

**36. Zakon o ratifikaciji Manilskih sprememb, 2010, priloge k Mednarodni konvenciji o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov (STCW), 1978 (MKSULSP10)**

Na podlagi druge alinee prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

### U K A Z

**o razglasitvi Zakona o ratifikaciji Manilskih sprememb, 2010, priloge k Mednarodni konvenciji o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov (STCW), 1978 (MKSULSP10)**

Razglašam Zakon o ratifikaciji Manilskih sprememb, 2010, priloge k Mednarodni konvenciji o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov (STCW), 1978 (MKSULSP10) ki ga je sprejel Državni zbor Republike Slovenije na seji dne 2. aprila 2013.

Št. 003-02-4/2013-3  
Ljubljana, dne 10. aprila 2013

**Borut Pahor** l.r.  
Predsednik  
Republike Slovenije

### Z A K O N

**O RATIFIKACIJI MANILSKIH SPREMEMB, 2010, PRILOGE K MEDNARODNI KONVENCIJI O STANDARDIH ZA USPOSABLJANJE, IZDAJANJE SPRIČEVAL IN LADIJSKO STRAŽARJENJE POMORŠČAKOV (STCW), 1978 (MKSULSP10)**

#### 1. člen

Ratificirajo se Manilske spremembe, 2010, priloge k Mednarodni konvenciji o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov (STCW), 1978, sprejete v Manili 25. junija 2012.

#### 2. člen

Besedilo sprememb se v izvirniku v angleškem jeziku in prevodu v slovenskem jeziku glasi:

**2010 MANILA AMENDMENTS TO THE ANNEX TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978 (Resolution 1 of the Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978)**

#### RESOLUTION 1

**THE MANILA AMENDMENTS TO THE ANNEX TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978**

THE 2010 MANILA 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 amendment by a Conference of Parties,

**MANILSKE SPREMEMBE, 2010, PRILOGE K MEDNARODNI KONVENCIJI O STANDARDIH ZA USPOSABLJANJE, IZDAJANJE SPRIČEVAL IN LADIJSKO STRAŽARJENJE POMORŠČAKOV (STCW), 1978 (1. sklep konference pogodbenic Mednarodne konvencije o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov, 1978)**

#### 1. SKLEP

**MANILSKE SPREMEMBE PRILOGE K MEDNARODNI KONVENCIJI O STANDARDIH ZA USPOSABLJANJE, IZDAJANJE SPRIČEVAL IN LADIJSKO STRAŽARJENJE POMORŠČAKOV (STCW), 1978**

MANILSKA KONFERENCA, 2010, OB SKLICEVANJU na pododstavek b prvega odstavka XII. člena Mednarodne konvencije o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov, 1978 (v nadaljnjem besedilu: konvencija), postopkih za spremembe konvencije,

HAVING CONSIDERED the Manila amendments to the annex to the Convention proposed and circulated to the Members of the Organization and to all Parties 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) of the Convention, that the amendments annexed hereto shall be deemed to have been accepted on 1 July 2011, 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 January 2012 upon being deemed to have been accepted in accordance with paragraph 2 above;

4. REQUESTS the Secretary-General of the Organization to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Parties to the Convention;

5. FURTHER REQUESTS the Secretary-General to transmit copies of this resolution and its annex to all Members of the Organization which are not Parties to the Convention.

OB UPOŠTEVANJU manilskih sprememb priloge h konvenciji, predlaganih in razposlanih članicam organizacije in vsem pogodbenicam konvencije,

1. SPREJME v skladu s točko ii pododstavka b prvega odstavka XII. člena konvencije spremembe priloge konvencije, katerih besedilo je v prilogi tega sklepa;

2. DOLOČI, da v skladu s točko vii pododstavka a XII. člena konvencije velja, da so spremembe sprejete 1. julija 2011, razen če do tega dne več kot ena tretjina pogodbenic konvencije ali pogodbenic, katerih skupna tonaža trgovskega ladjevja znaša vsaj 50% bruto tonaže svetovnega trgovskega ladjevja s 100 ali več bruto registrske tonaže, uradno ne obvesti generalnega sekretarja, da nasprotujejo spremembam;

3. OPOZORI pogodbenice, da v skladu s točko ix pododstavka a prvega odstavka XII. člena konvencije spremembe začnejo veljati 1. januarja 2012, potem ko v skladu z drugim odstavkom veljajo za sprejete;

4. PROSI generalnega sekretarja organizacije, da pošlje overjene kopije tega sklepa in besedilo sprememb iz priloge vsem pogodbenicam konvencije;

5. NADALJE PROSI generalnega sekretarja, da pošlje izvode tega sklepa in njegovo prilogo vsem članicam organizacije, ki niso pogodbenice konvencije.

**ANNEX  
THE MANILA AMENDMENTS TO THE ANNEX  
TO THE INTERNATIONAL CONVENTION  
ON STANDARDS OF TRAINING, CERTIFICATION  
AND WATCHKEEPING  
FOR SEAFARERS, 1978**

The annex to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, is replaced by the following:

**“ANNEX  
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 regulation III/1, III/2 or III/3 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;

.10 *Assistant engineer officer* means a person under training to become an engineer officer and designated as such by national law or regulations;

.11 *Radio operator* means a person holding an appropriate certificate issued or recognized by the Administration under the provisions of the Radio Regulations;

.12 *GMDSS radio operator* means a person who is qualified in accordance with the provisions of chapter IV of the Convention;

.13 *Rating* means a member of the ship's crew other than the master or an officer;

.14 *Near-coastal voyages* means voyages in the vicinity of a Party as defined by that Party;

.15 *Propulsion power* means the total maximum continuous rated output power, in kilowatts, of all the ship's main propulsion machinery which appears on the ship's certificate of registry or other official document;

.16 *Radio duties* include, as appropriate, watchkeeping and technical maintenance and repairs conducted in accordance with the Radio Regulations, the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended and, at the discretion of each Administration, the relevant recommendations of the Organization;

**MANILSKÉ SPREMEMBE PRILOGE  
K MEDNARODNI KONVENCIJI O STANDARDIH  
ZA USPOSABLJANJE, IZDAJANJE SPRIČEVAL  
IN LADIJSKO STRAŽARJENJE POMORŠČAKOV  
(STCW), 1978**

Priloga k Mednarodni konvenciji o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov, 1978, se nadomesti s tem besedilom:

**»PRILOGA  
I. POGLAVJE  
Splošne določbe**

**Pravilo I/1**

*Pomen izrazov in pojasnila*

1 Če ni izrecno drugače določeno, izrazi v tej konvenciji pomenijo:

1.1 *pravila* so pravila iz priloge te konvencije;

1.2 *priznan* pomeni, da ga prizna pogodbenica v skladu s temi pravili;

1.3 *poveljnik* je oseba, ki poveljuje ladji;

1.4 *častnik* je član ladijske posadke, razen poveljnika, kot je opredeljen v notranji zakonodaji, če pa v njih ni opredeljen, je opredeljen v kolektivni pogodbi ali drugih aktih;

1.5 *častnik krova* je častnik, ki je usposobljen v skladu z določbami II. poglavja konvencije;

1.6 *prvi častnik* je častnik, ki je po stopnji najvišji za poveljnikom in prevzame poveljstvo ladje ob poveljnikovi onesposobljenosti;

1.7 *častnik stroja* je častnik, ki je usposobljen v skladu s 1., 2. in 3. pravilom III. poglavja konvencije;

1.8 *upravitelj stroja* je najvišji častnik stroja, ki je odgovoren za mehanski ladijski pogon ter delovanje in vzdrževanje mehanskih in električnih naprav na ladji;

1.9 *drugi častnik stroja* je častnik stroja, ki je po stopnji za upraviteljem stroja in prevzema odgovornost za mehanski ladijski pogon ter delovanje in vzdrževanje mehanskih in električnih naprav na ladji ob onesposobljenosti upravitelja stroja;

1.10 *pripravnik za častnika stroja* je oseba, ki se usposablja za častnika stroja, kot je opredeljen v notranji zakonodaji;

1.11 *radijski operater* je oseba, ki ima pooblastilo, ki ga je izdala ali priznala uprava v skladu s pravili o radijski službi;

1.12 *radijski operater GMDSS* je oseba, ki je usposobljena v skladu z določbami IV. poglavja konvencije;

1.13 *član posadke* je član ladijske posadke, ki ni poveljnik ali častnik;

1.14 *obalna plovba* je plovba v bližini pogodbenice, kot jo je opredelila;

1.15 *pogonska moč* je največja skupna neprekinjena izhodna moč v kilovatih vseh glavnih ladijskih pogonskih strojev, navedena v ladijskem vpisnem listu ali drugi uradni listini;

1.16 *radijske naloge* so radijska straža in tehnično vzdrževanje ter popravila v skladu s pravili o radijski službi, Mednarodno konvencijo o varstvu človeškega življenja na morju (SOLAS), 1974, s spremembami in ustreznimi priporočili organizacije, če posamezna uprava tako določi;

.17 *Oil tanker* means a ship constructed and used for the carriage of petroleum and petroleum products in bulk;

.18 *Chemical tanker* means a ship constructed or adapted and used for the carriage in bulk of any liquid product listed in chapter 17 of the International Bulk Chemical Code;

.19 *Liquefied gas tanker* means a ship constructed or adapted and used for the carriage in bulk of any liquefied gas or other product listed in chapter 19 of the International Gas Carrier Code;

.20 *Passenger ship* means a ship as defined in the International Convention for the Safety of Life at Sea, 1974, as amended;

.21 *Ro-ro passenger ship* means a passenger ship with ro-ro spaces or special category spaces as defined in the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended;

.22 *Month* means a calendar month or 30 days made up of periods of less than one month;

.23 *STCW Code* means the Seafarers' Training, Certification and Watchkeeping (STCW) Code as adopted by the 1995 Conference resolution 2, as it may be amended by the Organization;

.24 *Function* means a group of tasks, duties and responsibilities, as specified in the STCW Code, necessary for ship operation, safety of life at sea or protection of the marine environment;

.25 *Company* means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all the duties and responsibilities imposed on the company by these regulations;

.26 *Seagoing service* means service on board a ship relevant to the issue or revalidation of a certificate or other qualification;

.27 *ISPS Code* means the International Ship and Port Facility Security (ISPS) Code adopted on 12 December 2002, by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea (SOLAS), 1974, as may be amended by the Organization;

.28 *Ship security officer* means the person on board the ship, accountable to the master, designated by the Company as responsible for the security of the ship including implementation and maintenance of the ship security plan and liaison with the company security officer and port facility security officers;

.29 *Security duties* include all security tasks and duties on board ships as defined by chapter XI-2 of the International Convention for the Safety of Life at Sea (SOLAS 1974, as amended) and the International Ship and Port Facility Security (ISPS) Code;

.30 *Certificate of competency* means a certificate issued and endorsed for masters, officers and GMDSS radio operators in accordance with the provisions of chapters II, III, IV or VII of this annex and entitling the lawful holder thereof to serve in the capacity and perform the functions involved at the level of responsibility specified therein;

.31 *Certificate of proficiency* means a certificate, other than a certificate of competency issued to a seafarer, stating that the relevant requirements of training, competencies or seagoing service in the Convention have been met;

.32 *Documentary evidence* means documentation, other than a certificate of competency or certificate of proficiency, used to establish that the relevant requirements of the Convention have been met;

.33 *Electro-technical officer* means an officer qualified in accordance with the provisions of regulation III/6 of the Convention;

.34 *Able seafarer deck* means a rating qualified in accordance with the provisions of regulation II/5 of the Convention;

1.17 *tanker za prevoz nafte* je ladja, ki je zgrajena in se uporablja za prevoz nafte in naftnih derivatov v razlitem stanju;

1.18 *tanker za prevoz kemikalij* je ladja, ki je zgrajena ali prirejena in se uporablja za prevoz tekočin v razlitem stanju iz 17. poglavja Mednarodnega kodeksa za prevoz kemikalij v razlitem stanju;

1.19 *tanker za prevoz kapljivo tekočih zemeljskih plinov* je ladja, ki je zgrajena ali prirejena in se uporablja za prevoz utekočinjenega plina ali drugih proizvodov v razlitem stanju iz 19. poglavja Mednarodnega kodeksa o prevozu plinov;

1.20 *potniška ladja* je ladja, opredeljena v Mednarodni konvenciji o varstvu človeškega življenja na morju (SOLAS), 1974, s spremembami;

1.21 *ro-ro potniška ladja* je potniška ladja z ro-ro prostorom ali prostori posebnih kategorij, opredeljenih v Mednarodni konvenciji o varstvu človeškega življenja na morju (SOLAS), 1974, s spremembami;

1.22 *mesec* je koledarski mesec ali 30 dni, sestavljen iz obdobj, krajših od enega meseca;

1.23 *kodeks STCW* je Kodeks o standardih za usposabljanje, izdajanje spričeval in ladijsko stražarjenje pomorščakov (STCW), sprejet z 2. sklepom na konferenci leta 1995, z močnimi spremembami;

1.24 *naloge* so skupina nalog, dolžnosti in odgovornosti, kot so določene v kodeksu STCW, ki so nujne za delovanje ladje, varstvo človeškega življenja na morju ali zaščito morskega okolja;

1.25 *družba* je lastnik ladje ali katera koli druga organizacija ali oseba, kot je upravitelj ali zakupnik ladje brez posadke, ki je od lastnika ladje prevzela odgovornost za delovanje ladje in ob tem hkrati soglašala, da prevzema vse naloge in odgovornosti, ki jih ima družba po teh pravilih;

1.26 *plovbna doba* je doba na ladji, potrebna za izdajo ali obnovitev pooblastil ali drugih dokazil o usposobljenosti;

1.27 *Kodeks ISPS* je Mednarodni kodeks o zaščiti na ladjah in v pristaniščih (ISPS), sprejet 12. decembra 2002 z 2. sklepom na konferenci pogodbenic Mednarodne konvencije o varstvu človeškega življenja na morju (SOLAS), 1974, z močnimi spremembami;

1.28 *ladijski častnik za zaščito* je pomorščak, neposredno odgovoren poveljniku, ki ga družba določi za odgovornega za zaščito ladje, izvajanje in vzdrževanje varnostnega načrta ladje in povezavo s častnikom za zaščito družbe in pristaniškimi častniki za zaščito;

1.29 *naloge zaščite* so vse naloge in dolžnosti zaščite na ladji, kakor so opredeljene v 2. pravilu XI. poglavja Mednarodne konvencije o varstvu človeškega življenja na morju (SOLAS), 1974, s spremembami ter v Mednarodnem kodeksu o zaščiti na ladjah in v pristaniščih (ISPS);

1.30 *pooblastilo o nazivu* je pooblastilo, izdano in overjeno poveljniku, častniku in radijskemu operaterju GMDSS v skladu z določbami II., III., IV. ali VII. poglavja te priloge in ki zakonitemu imetniku daje pravico, da je zaposlen in opravlja naloge na ravni odgovornosti, navedene v pooblastilu;

1.31 *posebno pooblastilo* je pooblastilo, ki ni pooblastilo o nazivu, ki se izda pomorščaku, in potrjuje, da so izpolnjene ustrezne zahteve konvencije glede usposabljanja, usposobljenosti ali plovbne dobe;

1.32 *listinski dokazi* so listine, ki niso pooblastilo o nazivu ali posebno pooblastilo in se uporabljajo za ugotavljanje, ali so izpolnjene ustrezne zahteve konvencije;

1.33 *častnik elektrotehnik* je častnik, ki je usposobljen v skladu s pravilom III/6 konvencije;

1.34 *usposobljeni pomorščak krova* je član posadke, ki je usposobljen v skladu s pravilom II/5 konvencije;

.35 *Able seafarer engine* means a rating qualified in accordance with the provisions of regulation III/5 of the Convention; and

.36 *Electro-technical rating* means a rating qualified in accordance with the provisions of regulation III/7 of the Convention.

2 These regulations are supplemented by the mandatory provisions contained in part A of the STCW Code and:

.1 any reference to a requirement in a regulation also constitutes a reference to the corresponding section of part A of the STCW Code;

.2 in applying these regulations, the related guidance and explanatory material contained in part B of the STCW Code should be taken into account to the greatest degree possible in order to achieve a more uniform implementation of the Convention provisions on a global basis;

.3 amendments to part A of the STCW Code shall be adopted, brought into force and take effect in accordance with the provisions of article XII of the Convention concerning the amendment procedure applicable to the annex; and

.4 part B of the STCW Code shall be amended by the Maritime Safety Committee in accordance with its rules of procedure.

3 The references made in article VI of the Convention to "the Administration" and "the issuing Administration" shall not be construed as preventing any Party from issuing and endorsing certificates under the provisions of these regulations.

#### **Regulation I/2**

##### *Certificates and endorsements*

1 Certificates of competency shall be issued only by the Administration, following verification of the authenticity and validity of any necessary documentary evidence.

2 Certificates issued in accordance with the provisions of regulations V/1-1 and V/1-2 to masters and officers shall only be issued by an Administration.

3 Certificates shall be in the official language or languages of the issuing country. If the language used is not English, the text shall include a translation into that language.

4 In respect of radio operators, Parties may:

.1 include the additional knowledge required by the relevant regulations in the examination for the issue of a certificate complying with the Radio Regulations; or

.2 issue a separate certificate indicating that the holder has the additional knowledge required by the relevant regulations.

5 The endorsement required by article VI of the Convention to attest the issue of a certificate shall only be issued if all the requirements of the Convention have been complied with.

6 At the discretion of a Party, endorsements may be incorporated in the format of the certificates being issued as provided for in section A-I/2 of the STCW Code. If so incorporated, the form used shall be that set forth in section A-I/2, paragraph 1. If issued otherwise, the form of endorsements used shall be that set forth in paragraph 2 of that section.

7 An Administration which recognizes under regulation I/10:

.1 a certificate of competency; or

.2 a certificate of proficiency issued to masters and officers in accordance with the provisions of regulations V/1-1 and V/1-2 shall endorse such certificate to attest its recognition only after ensuring the authenticity and validity of the certificate.

The endorsement shall only be issued if all requirements of the Convention have been complied with. The form of the endorsement used shall be that set forth in paragraph 3 of section A-I/2 of the STCW Code.

8 The endorsements referred to in paragraphs 5, 6 and 7:

.1 may be issued as separate documents;

.2 shall be issued by the Administration only;

1.35 *usposobljeni pomorščak stroja* je član posadke, ki je usposobljen v skladu s pravilom III/5 konvencije;

1.36 *član posadke elektrotehnik* je član posadke, ki je usposobljen v skladu s pravilom III/7 konvencije.

2 Ta pravila so dopolnjena z obveznimi določbami iz dela A kodeksa STCW in:

2.1 sklicevanje na zahteve v pravilu je hkrati sklicevanje na ustrezen oddelek dela A kodeksa STCW;

2.2 pri uporabi teh pravil se morajo čim bolj upoštevati sorodna navodila in pojasnila iz dela B kodeksa STCW, da se zagotovi čim enotnejše izvajanje določb te konvencije na svetovni ravni;

2.3 spremembe dela A kodeksa STCW se sprejmejo, začnejo veljati in se izvajajo v skladu z določbami XII. člena konvencije, ki se nanašajo na postopek sprejemanja sprememb, ki se uporablja za priložo, in

2.4 del B kodeksa STCW spremeni odbor za pomorsko varnost v skladu s svojim poslovnikom.

3 Navajanje izraza »uprava« in »uprava, ki je izdala« v VI. členu konvencije se ne razlaga kot preprečevanje pogodbenici, da izdaja in overja pooblastila po teh pravilih.

#### **Pravilo I/2**

##### *Pooblastila in overitve*

1 Pooblastila o nazivu izdaja izključno uprava po preveritvi verodostojnosti in veljavnosti vseh potrebnih listinskih dokazov.

2 Pooblastila za poveljnike in častnike v skladu s praviloma V/1-1 in V/1-2 izdaja samo uprava.

3 Pooblastila so v uradnem jeziku ali jezikih države, ki je pooblastilo izdala. Če besedilo ni v angleškem jeziku, mora biti prevedeno tudi v angleški jezik.

4 Pogodbenice lahko za radijske operaterje:

4.1 v izpit za izdajo pooblastila v skladu s pravili o radijski službi vključijo dodatno znanje, predpisano z ustreznimi pravili, ali

4.2 izdajo ločeno pooblastilo z navedbo, da ima njegov imetnik dodatno znanje, predpisano z ustreznimi pravili.

5 Overitev iz VI. člena konvencije za potrditev izdaje pooblastila se izda samo, če so izpolnjene vse zahteve konvencije.

6 Pogodbenica lahko po lastni presoji vključi overitve v obrazec izdanih pooblastil iz oddelka A-I/2 kodeksa STCW. Če je overitev vključena, je treba uporabiti obrazec iz prvega odstavka oddelka A-I/2. Če se izda ločeno, se uporabi obrazec za overitev iz drugega odstavka istega oddelka.

7 Uprava, ki prizna po pravilu I/10:

7.1 pooblastilo o nazivu ali

7.2 posebno pooblastilo, izdano poveljnikom in častnikom v skladu s praviloma V/1-1 in V/1-2, izda overitev za potrditev pooblastila po preveritvi njegove verodostojnosti in veljavnosti.

Overitev se lahko izda samo, če so izpolnjene vse zahteve iz konvencije. Uporabi se obrazec za overitev iz tretjega odstavka oddelka A-I/2 kodeksa STCW.

8 Overitve iz petega, šestega in sedmega odstavka:

8.1 se lahko izdajo kot ločeni dokumenti;

8.2 izda le uprava;

.3 shall each be assigned a unique number, except that endorsements attesting the issue of a certificate may be assigned the same number as the certificate concerned, provided that number is unique; and

.4 shall expire as soon as the certificate endorsed expires or is withdrawn, suspended or cancelled by the Party which issued it and, in any case, not more than five years after their date of issue.

9 The capacity in which the holder of a certificate is authorized to serve shall be identified in the form of endorsement in terms identical to those used in the applicable safe manning requirements of the Administration.

10 Administrations may use a format different from the format given in section A-I/2 of the STCW Code, provided that, as a minimum, the required information is provided in Roman characters and Arabic figures, taking into account the variations permitted under section A-I/2.

11 Subject to the provisions of regulation I/10, paragraph 5, any certificate required by the Convention must be kept available in its original form on board the ship on which the holder is serving.

12 Each Party shall ensure that certificates are issued only to candidates who comply with the requirements of this regulation.

13 Candidates for certification shall provide satisfactory proof:

.1 of their identity;

.2 that their age is not less than that prescribed in the regulation relevant to the certificate applied for;

.3 that they meet the standards of medical fitness specified in section A-I/9 of the STCW Code;

.4 of having completed the seagoing service and any related compulsory training required by these regulations for the certificate applied for; and

.5 that they meet the standards of competence prescribed by these regulations for the capacities, functions and levels that are to be identified in the endorsement to the certificate.

14 Each Party undertakes to maintain a register or registers of all certificates and endorsements for masters, officers, and, as applicable, ratings which are issued, have expired or have been revalidated, suspended, cancelled or reported lost or destroyed and of dispensations issued.

15 Each Party undertakes to make available information on the status of such certificates of competency, endorsements and dispensations to other Parties and companies which request verification of the authenticity and validity of certificates produced to them by seafarers seeking recognition of their certificates under regulation I/10 or employment on board ship.

16 As of 1 January 2017, the information on the status of information required to be available in accordance with paragraph 15 of this regulation shall be made available, in the English language, through electronic means.

### Regulation I/3

#### *Principles governing near-coastal voyages*

1 Any Party defining near-coastal voyages for the purpose of the Convention shall not impose training, experience or certification requirements on the seafarers serving on board the ships entitled to fly the flag of another Party and engaged on such voyages in a manner resulting in more stringent requirements for such seafarers than for seafarers serving on board ships entitled to fly its own flag. In no case shall any such Party impose requirements in respect of seafarers serving on board ships entitled to fly the flag of another Party in excess of those of the Convention in respect of ships not engaged on near-coastal voyages.

2 A Party that, for ships afforded the benefits of the near-coastal voyage provisions of the Convention, which includes voyages off the coast of other Parties within the limits of their near-coastal definition, shall enter into an undertaking with the Parties concerned specifying the details of both involved trading areas and other relevant conditions.

8.3 vsaka ima svojo številko, s tem da ima lahko overitev izdaje pooblastila isto številko kot pooblastilo, če ima vsaka overitev svojo številko, in

8.4 potečejo takrat, ko poteče overjeno pooblastilo ali ko ga pogodbenica, ki ga je izdala, odvzame, začasno prekliče ali razveljavi, vendar ne pozneje kot pet let po dnevu izdaje.

9 Imetnik pooblastila lahko opravlja delo, za katero je usposobljen in je navedeno v obrazcu za overitev z enakimi izrazi kot v veljavnih zahtevah uprave o najmanjšem številu članov posadke.

10 Uprava lahko uporabi obrazec, ki se razlikuje od obrazca iz oddelka A-I/2 kodeksa STCW, če so zahtevani podatki napisani v latinici in z arabskimi številkami ter upoštevajo različice, dovoljene v oddelku A-I/2.

11 V skladu s petim odstavkom pravila I/10 mora biti izvirnik pooblastila, ki ga zahteva konvencija, na voljo na ladji, na kateri dela imetnik pooblastila.

12 Pogodbenica zagotovi, da se pooblastila izdajo samo kandidatom, ki izpolnjujejo zahteve iz tega pravila.

13 Kandidat za pooblastilo mora predložiti ustrezna dokazila o:

13.1 istovetnosti;

13.2 tem, da ni mlajši, kakor predpisuje pravilo, ki velja za pooblastilo, za katero je zaprosil;

13.3 tem, da izpolnjuje zahteve za zdravstveno sposobnost iz oddelka A-I/9 kodeksa STCW;

13.4 tem, da je opravil plovno dobo in drugo obvezno usposabljanje, ki ga določajo pravila za izdajo pooblastila, za katero je zaprosil, in

13.5 tem, da izpolnjuje zahteve, predpisane s temi pravili, glede usposobljenosti, nalog in ravni, ki morajo biti navedene na overitvi pooblastila.

14 Pogodbenica se zaveže, da bo vodila seznam ali sezname vseh pooblastil in overitev za poveljnike, častnike in člane posadke, ki so bila izdana, so potekla ali so bila obnovljena, začasno preklicana, razveljavljena ali za katera je bilo javljeno, da so izgubljena ali uničena, in o izdanih oprostivah.

15 Pogodbenica se zaveže, da bo zagotovila podatke o stanju pooblastil o nazivu, overitvah in oprostivah drugim pogodbenicam in družbam, ki zaprosijo za potrditev verodostojnosti in veljavnosti pooblastil pomorščakov, ki so zaprosili, da se jim priznajo pooblastila v skladu s pravilom I/10, ali zaprosijo za zaposlitev na ladji.

16 Od 1. januarja 2017 bodo podatki o stanju zahtevanih podatkov, ki morajo biti na razpolago po petnajstem odstavku tega pravila, na voljo v elektronski obliki v angleškem jeziku.

### Pravilo I/3

#### *Načela, ki urejajo obalno plovbo*

1 Pogodbenice pri določanju območja obalne plovbe za namen konvencije ne postavljajo strožjih zahtev za usposabljanje, izkušnje ali izdajanje pooblastil za pomorščake na ladjah, ki plovejo v območju obalne plovbe pod zastavo druge pogodbenice, kakor jih postavljajo za pomorščake na ladjah, ki plovejo pod njihovo zastavo. Pogodbenica ne sme v nobenem primeru postavljati za pomorščake, ki delajo na ladjah, ki plovejo pod zastavo druge pogodbenice, strožjih zahtev od zahtev v konvenciji, ki se nanašajo na ladje, ki plovejo zunaj območja obalne plovbe.

