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Subpart J—Recognition of Other Parties' STCW Certificates

§ 11.1001 Purpose of rules.

(a) The rules in this subpart implement Regulation I/10 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended (STCW) (incorporated by reference, see § 11.102 of this part) by establishing requirements and procedures for the recognition and endorsement of officer certificates of competence issued by other Parties to STCW.

(b) Specific regulations on the use of non-U.S. credentialed officers and mariners with officer endorsements (except those of master) are found in § 15.720 of this subchapter.

§ 11.1003 General requirements.

(a) The Coast Guard recognizes certificates only from countries that the United States has assured itself comply with requirements of the STCW Convention and STCW Code (incorporated by reference, see § 11.102 of this part).

(b) The Coast Guard will publish a list of countries whose certificates it will recognize.

(c) The Coast Guard will issue a ''Certificate attesting recognition'' to an applicant after ensuring the validity and authenticity of the credential (certificate of competency) issued by his or her country of origin.

(d) No application from a non-US citizen for a ''Certificate attesting recognition'' issued pursuant to this subpart will be accepted unless the applicant's employer satisfies the requirements of § 11.1005 of this subpart.

§ 11.1005 Employer application requirements.

(a) The employer must submit the following to the Coast Guard, as a part of the applicant's application for a ''Certificate attesting recognition,'' on behalf of the applicant:

(1) A signed report that contains all material disciplinary actions related to the applicant, such as, but not limited to, violence or assault, theft, drug and alcohol policy violations, and sexual harassment, along with an explanation of the criteria used by the employer to determine the materiality of those actions.

(2) A signed report regarding an employer-conducted background check. The report must contain—

(i) A statement that the applicant has successfully undergone an employer-conducted background check;

(ii) A description of the employer-conducted background check; and

(iii) All information derived from the employer-conducted background check.

(b) If a ''Certificate attesting recognition'' is issued to the applicant, the employer must maintain a detailed record of the seaman's total service on all authorized U.S. flag vessels, and must make that information available to the Coast Guard upon request.

(c) In addition to the initial material disciplinary actions report and the initial employer-conducted background check specified in paragraph (a) of this section, the employer must submit an annual material disciplinary actions report to update whether there have been any material disciplinary actions related to the applicant since the last material disciplinary actions report was submitted to the Coast Guard.

(d) The employer must also submit to the Coast Guard the applicant's copy of the following:

(1) Base credential (certificate of competency), as well as any other documentary evidence of proficiency (such as Basic Training in accordance with § 11.302 of this part, Basic/Advanced Firefighting in accordance with § 11.303 of this part, Survival Craft, etc.) to verify that the applicant meets the manning requirements. The documentation must include any necessary official translation into the English language.

(2) Valid medical certificate.

(3) Valid identification document, such as a passport or Seaman's Identity Document (SID).

(e) The employer is subject to the civil penalty provisions specified in 46 U.S.C. 8103(f) for any violation of this section.

§ 11.1007 Basis for denial.

An applicant for a ''Certificate attesting recognition'' of an officer certificate issued by another party must—