deck cadet, engine cadet

e) Cabin department: Steward, cook

(4) The competencies and levels of yacht department seafarers are as follows:

a) Yacht master (149 GT),

b) Yacht master (499 GT),

c) Yacht master (unlimited),

(5) The competencies and levels of fishing department seafarers are as follows:

a) Fishing boat deck rating,

b) Skipper,

c) Open sea skipper,

Limits of competency and ship types

ARTICLE 5 – (1) The limits and the conditions of competency to be issued for masters, deck officers, chief engineers, and engineer officers shall be as given below to accord with the related provisions of the Convention.

a) Masters and deck officers;

1) who will work onboard the ships less than 500 GT and operated in near coastal voyage,

2) who will work onboard the ships less than 500 GT and voyaging beyond the near coastal area,

3) who will work onboard the ships between 500 – 3000 GT,

4) who will work onboard the ships over 3000 GT,

the provisions, limits and conditions of competency will be defined separately for each group.

b) Chief engineers and engineer officers;

1) who will work onboard ships powered by main propulsion machinery less than 750 kW and operated in near coastal voyage,

2) who will work onboard the ships powered by main propulsion machinery less than 750 kW and voyaging beyond the near coastal area,

3) who will work onboard the ships powered by main propulsion machinery between 750 – 3000 kW,

4) who will work onboard the ships powered by main propulsion machinery 3000 kW or more,

the provisions, limits and conditions of competency will be defined separately for each group.

(2) Masters and watchkeeping officers who will work onboard the ships less than 500 GT and voyaging beyond near coastal area shall perform the conditions of those who work onboard the ships between 500 – 3000 GT.

3) Chief engineers and engineer officers who will be working onboard the ships powered by main propulsion machinery less than 750 kW and voyaging beyond the near coastal area shall perform the conditions of those who are authorised to work onboard the ships powered by main propulsion machinery between 750-3000 kW.

(4) The types of ships referred to in this Regulation, express the type of ship specified in the ship certificate issued by the Ministry.

CHAPTER II

Conditions for the Competency of Seafarers

Deck department ratings

ARTICLE 6 – (1) those who apply to become ordinary seaman shall meet the conditions below;

a) Not to be less than 16 years of age, have a minimum of primary school diploma and;
b) Have received the seafarer training in the authorized training institutions determined by the Directive or,

c) To document that at least nine months of military service is completed as a deck boy.

(2) Those who apply to become able seaman shall;

a) Not to be less than 18 years of age, have a minimum of primary school diploma and;
b) Have sea service for at least 18 months by the seaman competency or,
c) Have a sea service for at least 18 months by seaman competency and have received the A-II/5 training in accordance with the Regulation from the authorized training institutions or,
d) Have at least twelve months sea service as a seaman in the last sixty months before the date of 1/1/2012.

(3) Those who apply to become boatswain shall meet the conditions below;

a) Have twenty-four months of service at sea as an able seaman and to document that he/she is able to lead deck ratings by a document issued by the master; or

b) For those who have left the Naval Forces or Coast Guard Command, have sea service for 2 years in the capacity of a Deck Petty Officer 1 year of which is sea service prior to leaving the navy; or have sea service for 5 years in the capacity of supply or administrative petty officer prior to leaving the navy; or are Enlisted Specialist and be able to document that he/she has successfully commanded the deck ratings for 3 years which is confirmed by the ship commander,

(4) By Administration;

a) For those having the seaman competency in case they meet the conditions stated in the Convention,

b) Directly for those having able seaman or deck boatswain competency, a certificate of Navigational Watchkeeping shall directly be issued for the successful candidates.

Restricted Watchkeeping Officer:

ARTICLE 7 – (1) Those who apply to become Restricted Watchkeeping Officer shall meet the conditions below;

a) Have at least a primary school diploma and GMDSS Restricted Radio Operator Certificate (ROC),

b) Have competency of seaman, able seaman or deck boatswain, thirty-six months of sea service and completed the training in compliance with the syllabus specified in section A-II/3 of the Convention from the authorized training institutions or;

c) Be a graduate from a deck-related departments of unauthorized maritime schools and having completed the training in compliance with the section A-II/3 of the Convention in authorized training institutions and also having completed a total of twelve months not exceeding 4 months at sea training of which being harbour voyages or;

d) Be a graduate from authorized at least high school level educational institutions and have completed the training in compliance with the section A-II/3 of the Convention and also have completed a total of twelve months of sea training not exceeding 4 months harbour voyages or;

e) From petty officers who completed at least three years deck sea service in the Naval Forces or Coast Guard Command, graduated from deck class navigation section or graduating from other sections but having completed a navigation and ship handling course from authorized training institutions as specified in the Directive

and those who are successful in the exam specified by the Administration and who meet the conditions of the English score provided in the Directive are entitled to have Restricted Watchkeeping Officer competency .

(2) The previous certificates of the Yacht Masters and Skippers are cancelled, if they take this competency,

(3) Those who have restricted watchkeeping officer competency based on port master competency may work as master onboard cargo or passenger ships smaller than 200 GT and voyaging regularly.

Restricted Master

ARTICLE 8 – (1) Those who apply to become restricted master shall meet the conditions below;

- a) Have at least GMDSS Restricted Radio Operator Certificate (ROC) and,
- b) Have sea service at least twenty four months by restricted shift officer competency or,
- c) From petty officers who graduated from Petty Officer Academy Deck Class Navigation Section or a graduate from other sections but have completed a navigation and ship handling course from authorized training institutions as specified in the Convention and served for at least four years at sea in the Naval Forces or Coast Guard Command,

and those who are successful in the exam specified by the Administration and who meet the conditions of the English score specified in the Directive are entitled to have Restricted Master competency.

Watchkeeping Officer

ARTICLE 9 - (1) Those who apply to become watchkeeping officer shall meet the conditions below;

- a) Have at least GMDSS Restricted Radio Operator Certificate (ROC) and,
- b) Be a graduate from authorized training institutions which have associate or undergraduate degree of deck or maritime transportation and management departments and follows the syllabus specified in section A – II/1 of the Convention and have completed a training period of twelve months not exceeding 4 months at sea onboard the ships over 500 GT,
- c) Be a minimum of high-school graduate and have completed a four-semester course on which follows the syllabus specified in section A – II/1 of the Convention and approved by the Administration and have completed training of 12 months onboard the ships 6 months of which being on the bridge or,
- d) After serving at least twenty-four months at sea in the capacity of restricted master or coastal voyage master in compliance with the conditions of 1997 dated Regulation and, complete a training program in an authorized training institutions following the syllabus specified in section A-II/1 of the Convention or,
- e) From petty officers who graduated from Petty Officer Academy Deck Class Navigation Section or a graduate from other sections but have completed a navigation and ship handling course from authorized training institutions as specified in the Convention and served for at least five years at sea in the Naval Forces or Coast Guard Command, those who are successful in the exam specified by the Administration and who meet the conditions of the English score provided in the Directive are entitled to have Watchkeeping Officer competency.

(2) From those who left the Naval Academy unfinished, have at least the GMDSS Restricted Radio Operator Certificate (ROC), document that they have followed the A-II/1 syllabus specified in the Convention during their training and education, meet the English language requirement stated in the Directive, on the condition that they complete a total of twelve months of sea training on board, including six months bridge training, are entitled to have the watchkeeping officer competency.

(3) Those who followed the A-II/1 syllabus specified in the Convention during their training and education and have watchkeeping officer certificate of competency, can be assigned in place of one of the watchkeeping officers in the vessels specified to be manned with two oceangoing watchkeeping officers in the Minimum Safe Manning Documents.

(4) The sea services performed by restricted master and sub-competencies terms are valid for seafarers who apply to rise the restricted master competency to the watchkeeping officer competency by providing the conditions specified in this article.

(5) In case of receiving the required trainings within the scope of this article; old certificates of competency of those who rised to watchkeeping officer from restricted master are not canceled. Those in this situation can continue to work with their old certificates. However, the services provided by these certificates are not accepted from the sea service required for new certificate of competency.

Chief Officer

ARTICLE 10 – (1) Those who apply to become Chief Officer shall meet the conditions below;

- a) Have at least GMDSS Restricted Radio Operator Certificate (ROC) and,
 - b) After serving at least thirty-six months at sea with watchkeeping officer certificate, complete a training program in an authorized training institutions following the syllabus specified in section A-II/2 of the Convention or,
 - c) From petty officers who completed at least seven years deck sea service in the Naval Forces or Coast Guard Command, after graduating from deck class navigation section taking the incomplete courses from the authorized training institutions that were not taken during education following A-II/2 syllabus specified in the Convention or after graduating from other sections completing a navigation and ship handling course from authorized training institutions as specified in the Directive and taking the incomplete courses from the authorized training institutions that were not taken during training following A-II/2 syllabus specified in the Convention,
- and those who are successful in the exam specified by the Administration and who meet the conditions of the English score provided in the Directive are entitled to have Chief Officer competency.

(2) During the promotion of those who rised from restricted chief officer to watchkeeping officer competency, while onboard sea service period is calculated, not exceeding one-year sea service which was completed as restricted chief officer is taken into account.

Master

ARTICLE 11 – (1) Those who apply to be Master shall meet the conditions below;

- a) Have at least GMDSS Restricted Radio Operator Certificate (ROC) and,
- b) Have thirty-six months sea service by chief officer competency onboard the vessels voyaging beyond harbour limits and are above 500 GT,
- c) From petty officers who completed at least ten years including at least one year as ship commander deck sea service in the Naval Forces or Coast Guard Command, after graduating from deck class navigation section taking the incomplete courses from the authorized training institutions that were not taken during training following A-II/2 syllabus specified in the Convention,

and those who are successful in the exam specified by the Administration and who meet the conditions of the English score provided in the Directive are entitled to have Master competency.

(2) During the promotion of those who rised from restricted master class-III to chief officer competency, while onboard sea service period is calculated, not exceeding one-year sea service which was completed as restricted master is taken into account.

Oceangoing Watchkeeping Officer

ARTICLE 12 – (1) Those who apply to become oceangoing watchkeeping officer onboard all ships without the limit of tonnage and voyage area shall meet the conditions below;

- a) Have at least GMDSS Restricted Radio Operator Certificate (ROC) and,
- b) After one-year English preparation class, be a graduate from deck or maritime transportation and management engineering departments of four-year higher education institutions or faculties authorized by Administration which follows the syllabus specified in section A-II/1 of

the Convention and have completed training period of twelve months training at sea including six months bridge training onboard ships over 500 GT and voyaging beyond harbour limits, or

c) After one-year English preparation class, be a student of deck or maritime transportation and management engineering departments of authorized by Administration four-year higher education institutions or faculties which follows combined the syllabus specified in section A-II/1 and A-II/2 of the Convention, complete the syllabus of A-II/1 successfully at the end of sixth semester and have completed training period of twelve months training at sea including six months bridge training onboard ships over 500 GT and voyaging beyond harbour limits, or

d) From those who graduated from Naval Academy and left Naval Forces and Coast Guard Command, having at least three years sea service or having completed training period of twelve months training at sea including six months bridge training onboard ships over 500 GT and voyaging beyond harbour limits,

and those who are successful in the exam specified by the Administration and who meet the conditions of the English course provided in the Directive are entitled to have the oceangoing officer competency.

(2) Those who hold the watchkeeping officer certificate of competency, in case submitting at least twenty four months sea service with the certificate of competency they have, scoring at least 60 points from the English section of the YDS or 60 points equivalent to the national / international foreign exam types accepted by ÖSYM and those who are successful in the exam specified by the Administration may receive the oceangoing watchkeeping officer certificate.

Oceangoing chief officer

ARTICLE 13 – (1) Those who apply to have oceangoing chief officer competency shall meet the conditions below,

a) Have at least GMDSS Restricted Radio Operator Certificate (ROC) and,

b) Be a graduate from four-year faculty or a higher education institution which covers the syllabus specified under sections A-II/1 and A-II/2 of the Convention and have at least thirty-six months sea service by Oceangoing Watchkeeping Officer competency onboard the vessels above 500 GT and voyaging beyond harbour limits,

c) Have at least thirty-six months sea service by chief officer competency onboard the vessels above 500 GT and voyaging beyond harbour limits, complete the syllabus specified under sections A-II/2 of the Convention at authorized training institution or,

d) From those who graduated from Naval Academy and left Naval Forces and Coast Guard Command with at least five years sea service, take the incomplete courses from the authorized training institutions that were not taken during training following A-II/2 syllabus specified in the Convention,

and those who are successful in the exam specified by the Administration and who meet the conditions of the English score provided in the Directive are entitled to have the oceangoing chief officer competency.

(2) Those who have chief officer certificate of competency, in case submitting at least twenty four months sea service with the certificate of competency they have, scoring at least 60 points from the English section of the YDS or 60 points equivalent to the national / international foreign exam types accepted by ÖSYM, completing the syllabus specified under sections A-II/2 of the Convention at authorized training institution and those who are successful in the exam specified by the Administration are entitled to have the oceangoing chief officer certificate.