2 Pogodbenica ladje, ki plovejo v območju obalne plovbe v skladu z določbami konvencije, kar vključuje plovbo ob obali drugih pogodbenic v območju obalne plovbe, kot so ga določile te pogodbenice, mora s temi pogodbenicami skleniti pogodbo, v kateri opredeli podrobnosti o kategoriji plovbe in druge zahteve.

3 With respect to ships entitled to fly the flag of a Party regularly engaged on near-coastal voyages off the coast of another Party, the Party whose flag the ship is entitled to fly shall prescribe training, experience and certification requirements for seafarers serving on such ships at least equal to those of the Party off whose coast the ship is engaged, provided that they do not exceed the requirements of the Convention in respect of ships not engaged on near-coastal voyages. Seafarers serving on a ship which extends its voyage beyond what is defined as a near-coastal voyage by a Party and enters waters not covered by that definition shall fulfil the appropriate competency requirements of the Convention.

4 A Party may afford a ship which is entitled to fly its flag the benefits of the near-coastal voyage provisions of the Convention when it is regularly engaged off the coast of a non-Party on near-coastal voyages as defined by the Party.

5 The certificates of seafarers issued by a Party for its defined near-coastal voyages limits may be accepted by other Parties for service in their defined near-coastal voyages limits, provided the Parties concerned enter into an undertaking specifying the details of involved trading areas and other relevant conditions thereof.

6 Parties defining near-coastal voyages, in accordance with the requirements of this regulation, shall:

.1 meet the principles governing near-coastal voyages specified in section A-I/3;

.2 communicate to the Secretary-General, in conformity with the requirements of regulation I/7, the details of the provisions adopted; and

.3 incorporate the near-coastal voyages limits in the endorsements issued pursuant to regulation I/2, paragraphs 5, 6 or 7.

7 Nothing in this regulation shall, in any way, limit the jurisdiction of any State, whether or not a Party to the Convention.

#### **Regulation I/4**

##### *Control procedures*

1 Control exercised by a duly authorized control officer under article X shall be limited to the following:

.1 verification in accordance with article X(1) that all seafarers serving on board who are required to be certificated in accordance with the Convention hold an appropriate certificate or a valid dispensation, or provide documentary proof that an application for an endorsement has been submitted to the Administration in accordance with regulation I/10, paragraph 5;

.2 verification that the numbers and certificates of the seafarers serving on board are in conformity with the applicable safe manning requirements of the Administration; and

.3 assessment, in accordance with section A-I/4 of the STCW Code, of the ability of the seafarers of the ship to maintain watchkeeping and security standards, as appropriate, as required by the Convention if there are clear grounds for believing that such standards are not being maintained because any of the following have occurred:

.3.1 the ship has been involved in a collision, grounding or stranding, or

.3.2 there has been a discharge of substances from the ship when under way, at anchor or at berth which is illegal under any international convention, or

.3.3 the ship has been manoeuvred in an erratic or unsafe manner whereby routing measures adopted by the Organization or safe navigation practices and procedures have not been followed, or

.3.4 the ship is otherwise being operated in such a manner as to pose a danger to persons, property, the environment, or a compromise to security.

3 Za ladje, ki plovejo pod zastavo posamezne pogodbenice in redno plovejo v območju obalne plovbe obale druge pogodbenice, pogodbenica, pod katere zastavo plove ladja, predpiše zahteve za usposabljanje, izkušnje in izdajanje pooblastil za pomorščake, ki delajo na teh ladjah, ki so vsaj enake tistim, ki jih predpiše pogodbenica, ob obali katere plove ladja, če niso strožje od zahtev v konvenciji za ladje, ki plovejo zunaj območja obalne plovbe. Pomorščaki na ladji, ki zapusti območje obalne plovbe, ki ga je določila pogodbenica, in vplove v vode, ki jih ta opredelitev ne zajema, morajo izpolnjevati ustrezne zahteve o usposobljenosti iz konvencije.

4 Pogodbenica lahko ladji, ki ima pravico pluti pod njeno zastavo, ki redno plove v območju obalne plovbe nepogodbenice, odobri ugodnosti iz konvencije, ki se nanašajo na obalno plovo, kot jo je opredelila ta pogodbenica.

5 Pooblastila pomorščakov, ki jih je pogodbenica izdala za svoje območje obalne plovbe, lahko sprejmejo druge pogodbenice za plovo v svojih območjih obalne plovbe, če pogodbenice sklenejo dogovor, v katerem opredelijo podrobnosti o kategoriji plovbe in drugih zahtevah.

6 Pogodbenice, ki opredelijo obalno plovo v skladu s tem pravilom:

6.1 upoštevajo načela iz oddelka A-I/3, ki urejajo obalno plovo;

6.2 v skladu s pravilom I/7 obvestijo generalnega sekretarja o podrobnostih sprejetih določb in

6.3 vključijo območje obalne plovbe v overitve, izdane v skladu s petim, šestim ali sedmim odstavkom pravila I/2.

7 Nobena določba tega pravila ne posega v jurisdikcijo nobene države, ne glede na to, ali je pogodbenica konvencije ali ne.

#### **Pravilo I/4**

##### *Nadzorni postopki*

1 Nadzor, ki ga opravlja pravilno pooblaščen oseba v skladu s X. členom, je omejen na:

1.1 preverjanje v skladu s prvim odstavkom X. člena, da imajo vsi na ladji zaposleni pomorščaki, ki morajo po konvenciji imeti pooblastilo, ustrezno pooblastilo ali veljavno potrjeno o oprostitvi ali dokazilo, da je bila pri upravi vložena prošnja za overitev v skladu s petim odstavkom pravila I/10;

1.2 preverjanje, da so število in pooblastila pomorščakov, zaposlenih na ladji, usklajena z zahtevami uprave o najmanjšem številu članov posadke, in

1.3 v skladu z oddelkom A-I/4 kodeksa STCW oceno sposobnosti pomorščakov na ladji za izpolnjevanje standardov za ladijsko stražo in zaščito po tej konvenciji, če so jasni razlogi za sum, da ti standardi niso izpolnjeni, ker:

1.3.1 je ladja trčila, nasedla ali namerno nasedla ali

1.3.2 so bile z ladje izpuščene snovi med plovo, medtem ko je bila zasidrana ali privezana, kar je po mednarodnih konvencijah nezakonito, ali

1.3.3 so ladjo upravljali nepazljivo in nevarno, pri čemer niso bili upoštevani ukrepi za ohranjanje smeri plovbe, ki jih je sprejela organizacija, ali veljajo za varno navigacijsko prakso in postopke ali

1.3.4 tudi drugače ladjo vodijo tako, da je nevarno za ljudi, premoženje, okolje ali je ogrožena zaščita.

2 Deficiencies which may be deemed to pose a danger to persons, property or the environment include the following:

.1 failure of seafarers to hold a certificate, to have an appropriate certificate, to have a valid dispensation or to provide documentary proof that an application for an endorsement has been submitted to the Administration in accordance with regulation I/10, paragraph 5;

.2 failure to comply with the applicable safe manning requirements of the Administration;

.3 failure of navigational or engineering watch arrangements to conform to the requirements specified for the ship by the Administration;

.4 absence in a watch of a person qualified to operate equipment essential to safe navigation, safety radiocommunications or the prevention of marine pollution; and

.5 inability to provide, for the first watch at the commencement of a voyage and for subsequent relieving watches, persons who are sufficiently rested and otherwise fit for duty.

3 Failure to correct any of the deficiencies referred to in paragraph 2, in so far as it has been determined by the Party carrying out the control that they pose a danger to persons, property or the environment, shall be the only grounds under article X on which a Party may detain a ship.

#### **Regulation I/5**

##### *National provisions*

1 Each Party shall establish processes and procedures for the impartial investigation of any reported incompetency, act, omission or compromise to security that may pose a direct threat to safety of life or property at sea or to the marine environment by the holders of certificates or endorsements issued by that Party in connection with their performance of duties related to their certificates and for the withdrawal, suspension and cancellation of such certificates for such cause and for the prevention of fraud.

2 Each Party shall take and enforce appropriate measures to prevent fraud and other unlawful practices involving certificates and endorsements issued.

3 Each Party shall prescribe penalties or disciplinary measures for cases in which the provisions of its national legislation giving effect to the Convention are not complied with in respect of ships entitled to fly its flag or of seafarers duly certificated by that Party.

4 In particular, such penalties or disciplinary measures shall be prescribed and enforced in cases in which:

.1 a company or a master has engaged a person not holding a certificate as required by the Convention;

.2 a master has allowed any function or service in any capacity required by these regulations to be performed by a person holding an appropriate certificate to be performed by a person not holding the required certificate, a valid dispensation or having the documentary proof required by regulation I/10, paragraph 5; or

.3 a person has obtained by fraud or forged documents an engagement to perform any function or serve in any capacity required by these regulations to be performed or filled by a person holding a certificate or dispensation.

5 A Party, within whose jurisdiction there is located any company which, or any person who, is believed on clear grounds to have been responsible for, or to have knowledge of, any apparent non-compliance with the Convention specified in paragraph 4, shall extend all co-operation possible to any Party which advises it of its intention to initiate proceedings under its jurisdiction.

#### **Regulation I/6**

##### *Training and assessment*

Each Party shall ensure that:

.1 the training and assessment of seafarers, as required under the Convention, are administered, supervised and monitored in accordance with the provisions of section A-I/6 of the STCW Code; and

2 Pomanjkljivosti, ki lahko pomenijo nevarnost za ljudi, premoženje ali okolje, so:

2.1 pomorščaki nimajo pooblastila, ustreznega pooblastila, veljavne oprostitev ali dokazila, da je bila vloga za overitev predložena upravi v skladu s petim odstavkom pravila I/10;

2.2 neizpolnjevanje zahtev uprave o najmanjšem številu članov posadke;

2.3 organizacija krovne ali strojne straže ni v skladu z zahtevami, ki jih za ladjo določa uprava;

2.4 v sestavi straže ni osebe, usposobljene za ravnanje z opremo, ki je nujno potrebna za varno plovbo, radijsko zvezo v stiski ali preprečevanje onesnaževanja morja, in

2.5 nezmožnost, da se za prvo stražo na začetku plovbe in vse naslednje straže za zamenjavo zagotovijo osebe, ki so dovolj spočite ter tudi drugače sposobne opravljati naloge.

3 Če niso odpravljene pomanjkljivosti iz drugega odstavka, za katere je pogodbenica, ki opravlja nadzor, ugotovila, da so nevarne za ljudi, premoženje ali okolje, je to edini razlog iz X. člena, zaradi katerega sme pogodbenica zadržati ladjo.

#### **Pravilo I/5**

##### *Notranji predpisi*

1 Pogodbenica vzpostavi postopke za nepristransko preiskavo vsake prijavljene neusposobljenosti, storjenega ali opuščenega dejanja ali grožnje za zaščito, ki lahko na morju pomeni neposredno nevarnost za življenje, premoženje ali morsko okolje in so ga storili imetniki pooblastil ali overitev, ki jih je izdala ta pogodbenica, pri opravljanju nalog v zvezi s svojimi pooblastili, in postopke za odvzem, začasni preklic ali razveljavitev pooblastil v takih primerih ter za preprečevanje goljufij.

2 Pogodbenica sprejme in izvaja ustrezne ukrepe za preprečevanje goljufij in drugih nezakonitih dejanj v zvezi z izdanimi pooblastili in overitvami.

3 Pogodbenica predpiše kazni ali disciplinske ukrepe, kadar niso izpolnjene določbe njene notranje zakonodaje za izvajanje te konvencije, za ladje, ki plovejo pod njeno zastavo, ali pomorščake, katerih pooblastila je izdala ta pogodbenica.

4 Take kazni ali disciplinski ukrepi se predpišejo in izvajajo, zlasti ko:

4.1 družba ali poveljnik zaposli osebo, ki nima pooblastila po tej konvenciji;

4.2 poveljnik dovoli, da naloge ali dela, za katera pravila zahtevajo, da jih opravlja oseba z ustreznim pooblastilom, opravlja oseba, ki nima zahtevanega pooblastila, veljavne oprostitev ali dokazila, kot ga zahteva peti odstavek pravila I/10, ali

4.3 je oseba z goljufijo ali lažnimi dokumenti dobila zaposlitev za opravljanje nalog ali del za katero koli usposobljenost, za katero ta pravila zahtevajo, da jih opravlja oseba, ki ima pooblastilo ali oprostitev.

5 Pogodbenica, pod jurisdikcijo katere je družba ali posameznik, za katerega se utemeljeno sumi, da je odgovoren za očitno kršitev konvencije iz četrtega odstavka ali seznanjen z njo, mora v celoti sodelovati z drugo pogodbenico, ki jo je obvestila o svoji nameri, da začne postopek v skladu s svojo pristojnostjo.

#### **Pravilo I/6**

##### *Usposabljanje in ocenjevanje*

Pogodbenica zagotovi, da:

1. se usposabljanje in ocenjevanje pomorščakov po konvenciji izvaja, nadzoruje in spremlja v skladu s pravili oddelka A-I/6 kodeksa STCW in



.2 those responsible for the training and assessment of competence of seafarers, as required under the Convention, are appropriately qualified in accordance with the provisions of section A-I/6 of the STCW Code for the type and level of training or assessment involved.

#### **Regulation I/7**

##### *Communication of information*

1 In addition to the information required to be communicated by article IV, each Party shall provide to the Secretary-General, within the time periods prescribed and in the format specified in section A-I/7 of the STCW Code, such other information as may be required by the Code on other steps taken by the Party to give the Convention full and complete effect.

2 When complete information as prescribed in article IV and section A-I/7 of the STCW Code has been received and such information confirms that full and complete effect is given to the provisions of the Convention, the Secretary-General shall submit a report to this effect to the Maritime Safety Committee.

3 Following subsequent confirmation by the Maritime Safety Committee, in accordance with procedures adopted by the Committee, that the information which has been provided demonstrates that full and complete effect is given to the provisions of the Convention:

.1 the Maritime Safety Committee shall identify the Parties so concerned;

.2 shall review the list of Parties which communicated information that demonstrated that they give full and complete effect to the relevant provisions of the Convention, to retain in this list only the Parties so concerned; and

.3 other Parties shall be entitled, subject to the provisions of regulations I/4 and I/10, to accept, in principle, that certificates issued by or on behalf of the Parties identified in paragraph 3.1 are in compliance with the Convention.

4 Amendments to the Convention and STCW Code, with dates of entry into force later than the date information has been, or will be, communicated to the Secretary-General in accordance with the provisions of paragraph 1, are not subject to the provisions of section A-I/7, paragraphs 1 and 2.

#### **Regulation I/8**

##### *Quality standards*

1 Each Party shall ensure that:

.1 in accordance with the provisions of section A-I/8 of the STCW Code, all training, assessment of competence, certification, including medical certification, endorsement and revalidation activities carried out by non-governmental agencies or entities under its authority are continuously monitored through a quality standards system to ensure achievement of defined objectives, including those concerning the qualifications and experience of instructors and assessors; and

.2 where governmental agencies or entities perform such activities, there shall be a quality standards system.

2 Each Party shall also ensure that an evaluation is periodically undertaken, in accordance with the provisions of section A-I/8 of the STCW Code, by qualified persons who are not themselves involved in the activities concerned. This evaluation shall include all changes to national regulations and procedures in compliance with the amendments to the Convention and STCW Code, with dates of entry into force later than the date information was communicated to the Secretary-General.

3 A report containing the results of the evaluation required by paragraph 2 shall be communicated to the Secretary-General in accordance with the format specified in section A-I/7 of the STCW Code.

2. so tisti, ki so odgovorni za usposabljanje in ocenjevanje sposobnosti pomorščakov po konvenciji ustrezno usposobljeni skladno z določbami oddelka A-I/6 kodeksa STCW za vrsto in stopnjo tega usposabljanja ali ocenjevanja.

#### **Pravilo I/7**

##### *Sporočanje podatkov*

1 Poleg podatkov, ki morajo biti sporočeni po IV. členu, pogodbenica v rokih in na obrazcih, predpisanih v oddelku A-I/7 kodeksa STCW, pošlje generalnemu sekretarju vse podatke v skladu s kodeksom o vseh ukrepih, ki jih je pogodbenica sprejela, da konvencija začne v celoti veljati.

2 Ko generalni sekretar prejme vse podatke iz IV. člena in oddelka A-I/7 kodeksa STCW, ki potrjujejo, da določbe konvencije v celoti veljajo, pošlje o tem poročilo odboru za pomorsko varnost.

3 Ko odbor za pomorsko varnost v skladu s postopki, ki jih je sprejel, potrdi, da je prejel podatke o tem, da določbe konvencije v celoti veljajo:

3.1 naredi seznam pogodbenic;

3.2 pregleda seznam pogodbenic, ki so sporočile podatke, da zanje v celoti veljajo določbe konvencije, in na seznamu ohrani le pogodbenice, za katere to velja, in

3.3 druge pogodbenice se lahko v skladu s praviloma I/4 in I/10 načeloma strinjajo, da so pooblastila, ki so jih izdale pogodbenice iz prvega pododstavka tretjega odstavka ali so bila izdana v njihovem imenu, skladna s konvencijo.

4 Določbe prvega in drugega odstavka oddelka A-I/7 ne veljajo za spremembe konvencije in kodeksa STCW, ki so začele veljati po dnevu, ko so bili ali bodo podatki sporočeni generalnemu sekretarju v skladu z določbami prvega odstavka.

#### **Pravilo I/8**

##### *Standardi kakovosti*

1 Pogodbenica zagotovi, da:

1.1 se v skladu z določbami oddelka A-I/8 kodeksa STCW usposabljanje, ocenjevanje usposobljenosti, izdajanje pooblastil, vključno z izdajo zdravniških spričeval, overitvami in podaljšanjem veljavnosti, kar opravljajo nevladni organi ali subjekti v njihovi pristojnosti, stalno nadzira s sistemom kakovosti, da se zagotovi uresničevanje zastavljenih ciljev skupaj s tistimi, ki se nanašajo na usposobljenost in izkušnost inštruktorjev in ocenjevalcev, in

1.2 obstaja sistem kakovosti, če te dejavnosti opravljajo vladni organi ali subjekti.

2 Pogodbenica tudi zagotovi, da v skladu z določbami oddelka A-I/8 kodeksa STCW presojo v rednih presledkih izvajajo za to usposobljene osebe, ki same ne sodelujejo pri teh dejavnostih. Presoja upošteva vse spremembe notranjih predpisov in postopkov v skladu s spremembami konvencije in kodeksa STCW, ki so začele veljati po dnevu, ko so bili podatki sporočeni generalnemu sekretarju.

3 Poročilo z izsledki presoje iz drugega odstavka je treba poslati generalnemu sekretarju na obrazcu iz oddelka A-I/7 kodeksa STCW.

**Regulation I/9***Medical standards*

1 Each Party shall establish standards of medical fitness for seafarers and procedures for the issue of a medical certificate in accordance with the provisions of this regulation and of section A-I/9 of the STCW Code.

2 Each Party shall ensure that those responsible for assessing the medical fitness of seafarers are medical practitioners recognized by the Party for the purpose of seafarer medical examinations, in accordance with the provisions of section A-I/9 of the STCW Code.

3 Every seafarer holding a certificate issued under the provisions of the Convention, who is serving at sea, shall also hold a valid medical certificate issued in accordance with the provisions of this regulation and of section A-I/9 of the STCW Code.

4 Every candidate for certification shall:

- .1 be not less than 16 years of age;
- .2 provide satisfactory proof of his/her identity; and
- .3 meet the applicable medical fitness standards established by the Party.

5 Medical certificates shall remain valid for a maximum period of two years unless the seafarer is under the age of 18, in which case the maximum period of validity shall be one year.

6 If the period of validity of a medical certificate expires in the course of a voyage, then the medical certificate shall continue in force until the next port of call where a medical practitioner recognized by the Party is available, provided that the period shall not exceed three months.

7 In urgent cases the Administration may permit a seafarer to work without a valid medical certificate until the next port of call where a medical practitioner recognized by the Party is available, provided that:

- .1 the period of such permission does not exceed three months; and
- .2 the seafarer concerned is in possession of an expired medical certificate of recent date.

**Regulation I/10***Recognition of certificates*

1 Each Administration shall ensure that the provisions of this regulation are complied with, in order to recognize, by endorsement in accordance with regulation I/2, paragraph 7, a certificate issued by or under the authority of another Party to a master, officer or radio operator and that:

.1 the Administration has confirmed, through an evaluation of that Party, which may include inspection of facilities and procedures, that the requirements of the Convention regarding standards of competence, training and certification and quality standards are fully complied with; and

.2 an undertaking is agreed with the Party concerned that prompt notification will be given of any significant change in the arrangements for training and certification provided in compliance with the Convention.

2 Measures shall be established to ensure that seafarers who present, for recognition, certificates issued under the provisions of regulations II/2, III/2 or III/3, or issued under regulation VII/1 at the management level, as defined in the STCW Code, have an appropriate knowledge of the maritime legislation of the Administration relevant to the functions they are permitted to perform.

3 Information provided and measures agreed upon under this regulation shall be communicated to the Secretary-General in conformity with the requirements of regulation I/7.

4 Certificates issued by or under the authority of a non-Party shall not be recognized.

**Pravilo I/9***Zdravstveni standardi*

1 Pogodbenica predpiše standarde za zdravstveno zmožnost pomorščakov in postopke za izdajanje zdravniških spričeval v skladu z določbami tega pravila in oddelka A-I/9 kodeksa STCW.

2 Pogodbenica zagotovi, da so osebe, odgovorne za oceno zdravstvene zmožnosti pomorščakov, zdravniki, ki jih pogodbenica pooblasti za opravljanje zdravstvenih pregledov pomorščakov v skladu z določbami oddelka A-I/9 kodeksa STCW.

3 Pomorščak, ki ima pooblastilo, izdano v skladu z določbami konvencije, in dela na ladji, mora imeti tudi veljavno zdravniško spričevalo, izdano v skladu z določbami tega pravila in oddelka A-I/9 kodeksa STCW.

4 Kandidat mora za pridobitev zdravniškega spričevala:

- 4.1 imeti najmanj 16 let;
- 4.2 dokazati svojo istovetnost in
- 4.3 izpolnjevati standarde zdravstvene zmožnosti, ki jih je določila pogodbenica.

5 Zdravniško spričevalo velja največ dve leti; če je pomorščak mlajši od 18 let, pa največ eno leto.

6 Če zdravniško spričevalo preneha veljati med plovbo, velja do naslednjega pristanišča postanka, v katerem je na voljo zdravnik, ki ga je pooblastila pogodbenica, če to obdobje ni daljše od treh mesecev.

7 Uprava lahko v nujnih primerih pomorščaku dovoli delati brez veljavnega zdravniškega spričevala do naslednjega pristanišča postanka, v katerem je na voljo zdravnik, ki ga je pooblastila pogodbenica, če:

7.1 tako dovoljenje velja največ tri mesece in

7.2 je pomorščaku zdravniško spričevalo poteklo pred kratkim.

**Pravilo I/10***Priznavanje pooblastil*

1 Preden uprava z overitvijo po sedmem odstavku pravila I/2 prizna pooblastilo, ki ga je izdala druga pogodbenica ali je bilo izdano v njenem imenu poveljniku, častniku ali radijskemu operaterju, mora preveriti, ali so bile upoštevane določbe tega pravila in da:

1.1 je uprava s presojo pogodbenice, ki lahko zajema inšpekcijski pregled objektov in postopkov, potrdila, da so vse zahteve konvencije glede standardov usposobljenosti, usposabljanja in izdajanja pooblastil ter standardov kakovosti v celoti izpolnjene, in

1.2 se zaveže, da takoj sporoči vsako pomembno spremembo pri organizaciji usposabljanja in izdajanja pooblastil, ki jih zagotavlja v skladu s konvencijo.

2 Zagotovijo se ukrepi, s katerimi se doseže, da pomorščaki, ki zaprosijo za priznanje pooblastila, izdanega v skladu s pravili II/2, III/2 ali III/3 ali pravilom VII/1 kodeksa STCW za vodstvene delavce, ustrezno poznajo pomorsko zakonodajo uprave, ki se nanaša na naloge, ki jih lahko opravljajo.

3 Podatki in ukrepi iz tega pravila se v skladu z zahtevami pravila I/7 sporočijo generalnemu sekretarju.

4 Pooblastila, ki jih izda nepogodbenica ali so izdana v njenem imenu, se ne priznajo.

5 Notwithstanding the requirement of regulation I/2, paragraph 7, an Administration may, if circumstances require, subject to the provisions of paragraph 1, allow a seafarer to serve for a period not exceeding three months on board a ship entitled to fly its flag, while holding an appropriate and valid certificate issued and endorsed as required by another Party for use on board that Party's ships but which has not yet been endorsed so as to render it appropriate for service on board ships entitled to fly the flag of the Administration. Documentary proof shall be readily available that application for an endorsement has been submitted to the Administration.

6 Certificates and endorsements issued by an Administration under the provisions of this regulation in recognition of, or attesting the recognition of, a certificate issued by another Party shall not be used as the basis for further recognition by another Administration.

#### **Regulation I/11**

##### *Revalidation of certificates*

1 Every master, officer and radio operator holding a certificate issued or recognized under any chapter of the Convention other than chapter VI, who is serving at sea or intends to return to sea after a period ashore, shall, in order to continue to qualify for seagoing service, be required, at intervals not exceeding five years, to:

.1 meet the standards of medical fitness prescribed by regulation I/9; and

.2 establish continued professional competence in accordance with section A-I/11 of the STCW Code.

2 Every master, officer and radio operator shall, for continuing seagoing service on board ships for which special training requirements have been internationally agreed upon, successfully complete approved relevant training.

3 Every master and officer shall, for continuing seagoing service on board tankers, meet the requirements in paragraph 1 of this regulation and be required, at intervals not exceeding five years, to establish continued professional competence for tankers in accordance with section A-I/11, paragraph 3 of the STCW Code.

4 Each Party shall compare the standards of competence which it required of candidates for certificates issued before 1 January 2017 with those specified for the appropriate certificate in part A of the STCW Code, and shall determine the need for requiring the holders of such certificates to undergo appropriate refresher and updating training or assessment.

5 The Party shall, in consultation with those concerned, formulate or promote the formulation of a structure of refresher and updating courses as provided for in section A-I/11 of the STCW Code.

6 For the purpose of updating the knowledge of masters, officers and radio operators, each Administration shall ensure that the texts of recent changes in national and international regulations concerning the safety of life at sea, security and the protection of the marine environment are made available to ships entitled to fly its flag.

#### **Regulation I/12**

##### *Use of simulators*

1 The performance standards and other provisions set forth in section A-I/12 and such other requirements as are prescribed in part A of the STCW Code for any certificate concerned shall be complied with in respect of:

.1 all mandatory simulator-based training;

.2 any assessment of competency required by part A of the STCW Code which is carried out by means of a simulator; and

.3 any demonstration, by means of a simulator, of continued proficiency required by part A of the STCW Code.

