

Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (recast) (Text with EEA relevance)

*Article 17*

**Responsibilities of Member States with regard to training and assessment**

- 1 Member States shall designate the authorities or bodies which shall:
  - a give the training referred to in Article 3;
  - b organise and/or supervise the examinations where required;
  - [<sup>F1</sup>c issue the certificates referred to in Article 5;]
  - d grant the dispensations provided for in Article 16.
- 2 Member States shall ensure that:
  - a all training and assessment of seafarers is:
    - (i) structured in accordance with the written programmes, including such methods and media of delivery, procedures and course material as are necessary to achieve the prescribed standard of competence; and
    - (ii) conducted, monitored, evaluated and supported by persons qualified in accordance with points (d), (e) and (f);
  - b persons conducting in-service training or assessment on board ship do so only when such training or assessment will not adversely affect the normal operation of the ship and they can dedicate their time and attention to training or assessment;
  - c instructors, supervisors and assessors are appropriately qualified for the particular types and levels of training or assessment of competence of seafarers either on board or ashore;
  - d any person conducting in-service training of a seafarer, either on board or ashore, which is intended to be used in qualifying for certification under this Directive:
    - (i) has an appreciation of the training programme and an understanding of the specific training objectives for the particular type of training being conducted;
    - (ii) is qualified in the task for which training is being conducted; and
    - (iii) if conducting training using a simulator:
      - has received appropriate guidance in instructional techniques involving the use of simulators, and
      - has gained practical operational experience on the particular type of simulator being used;
  - e any person responsible for the supervision of the in-service training of a seafarer intended to be used in qualifying for certification has a full understanding of the training programme and the specific objectives for each type of training being conducted;
  - f any person conducting in-service assessment of the competence of a seafarer, either on board or ashore, which is intended to be used in qualifying for certification under this Directive:

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*Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.*

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- (i) has an appropriate level of knowledge and understanding of the competence to be assessed;
  - (ii) is qualified in the task for which the assessment is being made;
  - (iii) has received appropriate guidance in assessment methods and practice;
  - (iv) has gained practical assessment experience; and
  - (v) if conducting assessment involving the use of simulators, has gained practical assessment experience on the particular type of simulator under the supervision and to the satisfaction of an experienced assessor;
- g when a Member State recognises a course of training, a training institution, or a qualification granted by a training institution, as part of its requirements for the issue of a certificate, the qualifications and experience of instructors and assessors are covered in the application of the quality standard provisions of Article 10; such qualification, experience and application of quality standards shall incorporate appropriate training in instructional techniques and training and assessment methods and practice and comply with all applicable requirements of points (d), (e) and (f).

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#### **Textual Amendments**

- F1** Substituted by [Directive 2012/35/EU of the European Parliament and of the Council of 21 November 2012 amending Directive 2008/106/EC on the minimum level of training of seafarers \(Text with EEA relevance\)](#).