Oceangoing master

ARTICLE 14 – (1) Those who apply to have oceangoing master competency shall meet the conditions below;

a) Have at least GMDSS Restricted Radio Operator Certificate (ROC) and,

b) Have at least thirty-six months sea service by oceangoing chief officer competency onboard the vessels above 500 GT and voyaging beyond harbour limits or,

c) From those who graduated from Naval Academy and completed at least seven years including at least one year as ship commander deck sea service in the Naval Forces or Coast Guard Command, taking the incomplete courses from the authorized training institutions that were not taken during training following A-II/2 syllabus specified in the Convention,

and those who are successful in the exam specified by the Administration and who meet the conditions of the English score provided in the Directive are entitled to have the oceangoing master competency.

(2) Those who are authorized to have a certificate of competency owing to their received training, shall not be permitted to take responsibility as master unless they serve at sea for twelve months.

Masters and deck officers working in the harbour and cabotage voyages

ARTICLE 15 – (1) In case masters and deck officers work in port and cabotage voyages, it is sufficient to have an approved certificate indicating that they are competent to carry out at least VHF communication instead of the GMDSS Restricted Radio Operator (ROC).

Engine department ratings

ARTICLE 16 – (1) Those who apply to have oiler competency shall meet the conditions below,

a) Be not less than 16 years of age, have a minimum of a primary school diploma and,
b) Have taken the seafarer training in the authorized training institutions determined by the present Directive or,

c) Document that at least nine months of military service is completed in engine department.

(2) Those who apply to have able engine rating competency shall meet the conditions below;

a) Be not less than 16 years of age, have a minimum of a primary school diploma and,
b) Have at least twelve months sea service by oiler competency or,
c) Have at least six months sea service by oiler competency and have taken the A-III /5 training in accordance with the Convention from the authorized training institutions or,
d) Have at least twelve months sea service as oiler in the last sixty months before the date of 1/1/2012.

(3) Those who apply to be donkeyman shall meet the conditions below;

a) Have twenty-four months of service at sea as able engine rating or have at least twenty-four months sea service as oiler before the date of 1/1/2012 and certify to have the competence to manage engine ratings by document issued by chief engineer or,

b) For those who have left the Naval Forces or Coast Guard Command; have at least two years sea service including at least one year engine sea service as engine or electric petty officer; or enlisted engine specialist with in service experience over three years and have the competence in managing engine ratings confirmed by the chief engineer.

(4) By Administration;

a) Those having the oiler competency in case they meet the conditions stated in the Convention,

b) Those who have able engine rating or donkeyman competency, Engine Watchkeeping Certificate shall be issued directly.

Restricted Engineer Officer

ARTICLE 17 – (1) Those who apply to have restricted engineer officer competency shall meet the conditions below;

a) Have at least primary school diploma and,

b) Have competency of oiler, engine rating or donkeyman, at least thirty-six months sea service and complete the training specified in the Directive in authorized training institutions or;

c) Be graduate from marine engines related departments of unauthorized maritime schools, taking the training of restricted engineer officer specified in the Directive in authorized training

institutions and complete a total of twelve months training including six months at sea and six months in workshops approved by the Administration or,

d) Graduate from at least high school level authorized training institutions which have restricted engineer officer training specified in the Directive and complete a total of twelve months training including six months at sea and six months in workshops approved by the Administration.

e) From petty officers who completed at least three years engine sea service in the Naval Forces or Coast Guard Command and left; graduate from engine or other departments and complete the marine engines course specified in the Directive at the authorized training institutions,

and those who are successful in the exam specified by the Administration and who meet the condition of the English score provided in the Directive are entitled to have the restricted engineer officer competency.

(2) Those who are accredited to hold a restricted engineer officer certificate based on their previous marine engine certificate of competency are entitled to work as chief engineer on board passenger or cargo ships powered by main propulsion machinery less than 370 kW and voyaging within the harbour limits.

Restricted chief engineer

ARTICLE 18 – (1) Those who apply to have restricted chief engineer competency shall meet the conditions below;

a) Have at least twenty four months sea service by restricted chief engineer competency or,

b) From petty officers who completed at least four years engine sea service in the Naval Forces or Coast Guard Command and left; graduate from engine or other departments and complete the marine engines course specified in the Directive at the authorized training institutions,

and those who are successful in the exam specified by the Administration and who meet the condition of the English score provided in the Directive are entitled to have the restricted chief engineer officer competency.

Engineer officer

ARTICLE 19 – (1) Those who apply to have engineer officer competency shall meet the conditions below;

a) Be graduate from authorized training institutions which have associate or undergraduate degree following the syllabus specified under section A–III/1 of the Convention and have successfully completed total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and six months in workshops approved by the Administration or,

b) Be at least high school graduate, have successfully completed four-semester course in an approved training institution following the syllabus specified in section A–III/1 of the Convention and have successfully completed total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and six months in workshops approved by the Administration or,

c) Have successfully completed training in an approved institution following the syllabus specified under section A–III/1 of the Convention after have at least twenty-four months sea service by Restricted Chief Engineer competency onboard ships or marine engineer competency in compliance with 1997 dated Regulation or,

d) From petty officers who completed at least five years engine sea service in the Naval Forces or Coast Guard Command and left; graduate from engine or other departments and complete the marine engines course specified in the Directive at the authorized training institutions,

and those who are successful in the exam specified by the Administration and who meet the condition of the English score provided in the Directive are entitled to have the engineer officer competency.

(2) From those who left the Naval Academy unfinished, document that they have followed the A-III/1 syllabus specified in the Convention during their training and education, meet the English language requirement stated in the Directive, on the condition that completed total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and six months in workshops approved by the Administration.

(3) Those who hold engineer officer certificate of competency after followed the A-III/1 syllabus specified in the Convention during their training and education, can be assigned in place of one of the oceangoing watchkeeping engineer in the vessels specified to be manned with two oceangoing watchkeeping engineer with Minimum Safe Manning Documents.

(4) The sea services performed by restricted chief officer and sub-competencies terms are valid for seafarers who apply for shifting to engineer officer competency from restricted chief engineer competency by providing the conditions specified in this article.

(5) In case of taking the required trainings within the scope of this article; old certificates of competency of those who rised to engineer officer from restricted chief engineer are not canceled. Those in this situation can continue to work with their old certificates. However, the services provided by these certificates are not counted from the sea service required for new certificate of competency.

Second engineer

ARTICLE 20 – (1) Those who apply to become second engineer onboard the ships powered by a main propulsion machinery below 3000 kW shall meet the conditions below:

a) Have at least thirty-six months sea service on board ships powered by main propulsion machinery over 750 kW with restricted engineer officer competency and complete the syllabus specified in section A–III/1 of the Convention in an approved training institution.

b) From petty officers who completed at least seven years engine sea service in the Naval Forces or Coast Guard Command and left; graduate from engine or other departments and taking the incomplete courses from the authorized training institutions that were not taken during education following A-III/2 syllabus specified in the Convention or after graduating from other sections completing marine engines course from authorized training institutions as specified in the Directive and taking the incomplete courses from the authorized training institutions that were not taken during training following A-III/2 syllabus specified in the Convention,

and those who are successful in the exam specified by the Administration and who meet the conditions of the English score provided in the Directive are entitled to have the second engineer competency.

(2) During the promotion of those who rised from near voyage second engineer to engineer officer competency, while onboard sea service time is calculated as specified in the present Regulation, not exceeding one-year sea service which was completed as second engineer is taken into account.

Chief engineer

ARTICLE 21 – (1) Those who apply to become chief engineer onboard the ships powered by a main propulsion machinery below 3000 kW shall meet the conditions below:

a) Have sea service at least thirty-six months on board ships powered by main propulsion machinery over 750 kW with chief engineer competency,

b) From petty officers who completed at least ten years engine sea service including of at least one year as chief engineer in the Naval Forces or Coast Guard Command prior to leaving; graduate from engine or other departments and taking the incomplete courses from the authorized training institutions that were not taken during training following A-III/2 syllabus specified in the Convention,

and those who are successful in the exam specified by the Administration and who meet the condition of the English score provided in the Directive are entitled to have the engineer officer competency.

(2) During the promotion of those who shifted from near voyage chief officer class-III competency to second engineer competency, while onboard sea service time is calculated as specified in the present Regulation, not exceeding one-year sea service which was completed as chief officer class-III is taken into account.

Oceangoing watchkeeping engineer

ARTICLE 22 – (1) Those who apply to have oceangoing watchkeeping engineer competency shall meet the conditions below,

a) After one-year English preparation class, being graduate from marine engineering departments of four-year higher education institutions or faculties authorized by Administration which follows the syllabus specified in section A–III/1 of the Convention and

completing total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and six months in workshops approved by the Administration or,

b) After one-year English preparation class, being as a student of marine engineering department of authorized by Administration four-year higher education institutions or faculties which follows combined the syllabus specified in section A–III/1 and A-III/2 of the Convention, completing the syllabus of A-III/1 successfully at the end of sixth semester and having completed total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and six months in workshops approved by the Administration or,

c) From those who graduated from Naval Academy and left Naval Forces and Coast Guard Command, having at least three years engine sea service or having completed total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and six months in workshops approved by the Administration or,

d) Those whose professional competencies are Naval Architecture, Naval Architecture and Marine Engineering, Shipbuilding and Ocean Engineering or Mechanical Engineering, shall take incomplete courses from authorized institutions which follows the syllabus specified in section A–III/1 of the Convention for oceangoing watchkeeping engineer education, complete total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and three months in workshops approved by the Administration for Naval Architects, Naval Architecture and Marine Engineers, Shipbuilding and Ocean Engineers, complete total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and three months in workshops approved by the Administration for Mechanical Engineers,

and those who are successful in the exam specified by the Administration and who meet the condition of the English score provided in the Directive are entitled to have the oceangoing watchkeeping engineer competency.

(2) Those who have engineer officer certificate of competency, in case submitting at least twenty four months sea service with the certificate of competency they have, scoring at least 60 points from the English section of the YDS or 60 points equivalent to the national / international foreign exam types accepted by ÖSYM and those who are successful in the exam specified by the Administration are entitled to hold the oceangoing watchkeeping engineer certificate.

Oceangoing second engineer

ARTICLE 23 – (1) Those who apply to have oceangoing second engineer competency shall meet the conditions below,

a) Be graduate from four-year faculty or a higher education institution which covers the syllabus specified under sections A–III/1 and A–III/2 of the Convention and have at least thirty-six months sea service by Oceangoing Watchkeeping Engineer competency on board the ships powered by main propulsion machinery over 750 kW or,

b) After having at least thirty-six months sea service by Oceangoing Watchkeeping Engineer competency on board the ships powered by main propulsion machinery over 750 kW, completing the syllabus specified under sections A-III/2 of the Convention at authorized training institution or,

c) From those who graduated from Naval Academy and left Naval Forces and Coast Guard Command with at least five years engine sea service, taking the incomplete courses from the authorized training institutions that were not taken during training following A-III/2 syllabus specified in the Convention,

and those who are successful in the exam specified by the Administration and who meet the conditions of the English course provided in the Directive are entitled to have the oceangoing second engineer competency.

(2) Those who have second engineer certificate of competency, in case submitting at least two years sea service with the certificate of competency they have, scoring at least 60 points from the English section of the YDS or 60 points equivalent to the national / international foreign exam types accepted by ÖSYM, completing the syllabus specified under sections A-III/2 of the Convention at authorized training institution and those who are successful in the exam specified by the Administration are entitled to have the oceangoing second engineer certificate.

Oceangoing chief engineer

ARTICLE 24 – (1) Those who apply to have oceangoing chief engineer competency shall meet the conditions below,

a) Have thirty-six months sea service by oceangoing second engineer competency on board the ships powered by main propulsion machinery over 750 kW or,

b) From those who graduated from Naval Academy and left Naval Forces or Coast Guard Command with at least seven years engine sea service, taking the incomplete courses from the authorized training institutions that were not received during training following A-III/2 syllabus specified in the Convention,

and those who are successful in the exam specified by the Administration and who meet the conditions of the English score provided in the Directive are entitled to have the oceangoing chief engineer competency.

(2) Those who are authorized to hold a certificate of competency owing to their received training, shall not be permitted to take responsibility as oceangoing chief engineer unless they serve at sea for twelve months.

Requirements for Certification of Competence for Assistant Class Seafarers

ARTICLE 25 – (1) Radio officers are those who have certificate of competency specified in Regulations of Radio Operator Competencies and Examination

(2) From those who apply to become electrotechnical rating shall;

a) Not be less than eighteen years of age, have a minimum of primary school diploma and;

b) Have at least twelve months sea service by engine department rating competency or,

c) Have received the oiler training specified in the Directive in the authorized training institutions and have at least six months sea service by this competency or,

d) Certify that at least nine months of military service is completed in engine department or,

e) Have at least three months sea service by electrician or electronics technician competency or,

f) Have graduated from industrial automation technologies or electric-electronic technology fields of high schools and equivalent schools affiliated to the Ministry of National Education and have at least three months sea service by oiler competency,

and those who complete the training specified in the section A-III/7 of the Convention are entitled to have electro technical rating competency.

g) Those who have worked for at least twelve months as electrician or electronics technician onboard ships powered by main propulsion machinery over 750 kW voyaging beyond the harbour limits are entitled to have electro-technician rating competency without examination.