5 Ne glede na zahteve iz sedmega odstavka pravila I/2 lahko uprava, če tako zahtevajo okoliščine, v skladu s prvim odstavkom dovoli pomorščaku, da največ tri mesece opravlja dela na ladji, ki plove pod njeno zastavo in ima ustrezno veljavno pooblastilo, izdano in overjeno v skladu z zahtevami druge pogodbenice za delo na ladji te pogodbenice, ki še ni ustrezno overjeno za zaposlitev na ladji, ki ima pravico pluti pod zastavo te države. Dokazilo, da je pri upravi vložena prošnja za overitev, mora biti vedno dostopno.

6 Pooblastil in overitev, ki jih je uprava v skladu z določbami tega pravila izdala za priznanje ali potrditev priznanja pooblastil, druga uprava ne sme uporabljati kot podlago za nadaljnje priznanje.

#### **Pravilo I/11**

##### *Obnovitev pooblastil*

1 Poveljnik, častnik in radijski operater, ki so imetniki pooblastila, izdanega ali priznanega po katerem koli poglavju konvencije razen po VI. poglavju, ki delajo na ladji ali se nameravajo vrniti nanjo po obdobju na kopnem, morajo, da bi izpolnjevali pogoje za opravljanje dela na ladji, vsaj vsakih pet let dokazati:

1.1 svojo zdravstveno zmožnost iz pravila I/9 in

1.2 poklicno usposobljenost v skladu z oddelkom A-I/11 kodeksa STCW.

2 Za nadaljevanje opravljanja dela na ladji morajo poveljnik, častnik in radijski operater na ladjah, za katere je mednarodno predpisano posebno usposabljanje, uspešno končati tako usposabljanje.

3 Poveljnik in častnik morata za nadaljevanje opravljanja dela na tankerjih izpolnjevati zahteve iz prvega odstavka tega pravila in vsaj vsakih pet let dokazati strokovno usposobljenost za tankerje v skladu s tretjim odstavkom oddelka A-I/11 kodeksa STCW.

4 Pogodbenica primerja standarde usposobljenosti, ki jih je zahtevala od kandidatov za pooblastila, izdana pred 1. januarjem 2017, s tistimi iz dela A kodeksa STCW, in se odloči, ali je treba od imetnikov takih pooblastil zahtevati ustrezno osvežitveno in dopolnilno usposabljanje ali preverjanje usposobljenosti.

5 Pogodbenica v posvetovanju s tistimi, ki jih to zadeva, oblikuje ali spodbuja oblikovanje programov, osvežitvenih in dopolnilnih tečajev iz oddelka A-I/11 kodeksa STCW.

6 Za dopolnjevanje znanja poveljnikov, častnikov in radijskih operaterjev vsaka uprava zagotovi, da so besedila najnovjših sprememb notranjih in mednarodnih predpisov o varnosti človeškega življenja na morju, zaščiti in varovanju morskega okolja na razpolago ladjam, ki plovejo pod njeno zastavo.

#### **Pravilo I/12**

##### *Uporaba simulatorjev*

1. Standardi delovanja in druge določbe iz oddelka A-I/12 ter druge zahteve, ki jih predpisuje del A kodeksa STCW za vsa pooblastila, morajo biti izpolnjeni za:

1.1 obvezno usposabljanje na simulatorju;

1.2 oceno usposobljenosti na simulatorju v skladu z delom A kodeksa STCW in

1.3 dokazovanje strokovne usposobljenosti na simulatorju, zahtevane v skladu z delom A kodeksa STCW.

**Regulation I/13***Conduct of trials*

1 These regulations shall not prevent an Administration from authorizing ships entitled to fly its flag to participate in trials.

2 For the purposes of this regulation, the term *trial* means an experiment or series of experiments, conducted over a limited period, which may involve the use of automated or integrated systems in order to evaluate alternative methods of performing specific duties or satisfying particular arrangements prescribed by the Convention, which would provide at least the same degree of safety, security and pollution prevention as provided by these regulations.

3 The Administration authorizing ships to participate in trials shall be satisfied that such trials are conducted in a manner that provides at least the same degree of safety, security and pollution prevention as provided by these regulations. Such trials shall be conducted in accordance with guidelines adopted by the Organization.

4 Details of such trials shall be reported to the Organization as early as practicable but not less than six months before the date on which the trials are scheduled to commence. The Organization shall circulate such particulars to all Parties.

5 The results of trials authorized under paragraph 1, and any recommendations the Administration may have regarding those results, shall be reported to the Organization, which shall circulate such results and recommendations to all Parties.

6 Any Party having any objection to particular trials authorized in accordance with this regulation should communicate such objection to the Organization as early as practicable. The Organization shall circulate details of the objection to all Parties.

7 An Administration which has authorized a trial shall respect objections received from other Parties relating to such trial by directing ships entitled to fly its flag not to engage in a trial while navigating in the waters of a coastal State which has communicated its objection to the Organization.

8 An Administration which concludes, on the basis of a trial, that a particular system will provide at least the same degree of safety, security and pollution prevention as provided by these regulations may authorize ships entitled to fly its flag to continue to operate with such a system indefinitely, subject to the following requirements:

.1 the Administration shall, after results of the trial have been submitted in accordance with paragraph 5, provide details of any such authorization, including identification of the specific ships which may be subject to the authorization, to the Organization, which will circulate this information to all Parties;

.2 any operations authorized under this paragraph shall be conducted in accordance with any guidelines developed by the Organization, to the same extent as they apply during a trial;

.3 such operations shall respect any objections received from other Parties in accordance with paragraph 7, to the extent such objections have not been withdrawn; and

.4 an operation authorized under this paragraph shall only be permitted pending a determination by the Maritime Safety Committee as to whether an amendment to the Convention would be appropriate, and, if so, whether the operation should be suspended or permitted to continue before the amendment enters into force.

9 At the request of any Party, the Maritime Safety Committee shall establish a date for the consideration of the trial results and for the appropriate determinations.

**Regulation I/14***Responsibilities of companies*

1 Each Administration shall, in accordance with the provisions of section A-I/14, hold companies responsible for the assignment of seafarers for service on their ships in accordance with the provisions of the present Convention, and shall require every such company to ensure that:

**Pravilo I/13***Izvajanje preizkusov*

1 Ta pravila upravi ne preprečujejo, da ladjam, ki plovejo pod njeno zastavo, dovoli sodelovanje pri preizkusih.

2 V tem pravilu izraz *preizkus* pomeni poskus ali vrsto poskusov, izvedenih v omejenem obdobju, ki lahko zajemajo uporabo samodejnih ali povezanih sistemov, da se ovrednotijo druge metode za opravljanje posebnih nalog ali določenih ureditev po konvenciji, ki zagotavljajo vsaj enako raven varnosti, zaščite in preprečevanja onesnaževanja, kakršno zagotavljajo ta pravila.

3 Uprava, ki dovoli ladjam sodelovanje pri preizkusih, se mora prepričati, da so preizkusi izvedeni tako, da zagotavljajo vsaj enako raven varnosti, zaščite in preprečevanja onesnaževanja, kakor jo zagotavljajo ta pravila. Preizkusi se delajo v skladu s smernicami, ki jih sprejme organizacija.

4 Organizaciji je treba sporočiti podrobnosti o preizkusu čim prej, a ne pozneje kot šest mesecev pred dnevom načrtovanega začetka preizkusa. Organizacija te podatke pošlje vsem pogodbenicam.

5 Izsledke preizkusov iz prvega odstavka in vsa priporočila, ki jih lahko ima uprava glede teh izsledkov, je treba sporočiti organizaciji, ki te izsledke in priporočila pošlje vsem pogodbenicam.

6 Pogodbenica, ki ugovarja posameznemu preizkusu, za katerega je bilo izdano dovoljenje v skladu s tem pravilom, mora ugovor čim prej sporočiti organizaciji. Ta vse pogodbenice obvesti o podrobnostih ugovora.

7 Uprava, ki je dala dovoljenje za preizkus, upošteva ugovore v zvezi s preizkusom, ki jih prejme od drugih pogodbenic, tako da ladji, ki plove pod njeno zastavo, ukaže, naj ne opravi preizkusa med plovbo v vodah obalne države, ki je obvestila organizacijo o svojem ugovoru.

8 Uprava, ki na podlagi preizkusa ugotovi, da posamezen sistem zagotavlja vsaj enako raven varnosti, zaščite in preprečevanja onesnaževanja kakor ta pravila, lahko dovoli ladjam, ki plovejo pod njeno zastavo, da ga uporabljajo še naprej, če so izpolnjene te zahteve:

8.1 potem ko so v skladu s petim odstavkom predloženi izsledki preizkusa, uprava pošlje podatke o vseh dovoljenjih in podatke o ladji, na katero se dovoljenja nanašajo, organizaciji, ki jih nato pošlje vsem pogodbenicam;

8.2 vsi postopki, ki so dovoljeni po tem odstavku, morajo biti izpeljani v skladu z vsemi smernicami organizacije tako kot med preizkusom;

8.3 pri teh postopkih je treba upoštevati vse ugovore, ki jih v skladu s sedmim odstavkom pošljejo druge pogodbenice, če niso bili umaknjeni, in

8.4 postopki, ki so dovoljeni po tem odstavku, se lahko izpeljejo, dokler se odbor za pomorsko varnost ne odloči, da je treba spremeniti konvencijo, in če se tako odloči, mora odločiti, ali naj se postopki začasno prekinijo ali so dovoljeni, dokler ne začne veljati sprememba.

9 Na zahtevo katere koli pogodbenice odbor za pomorsko varnost določi datum za odločanje o izledkih preizkusa in sprejete ustrezne odločitve.

**Pravilo I/14***Odgovornost družb*

1 Uprave v skladu z določbami oddelka A-I/14 od družb zahtevajo, da razporejajo pomorščake na delo na svojih ladjah v skladu s to konvencijo in da zagotovijo, da:

.1 each seafarer assigned to any of its ships holds an appropriate certificate in accordance with the provisions of the Convention and as established by the Administration;

.2 its ships are manned in compliance with the applicable safe manning requirements of the Administration;

.3 seafarers assigned to any of its ships have received refresher and updating training as required by the Convention;

.4 documentation and data relevant to all seafarers employed on its ships are maintained and readily accessible, and include, without being limited to, documentation and data on their experience, training, medical fitness and competency in assigned duties;

.5 seafarers, on being assigned to any of its ships, are familiarized with their specific duties and with all ship arrangements, installations, equipment, procedures and ship characteristics that are relevant to their routine or emergency duties;

.6 the ship's complement can effectively coordinate their activities in an emergency situation and in performing functions vital to safety, security and to the prevention or mitigation of pollution; and

.7 at all times on board its ships there shall be effective oral communication in accordance with chapter V, regulation 14, paragraphs 3 and 4 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended.

#### Regulation I/15

##### *Transitional provisions*

1 Until 1 January 2017, a Party may continue to issue, recognize and endorse certificates in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012 in respect of those seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course before 1 July 2013.

2 Until 1 January 2017, a Party may continue to renew and revalidate certificates and endorsements in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012.

## CHAPTER II

### Master and deck department

#### Regulation II/1

*Mandatory minimum requirements for certification of officers in charge of a navigational watch on ships of 500 gross tonnage or more*

1 Every officer in charge of a navigational watch serving on a seagoing ship of 500 gross tonnage or more shall hold a certificate of competency.

2 Every candidate for certification shall:

.1 be not less than 18 years of age;

.2 have approved seagoing service of not less than 12 months as part of an approved training programme which includes onboard training that meets the requirements of section A-II/1 of the STCW Code and is documented in an approved training record book, or otherwise have approved seagoing service of not less than 36 months;

.3 have performed, during the required seagoing service, bridge watchkeeping duties under the supervision of the master or a qualified officer for a period of not less than six months;

.4 meet the applicable requirements of the regulations in chapter IV, as appropriate, for performing designated radio duties in accordance with the Radio Regulations;

.5 have completed approved education and training and meet the standard of competence specified in section A-II/1 of the STCW Code; and

.6 meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

1.1 ima pomorščak, dodeljen na katero koli njihovo ladjo, ustrezno pooblastilo v skladu s konvencijo in kakor zahteva uprava;

1.2 število osebja na njihovih ladjah ustreza zahtevam uprave o najmanjšem številu članov posadke;

1.3 ima pomorščak, ki je dodeljen na katero koli njihovo ladjo, opravljeno osvežitveno in dopolnilno usposabljanje v skladu z zahtevami konvencije;

1.4 so dokumenti in podatki, ki se nanašajo na vse pomorščake, ki so zaposleni na njihovih ladjah, posodobljeni in dostopni ter med drugim vključujejo dokumente in podatke o njihovih izkušnjah, usposabljanju, zdravstveni zmožnosti in usposobljenosti za dodeljene naloge;

1.5 je pomorščak, dodeljen na katero koli njihovo ladjo, seznanjen s svojimi nalogami in ureditvijo na njej, napeljavo, opremo, postopki in značilnostmi, ki so nujni za opravljanje njegovih vsakodnevnih nalog ali nalog v izrednih razmerah;

1.6 je posadka sposobna učinkovito usklajevati dejavnosti v izrednih razmerah in opravljati naloge, ki so življenjskega pomena za varnost, zaščito in preprečevanje ali zmanjšanje onesnaževanja, in

1.7 je ob vsakem času na ladji vzpostavljeno učinkovito ustno sporočanje v skladu s tretjim in četrtem odstavkom pravila 14 V. poglavja Mednarodne konvencije o varstvu človeškega življenja na morju (SOLAS), 1974, s spremembami.

#### Pravilo I/15

##### *Prehodne določbe*

1 Do 1. januarja 2017 lahko pogodbenica v skladu z določbami konvencije, ki so veljale neposredno pred 1. januarjem 2012, še naprej izdaja, priznava ali overja pooblastila za tiste pomorščake, ki imajo potrjeno plovno dobo, potrjeno izobraževanje in usposabljanje ali potrjen tečaj usposabljanja pred 1. julijem 2013.

2 Do 1. januarja 2017 lahko pogodbenica v skladu z določbami konvencije, ki so veljale neposredno pred 1. januarjem 2012, še naprej obnavlja ali podaljšuje veljavnost pooblastil in overitev.

## II. POGlavJE

### Poveljnik in krovni oddelek

#### Pravilo II/1

*Obvezne najmanjše zahteve za izdajo pooblastila častniku, odgovornemu za krovno stražo na ladji z bruto tonažo 500 ali več*

1 Častnik, odgovoren za krovno stražo na ladji z bruto tonažo 500 ali več, mora imeti pooblastilo o nazivu.

2 Kandidat mora za pridobitev pooblastila:

2.1 imeti najmanj 18 let;

2.2 imeti najmanj 12 mesecev potrjene plovne dobe kot del potrjenega programa usposabljanja, ki vključuje usposabljanje na ladji v skladu z zahtevami oddelka A-II/1 kodeksa STCW in je vpisano v potrjen pripravniški dnevnik, ali najmanj 36 mesecev potrjene plovne dobe;

2.3 med zahtevano plovno dobo najmanj šest mesecev opravljati naloge krovne straže na mostu pod nadzorom poveljnika ali usposobljenega častnika;

2.4 po potrebi izpolnjevati veljavne zahteve pravil iz IV. poglavja za opravljanje dodeljenih nalog radijskega operaterja v skladu s pravili o radijski službi;

2.5 dokončati potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-II/1 kodeksa STCW in

2.6 izpolnjevati standard usposobljenosti iz drugega odstavka oddelka A-VI/1, prvega do četrtega odstavka oddelka A-VI/2, prvega do četrtega odstavka oddelka A-VI/3 in prvega do tretjega odstavka oddelka A-VI/4 kodeksa STCW.

**Regulation II/2**

*Mandatory minimum requirements for certification of masters and chief mates on ships of 500 gross tonnage or more*

**Master and chief mate on ships of 3,000 gross tonnage or more**

1 Every master and chief mate on a seagoing ship of 3,000 gross tonnage or more shall hold a certificate of competency.

2 Every candidate for certification shall:

.1 meet the requirements for certification as an officer in charge of a navigational watch on ships of 500 gross tonnage or more and have approved seagoing service in that capacity:

.1.1 for certification as chief mate, not less than 12 months, and

.1.2 for certification as master, not less than 36 months; however, this period may be reduced to not less than 24 months if not less than 12 months of such seagoing service has been served as chief mate; and

.2 have completed approved education and training and meet the standard of competence specified in section A-II/2 of the STCW Code for masters and chief mates on ships of 3,000 gross tonnage or more.

**Master and chief mate on ships of between 500 and 3,000 gross tonnage**

3 Every master and chief mate on a seagoing ship of between 500 and 3,000 gross tonnage shall hold a certificate of competency.

4 Every candidate for certification shall:

.1 for certification as chief mate, meet the requirements of an officer in charge of a navigational watch on ships of 500 gross tonnage or more;

.2 for certification as master, meet the requirements of an officer in charge of a navigational watch on ships of 500 gross tonnage or more and have approved seagoing service of not less than 36 months in that capacity; however, this period may be reduced to not less than 24 months if not less than 12 months of such seagoing service has been served as chief mate; and

.3 have completed approved training and meet the standard of competence specified in section A-II/2 of the STCW Code for masters and chief mates on ships of between 500 and 3,000 gross tonnage.

**Regulation II/3**

*Mandatory minimum requirements for certification of officers in charge of a navigational watch and of masters on ships of less than 500 gross tonnage*

**Ships not engaged on near-coastal voyages**

1 Every officer in charge of a navigational watch serving on a seagoing ship of less than 500 gross tonnage not engaged on near-coastal voyages shall hold a certificate of competency for ships of 500 gross tonnage or more.

2 Every master serving on a seagoing ship of less than 500 gross tonnage not engaged on near-coastal voyages shall hold a certificate of competency for service as master on ships of between 500 and 3,000 gross tonnage.

**Ships engaged on near-coastal voyages**

*Officer in charge of a navigational watch*

3 Every officer in charge of a navigational watch on a seagoing ship of less than 500 gross tonnage engaged on near-coastal voyages shall hold a certificate of competency.

4 Every candidate for certification as officer in charge of a navigational watch on a seagoing ship of less than 500 gross tonnage engaged on near-coastal voyages shall:

.1 be not less than 18 years of age;

.2 have completed:

.2.1 special training, including an adequate period of appropriate seagoing service as required by the Administration, or

.2.2 approved seagoing service in the deck department of not less than 36 months;

**Pravilo II/2**

*Obvezne najmanjše zahteve za izdajo pooblastila poveljniku in prvemu častniku na ladji z bruto tonažo 500 ali več*

**Poveljnik in prvi častnik na ladji z bruto tonažo 3000 ali več**

1 Poveljnik in prvi častnik na ladji z bruto tonažo 3000 ali več morata imeti pooblastilo o nazivu.

2 Kandidat mora za pridobitev pooblastila:

2.1 izpolnjevati zahteve za pridobitev pooblastila za častnika, odgovornega za krovno stražo na ladjah z bruto tonažo 500 ali več, in imeti potrjeno plovno dobo v tej službi:

2.1.1 za pridobitev pooblastila za prvega častnika najmanj 12 mesecev in

2.1.2 za pridobitev pooblastila za poveljnika najmanj 36 mesecev; to obdobje se lahko skrajša na najmanj 24 mesecev, če je od tega vsaj 12 mesecev opravljal delo prvega častnika, in

2.2 dokončati potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-II/2 kodeksa STCW za poveljnika in prvega častnika na ladji z bruto tonažo 3000 ali več.

**Poveljnik in prvi častnik na ladji z bruto tonažo med 500 in 3000**

3 Poveljnik in prvi častnik na ladji z bruto tonažo med 500 in 3000 morata imeti pooblastilo o nazivu.

4 Kandidat mora za pridobitev pooblastila:

4.1 za pridobitev pooblastila za prvega častnika izpolnjevati zahteve za častnika, odgovornega za krovno stražo na ladji z bruto tonažo 500 ali več;

4.2 za pridobitev pooblastila za poveljnika izpolnjevati pogoje za častnika, odgovornega za krovno stražo na ladji z bruto tonažo 500 ali več, in imeti najmanj 36 mesecev potrjene plovne dobe v tej službi; to obdobje se lahko skrajša na najmanj 24 mesecev, če je od tega vsaj 12 mesecev opravljal delo prvega častnika, in

4.3 dokončati potrjeno usposabljanje in izpolnjevati standard usposobljenosti iz oddelka A-II/2 kodeksa STCW za poveljnika in prvega častnika na ladji z bruto tonažo med 500 in 3000.

**Pravilo II/3**

*Obvezne najmanjše zahteve za pridobitev pooblastila za častnika, odgovornega za krovno stražo, in poveljnika na ladji z bruto tonažo do 500*

**Ladje, ki ne plovejo v območju obalne plovbe**

1 Častnik, odgovoren za krovno stražo, ki dela na ladji z bruto tonažo do 500, ki ne plove v območju obalne plovbe, mora imeti pooblastilo o nazivu za ladje z bruto tonažo 500 ali več.

2 Poveljnik, ki dela na ladji z bruto tonažo do 500, ki ne plove v obalni plovbi, mora imeti pooblastilo o nazivu za poveljnika na ladji z bruto tonažo med 500 in 3000.

**Ladje, ki plovejo v območju obalne plovbe**

*Častnik, odgovoren za krovno stražo*

3 Častnik, odgovoren za krovno stražo na ladji z bruto tonažo do 500, ki plove v območju obalne plovbe, mora imeti pooblastilo o nazivu.

4 Kandidat mora za pridobitev pooblastila za častnika, odgovornega za krovno stražo na ladji z bruto tonažo do 500, ki plove v območju obalne plovbe:

4.1 imeti najmanj 18 let;

4.2 dokončati:

4.2.1 posebno usposabljanje, vključno z ustrezno plovno dobo v skladu z zahtevami uprave, ali

4.2.2 najmanj 36 mesecev potrjene plovne dobe v krovni službi;

.3 meet the applicable requirements of the regulations in chapter IV, as appropriate, for performing designated radio duties in accordance with the Radio Regulations;

.4 have completed approved education and training and meet the standard of competence specified in section A-II/3 of the STCW Code for officers in charge of a navigational watch on ships of less than 500 gross tonnage engaged on near-coastal voyages; and

.5 meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

#### **Master**

5 Every master serving on a seagoing ship of less than 500 gross tonnage engaged on near-coastal voyages shall hold a certificate of competency.

6 Every candidate for certification as master on a seagoing ship of less than 500 gross tonnage engaged on near-coastal voyages shall:

.1 be not less than 20 years of age;

.2 have approved seagoing service of not less than 12 months as officer in charge of a navigational watch;

.3 have completed approved education and training and meet the standard of competence specified in section A-II/3 of the STCW Code for masters on ships of less than 500 gross tonnage engaged on near-coastal voyages; and

.4 meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

#### **Exemptions**

7 The Administration, if it considers that a ship's size and the conditions of its voyage are such as to render the application of the full requirements of this regulation and section A-II/3 of the STCW Code unreasonable or impracticable, may to that extent exempt the master and the officer in charge of a navigational watch on such a ship or class of ships from some of the requirements, bearing in mind the safety of all ships which may be operating in the same waters.

#### **Regulation II/4**

*Mandatory minimum requirements for certification of ratings forming part of a navigational watch*

1 Every rating forming part of a navigational watch on a seagoing ship of 500 gross tonnage or more, other than ratings under training and ratings whose duties while on watch are of an unskilled nature, shall be duly certificated to perform such duties.

2 Every candidate for certification shall:

.1 be not less than 16 years of age;

.2 have completed:

.2.1 approved seagoing service including not less than six months of training and experience, or

.2.2 special training, either pre-sea or on board ship, including an approved period of seagoing service which shall not be less than two months; and

.3 meet the standard of competence specified in section A-II/4 of the STCW Code.

3 The seagoing service, training and experience required by subparagraphs 2.2.1 and 2.2.2 shall be associated with navigational watchkeeping functions and involve the performance of duties carried out under the direct supervision of the master, the officer in charge of the navigational watch or a qualified rating.

#### **Regulation II/5**

*Mandatory minimum requirements for certification of ratings as able seafarer deck*

1 Every able seafarer deck serving on a seagoing ship of 500 gross tonnage or more shall be duly certificated.

2 Every candidate for certification shall:

4.3 po potrebi izpolnjevati veljavne zahteve pravil iz IV. poglavja za opravljanje dodeljenih nalog radijskega operaterja v skladu s pravili o radijski službi;

4.4 dokončati potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-II/3 kodeksa STCW za častnike, odgovorne za krovno stražo na ladjah z bruto tonažo do 500, ki plovejo v obalni plovbi, in

4.5 izpolnjevati standard usposobljenosti iz drugega odstavka oddelka A-VI/1, prvega do četrtega odstavka oddelka A-VI/2, prvega do četrtega odstavka oddelka A-VI/3 in prvega do tretjega odstavka oddelka A-VI/4 kodeksa STCW.

#### **Poveljnik**

5 Poveljnik na ladji z bruto tonažo do 500, ki plove v območju obalne plovbe, mora imeti pooblastilo o nazivu.

6 Kandidat mora za pridobitev pooblastila za poveljnika na ladji z bruto tonažo do 500, ki plove v območju obalne plovbe:

6.1 imeti najmanj 20 let;

6.2 imeti najmanj 12 mesecev potrjene plovne dobe kot častnik, odgovoren za krovno stražo;

6.3 dokončati potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-II/3 kodeksa STCW za poveljnika na ladji z bruto tonažo do 500, ki plove v območju obalne plovbe, in

6.4 izpolnjevati standard usposobljenosti iz drugega odstavka oddelka A-VI/1, prvega do četrtega odstavka oddelka A-VI/2, prvega do četrtega odstavka oddelka A-VI/3 in prvega do tretjega odstavka oddelka A-VI/4 kodeksa STCW.

#### **Izjeme**

7 Če uprava meni, da so velikost ladje in razmere za plovbo take, da bi bila uporaba vseh zahtev tega pravila in oddelka A-II/3 kodeksa STCW nerazumna ali neizvedljiva, sta lahko poveljnik in častnik, odgovoren za krovno stražo na taki ladji ali vrsti ladje, oproščena izpolnjevanja nekaterih zahtev, pri čemer je treba upoštevati varnost vseh ladij, ki lahko plovejo v istih vodah.

#### **Pravilo II/4**

*Obvezne najmanjše zahteve za pridobitev pooblastila za člana posadke v sestavi krovne straže*

1 Član posadke v sestavi krovne straže na ladji z bruto tonažo 500 ali več, razen člana posadke, ki se usposablja, in člana posadke, ki na straži opravlja delo, ki ne zahteva posebnega znanja, mora imeti za opravljanje takih nalog ustrezno pooblastilo.

2 Kandidat mora za pridobitev pooblastila:

2.1 imeti najmanj 16 let;

2.2 imeti:

2.2.1 potrjeno plovno dobo, ki vključuje najmanj šest mesecev usposabljanja in izkušenj, ali

2.2.2 dokončano posebno usposabljanje pred začetkom dela na ladji ali na ladji, vključno z najmanj dvomesečno potrjeno plovno dobo, in

2.3 izpolnjevati standard usposobljenosti iz oddelka A-II/4 kodeksa STCW.

3 Plovna doba, usposabljanje in izkušnje, ki se zahtevajo v točkah 2.2.1 in 2.2.2, se morajo nanašati na naloge, povezane s stražo, in vključevati opravljanje nalog pod neposrednim nadzorom poveljnika, častnika, odgovornega za krovno stražo, ali usposobljenega člana posadke.

