

## PRESIDÊNCIA DA REPÚBLICA

### Decreto do Presidente da República n.º 42/98

de 13 de Outubro

O Presidente da República decreta, nos termos do artigo 135.º, alínea *b*), da Constituição, o seguinte:

São ratificados as emendas ao anexo à Convenção Internacional sobre Normas de Formação, de Certificação e de Serviços de Quartos para os Marítimos, 1978, e o Código de Formação, de Certificação e de Serviço de Quartos para os Marítimos (STCW), adoptados na conferência de partes que teve lugar de 26 de Junho a 7 de Julho de 1995, em Londres, aprovados, para adesão, pela Resolução da Assembleia da República n.º 45/98, em 28 de Maio de 1998.

Assinado em 23 de Setembro de 1998.

Publique-se.

O Presidente da República, JORGE SAMPAIO.

Referendado em 25 de Setembro de 1998.

O Primeiro-Ministro, *António Manuel de Oliveira Guterres*.

## ASSEMBLEIA DA REPÚBLICA

### Resolução da Assembleia da República n.º 45/98

Aprova, para adesão, as emendas ao anexo à Convenção Internacional sobre Normas de Formação, de Certificação e de Serviço de Quartos para os Marítimos, 1978, e o Código de Formação, de Certificação e de Serviço de Quartos para os Marítimos (STCW), adoptados na Conferência de Partes que teve lugar de 26 de Junho a 7 de Julho de 1995, em Londres.

A Assembleia da República resolve, nos termos dos artigos 161.º, alínea *j*), e 166.º, n.º 5, da Constituição, aprovar, para adesão, as emendas ao anexo à Convenção Internacional sobre Normas de Formação, de Certificação e de Serviço de Quartos para os Marítimos, 1978, bem como o Código de Formação, de Certificação e de Serviço de Quartos para os Marítimos, cujos textos, adoptados na Conferência de Partes de 1995, seguem em versão original em inglês, com a respectiva tradução em português, anexos ao presente diploma.

Aprovada em 28 de Maio de 1998.

O Presidente da Assembleia da República, *António de Almeida Santos*.

Attachment no. 1 to the Final Act of the Conference

Resolution no. 1

Adoption of amendments to the annex to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978

The Conference:

Recalling article XII (1) (*b*) of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (hereinafter referred to as «the Convention»), concerning the procedure for amending the Convention by a Conference of Parties;

Having considered amendments to the annex to the Convention proposed and circulated to the Members of the Organization and to all Parties to the Convention, to replace the existing text of the annex to the Convention:

1 — Adopts, in accordance with article XII (1) (*b*) (*ii*) of the Convention, amendments to the annex to the Convention, the text of which is set out in the annex to the present resolution.

2 — Determines, in accordance with article XII (1) (*a*) (*vii*) 2 of the Convention, that the amendments annexed hereto shall be deemed to have been accepted on 1 August 1996, unless, prior to that date, more than one third of Parties to the Convention or Parties, the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant shipping of ships of 100 gross register tons or more, have notified the Secretary-General that they object to the amendments.

3 — Invites Parties to note that, in accordance with article XII (1) (*a*) (*ix*) of the Convention, the amendments annexed hereto shall enter into force on 1 February 1997 upon being deemed to have been accepted in accordance with paragraph 2 above.

### ANNEX

Amendments to the annex to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978

### CHAPTER I

#### General provisions

#### Regulation I/1

#### Definitions and clarifications

1 — For the purpose of the Convention, unless expressly provided otherwise:

1) «Regulations» means regulations contained in the annex to the Convention;

2) «Approved» means approved by the Party in accordance with these regulations;

3) «Master» means the person having command of a ship;

4) «Officer» means a member of the crew, other than the master, designated as such by national law or regulations or, in the absence of such designation, by collective agreement or custom;

5) «Deck officer» means an officer qualified in accordance with the provisions of chapter II of the Convention;

6) «Chief mate» means the officer next in rank to the master and upon whom the command of the ship will fall in the event of the incapacity of the master;

7) «Engineer officer» means an officer qualified in accordance with the provisions of chapter III of the Convention;

8) «Chief engineer officer» means the senior engineer officer responsible for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship;

9) «Second engineer officer» means the engineer officer next in rank to the chief engineer officer and upon whom the responsibility for the mechanical propulsion and the operation and maintenance of the mechanical and electrical installations of the ship will fall in the event of the incapacity of the chief engineer officer;