(3) From those who applied to have electro-technical officer competency shall;

a) Be graduate of the mechatronics or control and automation department of the authorized universities following the A-III/6 syllabus specified in the Convention or to be graduate from the fields of electrical-electronic technology or industrial automation technology of high schools and equivalent schools or marine electronics and communication sections of maritime field, successfully complete total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW voyaging within the harbour limits and six months in workshops approved by the Administration or,

b) Be graduate from the departments related to electrical, electronic, mechatronics, control and automation, industrial control, automation systems, ship electronics and communication or ship automation of universities, high school or equivalent schools, receive the course of electrotechnical officer from authorized training institution following A-III/6 syllabus, successfully complete total twelve months of training including the six months on board ships powered by main propulsion machinery over 750 kW, voyaging beyond the harbour limits and six months in workshops approved by the Administration or,

c) Have at least thirty-six months sea service as engine department officer, electrician or electronics technician onboard ships powered by main propulsion machinery over 750 kW and receive the course of electrotechnical officer from authorized training institution, additionally for engine department officers, to complete six months training in workshops approved by the Administration or,

d) From those who left Naval Forces and Coast Guard Command, graduated from engine electronics department, have at least five years related department sea service and receive the course of electrotechnical officer from authorized training institutions,

and those who are successful in the exam specified by the Administration and meet the condition of English score provided in the Directive are entitled to have electrotechnical officer competency.

d) Those who have electrical or electronics officers competency, have worked for at least twelve months onboard ships powered by main propulsion machinery over 750 kW and voyaging beyond the harbour limits, are entitled to have electro-technician rating competency without examination, in case of application.

(4) Those who are nurses by profession are entitled to have nurse competency pertaining to their profession.

(5) Those who are paramedics by profession are entitled to have paramedic competency pertaining to their profession.

(6) Those who are medical doctors by profession are entitled have medical doctor competency pertaining to their profession.

(7) The Administration issues seaman books to qualify those as Deck Cadets, who are being trained and educated to become yacht skippers, restricted watchkeeping officers, watchkeeping officers, or oceangoing watchkeeping officers to enable them to continue their training as seafarers, provided that, they are not less than 16 years of age.

(8) The Administration issues seaman books to qualify those as Engine Cadets, who are being trained and educated to become electrotechnical officer, restricted engineer officers, engineer officers, or oceangoing engineer officers to enable them to continue their training as seafarers, provided that, they are not less than 16 years of age.

(9) In accordance with the classes as specified in the seventh and eighth paragraphs , in case of application, the Administration issues trainee seaman books for those who wish to do sea trainings and study in maritime related schools,

(10) Those who are not less than sixteen years of age, shall be granted a certificate of competency as Steward by the Administration.

(11) Those who graduates from food and beverage services departments of high school and equivalent schools, gastronomy and food and beverage management departments of universities and those who can submit a letter of recommendation for six months of good service in the related field and have at least a primary school diploma, shall be granted a certificate of competency as

“Cook” by the Administration. Graduates from the food and beverage services area, gastronomy and food and beverage management related departments are not required to have letter of recommendation. It is mandatory for the cooks who submitted their letter of recommendation, to receive the cook training specified in the Directive.

Requirements for certification of competence for yacht class seafarers

ARTICLE 26 – (1) Those who apply to have yacht master (149 GT) competency shall;

a) Not to be less than eighteen years of age, have a minimum of high school diploma and, hold Restricted Radio Operator (ROC) certificate and,

b) Have able seaman or boatswain competency and at least six months sea service than have the Yacht Master (149 GT) training specified in the Directive in the authorized training institutions or,

c) Receive the Yacht Master (149 GT) training specified in the Directive in the authorized training institutions and have total three months of sea training on commercial yachts of which overall length is over fifteen meters, on passenger boats or excursion-pleasure crafts,

and those who are successful in the exam specified by the Administration and meet the condition of English score provided in the Directive are entitled to have yacht master (149 GT) competency.

d) Deck department seafarers who have restricted watchkeeping officer certificate or superior certificates of competency are entitled hold yacht master (149 GT) certificate of competency by exempting from the training and examinations stated in this paragraph except in English condition, in case of application.

d) Those who complete the yacht master (149 GT) training specified in the Directive in the authorized training institutions are given seaman competency by the Administration in case of application. Yacht Master (149 GT) sea training can be done with this competency.

(2) Those who apply to have yacht master (499 GT) competency shall;

a) Have minimum of high school diploma and, hold Restricted Radio Operator (ROC) certificate and,

b) Have able seaman or boatswain competency and at least twenty-four months sea service or have yacht master (149 GT) competency and at least twelve months sea service than receive the Yacht Master (499 GT) training specified in the Directive in the authorized training institutions or,

c) Receive the A-II/3 or A-II/1 syllabus specified in the Convention in the authorized training institutions and complete total three months of sea training as intern on commercial yachts of which overall length is over fifteen meters, on passenger boats or excursion-pleasure crafts or,

d) Receive the yacht master (499 GT) training specified in the Directive in the authorized training institutions and complete total three months of sea training as intern on commercial yachts of which overall length is over fifteen meters, on passenger boats or excursion-pleasure crafts, those who meet the conditions above, are successful in the exam specified by the Administration and meet the condition of English score provided in the Directive are entitled to have yacht master (499 GT) competency.

e) Deck department seafarers who have chief officer certificate or superior certificates of competency are entitled hold yacht master (499 GT) certificate of competency by exempting from the training and examinations stated in this paragraph, in case of application.

f) Those who graduated from the yacht master department of high school or equivalent schools authorized by Administration and complete the yacht master (499 GT) training specified in the Directive in the authorized training institutions are given seaman competency, in case of application. Yacht Master (499 GT) sea training can be done with this competency.

(3) Those who apply to have yacht master (unlimited) competency shall,

a) Have minimum of high school diploma and, hold Restricted Radio Operator (ROC) certificate and,

b) Receive the training in compliance with A-II/2 syllabus specified in the Convention or yacht master training specified in the Directive in the authorized training institutions and complete

total three months of sea training as intern on commercial yachts of which overall length is over fifteen meters, on passenger boats or excursion-pleasure crafts or,

c) Have at least twenty-four months sea service by yacht master competency on commercial yachts of which overall length is over fifteen meters

and those who are successful in the exam specified by the Administration and meet the condition of English score provided in the Directive are entitled to have yacht master (unlimited) competency.

d) Deck department seafarers who have oceangoing chief officer certificate or superior certificates of competency are entitled hold yacht master (unlimited) certificate of competency by exempting from the training and examinations stated in this paragraph, in case of application.

Requirements for certification of competency for fishing class seafarers

ARTICLE 27 - (1) Those who apply to have fishing-boat deck rating competency;

a) Those who received fishing boat deck rating safety at sea training specified in the Directive in authorized training institutions providing that they are not less than eighteen years of age and minimum primary school diploma, are entitled to have fishing-boat deck rating competency.

b) Seafarers who have fishing boat deck rating competency are exempted from safety at sea training and certificates.

c) Seafarers who have deck department seafarer certificate of competency are entitled to hold fishing boat deck rating certificate of competency, in case of application.

(2) Those who apply to have fishing boat skipper competency shall;

a) Not to be less than eighteen years of age and,

b) Have at least seventy six months of sea service as fishing boat deck rating, at least thirty six months of sea service as seaman or able seaman or twelve months of sea service as boatswain or,

c) Those who graduate from fisheries and aquaculture departments of high schools or equivalent schools having skipper training or syllabus specified in the Directive and from fisheries, aquaculture engineering, fisheries technology or fisheries technology engineering departments of the maritime institutions affiliated to Higher Education Council,

and those who are successful in the fishing boat skipper exam specified by the Administration are entitled to have fishing boat skipper competency.

(3) Those who apply to have open sea fishing boat skipper competency shall;

a) To be not less than twenty years of age,

b) Have at least seventy six months of sea service as able seaman, at least thirty six months of sea service as boatswain or twenty four months of sea service as fishing boat skipper,

and those who are successful in the open sea fishing boat skipper exam specified by the Administration are entitled to have open sea fishing boat skipper competency.

(4) Seafarers stated in this paragraph, who have fishing class seafarer certificate of competency, safety at sea certificates that they own are given indefinitely. However, if the seafarers have the certificates of competency mentioned in this Regulation other than the certificates of competency mentioned in this article and in case they work in vessels other than fishing vessels, these certificates are given periodically.

Competencies requiring specific education and training

ARTICLE 28 – (1) Regulations such as additional education and training for masters and chief engineers of the vessels carrying passengers in the local traffic regions where the navigational safety is at risk such as the Turkish Straits, İzmit and İzmir Gulf, and for masters and chief engineer of light passenger ships/ferries and high speed light passenger ships/ferries, are determined by the Directive.

CHAPTER III

STCW Training and Certificates

Safety at sea and other trainings and certificates

ARTICLE 29 – (1) As per the Regulation VI/1 and VI/2 and the provisions of Code Section A-VI/1 and A-VI/2 of the Convention, it is mandatory for all seafarers to be subjected to safety at sea training including:

- a) The training on Personal Survival Techniques.
- b) The training on Elementary First Aid.
- c) The training on Fire Prevention and Fire Fighting.
- d) The training on Personnel Safety and Social Responsibility.
- e) The training on Proficiency in Survival Craft.

have to take safety at sea trainings.

(2) As per the Regulation VI/4 and the provisions of Code Section A-VI/4 of the Convention it is mandatory for all officers to be subjected to have elementary first aid and for chief officers and masters to be subjected to have medical care training.

(3) As per the Regulation VI/3 and the provision of Code Section A-VI/3 of the Convention it is mandatory for all officers assigned to control firefighting procedures to take “Advanced Fire Fighting Training.”

(4) As per the Convention and under Regulation VI/2 and Code Sections A-VI/2, it is mandatory for all officers working onboard the vessels which have fast rescue boats, to receive the Proficiency in Fast Rescue Boats Training.

(5) As per the Regulation V/2 and the provisions of Code Section A-V/2 of the Convention it is mandatory for seafarers who are working onboard passenger vessels to receive the training of working onboard passenger vessel,

(6) Related certificates are issued by the Administration to the seafarers who receive the training of which contents and durations are determined by the Directive and specified in this article.

(7) Certificates mentioned in the first, third, fourth and fifth paragraphs shall be issued for a period of five years. These documents are renewed according to the conditions determined by the Administration.

(8) Certificates of competency of survival craft operation may be issued for seafarers who satisfy the requirements specified in the Convention and are less than eighteen years of age,

Ship security trainings and certifications

ARTICLE 30 – (1) As per the Regulation VI/1 and the provision of Code Section A-VI/5 of the Convention, it is mandatory for ship security officers to be subjected to ship security officer training. Within the scope of this paragraph:

a) Ship Security Officer Certificate shall be given by the Administration to the seafarers who have at least twelve months of sea service and received the ship security officer training in the authorized training institutions.

b) Certificates are issued for five years period. The relevant certificates of the seafarers fulfilling sea service for at least one year during the validity date of these certificates shall be renewed. These certificates of those who have not service shall be renewed according to the conditions determined by the Administration.

(2) As per the Regulation VI/1 and the provision of Code Section A-VI/6 of the Convention it is mandatory for all seafarers to be subjected to have security-relating familiarization and security awareness training. Within the scope of this paragraph:

a) Security-Relating Familiarization Certificate shall be issued for the seafarers who certify that they received Security-Relating Familiarization training specified in the Directive in authorized training institutions or from ship security officers onboard ship.

b) Security Awareness Certificate shall be issued for the seafarers who certify that they received Security Awareness training specified in the Directive in authorized training institutions or from ship security officers onboard ship.

(3) As per the Regulation VI/6 and the provision of Code Section A-VI/6 of the Convention it is mandatory for seafarers assigned for security duties onboard to be subjected to designated security duties training. Within the scope of this paragraph:

a) Designated Security Duties Training Certificate shall be issued by the Administration for the seafarers who received designated security duties training specified in the Directive in authorized training institutions.

The training of the seafarers working on tankers and their certification

ARTICLE 31 – (1) As per the Regulation V/I and the provisions of Code Section A-V/I of the Convention;

a) Those working on oil and chemical tankers;

1) All seafarers have to receive basic training of cargo operations on oil and chemical tankers,
2) Personnel working onboard oil tankers and assigned for operation with officers has to receive advanced training of cargo operations onboard oil tankers, additionally,

3) Personnel working onboard chemical tankers and assigned for operation with officers, has to receive advanced training of cargo operations on chemical tankers, additionally.

b) Those working on liquefied gas tankers;

1) All seafarers have to receive basic cargo operations training for liquefied gas tankers,
2) Personnel working onboard liquefied gas tankers and assigned for operation with officers has to receive advanced training of cargo operations on liquefied gas tankers, additionally,

(2) The relevant certificates are given by the Administration to seafarers who received the trainings mentioned in the first paragraphs and specified in the Directive, at the authorized training institutions.

(3) In order to have advanced training certificates seafarers shall;

a) Have the basic training certificates mentioned in the first paragraph and issued according to the relevant tanker type,

b) Prove that they have at least three months sea service in tanker types for the certificate to be issued or have at least one month training including at least three loading and unloading operations in addition to the number of personnel specified in the Manning Directive with approved training book in the relevant tanker type.