#### **Pravilo II/5**

*Obvezne najmanjše zahteve za pridobitev pooblastila za usposobljenega pomorščaka krova*

1 Usposobljeni pomorščak krova, ki dela na ladji z bruto tonažo 500 ali več, mora imeti ustrezno pooblastilo.

2 Kandidat mora za pridobitev pooblastila:

.1 be not less than 18 years of age;  
 .2 meet the requirements for certification as a rating forming part of a navigational watch;  
 .3 while qualified to serve as a rating forming part of a navigational watch, have approved seagoing service in the deck department of:

.3.1 not less than 18 months, or  
 .3.2 not less than 12 months and have completed approved training; and

.4 meet the standard of competence specified in section A-II/5 of the STCW Code.

3 Every Party shall compare the standards of competence which it required of Able Seamen for certificates issued before 1 January 2012 with those specified for the certificate in section A-II/5 of the STCW Code, and shall determine the need, if any, for requiring these personnel to update their qualifications.

4 Until 1 January 2012, a Party which is also a Party to the International Labour Organization Certification of Able Seamen Convention, 1946 (No. 74) may continue to issue, recognize and endorse certificates in accordance with the provisions of the aforesaid convention.

5 Until 1 January 2017, a Party which is also a Party to the International Labour Organization Certification of Able Seamen Convention, 1946 (No. 74) may continue to renew and revalidate certificates and endorsements in accordance with the provisions of the aforesaid convention.

6 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity in the deck department for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party.

### CHAPTER III Engine department

#### Regulation III/1

*Mandatory minimum requirements for certification of officers in charge of an engineering watch in a manned engine-room or designated duty engineers in a periodically unmanned engine-room*

1 Every officer in charge of an engineering watch in a manned engine-room or designated duty engineer officer in a periodically unmanned engine-room on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more shall hold a certificate of competency.

2 Every candidate for certification shall:

.1 be not less than 18 years of age;  
 .2 have completed combined workshop skills training and an approved seagoing service of not less than 12 months as part of an approved training programme which includes onboard training that meets the requirements of section A-III/1 of the STCW Code and is documented in an approved training record book, or otherwise have completed combined workshop skills training and an approved seagoing service of not less than 36 months of which not less than 30 months shall be seagoing service in the engine department;

.3 have performed, during the required seagoing service, engine-room watchkeeping duties under the supervision of the chief engineer officer or a qualified engineer officer for a period of not less than six months;

.4 have completed approved education and training and meet the standard of competence specified in section A-III/1 of the STCW Code; and

.5 meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

2.1 imeti najmanj 18 let;  
 2.2 izpolnjevati zahteve za pridobitev pooblastila za člana posadke v sestavi krovne straže;

2.3 ko je usposobljen za člana posadke v sestavi krovne straže, imeti potrjeno plovno dobo v krovni službi:

2.3.1 najmanj 18 mesecev ali  
 2.3.2 najmanj 12 mesecev in dokončati potrjeno usposabljanje ter

2.4 izpolnjevati standard usposobljenosti iz oddelka A-II/5 kodeksa STCW.

3 Pogodbenica primerja standarde usposobljenosti, ki jih je zahtevala od kandidatov za pridobitev pooblastila, izdana pred 1. januarjem 2012, s standardi za pridobitev ustreznega pooblastila iz oddelka A-II/5 kodeksa STCW, in se odloči, ali je treba zahtevati posodobitev njihove usposobljenosti.

4 Pogodbenica, ki je tudi pogodbenica Konvencije Mednarodne organizacije dela o potrdilih o izobrazbi kvalificiranega mornarja, 1946 (št. 74), lahko do 1. januarja 2012 še naprej izdaja, priznava ali overja pooblastila v skladu z navedeno konvencijo.

5 Pogodbenica, ki je tudi pogodbenica Konvencije Mednarodne organizacije dela o potrdilih o izobrazbi kvalificiranega mornarja (št. 74), 1946, lahko do 1. januarja 2017 podaljšuje in ponovno potrjuje veljavnost pooblastil in overitev v skladu z navedeno konvencijo.

6 Pogodbenica lahko šteje, da zahteve tega pravila izpolnjujejo tisti pomorščaki, ki so opravljali ustrezno službo v krovni službi najmanj 12 mesecev v zadnjih 60 mesecih pred začetkom veljavnosti tega pravila za to pogodbenico.

### III. POGLAVJE Strojni oddelek

#### Pravilo III/1

*Obvezne najmanjše zahteve za pridobitev pooblastila za častnika, odgovornega za stražo v nadzorovani strojnici, ali dežurnega strojnika v občasno nenadzorovani strojnici*

1 Častnik, odgovoren za stražo v nadzorovani strojnici ali dežurni častnik stroja v občasno nenadzorovani strojnici na ladji z glavnim pogonskim strojem z močjo 750 kW ali več, mora imeti pooblastilo o nazivu.

2 Kandidat mora za pridobitev pooblastila:

2.1 imeti najmanj 18 let;  
 2.2 opraviti praktično usposabljanje in imeti najmanj 12 mesecev potrjene plovne dobe kot del potrjenega programa usposabljanja, ki vključuje usposabljanje na ladji v skladu z zahtevami iz oddelka A-III/1 kodeksa STCW in je vpisano v potrjenem pripravniškem dnevniku, ali opraviti praktično usposabljanje in imeti najmanj 36 mesecev potrjene plovne dobe, od tega najmanj 30 mesecev v strojnem oddelku;

2.3 med zahtevano plovno dobo najmanj šest mesecev opravljati naloge strojne straže v strojnici pod nadzorom upravitelja stroja ali usposobljenega častnika stroja;

2.4 opraviti potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-III/1 kodeksa STCW in

2.5 izpolnjevati standard usposobljenosti, opredeljen v drugem odstavku oddelka A-VI/1, prvem do četrtem odstavku oddelka A-VI/2, prvem do četrtem odstavku oddelka A-VI/3 in prvem do tretjem odstavku oddelka A-VI/4 kodeksa STCW.



**Regulation III/2**

*Mandatory minimum requirements for certification of chief engineer officers and second engineer officers on ships powered by main propulsion machinery of 3,000 kW propulsion power or more*

1 Every chief engineer officer and second engineer officer on a seagoing ship powered by main propulsion machinery of 3,000 kW propulsion power or more shall hold a certificate of competency.

2 Every candidate for certification shall:

.1 meet the requirements for certification as an officer in charge of an engineering watch on seagoing ships powered by main propulsion machinery of 750 kW propulsion power or more and have approved seagoing service in that capacity:

.1.1 for certification as second engineer officer, have not less than 12 months as qualified engineer officer, and

.1.2 for certification as chief engineer officer, have not less than 36 months: however, this period may be reduced to not less than 24 months if not less than 12 months of such seagoing service has been served as second engineer officer; and

.2 have completed approved education and training and meet the standard of competence specified in section A-III/2 of the STCW Code.

**Regulation III/3**

*Mandatory minimum requirements for certification of chief engineer officers and second engineer officers on ships powered by main propulsion machinery of between 750 kW and 3,000 kW propulsion power*

1 Every chief engineer officer and second engineer officer on a seagoing ship powered by main propulsion machinery of between 750 kW and 3,000 kW propulsion power shall hold a certificate of competency.

2 Every candidate for certification shall:

.1 meet the requirements for certification as an officer in charge of an engineering watch and:

.1.1 for certification as second engineer officer, have not less than 12 months of approved seagoing service as assistant engineer officer or engineer officer, and

.1.2 for certification as chief engineer officer, have not less than 24 months of approved seagoing service of which not less than 12 months shall be served while qualified to serve as second engineer officer; and

.2 have completed approved education and training and meet the standard of competence specified in section A-III/3 of the STCW Code.

3 Every engineer officer who is qualified to serve as second engineer officer on ships powered by main propulsion machinery of 3,000 kW propulsion power or more, may serve as chief engineer officer on ships powered by main propulsion machinery of less than 3,000 kW propulsion power, provided the certificate is so endorsed.

**Regulation III/4**

*Mandatory minimum requirements for certification of ratings forming part of a watch in a manned engine-room or designated to perform duties in a periodically unmanned engine-room*

1 Every rating forming part of an engine-room watch or designated to perform duties in a periodically unmanned engine-room on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more, other than ratings under training and ratings whose duties are of an unskilled nature, shall be duly certificated to perform such duties.

2 Every candidate for certification shall:

.1 be not less than 16 years of age;

.2 have completed:

.2.1 approved seagoing service including not less than six months of training and experience, or

.2.2 special training, either pre-sea or on board ship, including an approved period of seagoing service which shall not be less than two months; and

**Pravilo III/2**

*Obvezne najmanjše zahteve za pridobitev pooblastila za upravitelja stroja in drugega častnika stroja na ladji s pogonsko močjo 3000 kW ali več*

1 Upravitelj stroja in drugi častnik stroja na ladji z glavnim pogonskim strojem z močjo 3000 kW ali več mora imeti pooblastilo o nazivu.

2 Kandidat mora za pridobitev pooblastila:

2.1 izpolnjevati zahteve za pridobitev pooblastila častnika, odgovornega za strojno stražo na ladji s pogonsko močjo 750 kW ali več, in imeti potrjeno plovbno dobo v tej službi:

2.1.1 za pridobitev pooblastila za drugega častnika stroja najmanj 12 mesecev kot usposobljeni častnik stroja, in

2.1.2 za pridobitev pooblastila za upravitelja stroja najmanj 36 mesecev; to obdobje se lahko skrajša na 24 mesecev, če je od tega vsaj 12 mesecev na ladji opravljal delo drugega častnika stroja, in

2.2 opraviti potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-III/2 kodeksa STCW.

**Pravilo III/3**

*Obvezne najmanjše zahteve za pridobitev pooblastila za upravitelja stroja in drugega častnika stroja na ladjah s pogonsko močjo med 750 kW in 3000 kW*

1 Upravitelj stroja in drugi častnik stroja na ladji s pogonsko močjo med 750 kW in 3000 kW mora imeti pooblastilo o nazivu.

2 Kandidat mora za pridobitev pooblastila:

2.1 izpolnjevati zahteve za pridobitev pooblastila za častnika, odgovornega za strojno stražo, in mora:

2.1.1 imeti za pridobitev pooblastila za drugega častnika stroja najmanj 12 mesecev potrjene plovbne dobe kot pomočnik častnika stroja ali kot častnik stroja in

2.1.2 imeti za pridobitev pooblastila za upravitelja stroja najmanj 24 mesecev potrjene plovbne dobe, od tega najmanj 12 mesecev potrjene plovbne dobe kot drugi častnik stroja ter

2.2 dokončati potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-III/3 kodeksa STCW.

3 Častnik stroja, ki je usposobljen za delo drugega častnika stroja na ladji s pogonsko močjo 3000 kW ali več, lahko dela kot upravitelj stroja na ladji s pogonsko močjo manj kot 3000 kW, če je pooblastilo tako overjeno.

**Pravilo III/4**

*Najmanjše zahteve za pridobitev pooblastila za člana posadke v sestavi straže v nadzorovani strojnici ali člana posadke, določenega, da opravlja naloge v občasno nenadzorovani strojnici*

1 Član posadke v sestavi strojne straže ali določen, da opravlja naloge v občasno nenadzorovani strojnici, na ladji s pogonskim strojem z močjo 750 kW ali več, razen člana posadke na usposabljanju in tistega, ki opravlja nekvalificirano delo, mora imeti za opravljanje takih nalog ustrezno pooblastilo.

2 Kandidat mora za pridobitev pooblastila:

2.1 imeti najmanj 16 let;

2.2 imeti:

2.2.1 potrjeno plovbno dobo, ki vključuje najmanj šest mesecev usposabljanja in delovnih izkušenj, ali

2.2.2 dokončano posebno usposabljanje pred začetkom dela na ladji ali na ladji, ki zajema najmanj dva meseca potrjene plovbne dobe, in

.3 meet the standard of competence specified in section A-III/4 of the STCW Code.

3 The seagoing service, training and experience required by subparagraphs 2.2.1 and 2.2.2 shall be associated with engine-room watchkeeping functions and involve the performance of duties carried out under the direct supervision of a qualified engineer officer or a qualified rating.

#### **Regulation III/5**

*Mandatory minimum requirements for certification of ratings as able seafarer engine in a manned engine-room or designated to perform duties in a periodically unmanned engine-room*

1 Every able seafarer engine serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more shall be duly certificated.

2 Every candidate for certification shall:

.1 be not less than 18 years of age;

.2 meet the requirements for certification as a rating forming part of a watch in a manned engine-room or designated to perform duties in a periodically unmanned engine-room;

.3 while qualified to serve as a rating forming part of an engineering watch, have approved seagoing service in the engine department of:

.3.1 not less than 12 months, or

.3.2 not less than 6 months and have completed approved training; and

.4 meet the standard of competence specified in section A-III/5 of the STCW Code.

3 Every Party shall compare the standard of competence which it required of ratings in the engine department for certificates issued before 1 January 2012 with those specified for the certificate in section A-III/5 of the STCW Code, and shall determine the need, if any, for requiring these personnel to update their qualifications.

4 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity in the engine department for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party.

#### **Regulation III/6**

*Mandatory minimum requirements for certification of electro-technical officers*

1 Every electro-technical officer serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more shall hold a certificate of competency.

2 Every candidate for certification shall:

.1 be not less than 18 years of age;

.2 have completed not less than 12 months of combined workshop skills training and approved seagoing service of which not less than 6 months shall be seagoing service as part of an approved training programme which meets the requirements of section A-III/6 of the STCW Code and is documented in an approved training record book, or otherwise not less than 36 months of combined workshop skills training and approved seagoing service of which not less than 30 months shall be seagoing service in the engine department;

.3 have completed approved education and training and meet the standard of competence specified in section A-III/6 of the STCW Code; and

.4 meet the standard of competence specified in section A-VI/1, paragraph 2, section A-VI/2, paragraphs 1 to 4, section A-VI/3, paragraphs 1 to 4 and section A-VI/4, paragraphs 1 to 3 of the STCW Code.

3 Every Party shall compare the standard of competence which it required of electro-technical officers for certificates issued before 1 January 2012 with those specified for the certificate in section A-III/6 of the STCW Code, and shall determine the need for requiring those personnel to update their qualifications.

2.3 izpolnjevati standard usposobljenosti iz oddelka A-III/4 kodeksa STCW.

3 Plovna doba, usposabljanje in delovne izkušnje iz točk 2.2.1 in 2.2.2 morajo biti povezani z nalogami stražarjenja v strojnici in vključevati opravljanje nalog pod neposrednim nadzorom usposobljenega častnika stroja ali usposobljenega člana posadke.

#### **Pravilo III/5**

*Najmanjše zahteve za pridobitev pooblastila za usposobljenega strojnega pomorščaka v nadzorovani strojnici ali določenega, da opravlja naloge v občasno nenadzorovani strojnici*

1 Usposobljeni strojni pomorščak, ki dela na ladji z glavnim pogonskim strojem z močjo 750 kW ali več, mora imeti ustrezno pooblastilo.

2 Kandidat mora za pridobitev pooblastila:

2.1 imeti najmanj 18 let;

2.2 izpolnjevati zahteve za pridobitev pooblastila člana posadke v sestavi strojne straže v nadzorovani strojnici ali določenega, da opravlja naloge v občasno nenadzorovani strojnici;

2.3 ko je usposobljen za člana posadke v sestavi strojne straže, imeti potrjeno plovno dobo v strojni službi:

2.3.1 najmanj 12 mesecev ali

2.3.2 najmanj šest mesecev in dokončano potrjeno usposabljanje in

2.4 izpolnjevati standard usposobljenosti iz oddelka A-III/5 kodeksa STCW.

3 Pogodbenica primerja standarde usposobljenosti, ki jih je zahtevala od članov posadke v strojnem oddelku za pooblastila, izdana pred 1. januarjem 2012, s standardi za ustrezna pooblastila v oddelku A-III/5 kodeksa STCW, in se odloči, ali je treba zahtevati posodobitev njihovih usposobljenosti.

4 Pogodbenica lahko šteje, da zahteve tega pravila izpolnjujejo tisti pomorščaki, ki so opravljali ustrezno delo v strojnem oddelku najmanj 12 mesecev v zadnjih 60 mesecih pred začetkom veljavnosti tega pravila za to pogodbenico.

#### **Pravilo III/6**

*Najmanjše zahteve za pridobitev pooblastila za častnika elektrotehnika*

1 Častnik elektrotehnik, ki dela na ladji z glavnim pogonskim strojem z močjo 750 kW ali več, mora imeti pooblastilo o nazivu.

2 Kandidat mora za pridobitev pooblastila:

2.1 imeti najmanj 18 let;

2.2 dokončati najmanj 12 mesecev praktičnega usposabljanja in imeti potrjeno plovno dobo, od tega najmanj 6 mesecev kot del potrjenega programa usposabljanja, ki izpolnjuje zahteve iz oddelka A-III/6 kodeksa STCW in je vpisano v potrjenem pripravniškem dnevniku, ali najmanj 36 mesecev praktičnega usposabljanja in potrjene plovne dobe, od tega najmanj 30 mesecev plovne dobe v strojni službi;

2.3 dokončati potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-III/6 kodeksa STCW in

2.4 izpolnjevati standard usposobljenosti iz drugega odstavka oddelka A-VI/1, prvega do četrtega odstavka oddelka A-VI/2, prvega do četrtega odstavka oddelka A-VI/3 in prvega do tretjega odstavka oddelka A-VI/4 kodeksa STCW.

3 Pogodbenica primerja standarde usposobljenosti, ki jih je zahtevala od častnikov elektrotehnikov za pooblastila, izdana pred 1. januarjem 2012, s standardi za pridobitev ustreznega pooblastila iz oddelka A-III/6 kodeksa STCW, in odloči, ali je treba zanje zahtevati posodobitev njihove usposobljenosti.

4 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity on board a ship for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party and meet the standard of competence specified in section A-III/6 of the STCW Code.

5 Notwithstanding the above requirements of paragraph 1 to 4, a suitably qualified person may be considered by a Party to be able to perform certain functions of section A-III/6.

#### **Regulation III/7**

*Mandatory minimum requirements for certification of electro-technical ratings*

1 Every electro-technical rating serving on a seagoing ship powered by main propulsion machinery of 750 kW propulsion power or more shall be duly certificated.

2 Every candidate for certification shall:

.1 be not less than 18 years of age;

.2 have:

.2.1 completed approved seagoing service including not less than 12 months training and experience, or

.2.2 completed approved training, including an approved period of seagoing service which shall not be less than 6 months, or

.2.3 qualifications that meet the technical competences in table A-III/7 and an approved period of seagoing service, which shall not be less than 3 months; and

.3 meet the standard of competence specified in section A-III/7 of the STCW Code.

3 Every Party shall compare the standard of competence which it required of electro-technical ratings for certificates issued before 1 January 2012 with those specified for the certificate in section A-III/7 of the STCW Code, and shall determine the need, if any, for requiring these personnel to update their qualifications.

4 Seafarers may be considered by the Party to have met the requirements of this regulation if they have served in a relevant capacity on board a ship for a period of not less than 12 months within the last 60 months preceding the entry into force of this regulation for that Party and meet the standard of competence specified in section A-III/7 of the STCW Code.

5 Notwithstanding the above requirements of paragraphs 1 to 4, a suitably qualified person may be considered by a Party to be able to perform certain functions of section A-III/7.

### **CHAPTER IV**

#### **Radiocommunication and radio operators**

##### **Explanatory note**

Mandatory provisions relating to radio watchkeeping are set forth in the Radio Regulations and in the International Convention for the Safety of Life at Sea, 1974, as amended. Provisions for radio maintenance are set forth in the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended, and the guidelines adopted by the Organization.

##### **Regulation IV/1**

###### *Application*

1 Except as provided in paragraph 2, the provisions of this chapter apply to radio operators on ships operating in the global maritime distress and safety system (GMDSS) as prescribed by the International Convention for the Safety of Life at Sea, 1974, as amended.

4 Pogodbenica lahko šteje, da zahteve tega pravila izpolnjujejo tisti pomorščaki, ki so opravljali ustrezno službo na ladji najmanj 12 mesecev v zadnjih 60 mesecih pred začetkom veljavnosti tega pravila za to pogodbenico in izpolnjujejo standard usposobljenosti iz oddelka A-III/6 kodeksa STCW.

5 Ne glede na zahteve iz prvega do četrtega odstavka tega pravila lahko pogodbenica presodi, da je ustrezno usposobljena oseba sposobna za opravljanje nekaterih nalog iz oddelka A-III/6.

#### **Pravilo III/7**

*Najmanjše zahteve za pridobitev pooblastila za člana posadke elektrotehnika*

1 Član posadke elektrotehnik, ki dela na ladji s pogonskim strojem z močjo 750 kW ali več, mora imeti ustrezno pooblastilo.

2 Kandidat mora za pridobitev pooblastila:

2.1 imeti najmanj 18 let;

2.2 imeti:

2.2.1 dokončano priznano plovno dobo, ki vključuje najmanj 12 mesecev usposabljanja in delovnih izkušenj, ali

2.2.2 dokončano priznano usposabljanje, ki vključuje najmanj 6 mesecev potrjene plovne dobe, ali

2.2.3 usposobljenost, ki ustreza tehničnemu znanju iz preglednice A-III/7 kodeksa STCW, in najmanj tri mesece potrjene plovne dobe ter

2.3 izpolnjevati standard usposobljenosti iz oddelka A-III/7 kodeksa STCW.

3 Pogodbenica primerja standarde usposobljenosti, ki jih je zahtevala od članov posadke elektrotehnikov za pooblastila, izdana pred 1. januarjem 2012, s standardi za pridobitev ustreznega pooblastila iz oddelka A-III/7 kodeksa STCW, in odloči, ali je treba zanje zahtevati posodobitev njihove usposobljenosti.

4 Pogodbenica lahko šteje, da zahteve tega pravila izpolnjujejo tisti pomorščaki, ki so opravljali ustrezno službo na ladji najmanj 12 mesecev v zadnjih 60 mesecih pred začetkom veljavnosti tega pravila za to pogodbenico in izpolnjujejo standard usposobljenosti iz oddelka A-III/7 kodeksa STCW.

5 Ne glede na zahteve iz prvega do četrtega odstavka tega pravila lahko pogodbenica presodi, da je ustrezno usposobljena oseba sposobna za opravljanje nekaterih nalog iz oddelka A-III/7.

### **IV. POGLAVJE**

#### **Radijske zveze in radijski operaterji**

##### **Pojasnilo**

Obvezne določbe, ki se nanašajo na radijsko stražo, so določene s pravili o radijski službi in v Mednarodni konvenciji o varstvu človeškega življenja na morju, 1974, s spremembami. Določbe o vzdrževanju opreme za radijske zveze so v Mednarodni konvenciji o varstvu človeškega življenja na morju (SOLAS), 1974, s spremembami in smernicami, ki jih je sprejela organizacija.

##### **Pravilo IV/1**

###### *Uporaba*

1 Določbe tega poglavja, razen določb iz drugega odstavka, se uporabljajo za radijske operaterje na ladjah v univerzalnem pomorskem sistemu za stisko in varnost na morju (GMDSS), predpisanem v Mednarodni konvenciji o varstvu človeškega življenja na morju, 1974, s spremembami.

2 Radio operators on ships not required to comply with the provisions of the GMDSS in chapter IV of the SOLAS Convention are not required to meet the provisions of this chapter. Radio operators on these ships are, nevertheless, required to comply with the Radio Regulations. The Administration shall ensure that the appropriate certificates as prescribed by the Radio Regulations are issued to or recognized in respect of such radio operators.

#### **Regulation IV/2**

*Mandatory minimum requirements for certification of GMDSS radio operators*

1 Every person in charge of or performing radio duties on a ship required to participate in the GMDSS shall hold an appropriate certificate related to the GMDSS, issued or recognized by the Administration under the provisions of the Radio Regulations.

2 In addition, every candidate for certification of competency under this regulation for service on a ship, which is required by the International Convention for the Safety of Life at Sea, 1974, as amended, to have a radio installation, shall:

.1 be not less than 18 years of age; and

.2 have completed approved education and training and meet the standard of competence specified in section A-IV/2 of the STCW Code.

### **CHAPTER V**

#### **Special training requirements for personnel on certain types of ships**

#### **Regulation V/1-1**

*Mandatory minimum requirements for the training and qualifications of masters, officers and ratings on oil and chemical tankers*

1 Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on oil or chemical tankers shall hold a certificate in basic training for oil and chemical tanker cargo operations.

2 Every candidate for a certificate in basic training for oil and chemical tanker cargo operations shall have completed basic training in accordance with provisions of section A-VI/1 of the STCW Code and shall have completed:

.1 at least three months of approved seagoing service on oil or chemical tankers and meet the standard of competence specified in section A-V/1-1, paragraph 1 of the STCW Code; or

.2 an approved basic training for oil and chemical tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 1 of the STCW Code.

3 Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on oil tankers shall hold a certificate in advanced training for oil tanker cargo operations.

4 Every candidate for a certificate in advanced training for oil tanker cargo operations shall:

.1 meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and

.2 while qualified for certification in basic training for oil and chemical tanker cargo operations, have:

.2.1 at least three months of approved seagoing service on oil tankers, or

2 Radijskim operaterjem na ladjah, ki jim ni treba izpolnjevati določb o sistemu GMDSS iz IV. poglavja konvencije SOLAS, ni treba izpolnjevati določb tega poglavja. Radijski operaterji na teh ladjah pa morajo ne glede na to izpolnjevati zahteve iz pravil o radijski službi. Uprava mora zagotoviti, da se tem radijskim operaterjem izdajo ali priznajo ustrezna pooblastila, ki jih predpisujejo pravila o radijski službi.

#### **Pravilo IV/2**

*Najmanjše zahteve za pridobitev pooblastila za GMDSS radijskega operaterja*

1 Oseba, odgovorna za opravljanje, ali tista, ki opravlja naloge radijskih zvez na ladji in mora sodelovati v sistemu GMDSS, ima ustrezno pooblastilo, ki se nanaša na GMDSS in ga je izdala ali priznala uprava na podlagi določb pravil o radijski službi.

2 Kandidat mora za pridobitev pooblastila o nazivu po tem pravilu za delo na ladji, ki mora biti v skladu z Mednarodno konvencijo o varstvu človeškega življenja na morju, 1974, s spremembami opremljena z napravami za radijske zveze:

2.1 imeti najmanj 18 let in

2.2 opraviti potrjeno izobraževanje in usposabljanje ter izpolnjevati standard usposobljenosti iz oddelka A-IV/2 kodeksa STCW.

### **V. POGLAVJE**

#### **Posebno usposabljanje za osebje na posameznih vrstah ladij**

#### **Pravilo V/1-1**

*Najmanjše zahteve za usposabljanje in kvalifikacijo poveljnikov, častnikov in članov posadke na tankerjih za prevoz nafte in kemikalij*

1 Častnik in član posadke, ki so jima dodeljene posebne naloge in odgovornosti v zvezi s tovorom ali njegovo opremo na tankerjih za prevoz nafte ali kemikalij, morata imeti pooblastilo o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz nafte in kemikalij.

2 Kandidat mora za pridobitev pooblastila o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz nafte in kemikalij dokončati osnovno usposabljanje v skladu z določbami oddelka A-VI/1 kodeksa STCW in:

2.1 imeti najmanj tri mesece potrjene plovne dobe na tankerjih za prevoz nafte ali kemikalij ter izpolnjevati standard usposobljenosti iz prvega odstavka oddelka A-V/1-1 kodeksa STCW ali

2.2 opraviti potrjeno osnovno usposabljanje za ravnanje s tovorom na tankerjih za prevoz nafte in kemikalij ter izpolnjevati standard usposobljenosti iz prvega odstavka oddelka A-V/1-1 kodeksa STCW.

3 Poveljnik, upravitelj stroja, prvi častnik, drugi častnik stroja in oseba, ki je neposredno odgovorna za natovarjanje, raztovarjanje, skrb med prevozom, ravnanje s tovorom, čiščenje tankov ali druga opravila, povezana s tovorom na tankerjih za prevoz nafte, mora imeti pooblastilo o dodatni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz nafte.

4 Kandidat mora za pridobitev pooblastila o dodatni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz nafte:

4.1 izpolnjevati zahteve za pridobitev pooblastila o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz nafte in kemikalij ter

4.2 ko je usposobljen za pridobitev pooblastila o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz nafte in kemikalij, imeti:

4.2.1 najmanj tri mesece potrjene plovne dobe na tankerjih za prevoz nafte ali

.2 at least one month of approved onboard training on oil tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and

.3 have completed approved advanced training for oil tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 2 of the STCW Code.

5 Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on chemical tankers shall hold a certificate in advanced training for chemical tanker cargo operations.

6 Every candidate for a certificate in advanced training for chemical tanker cargo operations shall:

.1 meet the requirements for certification in basic training for oil and chemical tanker cargo operations; and

.2 while qualified for certification in basic training for oil and chemical tanker cargo operations, have:

.2.1 at least three months of approved seagoing service on chemical tankers, or

.2.2 at least one month of approved onboard training on chemical tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and

.3 have completed approved advanced training for chemical tanker cargo operations and meet the standard of competence specified in section A-V/1-1, paragraph 3 of the STCW Code.

7 Administrations shall ensure that a certificate of proficiency is issued to seafarers, who are qualified in accordance with paragraphs 2, 4 or 6 as appropriate, or that an existing certificate of competency or certificate of proficiency is duly endorsed.

#### **Regulation V/1-2**

*Mandatory minimum requirements for the training and qualifications of masters, officers and ratings on liquefied gas tankers*

1 Officers and ratings assigned specific duties and responsibilities related to cargo or cargo equipment on liquefied gas tankers shall hold a certificate in basic training for liquefied gas tanker cargo operations.

2 Every candidate for a certificate in basic training for liquefied gas tanker cargo operations shall have completed basic training in accordance with provisions of section A-VI/1 of the STCW Code and shall have completed:

.1 at least three months of approved seagoing service on liquefied gas tankers and meet the standard of competence specified in section A-V/1-2, paragraph 1 of the STCW Code; or

.2 an approved basic training for liquefied gas tanker cargo operations and meet the standard of competence specified in section A-V/1-2, paragraph 1 of the STCW Code.

3 Masters, chief engineer officers, chief mates, second engineer officers and any person with immediate responsibility for loading, discharging, care in transit, handling of cargo, tank cleaning or other cargo-related operations on liquefied gas tankers shall hold a certificate in advanced training for liquefied gas tanker cargo operations.

4 Every candidate for a certificate in advanced training for liquefied gas tanker cargo operations shall:

4.2.2 najmanj en mesec potrjenega usposabljanja na tankerjih za prevoz nafte kot dodatni član posadke, ki vključuje najmanj tri natovarjanja in tri raztovarjanja in morajo biti vpisana v predpisani pripravniški dnevnik ob upoštevanju navodil iz oddelka B-V/1 kodeksa STCW, in

4.3 imeti potrjeno dodatno usposabljanje za ravnanje s tovorom na tankerjih za prevoz nafte ter izpolnjevati standard usposobljenosti iz drugega odstavka oddelka A-V/1-1 kodeksa STCW.

5 Poveljnik, upravitelj stroja, prvi častnik, drugi častnik stroja in oseba, ki je neposredno odgovorna za natovarjanje, raztovarjanje, skrb med prevozom, ravnanje s tovorom, čiščenje tankov ali druga opravila, povezana s tovorom na tankerjih za prevoz kemikalij, morajo imeti pooblastilo o dodatni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz kemikalij.

6 Kandidat mora za pridobitev pooblastila o dodatni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz kemikalij:

6.1 izpolnjevati zahteve za pridobitev pooblastila o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz nafte in kemikalij ter

6.2 ko je usposobljen za pridobitev pooblastila o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz nafte in kemikalij, imeti:

6.2.1 najmanj tri mesece potrjene plovne dobe na tankerjih za prevoz kemikalij ali

6.2.2 najmanj en mesec potrjenega usposabljanja na tankerjih za prevoz kemikalij kot dodatni član posadke, ki vključuje najmanj tri natovarjanja in tri raztovarjanja in morajo biti vpisana v predpisani pripravniški dnevnik ob upoštevanju navodil iz oddelka B-V/1 kodeksa STCW, ter

6.3 imeti dokončno potrjeno dodatno usposabljanje za ravnanje s tovorom na tankerjih za prevoz kemikalij ter izpolnjevati standard usposobljenosti iz tretjega odstavka oddelka A-V/1-1 kodeksa STCW.

7 Uprave zagotovijo, da so posebna pooblastila izdana pomorščakom, ki so usposobljeni v skladu z drugim, četrtim ali šestim odstavkom tega pravila, ali da je obstoječe pooblastilo o nazivu ali posebno pooblastilo pravilno overjeno.

#### **Pravilo V/1-2**

*Najmanjše zahteve za usposabljanje in kvalifikacijo poveljnika, častnika in člana posadke na tankerjih za prevoz utekočinjenega plina*

1 Častnik in član posadke s posebnimi nalogami ter odgovornostmi v zvezi s tovorom ali opremo za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina mora imeti pooblastilo o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina.

2 Kandidat mora za pridobitev pooblastila o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina opraviti osnovno usposabljanje v skladu z določbami oddelka A-VI/1 kodeksa STCW in:

2.1 imeti najmanj tri mesece predpisane plovne dobe na tankerjih za prevoz utekočinjenega plina ter izpolnjevati standard usposobljenosti iz prvega odstavka oddelka A-V/1-2 kodeksa STCW ali

2.2 opraviti potrjeno osnovno usposabljanje za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina ter izpolnjevati standard usposobljenosti iz prvega odstavka oddelka A-V/1-2 kodeksa STCW.

3 Poveljnik, upravitelj stroja, prvi častnik, drugi častnik stroja in oseba, ki je neposredno odgovorna za natovarjanje, raztovarjanje, skrb med prevozom, ravnanje s tovorom, čiščenje tankov ali druga opravila, povezana s tovorom na tankerjih za prevoz utekočinjenega plina, mora imeti pooblastilo o dodatni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina.

4 Kandidat mora za pridobitev pooblastila o dodatni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina:

.1 meet the requirements for certification in basic training for liquefied gas tanker cargo operations; and

.2 while qualified for certification in basic training for liquefied gas tanker cargo operations, have:

.2.1 at least three months of approved seagoing service on liquefied gas tankers, or

.2.2 at least one month of approved onboard training on liquefied gas tankers, in a supernumerary capacity, which includes at least three loading and three unloading operations and is documented in an approved training record book taking into account guidance in section B-V/1; and

.3 have completed approved advanced training for liquefied gas tanker cargo operations and meet the standard of competence specified in section A-V/1-2, paragraph 2 of the STCW Code.

5 Administrations shall ensure that a certificate of proficiency is issued to seafarers, who are qualified in accordance with paragraphs 2 or 4 as appropriate, or that an existing certificate of competency or certificate of proficiency is duly endorsed.

### Regulation V/2

*Mandatory minimum requirements for the training and qualifications of masters, officers, ratings and other personnel on passenger ships*

1 This regulation applies to masters, officers, ratings and other personnel serving on board passenger ships engaged on international voyages. Administrations shall determine the applicability of these requirements to personnel serving on passenger ships engaged on domestic voyages.

2 Prior to being assigned shipboard duties on board passenger ships, seafarers shall have completed the training required by paragraphs 4 to 7 below in accordance with their capacity, duties and responsibilities.

3 Seafarers who are required to be trained in accordance with paragraphs 4, 6 and 7 below shall, at intervals not exceeding five years, undertake appropriate refresher training or be required to provide evidence of having achieved the required standard of competence within the previous five years.

4 Masters, officers and other personnel designated on muster lists to assist passengers in emergency situations on board passenger ships shall have completed training in crowd management as specified in section A-V/2, paragraph 1 of the STCW Code.

5 Personnel providing direct service to passengers in passenger spaces on board passenger ships shall have completed the safety training specified in section A-V/2, paragraph 2 of the STCW Code.

6 Masters, chief engineer officers, chief mates, second engineer officers and any person designated on muster lists of having responsibility for the safety of passengers in emergency situations on board passenger ships shall have completed approved training in crisis management and human behaviour as specified in section A-V/2, paragraph 3 of the STCW Code.

7 Masters, chief engineer officers, chief mates, second engineer officers and every person assigned immediate responsibility for embarking and disembarking passengers, loading, discharging or securing cargo, or closing hull openings on board ro-ro passenger ships shall have completed approved training in passenger safety, cargo safety and hull integrity as specified in section A-V/2, paragraph 4 of the STCW Code.

8 Administrations shall ensure that documentary evidence of the training which has been completed is issued to every person found qualified under the provisions of this regulation.

4.1 izpolnjevati zahteve za pridobitev pooblastila o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina in

4.2 ko je usposobljen za pridobitev pooblastila o osnovni usposobljenosti za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina, imeti:

4.2.1 najmanj tri mesece potrjene plovne dobe na tankerjih za prevoz utekočinjenega plina ali

4.2.2 najmanj en mesec potrjenega usposabljanja na tankerjih za prevoz utekočinjenega plina kot dodatni član posadke, ki vključuje najmanj tri natovarjanja in tri raztovarjanja ter morajo biti vpisana v predpisani pripravniški dnevnik ob upoštevanju navodil iz oddelka B-V/1 kodeksa STCW, in

4.3 opraviti potrjeno dodatno usposabljanje za ravnanje s tovorom na tankerjih za prevoz utekočinjenega plina ter izpolnjevati standard usposobljenosti iz drugega odstavka oddelka A-V/1-2 kodeksa STCW.

5 Uprave zagotovijo, da so posebna pooblastila izdana pomorščakom, ki so usposobljeni v skladu z drugim ali četrtem odstavkom tega pravila, ali da je obstoječe pooblastilo o nazivu ali posebno pooblastilo pravilno overjeno.

### Pravilo V/2

*Najmanjše zahteve za usposabljanje in kvalifikacije poveljnikov, ladijskih častnikov, članov posadke in drugega osebja na potniških ladjah*

1 To pravilo se uporablja za poveljnike, ladijske častnike, člane posadke in drugo osebje, ki delajo na potniških ladjah v mednarodni plovmi. Uprave odločijo glede uporabe teh zahtev za osebje, ki dela na potniških ladjah v notranji plovmi.

2 Pomorščaki morajo, preden začnejo opravljati naloge na potniških ladjah, opraviti usposabljanje iz četrtega do sedmega odstavka v skladu s svojo usposobljenostjo, nalogami in odgovornostjo.

3 Pomorščaki, ki morajo v skladu s četrtem, šestim in sedmim odstavkom opraviti usposabljanje, morajo opraviti ustrezno osvežitveno usposabljanje najmanj vsakih pet let ali dokazati, da so v zadnjih petih letih dosegli zahtevane standarde usposobljenosti.

4 Poveljniki, častniki in drugo osebje, ki so po seznamu razporeditve ob alarmu določeni za pomoč potnikom na potniških ladjah v izrednih razmerah, morajo imeti opravljeno usposabljanje za obvladovanje množic iz prvega odstavka oddelka A-V/2 kodeksa STCW.

5 Osebje, ki na potniških ladjah zagotavlja storitve potnikom v prostorih za potnike, mora dokončati usposabljanje za zaščito iz drugega odstavka oddelka A-V/2 kodeksa STCW.

6 Poveljniki, upravitelji stroja, prvi častniki, drugi častniki stroja in osebe, ki so na potniških ladjah po seznamu razporeditve ob alarmu odgovorne za varnost potnikov v izrednih razmerah na potniških ladjah, morajo imeti opravljeno potrjeno usposabljanje o obvladovanju izrednih razmer in vedenju ljudi iz tretjega odstavka oddelka A-V/2 kodeksa STCW.

7 Poveljniki, upravitelji stroja, prvi častniki, drugi častniki stroja in osebe, ki so neposredno odgovorne za vkrcavanje in izkrcavanje potnikov, natovarjanje, raztovarjanje in zavarovanje tovora ali za zapiranje odprtin na trupu ro-ro potniških ladij, morajo imeti opravljeno potrjeno usposabljanje o varnosti potnikov, varnosti tovora in celovitosti ladijskega trupa iz četrtega odstavka oddelka A-V/2 kodeksa STCW.

8 Uprava zagotovi, da se osebi, ki izpolnjuje pogoje iz tega pravila, izdajo listinska dokazila o opravljenem usposabljanju.

## CHAPTER VI

## Emergency, occupational safety, security, medical care and survival functions

## Regulation VI/1

*Mandatory minimum requirements for safety familiarization, basic training and instruction for all seafarers*

1 Seafarers shall receive safety familiarization and basic training or instruction in accordance with section A-VI/1 of the STCW Code and shall meet the appropriate standard of competence specified therein.

2 Where basic training is not included in the qualification for the certificate to be issued, a certificate of proficiency shall be issued, indicating that the holder has attended the course in basic training.

## Regulation VI/2

*Mandatory minimum requirements for the issue of certificates of proficiency in survival craft, rescue boats and fast rescue boats*

1 Every candidate for a certificate of proficiency in survival craft and rescue boats other than fast rescue boats shall:

- .1 be not less than 18 years of age;
- .2 have approved seagoing service of not less than 12 months or have attended an approved training course and have approved seagoing service of not less than six months; and
- .3 meet the standard of competence for certificates of proficiency in survival craft and rescue boats, set out in section A-VI/2, paragraphs 1 to 4 of the STCW Code.

2 Every candidate for a certificate of proficiency in fast rescue boats shall:

- .1 be the holder of a certificate of proficiency in survival craft and rescue boats other than fast rescue boats;
- .2 have attended an approved training course; and
- .3 meet the standard of competence for certificates of proficiency in fast rescue boats, set out in section A-VI/2, paragraphs 7 to 10 of the STCW Code.

## Regulation VI/3

*Mandatory minimum requirements for training in advanced fire fighting*

1 Seafarers designated to control fire-fighting operations shall have successfully completed advanced training in techniques for fighting fire, with particular emphasis on organization, tactics and command, in accordance with the provisions of section A-VI/3, paragraphs 1 to 4 of the STCW Code and shall meet the standard of competence specified therein.

2 Where training in advanced fire fighting is not included in the qualifications for the certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course of training in advanced fire fighting.

## Regulation VI/4

*Mandatory minimum requirements relating to medical first aid and medical care*

1 Seafarers designated to provide medical first aid on board ship shall meet the standard of competence in medical first aid specified in section A-VI/4, paragraphs 1 to 3 of the STCW Code.

2 Seafarers designated to take charge of medical care on board ship shall meet the standard of competence in medical care on board ships specified in section A-VI/4, paragraphs 4 to 6 of the STCW Code.

3 Where training in medical first aid or medical care is not included in the qualifications for the certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course of training in medical first aid or in medical care.

## VI. POGLAVJE

## Izredne razmere, varstvo pri delu, zaščita, zdravstvena oskrba in tehnike preživetja

## Pravilo VI/1

*Najmanjše zahteve za seznanitev z osnovami varnosti, osnovno usposabljanje in navodila za vse pomorščake*

1 Pomorščaki morajo biti seznanjeni z osnovami varnosti in opraviti osnovno usposabljanje ali prejeti navodila iz oddelka A-VI/1 kodeksa STCW in izpolnjevati ustrezní standard usposobljenosti, opredeljen v kodeksu.

2 Če osnovno usposabljanje ni vključeno v zahteve za izdajo pooblastila, se izda posebno pooblastilo, ki potrjuje, da je imetnik obiskoval tečaj osnovnega usposabljanja.

## Pravilo VI/2

*Najmanjše zahteve za izdajo posebnih pooblastil za ravnanje z rešilnimi in reševalnimi čolni ter hitrimi reševalnimi čolni*

1 Kandidat mora za pridobitev posebnega pooblastila za ravnanje z rešilnim in reševalnim čolnom razen s hitrim reševalnim čolnom:

- 1.1 imeti najmanj 18 let;
- 1.2 imeti najmanj 12 mesecev predpisane plovne dobe ali opraviti predpisani tečaj usposabljanja in imeti najmanj šest mesecev predpisane plovne dobe in

1.3 izpolnjevati standard usposobljenosti za pridobitev posebnega pooblastila za ravnanje z rešilnim in reševalnim čolnom iz prvega do četrtega odstavka oddelka A-VI/2 kodeksa STCW.

2 Kandidat mora za pridobitev posebnega pooblastila za ravnanje s hitrim reševalnim čolnom:

- 2.1 imeti posebno pooblastilo za ravnanje z rešilnim in reševalnim čolnom razen s hitrim reševalnim čolnom;
- 2.2 opraviti predpisani tečaj usposabljanja in
- 2.3 izpolnjevati standard usposobljenosti za pridobitev posebnega pooblastila za ravnanje s hitrim reševalnim čolnom iz sedmega do desetega odstavka A-VI/2 kodeksa STCW.

## Pravilo VI/3

*Najmanjše zahteve za usposabljanje za požarno varnost*

1 Pomorščaki, določeni za nadzor izvajanja protipožarnih ukrepov, morajo uspešno opraviti dodatno usposabljanje o načinih gašenja požarov s posebnim poudarkom na organizaciji, načinu in povelejevanju v skladu s prvim do četrtem odstavkom oddelka A-VI/3 kodeksa STCW in izpolnjevati standard usposobljenosti, opredeljen v kodeksu.

2 Če dodatno usposabljanje za požarno varnost ni vključeno v zahtevah za izdajo pooblastila, se izda posebno pooblastilo, ki potrjuje, da je imetnik opravil dodatni tečaj za požarno varnost.

## Pravilo VI/4

*Najmanjše zahteve za prvo pomoč in zdravstveno oskrbo*

1 Pomorščaki, določeni za prvo pomoč na ladjah, morajo izpolnjevati standarde usposobljenosti za prvo pomoč iz prvega do tretjega odstavka oddelka A-VI/4 kodeksa STCW.

2 Pomorščaki, določeni za zdravstveno oskrbo na ladjah, morajo izpolnjevati standarde usposobljenosti za zdravstveno oskrbo na ladjah iz četrtega do šestega odstavka oddelka A-VI/4 kodeksa STCW.

3 Če usposabljanje za prvo pomoč ali zdravstveno oskrbo ni vključeno v zahtevah za izdajo pooblastila, se izda posebno pooblastilo, ki potrjuje, da je imetnik opravil tečaj za usposabljanje za prvo pomoč ali zdravstveno oskrbo.

**Regulation VI/5**

*Mandatory minimum requirements for the issue of certificates of proficiency for ship security officers*

1 Every candidate for a certificate of proficiency as ship security officer shall:

.1 have approved seagoing service of not less than 12 months or appropriate seagoing service and knowledge of ship operations; and

.2 meet the standard of competence for certification of proficiency as ship security officer, set out in section A-VI/5, paragraphs 1 to 4 of the STCW Code.

2 Administrations shall ensure that every person found qualified under the provisions of this regulation is issued with a certificate of proficiency.

**Regulation VI/6**

*Mandatory minimum requirements for security-related training and instruction for all seafarers*

1 Seafarers shall receive security-related familiarization and security-awareness training or instruction in accordance with section A-VI/6, paragraphs 1 to 4 of the STCW Code and shall meet the appropriate standard of competence specified therein.

2 Where security awareness is not included in the qualification for the certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course in security awareness training.

3 Every Party shall compare the security-related training or instruction it requires of seafarers who hold or can document qualifications before the entry into force of this regulation with those specified in section A-VI/6, paragraph 4 of the STCW Code, and shall determine the need for requiring these seafarers to update their qualifications.

**Seafarers with designated security duties**

4 Seafarers with designated security duties shall meet the standard of competence specified in section A-VI/6, paragraphs 6 to 8 of the STCW Code.

5 Where training in designated security duties is not included in the qualifications for the certificate to be issued, a certificate of proficiency shall be issued indicating that the holder has attended a course of training for designated security duties.

6 Every Party shall compare the security training standards required of seafarers with designated security duties who hold or can document qualifications before the entry into force of this regulation with those specified in section A-VI/6, paragraph 8 of the STCW Code, and shall determine the need for requiring these seafarers to update their qualifications.

## CHAPTER VII Alternative certification

**Regulation VII/1**

*Issue of alternative certificates*

1 Notwithstanding the requirements for certification laid down in chapters II and III of this annex, Parties may elect to issue or authorize the issue of certificates other than those mentioned in the regulations of those chapters, provided that:

.1 the associated functions and levels of responsibility to be stated on the certificates and in the endorsements are selected from and identical to those appearing in sections A-II/1, A-II/2, A-II/3, A-II/4, A-II/5, A-III/1, A-III/2, A-III/3, A-III/4, A-III/5 and A-IV/2 of the STCW Code;

.2 the candidates have completed approved education and training and meet the requirements for standards of competence, prescribed in the relevant sections of the STCW Code and as set forth in section A-VII/1 of this Code, for the functions and levels that are to be stated in the certificates and in the endorsements;

**Pravilo VI/5**

*Najmanjše zahteve za izdajo posebnega pooblastila za ladijske častnike za zaščito*

1 Kandidat mora za pridobitev posebnega pooblastila za ladijskega častnika za zaščito:

1.1 imeti najmanj 12 mesecev predpisane plovne dobe ali ustrezne plovne dobe in poznati delovanje ladje ter

1.2 izpolnjevati standard usposobljenosti za pridobitev posebnega pooblastila za ladijskega častnika za zaščito iz prvega do četrtega odstavka oddelka A-VI/5 kodeksa STCW.

2 Uprave vsem, ki izpolnjujejo pogoje iz tega pravila, izdajo posebno pooblastilo.

**Pravilo VI/6**

*Najmanjše zahteve za usposabljanje in navodila v zvezi z zaščito za vse pomorščake*

1 Pomorščaki morajo biti seznanjeni z zaščito in opraviti usposabljanje ozaveščanja o zaščiti ali prejeti navodila v skladu s prvim do četrtrim odstavkom oddelka A-VI/6 kodeksa STCW ter izpolnjevati ustrezn standard usposobljenosti, opredeljen v kodeksu.

2 Če ozaveščanje o zaščiti ni vključeno v zahtevah za izdajo pooblastila, se izda posebno pooblastilo, ki dokazuje, da je njegov imetnik opravil tečaj ozaveščanja o zaščiti.

3 Pogodbenica primerja usposabljanje o zaščiti ali navodila, ki jih zahteva od pomorščakov, ki imajo kvalifikacije ali lahko predložijo dokazilo o njih pred začetkom veljavnosti tega pravila s tistim iz četrtega odstavka oddelka A-VI/6 kodeksa STCW in se odloči, ali je treba zahtevati posodobitev njihovih kvalifikacij.

**Pomorščaki z določenimi nalogami zaščite**

4 Pomorščaki z določenimi nalogami zaščite morajo izpolnjevati standard usposobljenosti iz šestega do osmega odstavka oddelka A-VI/6 kodeksa STCW.

5 Če usposabljanje za določene naloge zaščite ni vključeno v zahtevah za izdajo pooblastila, se izda posebno pooblastilo, ki dokazuje, da je njegov imetnik opravil tečaj usposabljanja za določene naloge zaščite.

6 Pogodbenica primerja standarde za usposabljanje za zaščito, ki jih zahteva od pomorščakov z določenimi nalogami zaščite, ki imajo kvalifikacije ali lahko predložijo dokazilo o njih pred začetkom veljavnosti tega pravila s tistim iz osmega odstavka oddelka A-VI/6 kodeksa STCW in se odloči, ali je treba zahtevati posodobitev njihovih kvalifikacij.

## VII. POGlavJE Nadomestna pooblastila

**Pravilo VII/1**

*Izdaja nadomestnih pooblastil*

1 Ne glede na zahteve za izdajo pooblastil iz II. in III. poglavja te priloge se lahko pogodbenice odločijo za izdajo ali dovolijo izdajo drugih pooblastil, ki jih pravila iz teh poglavij ne navajajo, če:

1.1 so naloge in ravni odgovornosti, navedene v pooblastilih in overitvah, izbrane med nalogami iz oddelkov A-II/1, A-II/2, A-II/3, A-II/4, A-II/5, A-III/1, A-III/2, A-III/3, A-III/4, A-III/5 in A-IV/2 kodeksa STCW in so enake kot te;

1.2 so kandidati za naloge in ravni odgovornosti, navedene v pooblastilih in overitvah, dokončali potrjeno izobraževanje in usposabljanje ter izpolnjujejo zahteve standardov usposobljenosti iz ustreznih oddelkov kodeksa STCW in oddelka A-VII/1 tega kodeksa;



.3 the candidates have completed approved seagoing service appropriate to the performance of the functions and levels that are to be stated on the certificate. The minimum duration of seagoing service shall be equivalent to the duration of seagoing service prescribed in chapters II and III of this annex. However, the minimum duration of seagoing service shall be not less than as prescribed in section A-VII/2 of the STCW Code;

.4 the candidates for certification who are to perform the function of navigation at the operational level shall meet the applicable requirements of the regulations in chapter IV, as appropriate, for performing designated radio duties in accordance with the Radio Regulations; and

.5 the certificates are issued in accordance with the requirements of regulation I/2 and the provisions set forth in chapter VII of the STCW Code.

2 No certificate shall be issued under this chapter unless the Party has communicated information to the Organization in accordance with article IV and regulation I/7.

#### **Regulation VII/2**

##### *Certification of seafarers*

1 Every seafarer who performs any function or group of functions specified in tables A-II/1, A-II/2, A-II/3, A-II/4 or A-II/5 of chapter II or in tables A-III/1, A-III/2, A-III/3, A-III/4 or A-III/5 of chapter III or A-IV/2 of chapter IV of the STCW Code shall hold a certificate of competency or certificate of proficiency, as applicable.

#### **Regulation VII/3**

##### *Principles governing the issue of alternative certificates*

1 Any Party which elects to issue or authorize the issue of alternative certificates shall ensure that the following principles are observed:

.1 no alternative certification system shall be implemented unless it ensures a degree of safety at sea and has a preventive effect as regards pollution at least equivalent to that provided by the other chapters; and

.2 any arrangement for alternative certification issued under this chapter shall provide for the interchangeability of certificates with those issued under the other chapters.

2 The principle of interchangeability in paragraph 1 shall ensure that:

.1 seafarers certificated under the arrangements of chapters II and/or III and those certificated under chapter VII are able to serve on ships which have either traditional or other forms of shipboard organization; and

.2 seafarers are not trained for specific shipboard arrangements in such a way as would impair their ability to take their skills elsewhere.

3 In issuing any certificate under the provisions of this chapter, the following principles shall be taken into account:

.1 the issue of alternative certificates shall not be used in itself:

.1.1 to reduce the number of crew on board,

.1.2 to lower the integrity of the profession or "de-skill" seafarers, or

.1.3 to justify the assignment of the combined duties of the engine and deck watchkeeping officers to a single certificate holder during any particular watch; and

.2 the person in command shall be designated as the master; and the legal position and authority of the master and others shall not be adversely affected by the implementation of any arrangement for alternative certification.