(4) Officers and responsible personnel who are entitled to receive the certificates referred to in this article are obliged to renew their certificates by sea service on relevant tanker for at least three months in the last sixty months before the end of the period of validity certificates or by repeating the trainings specified in this article.

Exemptions

ARTICLE 32 – (1) All the seafarers are obliged to receive the training of security relevant familiarization and security awareness and to have relevant certificates unless otherwise specified in this Regulation.

(2) There is no requirement to have trainings and related certificates except of safety at sea trainings for seafarers working on fishing boats and private yachts and yachts operating on cabotage lines and passenger boats.

CHAPTER IV Gained Rights

The rights and authorities of the deck department officers and masters and engine department officers and chief engineers

ARTICLE 33 – (1) From watchkeeping officers;

a) Those who have near voyage watchkeeping officer competency and those who have radio officer competency and conform for watchkeeping officer competency shall perform the duties as follows;

1) On cargo ships up to 1200 GT engaged in near coastal voyages in the capacity of chief officer,

2) On cargo ships up to 1600 GT engaged in cabotage voyages in the capacity of chief officer,

3) Onboard ships up to 3000 GT engaged in all regions in the capacity of watchkeeping officer,

b) Those who have near voyage chief officer competency and conform for watchkeeping officer competency shall perform the duties as follows;

1) On cargo ships up to 1250 GT engaged in near coastal voyages in the capacity of master,

2) On cargo ships up to 1600 GT engaged in near coastal voyages in the capacity of chief officer,

3) On cargo ships up to 2500 GT engaged in cabotage voyages in the capacity of chief officer,

4) Onboard ships up to 3000 GT engaged in all regions in the capacity of watchkeeping officer,

c) Those who have watchkeeping officer competency but don't have right of conformity within the scope of this Regulation shall perform the duty of watchkeeping officer onboard ships up to 3000 GT engaged in all regions.

(2) From chief officers;

a) Those who have near voyage master class-IV competency and conform for chief officer competency shall perform the duties as follows;

1) On cargo ships up to 1250 GT engaged in near coastal voyages in the capacity of master,

3) Onboard ships up to 3000 GT engaged in all regions in the capacity of chief officer,

a) Those who have near voyage master class-III competency and conform for chief officer competency shall perform the duties as follows;

1) On cargo ships up to 2500 GT engaged in near coastal voyages in the capacity of chief officer,

2) On cargo ships up to 12000 GT engaged in near coastal voyages in the capacity of chief officer,

3) Onboard ships up to 15000 GT engaged in all regions in the capacity of watchkeeping officer,

4) Onboard ships up to 3000 GT engaged in all regions in the capacity of chief officer,

c) Those who have chief officer competency but don't have right of conformity within the scope of this Regulation shall perform the duty of chief officer onboard ships up to 3000 GT engaged in all regions.

(3) From masters;

a) Those who have near voyage master class-II competency and conform for master competency shall perform the duties as follows;

1) On cargo ships up to 7500 GT engaged in near coastal voyages in the capacity of master,

2) On cargo ships up to 15000 GT engaged in all regions in the capacity of chief officer,

3) On cargo ships up to 25000 GT engaged in all regions in the capacity of watchkeeping officer,

4) Onboard ships up to 3000 GT engaged in all regions in the capacity of master,

b) Those who have near voyage master class-I competency and conform for master competency shall perform the duties as follows;

1) On cargo ships up to 15000 GT engaged in near coastal voyages in the capacity of master,

2) On all cargo ships engaged in all regions in the capacity of chief officer,

3) Onboard ships up to 3000 GT engaged in all regions in the capacity of master,

c) Those who have master competency but don't have right of conformity within the scope of this Regulation shall perform the duty of master onboard ships up to 3000 GT engaged in all regions.

(4) From engine department officers;

a) Those who have near voyage engineer officer competency and those who conform for engineer officer competency shall perform the duties as follows;

1) On cargo ships powered by main propulsion machinery less than 750 kW engaged in near coastal voyages, in the capacity of chief engineer.

2) On cargo ships powered by main propulsion machinery less than 3000 kW engaged in all regions, in the capacity of engineer officer.

b) Those who have near voyage second engineer competency and those who conform for engineer officer competency shall perform the duties as follows;

2) On cargo ships powered by main propulsion machinery less than 1100 kW engaged in near coastal voyages, in the capacity of chief engineer,

2) On cargo ships powered by main propulsion machinery less than 3500 kW engaged in near coastal voyages, in the capacity of second engineer,

3) On cargo ships powered by main propulsion machinery less than 3000 kW engaged in all regions, in the capacity of engineer officer,

c) Those who have engineer officer competency but don't have right of conformity within the scope of this Regulation shall perform the duty of engineer officer onboard ships powered by main propulsion machinery less than 3000 kW engaged in all regions.

(5) From second engineers;

a) Those who have near voyage chief engineer class-IV competency and those who conform for second engineer competency shall perform the duties as follows;

1) On cargo ships powered by main propulsion machinery less than 1250 kW engaged in near coastal voyages in the capacity of chief engineer,

2) On cargo ships powered by main propulsion machinery less than 4000 kW engaged in near coastal voyages in the capacity of second engineer,

3) On cargo ships powered by main propulsion machinery less than 3000 kW engaged in all regions in the capacity of second engineer,

b) Those who have near voyage chief engineer class-III competency and those who conform for second engineer competency shall perform the duties as follows;

1) On cargo ships powered by main propulsion machinery less than 2000 kW engaged in near coastal voyages in the capacity of chief engineer,

2) On cargo ships powered by main propulsion machinery less than 9000 kW engaged in near coastal voyages in the capacity of second engineer,

3) On cargo ships powered by main propulsion machinery less than 9000 kW engaged in all regions in the capacity of engineer officer,

4) On cargo ships powered by main propulsion machinery less than 3000 kW engaged in all regions in the capacity of second engineer.

c) Those who have second engineer competency but don't have right of conformity within the scope of this Regulation shall perform the duty of second engineer onboard ships powered by main propulsion machinery less than 3000 kW engaged in all regions.

(6) From chief engineers;

a) Those who have near voyage chief engineer class-II competency and those who conform for chief engineer competency shall perform the duties as follows;

1) On cargo ships powered by main propulsion machinery less than 9000 kW engaged in near coastal voyages in the capacity of chief engineer,

2) On cargo ships powered by main propulsion machinery less than 15000 kW engaged in near coastal voyages in the capacity of second engineer,

3) On cargo ships powered by main propulsion machinery less than 3000 kW engaged in all regions in the capacity of chief engineer,

b) Those who have near voyage chief engineer class-I competency and those who conform for chief engineer competency shall perform the duties as follows;

1) On cargo ships powered by main propulsion machinery less than 15000 kW engaged in near coastal voyages in the capacity of chief engineer,

- 2) On cargo ships without main engine power limitation and engaged in near coastal voyages in the capacity of second engineer,
- 3) On cargo ships powered by main propulsion machinery less than 3000 kW engaged in all regions in the capacity of chief engineer,
 - c) Those who have chief engineer competency but don't have right of conformity within the scope of this Regulation shall perform the duty of chief engineer onboard ships powered by main propulsion machinery less than 3000 kW engaged in all regions.

Continuity of the gained rights

ARTICLE 34 – (1) The received rights granted for each certificate holder during their conformations shall continue after the certificate holder has been promoted to higher competencies.

PART III

Authorities and Responsibilities, Training Quality Standards for Seafarers Seafarers Commission

CHAPTER I

Quality Standards on Training, Examination, Certification, Assessment and Audits

Authorities and responsibilities

ARTICLE 35 – (1) The schools providing maritime training authorized by the Administration and affiliated to The Ministry of National Education, the Ministry of National Defense and the Higher Education Council, are responsible for providing and implementing the training standards specified by the Convention.

(2) Syllabus including training standards and other subjects with affiliated directives are examined by the Administration in terms of its compliance with the Convention, this Regulation and affiliated directives. If approved, it is confirmed and notified to the relevant party. Unacceptable subjects are returned to the party to be corrected.

(3) Institutions and organizations engaged in training, examination and certification related to maritime are constantly supervised and assessed in order to ensure the objectives specified in the Convention, training, qualification assessment, certification, conformity and certificate renewal studies, including Seafarer Health Surveillance Certificate preparation procedures in accordance with Part A-I/9 of the Code Section of the Convention, and the experience and qualifications of trainers and evaluators, with the quality standards system according to AI / 8 Part of the Code Part, by the Administration in accordance with Article 36 of this Regulation

This includes all amendments in national legislation after the latest country report and arrangements made to comply with all amendments to the Convention.

(4) Trainings for the issuance of all kinds of seafarers' certificates specified in this Regulation are carried out only in the authorized the training institutions under special syllabus programs approved by the Administration.

(5) Seaman book, certificate of competency or specialist certificate are not awarded to those who study at training institutions not authorized by the administration. Students studying in unauthorized training institutions and unaccredited graduates may obtain relevant seafarers' documents after completing the incomplete courses at the authorized training institutions and meeting the other conditions specified in this Regulation.

(6) Requirements of seafarers for the provision of manning vessels for seaworthiness are determined by Manning Directive. The Administration is authorized to make changes to the seafarer numbers and competences shown in the charts of the Manning Directive for reasons such as the diversity and scope of the technical possibilities they have, the seasonal sea and weather conditions of the navigational fields, the quality of the navigation, the proximity or short time of the cruise.

(7) In order to receive training certificates for seafarers other than the institutions mentioned in the first paragraph of this article, those who will be trained in training institutions affiliated to other institutions shall be authorized by the Administration so that they can obtain seafarers' certificate of competency within the scope of this Regulation.

Examination and evaluation of maritime trainings

ARTICLE 36 – (1) In order to ensure the conformity of the rules specified in the Convention of the public or private sector institutions and organizations that carry out the education, training, examination and certification activities of seafarers, the quality standards they should possess, the training syllabuses, the training tools and equipment, the competencies of the trainers who will provide vocational courses, the procedures and principles required for their authorization in the GAEBIS module and the principles of the training of the students who study at these training institutions and the trainings of open sea and workshop skills are determined by the Directive.

(2) The private training institutions providing training related to maritime and the institutions and organizations carrying out certification and examination are supervised and assessed by Maritime Training Auditing and Assessment Commission established by the Administration and specified by the Directive within the scope of Rule I/8 of the Convention and Part A-I/8 of the Code Section.

(3) The Administration shall carry out its applications for the auditing and assessment of standards in accordance with the protocol principles to be made with the Higher Education Council, the Ministry of National Education and the Ministry of National Defense, to which the institutions and organizations providing maritime training are affiliated.

(4) The quality standards system and periodical auditing and assessment results are reported to the Administration.

(5) Procedures and principles related to maritime training audits, opening audits of training institutions and organizations and periodic audits of quality management system, qualifications, selection and authorization of auditors to be employed in audits are determined by the Directive.

(6) The fees for the audit be determined by the Administration by taking the favourable opinions of the Ministry of Treasury and Finance, according to the type of the audit, shall be deposited into the account of the department carrying out the accounting services to be recorded in the budget. No audit fee shall be charged from the public institutions and organizations to be audited within the scope of this Regulation.

Proclamation obligation of the Administration

ARTICLE 37 – (1) The Administration shall proclaim maritime training audit reports and additional corrective actions on seafarers' quality standards in accordance with paragraph 4 of Part A-I/7 of the Code Section of Convention to IMO General Secretariat, periodically, once per five years.

CHAPTER II

Seafarers Commission (SC)

Seafarers Commission

ARTICLE 38 – (1) All duties relating to seafarers' competency examinations, assessment of electronic applications of seafarers and the publishing of seafarers' books are carried out by the Seafarers Commission (SC) established by the Administration.

(2) Seafarers Commission consists of;

- a) SC Chairman and members,
 - b) SC Secretariat
 - c) Seafarer Examinations Unit
 - d) Electronic Application Unit
 - e) Seafarers Book Publishing Unit
- Organization of Seafarers Commission

ARTICLE 39 – (1) Seafarers Commission consist of Administration, Ministry of National Education, Ministry of National Defense and Higher Education Council members. These members shall be selected by the approval of the Minister through the candidates proposed by the relevant institutions and agreed by Undersecretary. When the Administration deems it necessary, representatives can be invited to the SC meetings without the right of voting from other institutions and organizations, maritime profession chambers, unions or non-governmental organizations. The Seafarers Commission consists of 7 (seven) members including chairman. It is obligation that at least four members of the Commission have undergraduate degree relating with maritime. The number of representatives will be taken from institutions is determined by the Administration.

(2) The term of office of the chairman and members shall be three years, and the chairman of SC and vice chairman shall be elected by the Minister from among the members. For a vacated membership, a new member is elected in the same way to complete the remaining term. The chairman and members who finish the term of duty can be re-elected. However, this period cannot exceed nine years in total. Those whose period of duty expires continue their duties until they are assigned to their positions.

(3) SC meets at least once every two months. The General Manager may convene the SC at the proper times and preside over the meeting.

(4) Members of the SC are required to personally attend the Commission meetings. In a calendar year, the SC membership of the chairman and the member who does not participate in the commission meeting twice without excuse is terminated. SC is met with at least two-thirds majority of the number of members, and decisions are taken by the absolute majority of those present at the meeting.