4 The principles contained in paragraphs 1 and 2 of this regulation shall ensure that the competency of both deck and engineer officers is maintained.

1.3 imajo kandidati potrjeno plovno dobo za opravljanje nalog in za ravni, ki se navedejo v pooblastilu. Plovna doba na ladji mora trajati najmanj toliko časa kot plovna doba iz II. in III. poglavja te priloge. Najkrajša plovna doba pa ne sme biti krajša od dobe iz oddelka A-VII/2 kodeksa STCW;

1.4 kandidati za pridobitev pooblastila, ki bodo opravljali naloge navigacije, morajo izpolnjevati ustrezne zahteve pravil iz IV. poglavja za opravljanje posebej določenih radijskih nalog v skladu s pravili o radijski službi in

1.5 so pooblastila izdana v skladu z zahtevami pravila I/2 in iz VII. poglavja kodeksa STCW.

2 Pooblastilo sme biti izdano na podlagi tega poglavja samo, če je pogodbenica obvestila organizacijo v skladu s IV. členom in pravilom I/7.

#### **Pravilo VII/2**

##### *Izdaja pooblastil pomorščakom*

1 Pomorščak, ki opravlja naloge ali skupino nalog iz preglednic A-II/1, A-II/2, A-II/3, A-II/4 ali A-II/5 v II. poglavju ali preglednic A-III/1, A-III/2, A-III/3, A-III/4 ali A-III/5 v III. poglavju ali A-IV/2 v IV. poglavju kodeksa STCW, mora imeti pooblastilo o nazivu ali posebno pooblastilo.

#### **Pravilo VII/3**

##### *Načela, ki urejajo izdajanje nadomestnih pooblastil*

1 Pogodbenica, ki se odloči za izdajo ali odobritev izdaje nadomestnih pooblastil, zagotovi, da se spoštujejo ta načela:

1.1 nadomestna pooblastila se ne smejo izdajati, če ni zagotovljena vsaj enaka raven varnosti na morju in preprečevanja onesnaževanja, kot je določeno v drugih poglavjih, ter

1.2 vsaka ureditev izdajanja nadomestnih pooblastil na podlagi tega poglavja mora zagotavljati njihovo zamenljivost s pooblastili, izdanimi po drugih poglavjih.

2 Načelo zamenljivosti iz prvega odstavka mora zagotavljati, da:

2.1 so pomorščaki, ki so pridobili pooblastilo na podlagi ureditve iz II. poglavja in/ali III. poglavja, in tisti, ki so ga pridobili v skladu s VII. poglavjem, sposobni delati na ladjah tradicionalno ali z drugimi oblikami organizacije na ladji ter

2.2 usposobljenost pomorščakov za delo na ladji s posebno organizacijo ne pomeni, da niso usposobljeni za delo na drugih vrstah ladij.

3 Pri izdaji pooblastil po tem poglavju je treba upoštevati ta načela:

3.1 nadomestna pooblastila se ne smejo uporabiti:

3.1.1 da bi se zmanjšalo število članov posadke na ladji,

3.1.2 da bi se razvrednotil poklic ali znižale zahteve usposobljenosti pomorščakov ali

3.1.3 kot opravičilo, da se za posamezno stražo združijo naloge častnikov strojne in krovne straže in dodelijo enemu imetniku pooblastila;

3.2 oseba, ki poveljuje, je poveljnik; ureditev izdajanja nadomestnih pooblastil ne sme vplivati na pravni status in pristojnosti poveljnika ladje in drugih oseb.

4 Načela iz prvega in drugega odstavka tega pravila zagotavljajo, da se ohranjajo usposobljenosti častnika krova in častnika stroja.

**CHAPTER VIII  
Watchkeeping**

**Regulation VIII/1**

*Fitness for duty*

1 Each Administration shall, for the purpose of preventing fatigue:

.1 establish and enforce rest periods for watchkeeping personnel and those whose duties involve designated safety, security and prevention of pollution duties in accordance with the provisions of section A-VIII/1 of the STCW Code; and

.2 require that watch systems are so arranged that the efficiency of all watchkeeping personnel is not impaired by fatigue and that duties are so organized that the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and otherwise fit for duty.

2 Each Administration shall, for the purpose of preventing drug and alcohol abuse, ensure that adequate measures are established in accordance with the provisions of section A-VIII/1 while taking into account the guidance given in section B-VIII/1 of the STCW Code.

**Regulation VIII/2**

*Watchkeeping arrangements and principles to be observed*

1 Administrations shall direct the attention of companies, masters, chief engineer officers and all watchkeeping personnel to the requirements, principles and guidance set out in the STCW Code which shall be observed to ensure that a safe continuous watch or watches appropriate to the prevailing circumstances and conditions are maintained on all seagoing ships at all times.

2 Administrations shall require the master of every ship to ensure that watchkeeping arrangements are adequate for maintaining a safe watch or watches, taking into account the prevailing circumstances and conditions and that, under the master's general direction:

.1 officers in charge of the navigational watch are responsible for navigating the ship safely during their periods of duty, when they shall be physically present on the navigating bridge or in a directly associated location such as the chartroom or bridge control room at all times;

.2 radio operators are responsible for maintaining a continuous radio watch on appropriate frequencies during their periods of duty;

.3 officers in charge of an engineering watch, as defined in the STCW Code, under the direction of the chief engineer officer, shall be immediately available and on call to attend the machinery spaces and, when required, shall be physically present in the machinery space during their periods of responsibility;

.4 an appropriate and effective watch or watches are maintained for the purpose of safety at all times, while the ship is at anchor or moored and, if the ship is carrying hazardous cargo, the organization of such watch or watches takes full account of the nature, quantity, packing and stowage of the hazardous cargo and of any special conditions prevailing on board, afloat or ashore; and

.5 as applicable, an appropriate and effective watch or watches are maintained for the purposes of security."

3. člen

Za izvajanje sprememb skrbi ministrstvo, pristojno za infrastrukturo in prostor.

4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 326-04/13-1/10

Ljubljana, dne 2. aprila 2013

EPA 1011-VI

**VIII. POGLAVJE  
Ladijsko stražarjenje**

**Pravilo VIII/1**

*Sposobnost za opravljanje nalog*

1 Da se prepreči utrujenost, uprava:

1.1 določi čas počitka za osebje na straži in osebje, ki opravlja posebej določene naloge varnosti, zaščite in preprečevanja onesnaževanja iz oddelka A-VIII/1 kodeksa STCW, ter skrbi, da se to upošteva, in

1.2 zahteva, da je sistem straže organiziran tako, da učinkovitost osebja, ki straži, ni zmanjšana zaradi utrujenosti in da so naloge organizirane tako, da so prva straža na začetku plovbe ter vse naslednje zamenjave dovolj spočite in tudi drugače sposobne opravljati naloge.

2 Pogodbenica zaradi preprečevanja zlorabe alkohola in drog zagotovi uvedbo ustreznih ukrepov v skladu z oddelkom A-VIII/1 ob upoštevanju navodil iz oddelka B-VIII/1 kodeksa STCW.

**Pravilo VIII/2**

*Ureditev ladijskega stražarjenja in obvezna načela*

1 Uprave morajo družbe, poveljnike, upravitelje stroja in vse osebje, ki straži, opozoriti na zahteve, načela in navodila iz kodeksa STCW, ki jih je treba na vseh ladjah ob vsakem času upoštevati za zagotovitev varne, neprekinjene straže, ki ustreza prevladujočim razmeram in okoliščinam.

2 Uprava od poveljnika vsake ladje zahteva, da zagotovi, da je ladijska straža ustrezno organizirana za varno stražo, upoštevajoč prevladujoče razmere in okoliščine, ter da so pod njegovim poveljstvom:

2.1 častniki krovne straže, odgovorni za varno plovo med svojo izmeno, med katero morajo biti stalno fizično prisotni na navigacijskem mostu ali v neposredno povezanem prostoru, kot je prostor s pomorskimi kartami ali kontrolna kabina mosta;

2.2 radijski operaterji med svojo izmeno odgovorni za neprekinjeno radijsko stražo na ustreznih frekvencah;

2.3 častniki strojne straže, kot je določeno v kodeksu STCW, pod vodstvom upravitelja stroja takoj dosegljivi in pripravljeno priti v strojnico in so po potrebi fizično prisotni v strojnici med svojo izmeno;

2.4 straže ustrezne in učinkovite, da je vedno zagotovljena varnost, kadar je ladja zasidrana ali privezana, če pa ladja prevažata nevaren tovor, se organizirajo tako, da upoštevajo njegovo naravo, količino in način pakiranja in razporeditve ter vse posebne okoliščine na ladji, med plovo ali v pristanišču ter

2.5 zaradi zaščite zagotovljene ustrezne in učinkovite straže.«

Državni zbor  
Republike Slovenije  
**Janko Veber** i.r.  
Predsednik

**37. Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu in Protokola o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu (BINRZP)**

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

**U K A Z**

**o razglasitvi Zakona o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu in Protokola o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu (BINRZP)**

Razglašam Zakon o ratifikaciji Sporazuma med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu in Protokola o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu (BINRZP), ki ga je sprejel Državni zbor Republike Slovenije na seji dne 2. aprila 2013.

Št. 003-02-4/2013-2  
Ljubljana, dne 10. aprila 2013

**Borut Pahor** l.r.  
Predsednik  
Republike Slovenije

**Z A K O N**

**O RATIFIKACIJI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO INDIJE O REDNEM ZRAČNEM PROMETU IN PROTOKOLA O SPREMENBI SPORAZUMA MED VLADO REPUBLIKE SLOVENIJE IN VLADO INDIJE O REDNEM ZRAČNEM PROMETU (BINRZP)**

1. člen

Ratificirata se Sporazum med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu, sklenjen v New Delhiju 16. februarja 2004 in Protokol o spremembi Sporazuma med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu, sklenjen v Ljubljani 9. novembra 2012.

2. člen

Besedili sporazuma in protokola se v izvorniku v slovenskem in angleškem jeziku glasita\*:

**S P O R A Z U M**

**med Vlado Republike Slovenije  
in Vlado Indije  
o rednem zračnem prometu**

Vlada Republike Slovenije in  
Vlada Indije,  
v nadaljevanju »pogodbenci«, sta se  
kot pogodbenici Konvencije o mednarodnem civilnem  
letalstvu, ki je bila dana na voljo za podpis v Chicagu 7. de-  
cembra 1944,  
ker želita poglobiti sodelovanje na področju zračnega  
prometa in zagotoviti potrebno osnovo za zračni promet med  
svojima ozemljema,  
dogovorili o:

**1. člen**

**OPREDELITEV POJMOV**

1. V tem sporazumu:

a) »konvencija« pomeni Konvencijo o mednarodnem  
civilnem letalstvu, ki je bila dana na voljo za podpis v Chicagu  
7. decembra 1944, ter vključuje vsako prilogo, sprejeto v skla-  
du z 90. členom omenjene konvencije, in vsako spremembo  
prilog ali konvencije v skladu z njenim 90. in 94. členom v  
tisti meri, v kateri te priloge ali spremembe veljajo za obe  
pogodbenci;

**A G R E E M E N T**

**between the government of the Republic  
of Slovenia and the Government of India relating  
to scheduled air services**

The Government of the Republic of Slovenia and  
the Government of India,  
hereinafter referred to as the "Contracting Parties";  
Being Parties to the Convention on International Civil  
Aviation opened for signature at Chicago on the seventh day  
of December, 1944;

Desiring to develop co-operation in the field of air trans-  
port, and desiring to establish the necessary basis for the  
operation of air services between their respective territories;  
Have agreed as follows:

**Article 1**

**DEFINITIONS**

1. For the purpose of the present Agreement:

a) the term "the Convention" means the Convention on  
International Civil Aviation opened for signature at Chicago  
on the seventh day of December, 1944, and includes any  
annex adopted under article 90 of that Convention and any  
amendment of the annexes or Convention under articles 90  
and 94 thereof, so far as those annexes and amendments are  
applicable for both Contracting Parties;

\* Besedili sporazuma in protokola v hindi jeziku sta na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

b) »pristojna organa« pomeni za Republiko Slovenijo Ministrstvo za promet in za Republiko Indijo generalnega direktorja za civilno letalstvo ali v obeh primerih katero koli drugo osebo ali organ, pooblaščen za opravljanje nalog, ki jih zdaj opravljata omenjena organa;

c) »določeni prevoznik« pomeni letalskega prevoznika, ki je bil v skladu s 3. členom tega sporazuma določen in pooblaščen za opravljanje dogovorjenih prevozov;

d) »tarifa« pomeni cene, ki jih je treba plačati za prevoz potnikov, prtljage in tovara, ter pogoje, na podlagi katerih se te cene uporabljajo, vključno s provizijo in drugimi dodatnimi plačili za posredovanje ali prodajo prevoznih listin, izvzeti pa so nadomestila in pogoji za prevoz pošte;

e) »ozemlje« v odnosu do države ima pomen, določen v 2. členu konvencije;

f) »zračni promet«, »mednarodni zračni promet«, »letalski prevoznik« in »pristanek v nekomercialne namene« pomenijo isto, kot je določeno v 96. členu konvencije.

2. Priloga je sestavni del sporazuma. Vsa sklicevanja na sporazum vključujejo prilogo, če ni izrecno drugače dogovorjeno.

## 2. člen PODELITEV PRAVIC

1. Vsaka pogodbenica podeli drugi pogodbenici v sporazumu določene pravice, da opravlja zračne prevoze na progah, določenih v pregledih v prilogi. Ti prevozi in te proge se v nadaljnjem besedilu imenujejo »dogovorjeni prevozi« in »določene proge«.

2. V skladu z določbami tega sporazuma imajo določeni prevozniki pogodbenic pri opravljanju mednarodnega zračnega prometa:

a) pravico do preleta ozemlja druge pogodbenice brez pristanka;

b) pravico do pristankov v nekomercialne namene na ozemlju druge pogodbenice;

c) pravico na ozemlju druge pogodbenice v krajih, določenih v prilogi tega sporazuma, vkrcati in izkrcati potnike, prtljago, tovor in pošto ločeno ali skupaj, ki so namenjeni v kraje ali prihajajo iz krajev na ozemlju pogodbenice, ki določi prevoznika;

d) pravico na ozemlju tretjih držav v krajih, določenih v prilogi sporazuma, vkrcati in izkrcati potnike, prtljago, tovor in pošto ločeno ali skupaj, ki so namenjeni v kraje ali prihajajo iz krajev na ozemlju druge pogodbenice, določenih v prilogi sporazuma.

3. Ob upoštevanju določb tretjega in četrtega odstavka 3. člena tega sporazuma imajo tudi prevozniki pogodbenic, ki niso bili določeni v skladu s tem sporazumom, pravice, določene v pododstavkih a) in b) drugega odstavka tega člena.

4. Nobene določbe tega člena ni možno razumeti tako, da ima določeni prevoznik ene pogodbenice na ozemlju druge pogodbenice pravico za plačilo ali najemnino vkrcati potnike, prtljago, tovor in pošto, namenjene v kakšen drug kraj na njenem ozemlju.

## 3. člen DOLOČITEV IN DOVOLJENJA ZA OPRAVLJENJE PROMETA

1. Vsaka pogodbenica ima pravico določiti do dva prevoznika za opravljanje dogovorjenih prevozov na določenih progah ter umakniti ali spremeniti tako določitev. Pristojna organa pogodbenic pisno obvestita drug drugega o določitvi prevoznikov.

b) the term "aeronautical authorities" means in the case of the Republic of Slovenia, the Ministry of Transport and in the case of the Republic of India, the Director General of Civil Aviation, or, in both cases, any person or body authorised to perform the functions presently assigned to the said authorities;

c) the term "designated airline" means an airline which has been designated and authorised in accordance with Article 3 of the present Agreement for the operation of the agreed air services;

d) the term "tariff" means the prices to be paid for the carriage of passengers, baggage and cargo and the conditions under which these prices apply, including commission charges and other additional remuneration for agency or sale of transportation documents but excluding remuneration and conditions for the carriage of mail;

e) the term "territory" in relation to a State has the meaning assigned to it in Article 2 of the Convention;

f) the terms "air service", "international air service", "airline" and "stop for non-traffic purposes" have the meanings respectively assigned to them in Article 96 of the Convention.

2. The Annex forms an integral part of the present Agreement. All references to the Agreement shall include the Annex unless explicitly agreed otherwise.

## Article 2 GRANT OF RIGHTS

1. Each Contracting Party grants to the other Contracting Party the rights specified in the present Agreement for the purpose of operating air services on the routes specified in the schedules of the Annex. Such services and routes are hereinafter called "the agreed services" and "the specified routes" respectively.

2. Subject to the provisions of the present Agreement the airline(s) designated by each Contracting Party shall while operating international air services enjoy:

a) the right to fly across the territory of the other Contracting Party without landing;

b) the right to make stops in the territory of the other Contracting Party for non-traffic purposes;

c) the right to embark and disembark in the territory of the other Contracting Party, at the points specified in the Annex of the present Agreement, passengers, baggage, cargo and mail, separately or in combination, destined for or coming from points in the territory of the Contracting Party designating the airline;

d) the right to embark and disembark in the territory of third countries at the points specified in the Annex of the present Agreement, passengers, baggage, cargo, and mail, separately or in combination, destined for or coming from points in the territory of the other Contracting Party, specified in the Annex of the present Agreement.

3. Subject to the provisions of paragraphs 3 and 4 of Article 3 of this Agreement, the airline(s) of each Contracting Party, other than those designated under this Agreement, shall also enjoy the rights specified in sub-paragraphs a) and b) of paragraph 2 of this Article.

4. Nothing in this Article shall be deemed to confer on the designated airline(s) of one Contracting Party the privilege of embarking, in the territory of the other Contracting Party, passengers, baggage, cargo and mail carried for remuneration or hire and destined for another point in the territory of that Contracting Party.

## Article 3 DESIGNATION AND OPERATING AUTHORIZATION

1. Each Contracting Party shall have the right to designate to the other Contracting Party up to two airlines for the purpose of operating the agreed services on the specified routes and to withdraw or alter such designation. Such designation shall be effected by virtue of a written notification between the aeronautical authorities of both Contracting Parties.

2. Pristojni organ, ki je prejel obvestilo o določitvi, ob upoštevanju določb tretjega in četrtega odstavka tega člena nemudoma izda prevoznikom, ki jih je določila druga pogodbenica, potrebna dovoljenja za opravljanje prometa.

3. Pristojni organ ene pogodbenice lahko od prevoznika, ki ga je določila druga pogodbenica, zahteva dokaz, da izpolnjuje pogoje, določene v zakonih in predpisih, ki jih ta organ v skladu z določbami konvencije običajno uporablja za mednarodni zračni promet.

4. Vsaka pogodbenica ima pravico odkloniti izdajo dovoljenja za opravljanje prometa iz drugega odstavka tega člena ali za uresničevanje pravic iz 2. člena sporazuma postaviti pogoje, ki so po njenem mnenju potrebni, kadar koli omenjena pogodbenica ni prepričana, da sta pretežni del lastništva in dejanski nadzor prevoznika v rokah pogodbenice, ki določi prevoznika, ali njenih državljanov. V tem odstavku »pretežni del lastništva in dejanski nadzor« pomeni, da se v primeru, ko določeni prevoznik opravlja dogovorjene prevoze s sklenitvijo kakršnega koli sporazuma (razen sporazuma o finančnem lizingu) z letalskim prevoznikom katere koli druge države ali vlado ali državljani katere koli druge države, šteje, da pogodbenica, ki določi prevoznika, ali njeni državljani nimajo pretežnega dela lastništva in dejanskega nadzora nad določenim prevoznikom, razen če pogodbenica ali njeni državljani poleg lastništva večinskega deleža premoženja določenega prevoznika nimajo še:

i) dejanskega nadzora v upravi določenega prevoznika in

ii) lastništva in dejanskega nadzora nad večjim delom letalske flote in opreme določenega prevoznika.

5. Ko določeni prevoznik dobi dovoljenje za opravljanje prometa v skladu z drugim odstavkom tega člena, ga lahko začne opravljati kadar koli, če izpolnjuje ustrezne določbe sporazuma.

#### 4. člen

##### PREKLIC IN ZAČASEN ODVZEM DOVOLJENJA ZA OPRAVLJANJE PROMETA

1. Vsaka pogodbenica ima pravico preklicati ali začasno odvzeti dovoljenje za opravljanje prometa za uresničevanja pravic, določenih v 2. členu tega sporazuma, določenemu prevozniku druge pogodbenice ali za uresničevanje teh pravic določiti take pogoje, ki jih šteje za potrebne, če:

a) prevoznik ne more dokazati, da sta pretežni del lastništva in dejanski nadzor v rokah pogodbenice, ki ga določi, ali njenih državljanov ali

b) prevoznik ne spoštuje zakonov in predpisov pogodbenice, ki daje te pravice, ali

c) prevoznik ne opravlja dogovorjenih prevozov pod pogoji, določenimi v tem sporazumu.

2. Ta pravica se uveljavi samo po posvetovanju z drugo pogodbenico, razen če so takojšen preklic, začasen odvzem dovoljenja za opravljanje prometa ali določitev pogojev iz prvega odstavka tega člena nujno potrebni za preprečitev nadaljnje kršenja zakonov in predpisov.

#### 5. člen

##### URESNIČEVANJE PRAVIC

1. Določeni prevozniki imajo poštene in enake možnosti za opravljanje dogovorjenih prevozov med ozemljema pogodbenic.

2. Določeni prevozniki ene pogodbenice upoštevajo interese določenih prevoznikov druge pogodbenice, tako da ne bodo neprimerno vplivali na dogovorjene proge teh prevoznikov.

2. The aeronautical authorities which have received the notification of designation shall, subject to the provisions of paragraph 3 and 4 of this Article, without delay grant to the designated airline(s) of the other Contracting Party the necessary operating authorization.

3. The aeronautical authorities of one Contracting Party may require an airline designated by the other Contracting Party to prove that it is qualified to fulfil the conditions prescribed under the laws and regulations normally applied to the operation of international air services by the said authorities in conformity with the provisions of the Convention.

4. Each Contracting Party shall have the right to refuse to grant the operating authorization referred to in paragraph 2 of this Article, or to impose such conditions as it may deem necessary on the exercise of the rights specified in Article 2 of the present Agreement, whenever the said Contracting Party is not satisfied that the substantial ownership and effective control of that airline are vested in the Contracting Party designating the airline or in its nationals. For the purpose of this paragraph, the expression "substantial ownership and effective control" means that in any case where the designated airline operates the agreed services by entering into any agreement (excluding financial lease agreements) with the airline of any other country or the Government or nationals of any other country, the Contracting Party designating the airlines or its nationals shall not be deemed to have substantial ownership and effective control of the designated airline, unless the Contracting Party or its nationals, in addition to the ownership of the major part of the assets of the designated airline have also:

i) effective control in the management of the designated airline; and

ii) ownership and effective control of the major part of the fleet of aircraft and equipment of the designated airline.

5. Having received the operating authorization provided for under paragraph 2 of this Article, the designated airline may at any time begin to operate the agreed services, provided that the airline complies with the applicable provisions of this Agreement.

#### Article 4

##### REVOCAATION AND SUSPENSION OF OPERATING AUTHORIZATION

1. Each Contracting Party shall have the right to revoke or suspend an operating authorization for the exercise of the rights specified in Article 2 of the present Agreement by an airline designated by the other Contracting Party, or to impose such conditions as it may deem necessary on the exercise of such rights, if:

a) the said airline can not prove that the substantial ownership and effective control are vested in the Contracting Party designating the airline or in its nationals; or

b) the said airline fails to comply with the laws or regulations of the Contracting Party granting those rights; or

c) the said airline fails to operate the agreed services in accordance with the conditions prescribed under the present Agreement.

2. Such right shall be exercised only after consultation with the other Contracting Party, unless immediate revocation, suspension or imposition of the conditions provided for under paragraph 1 of this Article is essential to prevent further infringements of laws and regulations.

#### Article 5

##### EXERCISE OF RIGHTS

1. The designated airlines shall enjoy fair and equal opportunities to operate the agreed services between the territories of the Contracting Parties.

2. The designated airline(s) of each Contracting Party shall take into consideration the interests of the designated airline(s) of the other Contracting Party so as not to affect unduly the agreed services of the latter airline.

3. Glavni cilj dogovorjenih prevozov je zagotavljati zmogljivosti, ki ustrezajo predvidenim potrebam potnikov po letalskem prevozu med ozemljema pogodbenic.

4. Pravica vsakega določenega prevoznika do opravljanja mednarodnega prometa med ozemljem druge pogodbenice in ozemlju tretjih držav se uresničuje v skladu s splošnimi načeli normalnega razvoja letalskega prevoza, ki ga priznavata pogodbenici, če je zmogljivost prilagojena:

a) povpraševanju po prevozu na ozemlje pogodbenice, ki je določila prevoznika, in z njega;

b) povpraševanju po prevozu na območjih, čez katera potekajo dogovorjeni prevozi, ob upoštevanju lokalnega in regionalnega prevoza;

c) potrebam gospodarnega opravljanja dogovorjenih prevozov.

5. Na podlagi načel, določenih v prejšnjih odstavkih, se o potrebnih zmogljivostih in pogostosti poletov določenih prevoznikov pogodbenic dogovorita pristojna organa pogodbenic. V ta namen se najprej sestanejo določeni prevozniki pogodbenic, da po možnosti pripravijo skupna priporočila.

6. Povečanje potrebnih zmogljivosti mora temeljiti predvsem na povečanju potreb po prevozu med ozemljema pogodbenic, o čemer morajo najprej razpravljati določeni prevozniki pogodbenic, dokončno pa se morata sporazumeti pristojna organa. Do takega sporazuma ali dogovora se uporabljajo veljavne pravice do zmogljivosti in pogostosti poletov.

7. Nobena pogodbenica ne sme enostransko omejiti opravljanja prometa določenih prevoznikov druge pogodbenice, razen v skladu z določbami tega sporazuma ali s takimi enotnimi pogoji, kot jih predvideva konvencija.

## 6. člen

### CARINSKE DAJATVE IN POSTOPKI

1. Letala, ki jih v mednarodnem zračnem prometu uporabljajo določeni prevozniki ene od pogodbenic, kakor tudi njihova običajna oprema, zaloge goriva in maziv ter druge zaloge, ki so že na letalu oziroma so naložene na letalo izključno za porabo letala ali za uporabo na letalu, se glede carinskih dajatev, inšpekcijskih taks in drugih podobnih dajatev na ozemlju druge pogodbenice ne obravnavajo manj ugodno, kot se v tej pogodbenici obravnavajo njena letala v rednem mednarodnem prometu ali letalski prevozniki držav z največjimi ugodnostmi.

2. Enako se obravnavajo rezervni deli, uvoženi na ozemlje ene pogodbenice zaradi vzdrževanja ali popravila letala, ki ga v mednarodnem prometu uporablja določeni prevoznik druge pogodbenice.

3. Nobena pogodbenica ni obvezana zagotoviti določenim prevoznikom druge pogodbenice oprostitve ali znižanja carinskih dajatev, inšpekcijskih taks ali podobnih dajatev, razen če druga pogodbenica ne zagotovi oprostitve ali znižanja takih dajatev določenim prevoznikom prve pogodbenice.

4. Običajna oprema v letalu kot tudi predmeti in zaloge, ki so v letalih določenega prevoznika ene pogodbenice, se smejo na ozemlju druge pogodbenice raztovoriti le z odobritvijo carinskih organov tega ozemlja.

5. Za material, naveden v prvem, drugem in četrtem odstavku tega člena, se lahko zahteva, da je pod carinskim nadzorom.

3. The main objective of the agreed services shall be to provide capacity corresponding to the estimated air transport requirements of the travelling public between the territories of the Contracting Parties.

4. The right of each of the designated airlines to carry international traffic between the territory of the other Contracting Party and the territories of third countries shall be exercised in conformity with the general principles of normal development of air transport to which both Contracting Parties subscribe, and shall be subject to the condition that the capacity shall be adapted:

a) to traffic demand to and from the territory of the Contracting Party which has designated the airline;

b) to traffic demand of the areas through which the agreed service passes, local and regional services being taken into account;

c) to the requirements of an economical operation of the agreed services.

5. Based upon the principles enshrined in the preceding paragraphs, the capacity to be provided and the frequency of services to be operated by the designated airlines of each Contracting Party shall be agreed between the aeronautical authorities of the Contracting Parties. For this purpose, at the first instance, the designated airlines of both Contracting Parties shall meet to reach joint recommendations, if possible.

6. Any increase in the capacity to be provided shall be based primarily on the increased requirements of traffic between the territories of the Contracting Parties and shall at the first instance, be discussed between the designated airlines of both Contracting Parties and shall be subject to agreement between the two aeronautical authorities. Pending such agreement or settlement, the capacity and frequency entitlements already in force shall prevail.

7. Neither Contracting Party shall unilaterally restrict the operations of the designated airline(s) of the other Contracting Party, except according to the terms of the present Agreement or by such uniform conditions as may be contemplated by the Convention.

## Article 6

### CUSTOMS DUTIES AND PROCEDURES

1. Aircraft operated on international air services by the designated airline(s) of either Contracting Party, as well as their regular equipment, supplies of fuels and lubricants and aircraft stores already on board, introduced into or taken on board such aircraft and intended solely for use by or in such aircraft shall, with respect to all customs duties, inspection fees and other similar charges be accorded in the territory of the other Contracting Party, treatment no less favourable than that granted by the other Contracting Party to its own airline(s) operating scheduled international air services or to the airlines of the most favoured nation.

2. The same treatment shall be accorded to spare parts entered into the territory of either Contracting Party for the maintenance or repair of aircraft used on the international services by the designated airline(s) of the other Contracting Party.

3. Neither Contracting Party shall be obliged to grant to the designated airline(s) of the other Contracting Party exemption or remission of customs duty, inspection fees or similar charges unless such other Contracting Party grants exemption or remission of such charges to the designated airline(s) of the first Contracting Party.

4. The regular airborne equipment as well as the materials and supplies retained on board the aircraft of either Contracting Party may be unloaded in the territory of the other Contracting Party only with the approval of the Customs authorities of such territory.

5. Materials referred to in paragraphs 1, 2 and 4 of this Article may be required to be kept under Customs supervision or control.

**7. člen****UPORABA ZAKONOV IN PREDPISOV**

1. Zakoni in predpisi ene pogodbenice, ki urejajo vstop na njeno ozemlje in odhod z njega za letala v mednarodnem zračnem prometu ali polete teh letal znotraj njenega ozemlja, se uporabljajo tudi za določene prevoznike druge pogodbenice.

2. Zakoni in predpisi ene pogodbenice, ki urejajo vstop na njeno ozemlje, bivanje na njem in odhod z njega za potnike, posadko, prtljago, tovor ali pošto, kot na primer postopki glede vstopa, izstopa, izseljevanja in priseljevanja, ter carinske, devizne in sanitarne ukrepe, se uporabljajo za potnike, posadko, prtljago, tovor in pošto na letalih določenih prevoznikov druge pogodbenice, dokler so na omenjenem ozemlju.

3. Nobena pogodbenica nima pravice svojemu prevozniku v primerjavi z določenim prevoznikom druge pogodbenice dajati kakršne koli prednosti pri uporabi zakonov in predpisov, omenjenih v tem členu.

4. Za potnike v neposrednem tranzitu čez ozemlje ene pogodbenice velja samo zelo poenostavljen nadzor. Prtljaga in tovor v neposrednem tranzitu sta oproščena carinskih in drugih podobnih dajatev.

**8. člen****PRIZNAVANJE SPRIČEVAL IN DOVOLJENJ**

1. Spričevala o plovnosti, spričevala o usposobljenosti in dovoljenja, ki jih je izdala ali potrdila ena pogodbenica, druga pogodbenica med njihovo veljavnostjo prizna kot veljavna, če so izpolnjeni minimalni standardi po konvenciji.

2. Pogodbenici pa si pridržujeta pravico, da za prelete nad svojim ozemljem ne priznata veljavnosti spričeval o usposobljenosti in dovoljenj, ki jih je njunim državljanom izdala ali potrdila druga pogodbenica ali katera koli druga država.

**9. člen****VARNOST LETALSTVA**

1. V skladu s svojimi pravicami in obveznostmi po mednarodnem pravu pogodbenici potrjujeta, da je njuna medsebojna obveznost varovanja civilnega letalstva pred dejanji nezakonitega vmešavanja sestavni del sporazuma. Brez omejitev za večino pravic in obveznosti po mednarodnem pravu pogodbenici delujeta predvsem v skladu z določbami Konvencije o kaznivih dejanjih in nekaterih drugih dejanjih, storjenih na zrakoplovih, podpisane v Tokiu 14. septembra 1963, Konvencije o zatiranju nezakonite ugrabitve zrakoplovov, podpisane v Haagu 16. decembra 1970, Konvencije o zatiranju nezakonitih dejanj zoper varnost civilnega letalstva, podpisane v Montrealu 23. septembra 1971, in njenega dopolnilnega Protokola o zatiranju nezakonitih nasilnih dejanj na letališčih za mednarodno civilno zrakoplovstvo, podpisanega v Montrealu 24. februarja 1988.

2. Pogodbenici na zahtevo druga drugi dajeta vso potrebno pomoč, da bi preprečili nezakonite ugrabitve civilnih letal in druga nezakonita dejanja zoper varnost teh letal, njihovih potnikov in posadke, letališč in naprav za zračno navigacijo ter vsako drugo ogrožanje varnosti civilnega letalstva.

3. Pogodbenici v medsebojnih odnosih ravnata v skladu z določbami Mednarodne organizacije civilnega letalstva o varnosti zračne plovbe, opredeljenimi v prilogah h konvenciji, v taki meri, v kateri določbe o varnosti veljajo za pogodbenici. Od letalskih prevoznikov, ki so vpisani v njuna registra ali imajo svojo glavno poslovno enoto ali stalni sedež na njunih ozemljih, ter od letaliških podjetij na svojih ozemljih zahtevata, da delujejo v skladu s takimi določbami o varnosti letalstva.

**Article 7****APPLICATION OF LAWS AND REGULATIONS**

1. The laws and regulations of one Contracting Party governing entry into and departure from its territory of aircraft engaged in international air navigation, or flights of such aircraft within that territory, shall apply to the designated airline(s) of the other Contracting Party.

2. The laws and regulations of one Contracting Party governing entry into, sojourn in, and departure from its territory of passengers, crew, baggage, cargo or mail, such as formalities regarding entry, exit, emigration and immigration as well as customs, currency and sanitary measures, shall apply to passengers, crew, baggage, cargo or mail carried by the aircraft of the designated airline(s) of the other Contracting Party while they are within the said territory.

3. Neither Contracting Party may grant any preference to its own airline over the designated airline(s) of the other Contracting Party in the application of the laws and regulations provided for in this Article.

4. Passengers in direct transit across the territory of either Contracting Party shall be subject to no more than a very simplified control. Baggage and cargo in direct transit shall be exempt from Customs duties and other similar taxes.

**Article 8****RECOGNITION OF CERTIFICATES AND LICENCES**

1. Certificates of airworthiness, certificates of competency and licences issued, or rendered valid, by one of the Contracting Parties shall, during the period of their validity, be recognized as valid by the other Contracting Party, provided that the minimum standards established under the Convention are met.

2. Each Contracting Party, however, reserves the right, to refuse to recognize as valid, for the purpose of flights over its own territory, certificates of competency and licences granted to, or rendered valid for, its own nationals by the other Contracting Party or by any other State.

**Article 9****AVIATION SECURITY**

1. Consistent with their rights and obligations under international law, the Contracting Parties reaffirm that their obligation to each other to protect the security of civil aviation against acts of unlawful interference forms an integral part of the present Agreement. Without limiting the generality of their rights and obligations under international law, the Contracting Parties shall in particular act in conformity with the provisions of the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, the Convention for the Suppression of Unlawful Seizure of Aircraft, signed at the Hague on 16 December 1970, the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971 and its supplementary Protocol for the Suppression of Unlawful Acts of Violence at Airports serving International Civil Aviation, signed at Montreal on 24 February 1988.

2. The Contracting Parties shall provide upon request all necessary assistance to each other to prevent acts of unlawful seizure of civil aircraft and other unlawful acts against the safety of such aircraft, their passengers and crew, airports and air navigation facilities, and any other threat to the security of civil aviation.

3. The Contracting Parties shall, in their mutual relations, act in conformity with the aviation security provisions established by the International Civil Aviation Organisation and designated as Annexes to the Convention to the extent that such security provisions are applicable to the Contracting Parties. They shall require that operators of aircraft of their registry or operators of aircraft who have their principal place of business or permanent residence in their territory and the operators of airports in their territory act in conformity with such aviation security provisions.

4. Pogodbenici soglašata, da lahko od takih letalskih prevoznikov zahtevata spoštovanje letalskih varnostnih predpisov, omenjenih v tretjem odstavku tega člena, ki jih druga pogodbenica zahteva za vstop na svoje ozemlje, odhod z njega oziroma bivanje na njem. Vsaka pogodbenica mora na svojem ozemlju zagotoviti učinkovito izvajanje ukrepov za zavarovanje letal, pregled potnikov, posadke, ročne prtljage, prtljage, tovora in zalog pred ali med vkrcavanjem ali natovarjanjem. Vsaka pogodbenica tudi z naklonjenostjo obravnava vse prošnje druge pogodbenice za uvedbo razumnih posebnih varnostnih ukrepov zaradi določene grožnje.

5. Ob nezakoniti ugrabitvi ali grožnji z ugrabitvijo civilnega letala ali drugega nezakonitega dejanja zoper varnost takega letala, njegovih potnikov in posadke, letališča ali opreme za zračno navigacijo pogodbenici pomagata druga drugi tako, da poskrbita za lažje komuniciranje in druge ustrezne ukrepe, s katerimi bi hitro in varno končali tak dogodek ali grožnjo.

6. Vsaka pogodbenica sprejme ukrepe, ki jih šteje za primerne, da zadrži na tleh letalo, ki je bilo nezakonito ugrabljeno ali zaradi drugih dejanj nezakonitega vmešavanja, ki je pristalo na njenem ozemlju, razen če je njegov odhod potreben zaradi najpomembnejše dolžnosti varovanja človeških življenj. Po možnosti se taki ukrepi sprejmejo na podlagi medsebojnih posvetovanj.

#### 10. člen

##### DAJATVE ZA UPORABNIKE

1. Vsaka pogodbenica lahko uvede ali dovoli uvedbo upravičenih in primernih dajatev za določene prevoznike druge pogodbenice za uporabo letališča ter naprav in služb za zračno navigacijo. Te dajatve temeljijo na zdravih ekonomskih načelih.

2. Take dajatve za uporabnike, ki jih za določene prevoznike ene pogodbenice uvede druga pogodbenica, ne morejo biti višje od dajatev, ki jih plačujejo domača letala, ki opravljajo redne mednarodne polete.

3. Vsaka pogodbenica spodbuja posvetovanja o dajativah za uporabnike med svojimi organi, pristojnimi za določanje dajatev, ter prevozniki, ki uporabljajo storitve in zmogljivosti, ki jih zagotavljajo organi, pristojni za določanje dajatev, prek predstavništev teh prevoznikov. Uporabnikom je mogoče poslati primerno obvestilo o predlogih za spremembe dajatev za uporabnike, da lahko izrazijo svoje poglede, preden začnejo spremembe veljati.

#### 11. člen

##### KOMERCIALNE DEJAVNOSTI

1. Določeni prevozniki ene pogodbenice imajo pravico, da na ozemlju druge pogodbenice organizirajo ustrezna predstavništva. Ta predstavništva lahko vključujejo komercialno, operativno in tehnično osebje, ki ga lahko sestavlja pripeljano ali lokalno najeto osebje ali storitve druge organizacije, družbe ali letalskega prevoznika, ki svojo dejavnost opravlja na ozemlju druge pogodbenice in je pooblaščen za opravljanje takih storitev na ozemlju te pogodbenice.

2. Za komercialne dejavnosti velja načelo vzajemnosti. Za predstavnike in osebje veljajo zakoni in predpisi druge pogodbenice, ki bo v skladu s temi zakoni in predpisi sprejela vse potrebne ukrepe, da bodo lahko predstavništva letalskih prevoznikov, ki jih je določila druga pogodbenica, svoje dejavnosti opravljala na ustrezen način.

3. Pogodbenica še posebej dovoljuje določenim prevoznikom druge pogodbenice, da na njenem ozemlju prodajajo svoje prevozne zmogljivosti neposredno ali po lastni presoji po zastopnikih. Vsak prevoznik ima pravico prodajati take prevozne zmogljivosti in vsakdo jih lahko prosto kupuje v lokalni valuti ali v prosto zamenljivih valutah drugih držav v skladu z veljavnimi deviznimi predpisi.

4. Each Contracting Party agrees that such operators of aircraft may be required to observe the aviation security provisions referred to in paragraph 3 of this Article required by the other Contracting Party for entry into, departure from, or while within, the territory of that other Contracting Party. Each Contracting Party shall ensure that adequate measures are effectively applied within its territory to protect the aircraft and to inspect passengers, crew, carry-on items, baggage, cargo and aircraft stores prior to and during boarding or loading. Each Contracting Party shall also give sympathetic consideration to any request from the other Contracting Party for reasonable special security measures to meet a particular threat.

5. When an incident or threat of an incident of unlawful seizure of civil aircraft or other unlawful acts against the safety of such aircraft, their passengers and crew, airports or air navigation facilities occurs, the Contracting Parties shall assist each other by facilitating communications and other appropriate measures intended to terminate rapidly and safely such incident or threat thereof.

6. Each Contracting Party shall take measures, as it may find practicable, to ensure that an aircraft subjected to an act of unlawful seizure or other acts of unlawful interference which has landed in its territory is detained on the ground unless its departure is necessitated by the overriding duty to protect human life. Wherever practicable, such measures shall be taken on the basis of mutual consultations.

#### Article 10

##### USER CHARGES

1. Each Contracting Party may impose or permit to be imposed on the designated airline(s) of the other Contracting Party just and reasonable user charges for the use of airport and air navigation facilities and services. These user charges shall be based on sound economic principles.

2. Such user charges levied by one Contracting Party on the designated airline(s) of the other Contracting Party shall not be higher than those which have to be paid by national aircraft operating on scheduled international services.

3. Each Contracting Party shall encourage consultations on user charges between its competent charging authorities and airlines using the services and facilities provided by those charging authorities, where practicable, through those airlines representative organizations. Reasonable notice of any proposals for changes in user charges may be given to such users to enable them to express their views before changes are made.

#### Article 11

##### COMMERCIAL ACTIVITIES

1. The designated airline(s) of one Contracting Party shall be permitted to maintain adequate representations in the territory of the other Contracting Party. These representations may include commercial, operational and technical staff, which may consist of transferred or locally engaged personnel or the services of another organisation, company or airline operating in the territory of the other Contracting Party, and authorised to perform such services in the territory of that Contracting Party.

2. For the commercial activities the principle of reciprocity shall apply. The representatives and staff shall be subject to the laws and regulations of the other Contracting Party, and consistent with such laws and regulations, such Contracting Party shall take all necessary steps to ensure that the representations of the airline(s) designated by the other Contracting Party may exercise their activities in an orderly manner.

3. In particular, each Contracting Party grants to the designated airline(s) of the other Contracting Party the right to engage in the sale of air transportation in its territory directly and, at the airline's discretion, through its agents. Each airline shall have the right to sell such transportation, and any person shall be free to purchase such transportation in the currency of that territory or in freely convertible currencies of other countries in accordance with the foreign exchange regulations in force.



**12. člen****MENJAVA IN PRENOS PRIHODKOV**

1. Vsak določeni prevoznik ima pravico zamenjati in v skladu z veljavnimi deviznimi predpisi v svojo državo poslati prihodke, ki presegajo lokalne izdatke.

2. Taki prenosi se izvedejo po uradnem menjalnem tečaju za devizna plačila, če pa uradnih tečajev ni, po tečajih, ki prevladujejo na deviznem trgu, za devizna plačila.

3. Če so plačila med pogodbenicama urejena s posebnim sporazumom, velja ta sporazum.

**13. člen****TARIFE**

1. Tarife, ki jih bo določeni prevoznik uporabljal v zvezi s kakršnim koli prometom na ozemlje druge pogodbenice ali z njega, so določene na primerni ravni, pri čemer so upoštevani vsi pomembni dejavniki, vključno s celotnimi stroški prevoza, primernim dobičkom, posebnostmi posamezne proge in tarifa-mi drugih prevoznikov.

2. Tarife iz prvega odstavka tega člena se po možnosti določijo s sporazumom med določenimi prevozniki obeh pogodbenic in po posvetovanju z drugimi prevozniki, ki opravljajo prevoze na tej progi ali njenem delu. Določeni prevozniki, kadar koli je to mogoče, dosežejo tak sporazum z uporabo postopka za določanje cen, ki ga je uvedel mednarodni organ, ki oblikuje predloge na tem področju.

3. Tako določene tarife je treba predložiti pristojnima organoma pogodbenic v odobritev vsaj šestdeset dni pred predlaganim datumom njihove uvedbe. V posebnih primerih je ta rok lahko krajši, če ga odobrita pristojna organa. Če v tridesetih dneh po predložitvi tarif nobeden od pristojnih organov drugemu pristojnemu organu ne sporoči svojega nestrinjanja, se šteje, da so tarife sprejete.

4. Če se določena prevoznika ne moreta sporazumeti ali če tarife ne odobri pristojni organ ene pogodbenice, jo poskušata sporazumno določiti pristojna organa pogodbenic. Pogajanja se začnejo v tridesetih dneh od dneva, ko postane jasno, da se določeni prevozniki ne morejo dogovoriti o tarifah, ali ko je pristojni organ ene pogodbenice sporočil pristojnemu organu druge pogodbenice, da se ne strinja s tarifami.

5. Če se pristojna organa ne moreta sporazumeti v skladu s četrtrim odstavkom tega člena, se spor reši po določbah iz 17. člena tega sporazuma.

6. Že določena tarifa velja, dokler ni določena nova po določbah tega člena ali 17. člena tega sporazuma, vendar ne več kot 12 mesecev od datuma, ko bi sicer nehala veljati.

7. Pristojna organa pogodbenic si prizadevata zagotoviti, da določeni prevozniki upoštevajo dogovorjene tarife, registrirane pri pristojnih organih pogodbenic.

**14. člen****PREDLOŽITEV REDOV LETENJA**

1. Določeni prevozniki morajo predložiti predvideni red letenja v odobritev pristojnemu organu druge pogodbenice najmanj šestdeset dni, preden začnejo opravljati dogovorjene prevoze. Podobno informacijo morajo poslati vsaj 30 dni pred predvidenimi spremembami opravljanja dogovorjenih prevozov.

**Article 12****CONVERSION AND TRANSFER OF REVENUES**

1. Each designated airline shall have the right to convert and remit to its country, in accordance with the foreign exchange regulations in force, receipts in excess of sums locally disbursed.

2. Such transfers shall be effected on the basis of the official exchange rate for currency payment, or where there are no official exchange rates, at the prevailing foreign, exchange market rates for currency payment.

3. If payments between the Contracting Parties are regulated by a special agreement, this special agreement shall apply.

**Article 13****TARIFFS**

1. The tariffs to be applied by each designated airline in connection with any transportation to and from the territory of the other Contracting Party shall be established at reasonable levels, due regard being paid to all relevant factors, including cost of operation, reasonable profit, the characteristics of each service and the tariffs charged by other airlines.

2. The tariffs referred to in paragraph 1 of this Article shall, if possible, be established by mutual agreement by the designated airlines of both Contracting Parties and after consultation with the other airlines operating over the whole or part of the same route. The designated airlines shall, whenever possible, reach such agreement through the rate fixing procedure established by the international body which formulates proposals in this matter.

3. The tariffs so agreed shall be submitted for approval to the aeronautical authorities of the Contracting Parties at least sixty days before the proposed date of their introduction. In special cases, this time limit may be reduced subject to the agreement of the said authorities. If within thirty days after the submission of the tariffs neither of the aeronautical authorities notifies to the other aeronautical authorities its disapproval, these tariffs shall be considered approved.

4. If the designated airlines cannot agree, or if a tariff is not approved by the aeronautical authorities of one Contracting Party, the aeronautical authorities of both Contracting Parties shall endeavour to determine the tariff by mutual agreement. Such negotiations shall begin within thirty days from the date when it becomes obvious that the designated airlines cannot agree upon a tariff or the aeronautical authorities of one Contracting Party have notified to the aeronautical authorities of the other Contracting Party their disapproval of a tariff.

5. If the aeronautical authorities cannot reach an agreement pursuant to the paragraph 4 of this Article, the dispute shall be settled in accordance with the provisions of Article 17 of this Agreement.

6. A tariff already established shall remain in force until a new tariff has been established in accordance with the provisions of this Article or Article 17 of the present Agreement but not longer than twelve months from the date on which it would otherwise have expired.

7. The aeronautical authorities of each Contracting Party shall exercise their best efforts to ensure that the designated airlines conform to the agreed tariffs filed with the aeronautical authorities of the Contracting Parties.

**Article 14****TIME-TABLE SUBMISSION**

1. Not later than sixty days prior to the beginning of the operation of the agreed services, the designated airline(s) shall submit the envisaged time-table for approval to the aeronautical authorities of the other Contracting Party. Similar information shall also be supplied at least 30 days in advance as and when any changes are to be introduced regarding operation of the agreed services.

2. Za dodatne polete, ki jih določeni prevoznik ene pogodbenice želi opraviti pri dogovorjenih prevozih zunaj potrjenega reda letenja, mora predhodno zaprositi pristojni organ druge pogodbenice. Tako prošnjo mora predložiti vsaj štirinajst dni pred začetkom takih poletov.

3. Določeni prevozniki morajo prav tako zagotoviti kakršno koli informacijo, ki bi pristojni organ druge pogodbenice prepričala, da so zahteve tega sporazuma pravilno upoštevane.

#### 15. člen

##### ZAGOTAVLJANJE STATISTIČNIH PODATKOV

Pristojna organa pogodbenic na zahtevo zagotavljata oziroma od svojih določenih prevoznikov zahtevata, da zagotovijo pristojnemu organu druge pogodbenice statistične podatke, ki se nanašajo na promet, ki je bil vsak mesec opravljen pri dogovorjenih prevozih na ozemlje te pogodbenice in z njega, vključno s kraji vkrcanja in izkrcanja. Ti statistični podatki se zagotovijo, kakor hitro je mogoče po koncu vsakega meseca, vendar najkasneje 60 dni po mesecu, na katerega se nanašajo.

#### 16. člen

##### POSVETOVANJA

Pogodbenici lahko kadar koli zahtevata posvetovanje o uresničevanju, razlagi, uporabi ali spremembi tega sporazuma. Taka posvetovanja med pristojnima organoma, ki se lahko opravijo kot razprave ali z dopisovanjem, se morajo začeti v šestdesetih dneh po prejemu pisne zahteve druge pogodbenice, če se pogodbenici ne dogovorita drugače.

#### 17. člen

##### REŠEVANJE SPOROV

Če pride do spora zaradi razlage ali uporabe sporazuma, ga skušata pristojna organa pogodbenic sama rešiti s pogajanjem; če to ne uspe, ga predložita v reševanje pogodbenicama.

#### 18. člen

##### SPREMEMBE

1. Če pogodbenica meni, da bi bilo katero koli določbo tega sporazuma zaželeno spremeniti, taka sprememba začne veljati, če sta se o njej sporazumeli pogodbenici, na dan, ko se pogodbenici obvestita o izpolnitvi z ustavo predpisanih postopkov.

2. O spremembah priloge k temu sporazumu se lahko dogovorita neposredno pristojna organa pogodbenic in začnejo veljati na dan, ki ga določita pristojna organa.

3. Ob sklenitvi kakršne koli splošne večstranske konvencije o zračnem prometu, ki bi bila zavezujoča za pogodbenici, se ta sporazum spremeni, tako da ustreza določbam take konvencije.

#### 19. člen

##### PRENEHANJE VELJAVNOSTI

1. Vsaka pogodbenica lahko kadar koli pisno sporoči drugi pogodbenici svojo odločitev o odpovedi tega sporazuma. Tako obvestilo mora biti hkrati poslano Mednarodni organizaciji civilnega letalstva.

2. Ob takem obvestilu sporazum preneha veljati dvanajst mesecev od dneva, ko je druga pogodbenica prejela obvestilo, razen če je obvestilo sporazumno umaknjeno pred iztekom tega roka.

2. For supplementary flights which a designated airline of one Contracting Party wishes to operate on the agreed services outside the approved time-table, it has to request prior permission from the aeronautical authorities of the other Contracting Party. Such request shall be submitted at least fourteen days before operating such flights.

3. The designated airlines shall also furnish any other information as may be required to satisfy the aeronautical authorities of the other Contracting Party that the requirements of this Agreement are being duly observed.

#### Article 15

##### PROVISION OF STATISTICS

The aeronautical authorities of each Contracting Party shall provide or cause its designated airline(s) to provide to the aeronautical authorities of the other Contracting Party statistics relating to the traffic carried during each month on the agreed services to and from the territory of that other Contracting Party, showing the points of embarkation and disembarkation of such traffic. Such statistics shall be furnished as soon as possible after the end of each month, but no later than 60 days following the month to which they relate.

#### Article 16

##### CONSULTATIONS

Either Contracting Party may at any time request consultations on the implementation, interpretation, application or amendment of the present Agreement. Such consultations, which may be between the aeronautical authorities and which may be through discussions or by correspondence, shall begin within a period of sixty days from the date the other Contracting Party receives the written request, unless otherwise agreed by the Contracting Parties.

#### Article 17

##### SETTLEMENT OF DISPUTES

If any dispute arises relating to the interpretation or the application of this Agreement, the aeronautical authorities of the Contracting Parties shall endeavour to settle it by negotiations between themselves, failing which the dispute shall be referred to the Contracting Parties for settlement.

#### Article 18

##### MODIFICATIONS

1. If either of the Contracting Parties considers it desirable to modify any provision of the present Agreement, such modification, if agreed between the Contracting Parties, shall enter into force on the date when the Contracting Parties have notified to each other the fulfilment of their constitutional procedures.

2. Modifications to the Annex of the present Agreement may be agreed directly between the aeronautical authorities of the Contracting Parties and shall enter into force on the date determined by them.

3. In the event of the conclusion of any general multilateral convention concerning air transport by which both Contracting parties become bound, the present Agreement shall be modified so as to conform to the provisions of such convention.

#### Article 19

##### TERMINATION

1. Each Contracting Party may at any time give notice in writing to the other Contracting Party of its decision to terminate the present Agreement. Such notice shall be simultaneously communicated to the International Civil Aviation Organization.