(5) SC is responsible to the Administration that the efficiency of all the activities it carries out, the effectiveness of the service, and the observance of the principle of impartiality. The Administration shall carry out regulatory and supervisory activities for this purpose.

(6) SC proclaims the decisions relating the scope of its duties to the Administration. The decisions of the SC are advisory and valid after the approval of the Administration. The administration can make arrangements and decisions on the tasks of SC duty without SC decision.

Duties and working of Seafarers Commission (SC)

ARTICLE 40 – (1) Duties of the SC are as follows:

a) Taking decisions about operations of the SC and following the implementation of these decisions,

b) Preparing quarterly reports about the operations of the SC and submitting the reports to the Administration,

c) Ensuring that seafarer examinations are carried out in trustworthy, independent and fair manner in accordance with its purpose,

d) Preparing question bank for examinations, assessing and concluding objections,

e) Assessing the seafarers' applications of certificate of competency and certificate of proficiency made electronically,

f) Coordinating of issuing seaman's book that contains relevant seafarer documents.

(2) In order to SC to carry out its operations; subject to the approval of the authorizing officer; Administration supply the needs such as required infrastructure, devices-equipments, the place where the service will be provided and office equipments as well as assistant staff.

(3) Subsistence expenses of Chairman, members of SC and personnel employed in relevant departments arised from meeting, examination, question preparation, invigilation, examination commission, question objection commission etc. which are performed outside their office locations are covered by the Administration according the provisions of the Subsistence Law No. 6245 dated 10/2/1954.

Duties and responsibilities of Chairman, vice chairman and secretariat

ARTICLE 41 – (1) The Chairman of SC is obliged to carry out the subjects that fall under Commission's duty.

(2) The Chairman of SC is responsible to Administration.

(3) The vice-president is responsible for carrying out the tasks listed in the first paragraph on behalf of the Chairman in the absence of the Chairman.

(4) Secretariat of SC prepares letter of invitations for SC meetings, meeting agenda and reports, periodic reports to be submitted to the Administration and carries out similar works related to duties of SC.

PART IV

Conditions of Becoming a Seafarer, Application, Registration, Examination, Certification Process and Medical Conditions

PART I

Conditions of Becoming a Seafarer and Certification

Conditions of becoming a seafarer

ARTICLE 42 – (1) To become a seafarer it is mandatory:

a) To be a Turkish Citizen, to be a Northern Cyprus Turkish Republic Citizen to have maritime training/education or graduated in Turkish Republic or Northern Cyprus Turkish Republic or to be a foreigner with Turkish origin according to the Act No. 2527 dated 25/09/1981 related with Turkish origin foreigners to perform their professions and arts freely and being employed in public, private institutions and workplaces in Turkey.

b) To provide the prerequisites of age, training level, sea service period and other requirements for seafarer competencies specified in this Regulation,

c) To document that his status of health is suitable for sea service in terms of conditions specified in related provisions of this Regulation.

d) Within the scope of the organization activity specified in the Turkish Penal Code dated 26/9/2004 and No. 5237, not to be convicted of offences of manufacture and sale of processed drugs and stimulants or the smuggling of value of property originating from the offence or offences committed for the purpose of unfair economic benefits by applying force and threats and not to be convicted of offenses defined in the Fourth, Fifth, Sixth and Seventh Chapters, Part Four of the Second Book, or of smuggling except for the smuggling of employing and consuming,

e) Not to have a conviction or security order decision on the offenses under Article 188, 190 and 191 of Law No. 5237,

(2) To have the competency of oceangoing master or master in addition to provisions in paragraph 1; except of cumulative offenses and postponed convictions, even if they have been sentenced to imprisonment for more than a period of abandonment of the disclosure of the judgment or forgiven, not to be sentenced by the offences such as embezzlement, extortion, bribery, theft, fraud, forgery, fraudulent bankruptcy, or criminal offenses insulting honour and dignity, collusive tendering in formal business, revealing the state secrets and funding terrorism.

Issuing seafarer certificate of competency and seaman's book

ARTICLE 43 – (1) Seafarer certificate of competency, certificate of proficiency and a seaman's book containing documental evidences are issued to those who fulfilled the conditions of becoming a seafarer.

Issuing seafarers training certificates

ARTICLE 44 – (1) Training certificates are issued by the Administration for the seafarers who received maritime related training of which duration and contents are specified by the Directive in the training institutions authorized by the Administration.

Certification of foreign seafarers

ARTICLE 45 – (1) Foreign nationals who have maritime training specified by the Administration in Turkey and Northern Cyprus Turkish Republic shall be given the right to take

the certificate of competency exams and training documents in accordance with the related articles of this Regulation.

Equivalence of the certificates obtained from foreign countries' administrations

ARTICLE 46 – (1) Competencies of Turkish or foreign seafarers who have certificates of competency issued by foreign country administrations are recognised by the Administration if:

- a) The foreign country which issued competency is in the list of countries that fully comply with the Convention issued by IMO,
- b) A bilateral agreement or protocol on the recognition of the certificates in accordance with the rule 1/10 of Convention was made with the foreign country which issued competency,
- c) Subject competency was issued in accordance with the Directives 1/2 and 1/9 of Convention and A-1/2 Part of Code and is compatible with the quality standards on sea service, education and training and competency.
- d) Verification of the main training and certification to the certificate of competency received from the foreign country by considering the conditions, shall be approved by the Administration if it is deemed appropriate by the Administration in accordance with Part 1/10 of the Convention and Part A-1/10 of the Code Section.

(2) In accordance with the provisions of this Article, seafarer certificates of competency issued by the administrations of the foreign country in accordance with the Rules II/1, II/2, II/3, III/1, III/2, III/3, III/6, IV/2 and VII/2 of the Convention and seafarer certificates of proficiency issued for master and officers class seafarers according to the rules V/1-1 and V/1-2 of the Convention may be approved on condition that they are verified by the Administration.

(3) Even if a certificate of equivalence from the Higher Education Council is obtained, a certificate of competency obtained from a foreign authority cannot be converted into a document of Turkish seafarer, and the Turkish Seafarer's certificate shall not be issued in case of training abroad.

Sea service

ARTICLE 47 – (1) Administration shall determine the provisions related to sea service calculation and issuing of sea service certificates of seafarers.

(2) In case that compulsory sea trainings ,which are prerequisite in the provision of certificates of competency specified in this Regulation, are carried out onboard training vessels; one day spent onboard these vessels shall be accepted as one and a half days. Particulars, qualifications, number of maritime instructors and navigational area of a training vessel shall be determined by the Administration.

Unauthorization and Reauthorization of the certificates

ARTICLE 48 – (1) Seaman's book and certificates of competency of a seafarer whose certificate of competency is cancelled within the scope of this Regulation are unauthorized and this case is registered in Seafarers Information System. Except for those who are ostracized from profession, in the case that seafarer complies again the conditions specified in this Regulation, seaman's book and seafarer certificates of competency are reissued.

Revalidation of Certificates

ARTICLE 49 – (1) The validity of competencies for masters, chief engineers, officers and radio operators is for five years.

- (2) From seafarers who have the competencies specified in the first paragraph,
- a) At the existing competency level, to prove that they have sea service;
 - 1) For at least twelve months in the last sixty months or,
 - 2) For a period of three months, within the preceeding six months immediately prior to revalidating,
 - b) The following;
 - 1) To be successful in the refresher exam determined by the Directive or,

- 2) To have the refresher training determined by the Directive or,
 - 3) To perform at least three months of sea service of which has been performed functions appropriate to the certificate held in one lower officer rank immediately prior taking up the rank for which is valid,
 - (4) To document that at least three months of sea service of which has been performed functions appropriate to the certificate held in supernumary capacity immediately prior taking up the rank for which is valid,
 - c) To document that he/she has been working for at least two years in the last five years in Administration, maritime related public or private sector institutions and organizations and workplaces and institutions approved by the Administration,
- seafarers who met the conditions above, the validity period of certificates of competency shall be prolonged by five years.

Provisions on Ministry staff

ARTICLE 50 – (1) Provided that having at least the certificate of restricted watchkeeping officer, restricted engineer or higher level certificates of competency;

a) For those who work at Ministry centre office or field service, one third of the period which they work for Ministry including the period before this Regulation entered into force shall be accepted as sea service and other compulsory seafarer certificates of proficiency are issued directly in addition to certificate of competency in this Regulation.

b) Certificates specified in the second part and third chapter of this Regulation, of those who has been working at Ministry centre office or field service, working onboard state vessels as seafarer or worked at least 3 years in the training institutions authorized by Administration shall be reissued on the expire date without any procedures.

CHAPTER II

Seafarers Examinations

Seafarers Examinations

ARTICLE 51 – (1) Seafarer examinations are held in the examination rooms of the Administration. The method used and places where the examinations held are determined by the Administration. Examination rooms are equipped with the technological devices such as computers and camera systems.

(2) Seafarer examinations are conducted by Seafarer Examinations Unit formed by the Seafarers Commission. Responsibility of the unit is to ensure that seafarer examinations are organized according to requirements of this Regulation and questions and subjects of examinations comply with syllabus specified by this Regulation and international applications, to form question pools, update questions and provide a safe storage and security for questions.

(3) According to competency of seafarers, methods of examinations, application, procedures and principles of proclamation, exam types, grading methods, success criteria, selection of questions, forming of question pools, success evaluation, objections, exam rules, proclamation of results, providing exam security and etc. are determined by the Directive. Exams of candidates who violates the exam rules are cancelled. Candidates cannot take the exams for six months from the date of cancellation and if candidates have already a seafarer competency they are referred to the Seafarer Discipline Commission.

(4) The fee to be taken from the candidates who will take the examination shall be determined by the Administration taking the appropriate opinion of the Ministry of Finance. These fees are credited to the account of the accounting department that carries out the accounting services of the Administration to record revenue to the budget.

(5) In order to assess the objections to the examinations, it is mandatory to pay the fee determined by the Administration not exceeding 25% of the exam fee to the Ministry's revenue assets account. This fee is paid separately for each question objected. In the case that the

Administration is defective according to the result of assessment of the objection, the fee is refunded by the Administration.

(6) In case of the cancellation or postponement of the examinations, all exam fees paid by the seafarers for those exams are refunded upon the request of the seafarer, and if accepted, fees are deducted at the next examinations.

CHAPTER III

Seafarer Registration Procedures

Seafarer Registration Procedures

ARTICLE 52 – (1) Seafarer's certificates of competency are kept in the Seafarers Information System electronically by the Administration. The Seafarers Information System consists of seafarers' certificates of competency which contain the records of seafarers and registries. The Turkish ID number of a seafarer replaces registration number.

(2) A seafarer chooses the harbour master in place of residence as the port of registration. In case there are more than one harbour masters in the residence place, seafarer can choose one of them as the port of registration. In case there are no harbour presidencies in seafarer's residence place, seafarers choose any harbour master as the port of registration. Seafarer shall transfer own registration to another port, only once.

(3) The provisions related to the registry records are determined by the Administration.

Seafarers Electronic Application System

ARTICLE 53 – (1) The applications concerning any kind of seafarers procedures stated in this Regulation shall be made through the Seafarers Electronic Application System established by the Administration.

(2) Seafarers applications to be made without using the Seafarers Electronic Application System and the provisions relating to the assessment and documents required for these applications and are determined by the Administration.

(3) Seafarers applications made in electronic environment are assessed at the Seafarers Center.

(4) Seaman's books are published the by Seaman's Books Publishing Center located at Seafarers Center. Seaman's book issued to seafarer is posted to seafarer's address after publishing.

(5) Data such as education and training, course, sea training and exam results which are verified on Seafarers Information System, Seafarers Training Information System and Seafarers Examination System established by the Administration are accepted as valid and no further document related to application is asked from applicant.

(6) Data such as education and training, exam, criminal record, medical report, ID registration, residence, etc., which are verified from the data streams provided by other public institutions/organizations electronically, are accepted as valid and no further document related to application is asked from applicant.

Seafarers certificate of competency records

ARTICLE 54 - (1) Records of seafarers certificates of competency are kept on the computer by the Administration.

Certificate of competency and seaman's books

ARTICLE 55 – (1) Seaman's book which is arranged with photograph in Turkish and English, includes seafarers certificate of competency and approved by the Administration is issued for five-years to the seafarer who is registered on the Seafarer Information System and will take the seaman's book according to the competency levels specified in this Regulation,

(2) Competency verifications of masters, deck department officers, chief engineers, engine department officers, radio officers and electrotechnical officers applied from Seafarers Electronic

Application System are made by the Administration, other competencies, seafarer specialist certificate and document evidences are made by the Seafarers Committee.

(3) Certificate of competency, certificate of speciality and document evidence informations of Seafarers who are eligible to have the seaman's book are sent electronically from the database established by the Administration to the department where the seamans books are published.

(4) The seafarer who took the seafarers' exams and raised the competency level by succeeding the exam can work with the old seafarer's certificate of competency until the new seafarer's certificate of competency is published. New certificate of competency of the seafarers whose Certificate of competency is registered on seaman's book shall be processed on a new page of the seaman's book after the book page of old qualifications is cancelled with cancelling eyebrow seaman's book have been cancelled with are placed.

(5) Within the scope of this Regulation, the seafarer who is entitled to receive the certificate of competency, seaman's book and other seafarer's documents must obtain his / her documents within one year from the date of its issuance. The seafarer who does not receive the documents must renew the requirements specified in this Regulation in order to receive the same documents.

Procedures of military departures

ARTICLE 56 – (1) In case the soldiers who perform military service in the vessels belonging to the Naval Forces Command or the Coast Guard Command apply with the service documents given by the ship commanders to which they are discharged, the procedures shall be carried out in accordance with the provisions of this Regulation.

(2) From petty officers and officers who left or retired from the Naval Forces or the Coast Guard Command, in accordance with the provisions of this Regulation, in order to obtain seaman's book and seafarer's certificate of competency;

- a) Current service document,
- b) Diploma of Naval Academy or Naval Petty Officer School or Petty Officer Vocational School,
- c) Letter of recommendation and course documents,
- d) In case those who have incomplete courses to be completed from authorized training institutions for seafarers certificate of competency in accordance with the provisions of the Regulation, in case of application with course success certificate, the procedures shall be carried out in accordance with the provisions of this Regulation.

Waiver of being a seafarer, death of seafarer and loss certificate of competency

ARTICLE 57 – (1) From seafarers;

a) Those who give up being seafarer will be deleted from the Seafarers' Information System, upon their request.

b) Seaman's book of dead seafarers shall be delivered to the nearest harbour authority either by the master, or the owner of the ship, or by his family. The Administration deletes the record of interest from the Seafarers' Information System. The seaman's book is cancelled.

c) In case the seafarer who lost his/her seaman's book applies, a medical examination will be made if the time after the investigation of the General Prosecution Office is over. The arrangement of the seaman's book and the delivery to the interest shall be made in accordance with the relevant provisions of this Regulation.

d) In case the seaman's book is extremely worn out, the seaman's book of the seafarer shall be renewed by meeting all the transactions mentioned in (c) except the investigation of the General Prosecution Office.

CHAPTER IV

Rules Regarding Seafarers' Health Situations

Seafarers' medical examinations

ARTICLE 58 – (1) Seafarers shall have periodic medical examination every two years in accordance with the provisions of the Directive for Physical Fitness of the Seafarers issued by the Ministry of Health.

(2) Medical examinations of those who will be seafarer for the first time and biennial medical examinations are carried out by public and private medical institutions authorized by the Seafarers' Health Directive.

(3) Harbour authorities may ask seafarers whose health status is suspected or reported to be sick, to conduct health surveys to determine if their health condition prevents them from working at sea.

(4) Medical reports of seafarers working on small ships less than 200 GT and fishing vessels, to be obtained from the private or public medical institutions that are authorised to give a medical report for the drivers or departments of Ministry of Health General Directorate of Health for Borders and Coasts. These health reports are valid for five years. Health report is issued based on the health conditions of Class B driver's license or if the report is taken from the Ministry of Health, the standards set by the Ministry shall apply. Those who are found to have colour blindness or night blindness in their eye examination cannot be seafarers. Seafarers under this article, except of fishing vessel deck rating competency, are required to obtain a health report in accordance with the provisions of the second paragraph and if they work in vessels not stated by this paragraph, the seafarers are required to obtain two yearly health reports in accordance with the Seafarers Health Directive.

(6) Procedures and principles related to injuries and diseases that impede the operation at sea, results of medical examination and objection to the results are determined by the Seafarers Health Directive.

Medical examinations of seafarers under the age of eighteen

ARTICLE 59 – (1) The seafarers under 18 years of age are subjected to periodic medical check-ups annually according to The Directives for Medical Fitness of the Seafarers and to the “(ILO) 77 Convention of Medical Examination of Young Persons”.

(2) The medical aptitude of the seafarers under 18 years of age is required to be clearly stated in their medical reports and it is required to be clearly stated in annual medical examinations that there is no objection to their working at sea may continue to their profession and that there will be no deterioration of health condition due to these services.

PART V

The Rules Concerning the Seafarers' Watchkeeping, Responsibilities of Maritime Companies, Disciplinary Procedures, Administrative Measures for Training Institutions

CHAPTER I

The Rules Concerning the Seafarers' Watchkeeping, Responsibilities of Maritime Companies

The Rules of Seafarers' Watchkeeping

ARTICLE 60 – (1) Maritime companies shall make arrangements for watchkeeping on board in a manner that does not reduce the efficiency by fatigue of seafarers to keep watch in accordance with the following principles:

a) Seafarers who have watchkeeping on board and those who have safety, pollution prevention and safety-related duties;

1) It is compulsory to be provided at least seventy seven hours of rest in a period of seven days, at least ten hours per day.

- 2) The time between consecutive rest periods cannot exceed fourteen hours,
- 3) Daily rest periods can be divided up to two divisions. In this case, one of the rest periods cannot be less than six hours.
- 4) The rest period, which is at least ten hours per day, can be shortened to less than six hours in unusual situations such as emergency and role drills. However, it should be so that the shortened rest period will be resting at the minimum level and will not cause fatigue. The total resting time cannot be less than seventy-seven hours per week.
- 5) Seafarers under the age of eighteen cannot keep watch at night. It is the period starting at no later than 20.00 at night and lasting until 06.00 am and lasting at most eleven hours in any case.
 - b) Watchkeeping schedules shall be displayed in places where everyone can easily see onboard. The schedules are created in a format that is standardized in English or on other languages which the ship operation is conducted.
 - c) In case it is required for a seafarer to be summoned to his occupation and if the seafarer's normal rest period has been interrupted because of occupation, a proper rest period is given to the seafarer.
 - d) The daily rest periods used by seafarers are recorded on a standardized basis in English or on other languages where the ship operation is conducted. One of the copies of these records which are approved and given to seafarers by master or by a seafarer authorized by master or by relating seafarer.
 - e) The provisions of this Article shall not take away the right of ship, persons onboard or master to assist other ships or persons waiting to be rescued at sea and to commission a seafarer in any valid period for the safety of cargo in case of emergency. Accordingly, master may postpone the program on the schedule and may commission any seafarer to work for any period of time as required until return to normal. After returning to the normal, master provides all seafarers who have worked at scheduled rest times to rest during an appropriate rest period.
 - f) Provided that the rest period is not less than seventy hours during any seven day period, exception may be made in the rest period required for at least seventy-seven hours of rest in the seven-day period specified in sub-paragraph (1) of paragraph (a) and in sub-paragraphs (2) and (3) of the same paragraph. Application of these exceptions are as follows:
 - g) Exceptions that may be applied at least seventy-seven hours a week during a seven-day period specified in this article are not allowed for more than two consecutive weeks. The interval between two exceptional periods to be held on board cannot be less than two times the duration of the exception.
- 2) Provided that at least ten hours of rest days per day are at least six hours and the remaining two periods are not less than one hour cannot be divided into more than three periods. The time between consecutive rest periods cannot exceed fourteen hours. Exceptions cannot exceed two twenty-four hour periods in any seven-day period.
- 3) The conditions under which the exemptions provided under this article shall be proclaimed by the Administration.
 - f) Blood alcohol level (BAC) to be determined in breath to prevent excessive alcohol consumption on ships is not more than 0.05% or 0.25 mg/l.

Seafarers' watchkeeping arrangements

ARTICLE 61 – (1) The watchkeeping arrangements are carried out by the maritime companies to ensure that the officers are responsible for the deck watchkeeping and the engineers are responsible for the engine watchkeeping and their duties are in compliance with the principles specified under the Code – A section of the Convention as listed below:

- a) Principles of voyage planning
- b) Principles of watchkeeping,
- c) Principles of look-out,
- d) Principles of watch taking over,
- e) Principles of restricted visibility,
- f) Principles of navigation with marine pilot on board,

- g) Principles of watch onboard the ship at anchor,
- h) Principles of engine-room watch,
- i) Principles of communication watch,
- j) Principles of watchkeeping in port.

The Responsibilities of the Maritime Companies

ARTICLE 62 – (1) The Administration, in accordance with the directive I / 4 and code section A-I/4 of the Convention, has decided to delegate the responsibility of in service assignments of seafarers on board, to maritime companies to ensure that;

a) Each seafarer employed to any of the vessels shall be required to hold a certificate of competency and/or a seaman's book in accordance with the relevant provisions of the Convention and as determined by the Administration,

b) The ships shall be manned properly according to the "Minimum Safety Manning Standards."

c) The documents, regarding the seafarer's experience, training, physical fitness and level of competency, shall be kept on board easily accessible.

d) The seafarers shall be kept fully aware of the arrangements, facilities, instruments, methods and characteristics of the ship concerning their routine duties and emergencies.

e) The seafarers shall be duly capable of fulfilling their duties in case of emergencies, and in prevention or mitigation of pollution.

f) Each seafarer employed to any of the vessels shall receive the refreshing and updating training required by the Convention and has the required knowledge in the field of occupational health and safety,

g) According to Section 5, Rule 14 paragraphs 3 and 4 of the International Convention on the Safety of Life at Sea (SOLAS 74), it is required to ensure that effective oral communication is always available on board.

Responsibilities concerning the newly employed seafarers

ARTICLE 63 – (1) The maritime companies are responsible for taking the necessary measures to see that every new employee, including the masters, abide by the rules imposed by the Article 62 of the Regulations fully and effectively for the safe operation of the ships.

(2) The maritime companies shall give written instructions to the master of each ship on which the contract is valid that all seafarers newly employed on board shall be followed in order to ensure that they are aware of the ship's devices, operating methods and other arrangements necessary for them to perform their duties properly. The principals and procedures of this directive are stated below:

a) The newly employed seafarer is given enough time to;

1) Familiarise himself with the instruments he is expected to use or command.

2) In order to ensure that the seafarer performs well the missions of watchkeeping, safety, environmental protection and emergency procedures and regulations of the ship which the seafarer must know.

b) Maritime companies shall assign a guide to the newly employed personnel to help them understand the fundamentals concerning the ship in their own language.

c) Maritime companies shall ensure that masters, officers and other personnel with specific duties and responsibilities on ro-ro passenger ships complete on-the-job training in order to acquire competencies appropriate to their duties and responsibilities.

CHAPTER II

Disciplinary Procedures of Seafarers

Seafarers Disciplinary Committee

ARTICLE 64 – (1) Professional incompetencies, indisciplines, neglects of duty, behaviours that are incompatible with maritime customs and nurture or deliberate misbehaviours that are

determined or reported in any way during the services of Turkish or foreign flagged vessels of seafarers whose seafarers' certificate of competency, GMDSS Radio Operator Certificate of competency or certificate of conformity have been issued by the Administration, are investigated by Seafarers Disciplinary Committee.

(2) Seafarers Disciplinary Committee consists of total 7 members as three representatives of the Administration, the General Manager, the deputy general manager and the head of the department, two representatives of maritime professions including four years of maritime related faculty graduates having the competencies of oceangoing master and oceangoing chief engineer, a representative of workers' unions and a representative of employers' unions.

(3) The seafarers' discipline committee is chaired by the general manager. The Administration asks for the maritime professions, labour unions and employer unions mentioned in the second paragraph to send a list of names for committee, one of which is noble and one of the substitute members. Names notified by these institutions and organizations are designated as committee members. Members of the Committee are elected for two years and those who complete the term can be re-elected.

(4) Seafarers' Discipline Committee shall be convened at most once a month if the number of applications is at least five, and at least once a year to assess disciplinary matters, except when deemed necessary by the Administration. The secretariat of the Commission shall be administered by the Administration.

(5) Seafarers' neglects of duty, deliberate misbehaviours and the behaviours that are incompatible with the Regulation, maritime customs and nurture or work discipline may be reported by charterer, ship owner or harbour master to the Administration or directly determined by the Administration. The determinations, reports, records, information and documents stated in the first paragraph are submitted to the Administration to be discussed by the Seafarers' Discipline Committee.

(6) The Administration shall invite the members of the Seafarers Disciplinary Committee to the meeting for the discussion and assessing of the incoming declarations within the periods stated in the fourth paragraph.

(7) The defense of the relating seafarer shall be asked by Seafarers Disciplinary Committee in accordance with this Article. The defense of the seafarer and other information and documents are assessed by the Seafarers Disciplinary Committee. According to the result of the assessment, the Committee presents a report on which administrative sanctions specified in Article 65 shall be applied. Decisions in the report shall be applied by the Administration.

(8) The situation of the seafarers, which has been finalized with a final court order is assessed by the Administration in accordance with Article 65 without the Seafarers' Disciplinary Committee report waited.

(9) The Administration, if it is necessary in accordance with the content of the request, without waiting the Committee report, for the sake of precautionary purpose, as specified in Article 65, may apply the suspension of the certificate of competency.

Administrative measures related to seafarers

ARTICLE 65 – (1) Administrative measures concerning seafarers whose behaviours are contrary to the regulation, maritime customs and nurture, working discipline and who neglect of duty, have intentional misbehaviours and do not perform the safe manning requirements related to seaworthiness of the ship shall be applied within the framework of the procedures and principles specified by the Seafarers Disciplinary Commission as follows;

a) Seafarers Disciplinary Commission decides one of the sanctions of warning or suspension of the certificate of competency for up to six months, according to the defects level and presence of neglect or intentional factors in case seafarers' behaviours are contrary to the regulation, maritime customs and nurture, working discipline and seafarers neglect of duty and have intentional misbehaviours.

b) Seafarers Disciplinary Commission decides one of the sanctions of warning, suspension of the certificate of competency for up to six months or degradation of certificate to the subordinate

competency and retraining on specific issues according to the defects level and presence of neglect or intentional factors in case seafarers' behaviours are contrary to the responsibility of loyalty and care and professional incompetence.

c) Seafarers Disciplinary Commission decides one of the sanctions of warning, suspension of the certificate of competency for up to six months or degradation of certificate to the subordinate competency, retraining on specific issues, cancelling the certificate of competency and banning the seafarer from working at sea according to the defects level and presence of neglect or intentional factors in case of imperfections related to propulsion and technical management of the ship to ensure the safety of life and property at sea.

d) Any documents of Turkish or foreign seafarer's certificate of competency, certificate of proficiency, documental evidence, seaman's book, certificate of conformity and training certificates which are realised to be obtained by fraudulent means shall be cancelled. If these documents are obtained from abroad, the documents shall be confiscated and notified to the related administration. The seafarer carrying the false document shall be notified to the relevant judicial and administrative authorities by the Administration. There is no seafarer action to be taken by the Administration until the seafarer is declared innocent.

e) If the professional incompetency of the seafarer certified by another maritime administration is determined at the Turkish ports at the port state controls, such a seafarer shall not be allowed to continue to the navigation and shall be notified to the relevant maritime administration.

f) Even though the certificate has been suspended, the certificate of the seafarer who is determined to have served on the ship is cancelled and no documents are issued for twenty four months under this Regulation. In addition, it shall be filed a criminal complaint against the relevant seafarer to the judicial authorities.

g) The Administration may conduct examinations of seafarers whose health status is suspected or reported to be sick, to determine whether their health condition obstructs them from working at sea.

h) Information and documents such as sea service certificate, training document, health certificate, criminal report required to hold any kind of certificate of competency, certificate of proficiency, documental evidence and seaman's book specified in the Regulation; all documents of seafarers, which they have had by the following ways are cancelled:

1) Changing and producing in the way of deceiving the Administration,

2) Sending or declaring false information and documents to the Administration purposely and intentionally.

Related to the previous seafarer documents the seafarer shall be referred to Seafarers Disciplinary Commission for the purpose of transactions under this article. These seafarers are notified to the judicial authorities for the necessary legal action. Any seafarer's action about the cancelled seafarer competency shall not be taken by the Administration until the seafarer is declared innocent from the crime related to forgery.

(2) Seafarers Disciplinary Commission regards the following principles and procedures when assessing the administrative sanctions for the seafarer:

a) Conditions requiring the penalty of warning to the seafarer:

1) Joining late to the assigned ship after the specified time,

2) Being late for the navigation or port watch in the continuous way,

3) Being in a manner and behaviour that disturbs other ship personnel,

4) Joining late to the ship by exceeding the time of permit granted to him at the ports during his duty,

5) Intervening improperly to the working of other personnel onboard ship,

6) Bringing an external person onboard to the ship without the permission of the master or authorized person,

7) Requesting for commission or benefit from the passengers, customers or suppliers on board,

8) Intentionally abusing port transit cards or identity cards,

9) Smoking, using open fire or lighters, using a lighting source not approved by the master in whole or in certain parts of the ship which is at risk of fire or explosion due to the carried cargo and which has been specifically prohibited by the master or by the maritime company;

10) Neglecting the duties given by his/her superiors,

12) Committing similar violations that would not seriously harm other personnel or not hinder the navigation of the ship,

12) Being in inappropriate behaviour against to the inspection officers who come to the ship to conduct flag state or port state control, not providing the required technical support to these inspection officers and other ship personnel,

13) Neglecting the periodic controls and duties which are obligatory to perform in navigation or port watch,

14) Not participating in trainings and emergency drills on board and not giving the necessary attention,

b) Conditions requiring the penalty of suspension of certificate of competency to the seafarer:

1) Committing violence intentionally to another personnel,

2) Not obeying intentionally to the orders of his/her superiors,

3) Neglecting intentionally the duties given by his/her superiors,

4) To be involved in behaviours that jeopardize the ship's crew, cargo and the maritime environment,

5) Except for acceptable reasons; not being present at the time when called by his/her superior, not being in the place to be in duty and sleeping on duty,

6) Do not perform the duty appropriately with the influence of alcohol or drugs,

7) To harass, intimidate and pressure other staff to affect social welfare onboard the ship,

8) Holding a gun for attack purpose onboard ship without the permission and consent of master or other authorized person,

9) Helping to be got onboard as fugitive,

10) Not to help the inspection officers who come to the ship to conduct the flag state or port state control, not to operate or use the equipments or devices even though they are in operation and according to ask of inspection officer,

11) Permission by master to perform any duties or services specifically stated to be carried out by seafarers who hold the appropriate certificate of competency in accordance with the Convention with a seafarer who does not have the relevant document.

c) The conditions requiring the penalty of reducing the seafarer's certificate of competency to a subordinate competency are as follows:

1) Refuse to join onboard the ship or voyage without a valid reason or to be absent onboard without adequate reason or abandon his/her duties in any 24-hour period prior to the preparation for voyage and departure,

2) The seafarer's unfair quitting of the job without completing the contract after the ship's departure from the port,

3) Not being able to perform the duties assigned or the duties given by superiors onboard the ship due to professional incompetency.

d) The conditions requiring the penalty of cancelling seafarer's the certificate of competency and banning the seafarer from working at sea:

1) Disobeying orders by organizing one or more of the other seafarers, neglecting duty or obstructing the navigation of the ship,

2) Determination of smuggling by court decision,

3) Having verbal or physical behaviours such as unsolicited improper sexual discourse on the ship's staff,

4) Damaging the ship without intention and without reasonable cause, damaging any property on board or throwing any goods at sea,

5) To leave the ship without a valid excuse,

6) Determining that the seafarer has taken the relevant seafarer documents by showing him/her as if the seafarer has received the courses without receiving any course.

(3) In the conditions specified in the second paragraph, which trainings that the seafarer should receive again are decided by the Seafarers' Disciplinary Commission according to the subjects on file basis .

(4) The seafarer who has been brought to a sub-competency position is obliged to perform such requirements as sea service, training and examination in order to advance to the relevant competency stated in this Regulation the former competency.

(5) The Seafarers Disciplinary Commission may decide about the seafarer provided that whose competency was cancelled due to the forgery for a period 4 years from the date of cancellation and about the seafarer provided that whose competency was cancelled due to other reasons specified in this article for a period of four years from the date of cancellation to retake the examination. The seafarer who successfully completes the examination in question is entitled to hold the certificate of competency at the lowest level of that competency.

(6) In the conditions that seafarers' certificate of competency is suspended by the decision, the suspension period shall be doubled in each of these defects' repetition within thirty-six months from the date of the decision. All certificates of competency and certificates of proficiency issued by the Administration of seafarers who have been taken the administrative measure for the third time within thirty-six months from the date of the administrative measure decision on the first violation, except for the defects which require warning penalty, shall be cancelled.

(7) In the case that the seafarers given a warning penalty receive a second warning penalty within twelve months from the date of the decision, the certificates of competency are suspended for six months.

(8) In the case that the Turkish flagged vessels are determined to be insufficient due to their deficiencies found in port state controls which are subject to foreign countries; the relevant provisions of this Article shall be applied to master, chief engineer or other relevant personnel, based on the level of the violation or defect.

(9) The procedures and principles concerning the working, operation, complaints and notifications of the Seafarers Disciplinary Commission are determined by the Ministry.

CHAPTER III

Administrative measures related to the training institutions

Administrative sanctions for natural and legal persons who are training seafarers

ARTICLE 66 – (1) The following principles are applied to natural or legal persons who do not fulfil the requirements of training and examinations about the seafarers:

a) It shall be filed a criminal complaint against natural or legal persons who provide or promise to provide seafarers training, make a declaration through written or visual media or issue any seafarer document, including amateur seafarers' certificate even though are not authorized by the Administration to the judicial authorities.

b) According to the result of the assessment made by the Administration, the authorities defined in the GAEBs Module of the authorized training institutions are suspended or cancelled in the following cases. Those who are continuing training at the same training institution on the date of suspension or cancellation of the authority of the training institution shall be certified by the Administration if they complete their training. Those who received training in an training institution or organization of which authority has been suspended or cancelled may be certified by the Administration if he has been previously trained but has not been documented.

1) The authorities of the training institutions shall be suspended for a period of six months based on the objective evidences that the quality standards system established in accordance with I/8 of the Convention and the Part A-I/8 of the Code Section have lost their functionality.

2) Authorities of the authorized training institutions that have not applied for periodical auditing and assessment activities within the specified time period in the Directive or despite the fact that their application was made but the auditing and assessment activities could not be completed within three months due to the identified deficiencies are suspended until the end of auditing and assessment activities; but the suspension period cannot exceed one year from the date the authorities are suspended.

3) The authorities of the training institutions authorized by the Administration shall be cancelled if they are determined that people who do not exist in the classroom seem intentionally present on the basis of the GAEBS Module and that they have been trained by unauthorized personnel or that they have committed any irregularities or forgery to mislead the Administration regarding training and examinations.

4) The authorities of the authorized training institutions where training activities are conducted without the required plant and equipment and/or inappropriate equipment are used in trainings shall be suspended for a period of three months.

5) The authorities of the authorized training institutions which do not keep the training records in compliance with the rules, register the student without performing the required conditions and/or do not comply with the approved syllabus shall be suspended for a period of three months.

6) During the audit made to the authorized training institutions or training institutions that demand to be authorized, in the case of the obstruction of the auditors to perform their duties, the requested information and documents are not submitted to the auditors on time and in full without a valid reason, and an untrue document is issued the entire authorities of the authorized training institution shall be cancelled, authorization shall not be made for the training institution which is in the demand for authorization for the first time.

c) The authorities identified on the GAEBS of authorized training institutions shall be cancelled if it is determined that the institution has not organized any training for twelve months. In this case, those who are continuing training are certified by the Administration in case they complete their training. Persons who have previously been trained in an authorized training institution but have not been certified may be certified by the Administration

d) The certificate of sailor trainer of those who have been certified by the Administration, determined to train outside the competency and/or who appear to be trainer in training institutions and organizations even though they do not participate in the training shall be cancelled. These persons shall not be issued any more certificate of sailor trainer.

d) In case training institutions of which authorities have been suspended for the reasons stated in this article are unable to complete the necessary corrective actions at the end of the suspension period, additional time is given for three months to complete these activities; however, this period may not exceed one year from the date of the authorities' suspension. At the end of this period, the authorities of the training institutions that do not complete the necessary corrective actions are cancelled.

Provisions related to repetitions

ARTICLE 67 – (1) In case of the decision to suspend the authority on charter, ship owner, training institutions and organizations, trainers and related persons, the suspension period shall be doubled for each of these violations' repetitions within thirty-six months from the date of the decision. All the authorities of those who have been taken the administrative measure for the third time within thirty-six months from the date of the administrative measure decision on the first violation shall be cancelled.

Administrative measures for natural and legal persons who are training seafarers

ARTICLE 68 – (1) According to the 66th and 67th articles, the managers, founders and partners as well as those relatives up to second degree (including second degree) and even those relatives up to second degree (including second degree) whose marriage providing the affinity have ended of the training institution of which authority has been cancelled, cannot establish any training institution related to maritime for two years and cannot take positions in the existing training institutions.

PART VI
Competencies of Marine Pilots and Administrative Measures

CHAPTER I
Competencies of Marine Pilots

Application procedures, exams and internship

ARTICLE 69 – (1) Marine pilot candidates who wish to apply for the marine pilot certificate of competency for the first time, shall apply to the relevant harbour master, provided that they meet the following requirements;

- a) Being a Turkish citizen,
- b) Not being deprived of public rights,
- c) Even if the periods specified in Article 53 of Law No. 5237 are expired, not being convicted or imprisoned for a year or more because of a deliberately committed crime or crimes against the security of the state even if it has been forgiven or, crimes against the constitutional order and the functioning of this order, embezzlement, extortion, bribery, theft, fraud, forgery, abuse of trust, fraud bankruptcy, collusive tendering, offence of using fraud or trickery in the fulfilment of execution, laundering of the value of the property resulting from the crime or smuggling,
- d) Not having a conviction or security order decision on the offenses under Article 188, 190 and 191 of Law No. 5237,
- e) Not having a relationship with military service,
- f) Being educated at undergraduate level in maritime departments of universities,
- e) To have oceangoing master certificate of competency and to document the sea service that he/she has worked as master at least for twelve months with mentioned certificate onboard the ships which should be manned in accordance with the Manning Directive,
- f) To document that the health condition is suitable for marine service according to the relevant provisions of this Regulation,
- g) To prove that he/she is able to speak smoothly, fluently and understandable with a document issued by the hospital,
- i) Before taking the marine pilot examination stated in the second paragraph of the 70th article, to get a score of at least 70 points from the English section of the YDS or 70 points equivalent to the national/international foreign language exam types accepted by ÖSYM.

(2) Those who have worked at least sixty months as vessel traffic services operator in the Turkish Straits area or who have worked for at least thirty-six months in pilot tugboats with the same competency shall be deemed to have met the sea service specified in paragraph (f) of the first paragraph. The services provided on the pilot tugboats as vessel traffic services operator within the required period of sixty months shall also be counted from the sea service requested in the same paragraph.

Issues related to the proclamation, examination, application and internship

ARTICLE 70 – (1) Upon the request of the existing pilotage organizations and/or assessment of the Administration, the number of marine pilots required for the relevant year, in January of each year shall be proclaimed. When the number of required pilot is determined the pilot organization and harbour authority shall be asked for advice. The Administration may make additional proclamations and exams within the same year in accordance with the procedures and principles specified in this article in order to meet the need of pilots that may occur in emergency and unexpected situations.

(2) Applications made to the harbour masters by those who wish to become marine pilots will be notified to the Administration. The Administration is obliged to make the exam in March for the marine pilot candidates, either in writing or online. The examination is evaluated on a full score of 100. Candidates who are double the number of pilots to be employed by the downward ranking method from the highest point in the examination shall be entitled to participate in the oral

examination provided that they receive at least 70 (seventy) points. All candidates who have the same score with ten candidates are called oral examinations. Those who score seventy and above in the oral examination are considered successful.

(3) The arithmetic average of the written and oral exam is taken as basis in the order of success. Successful candidates will be started to their pilotage internship by the Administration in the service areas that are specified by the Administration. Pilotage organizations shall start the candidates reported by the Administration to their internship within thirty days at the latest. Starting date of internship and opinions about the candidate after internship are reported to the relating harbour master by pilotage organization.

(4) Candidates who will have marine pilot competency for the first time, are obliged to do their internship as balanced day and night and onboard ships in different sizes and types and not less than thirty

(5) All trainee marine pilots receive five days of practice training during the on-the-job training, in the tugboat belonging to the authorized tugboat organization in the service area where they carry out their on-the-job training. As stated in the second paragraph of Article 69, those who have previously served as tug boat pilot in the pilotage service area are exempt from this training.

(6) The marine pilot certificate of competency of the candidates who have completed the internship and who have been successful in the practice examination and applied to the concerned harbour master, are issued by the Administration.

(7) Those who have marine pilot certificate of competency and those who will work in a service area other than the service area which they have completed their internship, in addition to their internship for this pilotage service area, are obliged to complete their on-the-job training for at least three months, not less than thirty ships.

(8) During the on-the-job training; if the pilotage service areas are part or wholly within the scope of the VTS, it is compulsory to have a total of 30 hours of practice training for 5 days for the structure and function of the VTS. As stated in the second paragraph of Article 69, those who have previously been operators of ship traffic services are exempt from this training.

(9) The marine pilots who have completed the on-the-job training are entitled to hold the pilot certificate for the relevant service area by the Administration with the proposal of the harbour master.

(10) The candidate may serve as marine pilot for the service area where he/she has completed his/her internship, without performing on-the-job training on the service.

(11) If the authorized marine pilot is absent or can not be found in an area, it is mandatory that the marine pilot who will carry out on-the-job training in that area has previously worked as marine pilot in another area.

(12) Records for the pilots shall be kept by the Administration.

(13) In the Istanbul and Çanakkale Straits, on-the-job trainings are obliged to be completed at least in three months and not less than forty-five ships in different sizes.

(14) The duration of on-the-job training and the number of ships may be increased by the Administration in the pilotage service areas required for navigation, life, goods and environmental safety.

(15) The training shall be applied by increasing the durations and numbers not more than thirty percent in pilotage service areas in ports and terminal which handle dangerous goods such as crude oil and its products, chemical products, liquefied petroleum gas (LPG) and liquefied natural gas (LNG).

(16) During internship and on-the-job training, the rights of trainee marine pilots based on work and social security legislation are the responsibility of the authorized pilotage organization.

(17) The procedures and principles regarding the application, training, exam topics, examination and the evaluation of exam results of the marine pilots are specified by the Directive.

CHAPTER II

Competency Renewals and Administrative Measures

The validity, suspension and cancellation of marine pilot's competences

ARTICLE 71 – (1) It is mandatory for the pilots working in a pilotage organization to participate in the refresher training of which date and conditions are announced by the Administration in January annually and will be arranged at least once in every two years.

(2) Documents of pilots who do not attend refresher training for reasons except of which are accepted by the Administration and based on official documents, are suspended. It is compulsory for those to attend in the refresher training for retaking the pilot's documents.

(3) The oceangoing master certificate of competency and relevant seafarer's proficiency certificates of pilots, shall be renewed at the end of the period without any further action, provided that they work as pilots.

(4) Pilots are obliged to receive the health reports once in every two years for specified oceangoing master competency.

(5) Documents of those holding the competency of marine pilot shall be revoked by the Administration in the following cases and shall be processed in the registry:

- a) Be not less than sixty-five years of age,
- b) Not to work as a marine pilot for five years,
- c) To lose the health and criminal conditions necessary to become a marine pilot.

(6) According to the results of the technical and administrative investigation which will be carried out with by the Administration, authorized pilotage organizations, related associations and professional chambers representing marine pilots;

- a) Working in more than one service area without the permission of the Administration,
- b) Violating the professional principles and requirements and professional ethics responsibilities,
- c) Violating the provisions specified in the legislations concerning the marine pilots,
- d) Not reporting the risks related to to the navigational, life, property and environmental safety of the ship, the malfunctions related to navigational equipment, the accidents at sea and the pollution that may occur at sea, orally at detection moment and written within twenty-four hours to the harbour master,

the situation of marine pilots are assessed by the Administration and if deemed appropriate, examined by the Seafarers Disciplinary Committee. According to the decision of the Committee and the approval of the Administration, one of the administrative measures of warning, condemnation, refresher training, suspension or cancellation of the certificate of competency and the penalty shall be applied in accordance with the provisions of the Harbours Act dated 14/4/1925 and No. 618, and shall be recorded in the register of the relevant marine pilot.

Right of refusal to provide pilotage service

ARTICLE 72 – (1) Marine pilots may refuse to provide pilotage service in case of observing that the piloted ship continue to navigate in the pilotage service area, which anchoring, berthing or lifting of the ship may pose a threat to navigation safety and/or environmental safety. Marine pilots also have the right to refuse the pilotage service in case the pilot crosses to be used on departure and descent, lighting and similar equipments are not in compliance with the rules and safe. In such a case, the pilot shall notify the subject matter with the reason for refusing to provide service to the ship traffic services centers if any, besides, to the harbour master in writing by means of a pilotage organization for the necessary action as soon as possible.

PART VII

Various and Final Provisions

Regulation Annulled

ARTICLE 73 – (1) The Regulation of Seafarers published in the Official Gazette dated 31/7/2002 and No. 24832 has been annulled.

(2) The Regulations on the Competences, Trainings, Certifications and Working Procedures of the Pilots published in the Official Gazette dated 28/11/2006 and No. 26360 have been annulled.

Sub-regulatory actions

ARTICLE 74 – (1) The Ministry may make sub-regulations within the provisions specified in this Regulation.

Rising to oceangoing master and oceangoing chief engineer level

TRANSITIONAL ARTICLE 1 – (1) Seafarers having the master and chief engineer competency of the date on which this Regulation entered into force, provided that the provisions specified Regulation dated 2002 are fulfilled within three years, may rise to the competency of oceangoing master and oceangoing chief engineer.

Internship and English proficiency of marine pilots

TRANSITIONAL ARTICLE 2 – (1) The on-the-job training and examinations of marine pilot candidates who have started their on-the-job training pursuant to the Regulation on Competences, Trainings, Certifications and Working Procedures of Pilots on the date of entry into force of this Regulation shall be made in accordance with the same Regulation. Provided that those who completed successfully on-the-job training and examinations, harbour pilot certificate referred to in this Regulation shall be issued for the pilot service area in which the on-the-job training is completed.

(2) Before the date of this Regulation entered into force, those who hold the competences of a senior marine pilot or marine pilot within the scope of the Regulation on Competences, Trainings, Certifications and Working Procedures of Pilots and those who hold the harbour pilot certificate within the scope of the first paragraph, the English proficiency requirements specified in the subparagraph (h) of the first paragraph of the of Article 69 shall be met within two years from the effective date of this Regulation.

(3) Those who hold a senior marine pilot or marine pilot certificate at the date of this Regulation entered into force may work within the scope of the authorities of harbour pilot certificate of competency specified in this Regulation, for the pilot service area specified in the certificate of competency.

Validity of the documents and conformity procedures

TRANSITIONAL ARTICLE 3 – (1) The seafarers' certificates of competency and the certificates of proficiency issued in accordance with the Regulation dated 2002 are valid.

(2) The rights holders who do not perform the procedures of the competence conformity according to the provisions of the Regulation dated 1997, the competence is taken as basis according to the Regulation dated 1997 while conformity procedures applied in accordance with this Regulation.

Seafarers' Committee

TRANSITIONAL ARTICLE 4 – (1) Until the seafarers' committee referred to in this Regulation is active, the duties of the Committee referred to in this Regulation shall be carried out by the Administration.

Rights gained by the Regulation of 1997

TRANSITIONAL ARTICLE – (5) Provided to hold at least the GMDSS Restricted Radio Operator (ROC) certificate of competency in compliance with the conditions of the Regulation dated 1997;

a) Those who hold the harbour pilot competency shall be entitled to receive restricted watchkeeping officer competency without examination.

b) Those who hold the coastal pilot competency shall be entitled to receive restricted master competency without examination.

c) Those who hold the near voyage watchkeeping officer, near voyage chief officer and restricted watchkeeping officer competencies shall be entitled to receive watchkeeping officer competency without examination.

d) Those who hold the near voyage master class III, near voyage master class IV and those who left Naval Forces Command and hold near voyage chief officer competencies shall be entitled to receive chief officer competency without examination.

e) Those who hold the near voyage master class I, near voyage master class II and those who left Naval Forces Command and hold near voyage master class III competencies shall be entitled to receive master competency without examination.

f) Certificates of those who hold the oceangoing watchkeeping officer competency are reissued without examination.

g) Certificates of those who hold the oceangoing master competency are reissued without examination.

(2) In compliance with the conditions of the Regulation 1997 dated;

a) Those who hold the marine motorman competency shall be entitled to receive restricted engineer officer competency without examination.

b) Those who hold the marine engineer competency shall be entitled to receive restricted chief engineer competency without examination.

c) Those who hold the near voyage engineer officer, near voyage second engineer and restricted engineer officer competencies shall be entitled to receive engineer officer competency without examination.

d) Those who hold the near voyage chief engineer class III, near voyage chief engineer class IV, restricted second engineer and those who left Naval Forces Command and hold near voyage second engineer competencies shall be entitled to receive second engineer competency without examination.

e) Those who hold the near voyage chief engineer class I, near voyage chief engineer class II, restricted chief engineer and those who left Naval Forces Command and hold near voyage chief engineer class III competencies shall be entitled to receive chief engineer competency without examination.

f) Certificates of those who hold the oceangoing watchkeeping engineer competency are reissued in accordance with this Regulation without examination.

g) Certificates of those who hold the oceangoing second engineer competency are reissued in accordance with this Regulation without examination.

g) Certificates of those who hold the oceangoing chief engineer competency are reissued in accordance with this Regulation without examination.

Students and graduates having training

TRANSITIONAL ARTICLE 6 – (1) The rights reserved by the 1997 Regulations except for the English proficiency condition, the exam condition, the examination subjects and the passing grade scale are retained at the time of the first competency of the rights holders who were having training at the time of entry into force of the Regulation dated 2002 and who have graduated but did not receive the certificate of competency. These right holders shall take the examination of certificate of competency which they are entitled to take the exam in the Regulation of 1997 and conformed according to the provisions of this Regulation. These exams are conducted according to the Directive.

(2) The rights reserved except for the English proficiency condition, the exam condition, the examination subjects and the passing grade scale are retained at the time of the first competency of the rights holders who were having training at the time of entry into force of this Regulation and who have graduated but did not receive the certificate of competency.

(3) The students who started education and training according to the provisions of this Regulation, in the case of amendments to be made in the provisions of the Regulation on the training, certification and gained rights to which they are subject, the gained rights reserved by the provisions of the date on which education and training starts.

(4) The gained rights of the students who are educated on 7/9/2016 in the training institutions authorized by the Ministry of Transport and Infrastructure and affiliated to Ministry of National Education to provide operation level training are reserved.

Gained Competences

TRANSITIONAL ARTICLE 7 – (1) Before the date this Regulation entered into force,

a) Certificate of seaman competency is issued by Administration to those who hold deckboy competency.

b) Certificate of oiler competency is issued by Administration to those who hold wiper competency.

(2) Those who hold electrician, electronic operator, electricity officer and electronic officer competencies at the time this Regulation entered into force may continue to work with their existing competencies.

(3) Before the date this Regulation entered into force;

a) Those who hold yacht master (499 GT) competency may continue to work with their existing certificates.

b) Yacht Master (2999 GT) and Yacht Master (3000 GT and above) certificates of competency of seafarers shall be replaced by the Administration with Yacht Master (unlimited) certificate of competency.

Enforcement

ARTICLE 75 – (1) This Regulation shall enter into force on the date of its publication.

Execution

ARTICLE 76 – (1) The provisions of this Regulation shall be executed by the Minister of Transport, and Infrastructure.