2. If such notice is given, this Agreement shall terminate twelve months after the date of receipt of the notice by the other Contracting Party, unless the notice to terminate is withdrawn by agreement before the expiry of this period.

3. Če druga pogodbenica ne potrdi prejema obvestila, se šteje, da ga je prejela štirinajst dni po dnevu, ko ga je prejela Mednarodna organizacija civilnega letalstva.

#### 20. člen

##### REGISTRACIJA PRI MEDNARODNI ORGANIZACIJI CIVILNEGA LETALSTVA

Ta sporazum ter vse spremembe se registrirajo pri Mednarodni organizaciji civilnega letalstva.

#### 21. člen

##### ZAČETEK VELJAVNOSTI

Ta sporazum začne veljati na dan, ko pogodbenici druga drugo obvestita, da so v tem primeru izpolnjene potrebne ustavne formalnosti.

Na dan, ko začne veljati ta sporazum, prenehajo veljati za opravljanje storitev zračnega prometa med Republiko Slovenijo in Indijo določbe Sporazuma o zračnem prometu med Vlado Socialistične federativne republike Jugoslavije in Vlado Indije z dne 31. 10. 1989.

V potrditev dogovorjenega sta pooblaščenca pogodbenic podpisala ta sporazum.

Sestavljeno v New Delhiju dne 16. februarja 2004 v dveh izvornikih v slovenskem jeziku, hindi in angleškem jeziku, pri čemer so besedila enako verodostojna. Ob različnih razlagah prevlada angleško besedilo.

Za Vlado  
Republike Slovenije  
**Dimitrij Rupel** l.r.

Za Vlado  
Indije  
**Yashwant Sinha** l.r.

3. In default of acknowledgement of receipt by the other Contracting Party, the notice shall be deemed to have been received fourteen days after the date on which the International Civil Aviation Organization has received communication thereof.

#### Article 20

##### REGISTRATION WITH INTERNATIONAL CIVIL AVIATION ORGANIZATION

The present Agreement and all amendments thereto shall be registered with the International Civil Aviation Organization.

#### Article 21

##### ENTRY INTO FORCE

The present Agreement shall enter into force on the date when the Contracting Parties have notified each other of the fulfilment of their constitutional formalities in this regard.

On the date this Agreement enters into force, the provisions of the Air Transport Agreement between the Government of the Socialist Federal Republic of Yugoslavia and the Government of India, dated 31. 10. 1989 shall cease to be effective with regard to operation of air transport services between the Republic of Slovenia and India.

In witness whereof, the plenipotentiaries of the two Contracting Parties have signed the present Agreement.

Done at New Delhi this 16<sup>th</sup> day of February 2004 in two originals each in the Slovenian, Hindi and English languages, all texts being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Government  
of the Republic of Slovenia  
**Dimitrij Rupel** (s)

For the Government  
of India  
**Yashwant Sinha** (s)

**P R I L O G A**  
**P R E G L E D P R O G**

PREGLED I

Proge, na katerih lahko zračne prevoze opravljajo določeni prevozniki Republike Slovenije:

<u>Kraji odhoda</u>	<u>Vmesni kraji</u>	<u>Kraji v Indiji</u>	<u>Naslednji kraji</u>
Kraji v Sloveniji	bodo določeni kasneje	bodo določeni kasneje	bodo določeni kasneje

PREGLED II

Proge, na katerih lahko zračne prevoze opravljajo določeni prevozniki Republike Indije:

<u>Kraji odhoda</u>	<u>Vmesni kraji</u>	<u>Kraji v Sloveniji</u>	<u>Naslednji kraji</u>
Kraji v Indiji	bodo določeni kasneje	bodo določeni kasneje	bodo določeni kasneje

**P R O T O K O L**

**o spremembi Sporazuma  
med Vlado Republike Slovenije in Vlado Indije  
o rednem zračnem prometu**

**Preambula**

Vlada Republike Slovenije in Vlada Republike Indije, v nadaljnjem besedilu »pogodbениci«, sta se,

ob upoštevanju nujnosti dopolnitve Sporazuma med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu, podpisanega 16. februarja 2004 (v nadaljnjem besedilu »Sporazum«) v skladu z Memorandumom o soglasju, podpisanem 21. oktobra 2011 v Mumbai,

dogovorili:

**1. člen**

**Določitev prevoznika in izdaja dovoljenja  
za opravljanje letalskega prevoza**

Prvi odstavek 3. člena Sporazuma se črta v celoti in nadomesti z:

»Vsaka pogodbenica ima pravico, da določi letalskega prevoznika ali letalske prevoznike za opravljanje dogovorjenih prevozov in da preklic določitev katerega koli letalskega prevoznika ali da predhodno določenega letalskega prevoznika zamenja z drugim letalskim prevoznikom. Taka določitev se izvede pisno in pošlje pogodbenici po diplomatski poti.«

**2. člen**

**Priloga**

Priloga k Sporazumu se spremeni:

1. Za Pregledom II Priloge k Sporazumu se vstavijo novi členi:

**A N N E X**  
**R O U T E S C H E D U L E S**

SCHEDULE I

Routes on which air services may be operated by the designated airline(s) of the Republic of Slovenia

<u>Points of departure</u>	<u>Intermediate points</u>	<u>Points in India</u>	<u>Points beyond</u>
Points in Slovenia	To be agreed	To be agreed	To be agreed

SCHEDULE II

Routes on which air services may be operated by the designated airline(s) of the Republic of India

<u>Points of departure</u>	<u>Intermediate points</u>	<u>Points in Slovenia</u>	<u>Points beyond</u>
Points in India	To be agreed	To be agreed	To be agreed

**P R O T O C O L**

**amending the Agreement between  
the Government of the Republic of Slovenia  
and the Government of India relating  
to scheduled air services**

**Preamble**

The Government of the Republic of Slovenia and the Government of the Republic of India, hereinafter referred to as the "Contracting Parties,"

Considering the necessity to supplement the Agreement between the Government of the Republic of Slovenia and the Government of India relating to scheduled air services signed on February 16, 2004 (hereinafter referred to as "Agreement") in accordance with the Memorandum of Understanding signed on 21<sup>st</sup> October 2011 in Mumbai,

Have agreed as follows:

**Article 1**

**Designation  
and Operating Authorization**

Paragraph 1 of Article 3 of the Agreement shall be deleted in its entirety and replaced with the following:

"Each Contracting Party shall have the right to designate an airline or airlines for the purpose of operating the agreed services and to withdraw the designation of any airline or to substitute another airline for one previously designated. Such designation shall be effected in writing and transmitted to the Contracting Party through diplomatic channels."

**Article 2**

**Annex**

Annex to the Agreement shall be amended by:

1. New Articles shall be inserted following Schedule II of the Annex to the Agreement as follows:

»1.

**Tovorni prevoz**

Določeni letalski prevoznik/prevozniki vsake pogodbenice imajo pravico do opravljanja tovornih prevozov v kateri koli kraj/katere koli kraje ali iz njega ali njih na ozemlju druge pogodbenice preko katerega koli kraja/katerih koli krajev vmesnega pristanka in v kateri koli naslednji kraj/katere koli naslednje kraje brez omejitev glede števila prevozov in vrste zrakoplova, s polnimi prometnimi pravicami tretje, četrte in pete svoboščine, brez uresničevanja kabotažnih pravic. Taki tovorni prevozi se prav tako lahko opravljajo po dogovorih o sodelovanju glede trženja, kot so uporaba skupnih oznak poletov, rezervacija prostora itd., s katerimi koli letalskim prevoznikom/katerimi koli letalskimi prevozniki, vključno z letalskimi prevozniki tretjih držav.

2.

**Prilagodljivost določanja prog**

Določeni letalski prevoznik/prevozniki lahko letijo v kateri koli kraj vmesnega pristanka in/ali naslednji kraj, ki ni naveden v Pregledu prog, brez uresničevanja prometnih pravic pete svoboščine.

3.

**Intermodalni prevozi**

Določeni letalski prevoznik/prevozniki vsake pogodbenice smejo uporabiti v zvezi z zračnim prevozom potnikov in tovora kateri koli intermodalni prevoz v kateri koli kraj na ozemlju druge pogodbenice ali iz njega. Taki letalski prevoznik/prevozniki se lahko odločijo, da sami opravljajo intermodalni prevoz ali da ga zagotavljajo na podlagi dogovorov, vključno z uporabo skupnih oznak poletov, z drugimi prevozniki. Intermodalni prevozi se lahko zagotovijo kot direktni prevozi in po enotni ceni za zračni in intermodalni prevoz skupaj, če so potniki in špediterji obveščeni o ponudnikih takega prevoza.

4.

**Dogovori o sodelovanju glede trženja**

1. Določeni letalski prevoznik/prevozniki vsake pogodbenice lahko sklenejo dogovore o sodelovanju glede trženja, kot so uporaba skupnih oznak poletov, rezervacija prostora ali kateri koli drugi dogovor o skupnem poslu z –

- a) določenim letalskim prevoznikom/določenimi letalskimi prevozniki iste pogodbenice; ali
- b) določenim letalskim prevoznikom/določenimi letalskimi prevozniki druge pogodbenice ali
- c) določenim letalskim prevoznikom/določenimi letalskimi prevozniki tretje države.

2. Letalski prevoznik/prevozniki, ki opravljajo prevoze in sodelujejo pri dogovorih o sodelovanju glede trženja, imajo temeljne prometne pravice, vključno s pravicami do prog in pravicami do zmogljivosti, in izpolnjujejo zahteve, ki se običajno uporabljajo za take sporazume.

3. Vsi letalski prevozniki, ki sodelujejo v dogovorih o sodelovanju glede trženja, imajo temeljne pravice do prog in izpolnjujejo zahteve, ki se običajno uporabljajo za take sporazume.

4. Skupna zmogljivost, opravljena z letalskimi prevozi, izvajanimi po takih dogovorih, se mora upoštevati samo pri pravicah do zmogljivosti pogodbenice, ki določi letalskega prevoznika/letalske prevoznike, ki opravljajo prevoze. Zmogljivost, ki jo tržni letalski prevoznik/prevozniki na takih prevozi zagotavljajo, se ne upošteva pri pravicah do zmogljivosti pogodbenice, ki določi tega letalskega prevoznika.

5. Določeni letalski prevoznik/prevozniki katere koli od obeh strani smejo prenesti promet, tj. (starburst) med zrakoplovi, vključenimi v prevoze z uporabo skupnih oznak poletov, brez omejitev glede števila, velikosti ali vrste zrakoplova.

"1.

**All-Cargo Operations**

The designated airline(s) of each Contracting Party shall be entitled to operate all-cargo services to/from any point(s) in the territory of the other Party, via any intermediate point(s) and beyond to any point(s), without any limitation on the number of services and type of aircraft, with full 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> freedom traffic rights, without exercising cabotage rights. Such all-cargo services may also be operated under co-operative marketing arrangements such as code sharing, blocked space, etc. with any other airline(s), including airlines of third countries.

2.

**Routing flexibility**

Any intermediate and/or beyond point not specified in the Route Schedule may be served by the designated airline(s) without exercising fifth freedom traffic rights.

3.

**Intermodal services**

The designated airline(s) of each Contracting Party shall be permitted to employ, in connection with air transport of passengers and cargo, any intermodal transport to or from any point in the territory of the other Contracting Party. Such airline(s) may elect to perform their own intermodal transport or to provide it through arrangements, including code share, with other carriers. The intermodal services may be offered as a through service and at a single price for the air and intermodal transport combined, provided that passengers and shippers are informed as to the providers of such transportation.

4.

**Co-operative marketing arrangements**

1. The designated airline(s) of each Contracting Party may enter into co-operative marketing arrangements, such as code-share, block space or any other joint venture arrangement, with –

- a) the designated airline(s) of the same Contracting Party;
- or
- b) the designated airline(s) of the other Contracting Party;
- or
- c) the designated airline(s) of a third country.

2. The operating airline(s) involved in the co-operative marketing arrangements shall hold the underlying traffic rights including the route rights and the capacity entitlements and meet the requirements normally applied to such arrangements.

3. All marketing airline(s) involved in the co-operating arrangements shall hold the underlying route rights and meet the requirements normally applied to such arrangements.

4. The total capacity operated by the air services performed under such arrangements shall be counted only against the capacity entitlement of the Party designating the operating airline(s). The capacity offered by the marketing airline(s) on such services shall not be counted against the capacity entitlement of the Party designating that airline.

5. The designated airline(s) of either side shall be allowed to transfer traffic i.e. (starburst) between aircraft involved in the code-share operations without restriction as to number, size and type of aircraft.

6. Poleg letalskega prevoznika/letalskih prevoznikov, ki opravljajo prevoze, lahko letalski organi vsake pogodbenice zahtevajo, da pred začetkom letalskih prevozov po dogovorih o sodelovanju glede trženja letalski prevoznik/prevozniki, ki prevoze tržijo, vložijo preglede prog v odobritev in prav tako predložijo katere koli druge dokumente.

7. Pri zagotavljanju prevozov za prodajo po takih dogovorih, mora zadevni letalski prevoznik ali njegov zastopnik kupcu jasno razložiti na kraju prodaje, kateri letalski prevoznik bo opravljal prevoz na vsakem odseku prevoza in s katerim letalskim prevoznikom/katerimi letalskimi prevozniki kupec sklepa pogodbeno razmerje.

8. Pred zagotavljanjem prevoza pod skupno oznako se partnerji dogovora o skupni oznaki dogovorijo, katera stranka bo odgovorna za varovanje, varnost, pospeševanje, odškodninsko odgovornost in druge potrošniške zadeve. Tak dogovor se pred izvedbo dogovorov o letih pod skupno oznako vložijo pri letalskih organih obeh pogodbenic in ga ti potrdijo.

### 3. člen

#### Končne določbe ZAČETEK VELJAVNOSTI

1. Ta protokol začne veljati na datum prejema poznejšega pisnega obvestila pogodbenic, da so končani njihovi notranji pravni postopki, potrebni za začetek veljavnosti tega protokola.

2. Protokol velja za enako obdobje in pod enakimi pogoji kot Sporazum med Vlado Republike Slovenije in Vlado Indije o rednem zračnem prometu.

Sestavljeno v Ljubljani dne 9. 11. 2012 v dveh izvornikih v slovenskem jeziku, hindi in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. Pri različni razlagi ali uporabi prevlada angleško besedilo.

Za Vlado  
Republike Slovenije  
**Zvone Černač** l.r.

Za Vlado  
Republike Indije  
**Shri K. N. Shrivastava** l.r.

For the Government  
of the Republic of Slovenia  
**Zvone Černač** (s)

For the Government  
of the Republic of India  
**Shri K. N. Shrivastava** (s)

### 3. člen

Za izvajanje sporazuma in protokola skrbi ministrstvo, pristojno za infrastrukturo in prostor.

### 4. člen

Ta zakon začne veljati petnajsti dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 326-06/11-4/13  
Ljubljana, dne 2. aprila 2013  
EPA 1819-V

Državni zbor  
Republike Slovenije  
**Janko Veber** l.r.  
Predsednik

6. In addition to the operating airline(s), the aeronautical authorities of each Contracting Party may require the marketing airline(s) to file schedules for approval and also provide any other documents before commencement of air services under the co-operative marketing arrangements.

7. When holding out services for sale under such arrangements, the concerned airline or its agent shall make it clear to the purchaser at the point of sale as to which airline shall be the operating airline on each sector of the service and with which airline(s) the purchaser is entering into a contractual relationship.

8. Before providing code sharing services, the code sharing partners shall agree as to which party shall be responsible for security, safety, facilitation, liability and other consumer matters. Such an agreement shall be filed and approved with the aeronautical authorities of both Parties before implementation of the code-share arrangements."

### Article 3

#### Final provision ENTRY INTO FORCE

1. This Protocol shall enter into force on the date of the receipt of the later written notification of the Contracting Parties on the completion of their respective internal legal procedures necessary for entry into force of this Protocol.

2. This Protocol remains in force for the same period of time and under the same conditions as the Agreement between the Government of the Republic of Slovenia and the Government of India relating to scheduled air services.

Done at Ljubljana on the 9<sup>th</sup> day of November 2012 in two originals in the Slovenian, Hindi and English languages, each text being equally authentic. In case of any divergence of interpretation or application, the English text shall prevail.

**38. Sklep o potrditvi Kulturnega, znanstvenega in študijskega programa izmenjave med Vlado Republike Slovenije in Vlado Islamske republike Iran v letih 2011–2014 (1390–1393 A.H.)**

Na podlagi osmega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09 in 80/10 – ZUTD) izdaja Vlada Republike Slovenije

**S K L E P****o potrditvi Kulturnega, znanstvenega in študijskega programa izmenjave med Vlado Republike Slovenije in Vlado Islamske republike Iran v letih 2011–2014 (1390–1393 A.H.)****1. člen**

Potrdi se Kulturni, znanstveni in študijski program izmenjave med Vlado Republike Slovenije in Vlado Islamske republike Iran v letih 2011–2014 (1390–1393 A.H.), podpisan v Ljubljani 11. julija 2011.

**2. člen**

Program se v izvorniku v slovenskem in angleškem jeziku glasi\*:

**Kulturni, znanstveni in študijski program izmenjave med Vlado Republike Slovenije in Vlado Islamske republike Iran v letih 2011–2014 (1390–1393 A.H.)**

Vlada Republike Slovenije in Vlada Islamske republike Iran (v nadaljnjem besedilu: pogodbenici) sta se z željo, da bi razvili in okrepili prijateljske odnose med državama na podlagi Sporazuma o sodelovanju v izobraževanju, kulturi in znanosti med Vlado Republike Slovenije in Vlado Islamske republike Iran, ki je bil podpisan 13. aprila 1994, kar ustreza 24. ordibehešta 1373 A. H., dogovorili za sodelovanje na področju kulture, znanosti in šolstva v letih 2011–2014, kar ustreza letom 1390–1393 A. H.

**1. poglavje – Kultura in umetnost****1. člen**

Pogodbenici si med trajanjem tega programa izmenjujeta podatke, izkušnje, knjige, publikacije, fotografije in diapozitive, filme in mikrofilme, avdio in video CD-je s področja kulture, umetnosti, književnosti, arheologije, antropologije in jezikoslovja.

**2. člen**

Pogodbenici med trajanjem tega programa vabita umetniške skupine k sodelovanju na državnih in mednarodnih festivalih, ki bodo potekali v obeh državah, in k izvajanju kulturnih in umetniških programov.

**3. člen**

Pogodbenici si med trajanjem tega programa izmenjujeta povabila k sodelovanju na seminarjih, festivalih, srečanjih in drugih mednarodnih kulturnih ter umetniških prireditvah v obeh državah.

**4. člen**

Pogodbenici med trajanjem tega programa sodelujeta na državnih in mednarodnih kinematografskih festivalih ter spodbujata izmenjavo med kinematografskimi ustanovami.

**Exchange Programme in the Fields of Culture, Science and Education between the Government of the Republic of Slovenia and the Government of the Islamic Republic of Iran for the period from 2011 to 2014 (1390 to 1393 AH)**

The Government of the Republic of Slovenia and the Government of the Islamic Republic of Iran (hereinafter referred to as "the Contracting Parties"), in their desire to develop and strengthen friendly relations between their respective countries on the basis of the Agreement on Cooperation in the fields of Education, Culture and Science between the Government of the Republic of Slovenia and the Government of the Islamic Republic of Iran signed on 13 April 1994 i.e. 24 Ordibehesht 1373 AH, agreed to cooperate in the fields of culture, science and education from 2011 to 2014, which corresponds to the period from 1390 to 1393 AH.

**Chapter 1 – Culture and Art****Article 1**

During the validity of the Programme, the Contracting Parties shall exchange data, experience, books, publications, photographs and reversal films, films and microfilms, audio and video CDs from the spheres of culture, art, literature, archaeology, anthropology, and linguistics.

**Article 2**

During the validity of the Programme, the Contracting Parties shall extend invitations to art groups for participation in national and international festivals held in both countries and for the implementation of cultural and artistic programmes.

**Article 3**

During the validity of the Programme, the Contracting Parties shall exchange invitations to participate in seminars, festivals, meetings and other international cultural and art events in both countries.

**Article 4**

During the validity of the Programme, the Contracting Parties shall participate in national and international cinematographic festivals and encourage the exchange between cinematic institutions.

\* Besedilo sporazuma v perzijskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

**5. člen**

Pogodbenici si med trajanjem tega programa izmenjujeta strokovnjake za kulturno dediščino, da bi vzpostavili sodelovanje na področjih arheologije, antropologije, tradicionalne umetnosti ter varstva in obnove kulturnih in zgodovinskih spomenikov.

**6. člen**

Slovenska stran predlaga skupno razstavo o mitraizmu (čaščenju kulta Mitre) in mitrejskih spomenikih ter organizacijo znanstvenega srečanja, na podlagi katerega bi nastala publikacija o slovenskih in iranskih spomenikih Mitri. Na slovenski strani bo ta projekt izvajal Pokrajinski muzej Ptuj Ormož.

**7. člen**

Pogodbenici spodbujata sodelovanje svojih držav na mednarodnih festivalih, ki bodo potekali na ozemlju druge pogodbenice.

Slovenska stran vabi iransko stran k sodelovanju na:

1. pomladanskem Mednarodnem srečanju pisateljev (PEN) na Bledu,
2. mednarodnem festivalu alternativne glasbe Druga godba, ki poteka predvsem v Ljubljani v drugi polovici maja,
3. Festivalu Lent v Mariboru v drugi polovici junija in prvi polovici julija,
4. festivalu stare glasbe SEVIQC Brežice v drugi polovici junija in prvi polovici julija,
5. Festivalu Ljubljana julija in avgusta,
6. Festivalu Radovljica v drugi polovici avgusta,

7. Mednarodnem literarnem festivalu Vilenica, kjer se srečujejo pesniki, pisatelji in esejisti, organizira pa ga Društvo slovenskih pisateljev v drugi polovici septembra,

8. Ljubljanskem mednarodnem filmskem festivalu (LIFFe) novembra.

**8. člen**

Narodni knjižnici pogodbenic si izmenjujeta informacije, izkušnje, knjige, publikacije, rokopise, mikrofilme, strokovnjake in pripravnike, se udeležujeta srečanj in razstav, povezanih s knjigami in bibliotekarstvom, se obiskujeta ter na področju bibliotekarstva izvajata skupne raziskovalne in izobraževalne projekte, nudita bibliotekarske storitve in izdajata publikacije.

**2. poglavje – Znanost****9. člen**

Pogodbenici priporočata izvajanje določb Memoranduma o soglasju med Ministrstvom za šolstvo, znanost in šport Republike Slovenije in Ministrstvom za znanost, raziskave in tehnologijo Islamske republike Iran o sodelovanju na področju raziskav in razvoja, ki je bil podpisan 6. farvardina 1381, kar ustreza 26. marcu 2002.

**10. člen**

Pogodbenici si med trajanjem tega programa izmenjujeta informacije, knjige in publikacije, znanstvene in raziskovalne dokumente, mikrofilme ter programsko opremo s področja znanosti, izobraževanja, raziskovanja in tehnologije.

**11. člen**

Pogodbenici med trajanjem tega programa poleg prirejanja skupnih znanstvenih, raziskovalnih in tehnoloških razstav izvajata skupne raziskovalne projekte in na podlagi dogovora tudi drugače sodelujeta na področju znanosti in tehnologije.

**Article 5**

During the validity of the Programme, the Contracting Parties shall exchange cultural heritage experts with a view to establishing cooperation in archaeology, anthropology, traditional arts as well as the protection and conservation of cultural and historical monuments.

**Article 6**

The Slovenian side proposes a joint exhibition on Mithraism (i.e. worship of the Mithra cult) and Mithraic monuments as well as the organisation of a scientific conference to form the basis for a publication on Slovenian and Iranian monuments to Mithra. The Slovenian side shall task the Ptuj Ormož Regional Museum (Pokrajinski muzej Ptuj Ormož) to carry out this project.

**Article 7**

The Contracting Parties encourage cooperation of the two countries in international festivals to be held on the territory of the other Contracting Party.

The Slovenian side invites the Iranian side to participate in the following events:

- 1.) International spring writers' congress (PEN) in Bled;
- 2.) International alternative music festival Druga godba held primarily in Ljubljana in the second half of May;
- 3.) Festival Lent in Maribor in the second half of June and the first half of July;
- 4.) Early Music festival Brežice in the second half of June and the first half of July;
- 5.) Summer Festival Ljubljana in July and August;
- 6.) Early Music Festival Radovljica in the second half of August;
- 7.) Vilenica International Literary Festival bringing together poets, writers and essayists, organised by the Slovenian Writers' Association in the second half of September;
- 8.) Ljubljana International Film Festival "Liffe" in November.

**Article 8**

The national libraries of the Contracting Parties shall exchange information, experience, books, publications, manuscripts, microfilms, experts and trainees, participate in meetings and exhibitions relating to books and library science, visit each other and conduct joint research and educational projects in the field of library science, offer services and issue publications.

**Chapter 2 – Science****Article 9**

The Contracting Parties recommend the implementation of the provisions of the Memorandum of Understanding between the Ministry of Education, Science and Sport of the Republic of Slovenia and the Ministry of Science, Research and Technology of the Islamic Republic of Iran on Joint Research and Development Cooperation Program signed on 6 Farvardin 1381, which corresponds to 26 March 2002.

**Article 10**

During the validity of the Programme, the Contracting Parties shall exchange information, books and publications, scientific and research documents, microfilms and software in the fields of science, education, research, and technology.

**Article 11**

During the validity of the Programme, the Contracting Parties shall organise joint scientific, research and technological exhibitions as well as conduct joint research projects and, on the basis of mutual agreement, also engage in other forms of cooperation in the fields of science and technology.



**12. člen**

Pogodbenici podpirata sodelovanje strokovnjakov, profesorjev in raziskovalcev iz obeh držav ter njihovo udeležbo na mednarodnih znanstvenih in izobraževalnih konferencah, simpozijih in seminarjih v obeh državah.

**3. poglavje – Izobraževanje****13. člen**

Pogodbenici se obveščata o pogojih študija in programih stipendiranja za tuje državljane.

**14. člen**

Pogodbenici si med trajanjem tega programa izmenjujeta informacije in inovacije s področja organizacije izobraževalnega sistema, izobraževalnih vsebin, gradiv, programov, virov, dokumentov in filmov, strokovnega in poklicnega izobraževanja in športa ter izobraževanja nadarjenih otrok in otrok s posebnimi potrebami.

**15. člen**

Pogodbenici si med trajanjem tega programa na podlagi vzajemnosti izmenjujeta strokovnjake in izkušnje na področju izobraževanja na podlagi neposrednih dogovorov med zainteresiranimi ustanovami.

**16. člen**

Pogodbenici preučita možnosti za medsebojno priznanje izobraževalnih programov in zato spodbujata izmenjavo informacij med državama.

**17. člen**

Pogodbenici podpirata sodelovanje na področju učenja jezika in spoznavanja književnosti druge države.

**18. člen**

Pogodbenici si izmenjujeta informacije, knjige in dokumente o zgodovini, kulturi in civilizaciji obeh držav za objektivno predstavitev teh področij v svojih učbenikih.

**4. poglavje – Šport in turizem****19. člen**

Pogodbenici spodbujata sodelovanje med športnimi organizacijami z izmenjavo športnih ekip in delegacij ter najnovejših znanstvenih dosežkov obeh držav na področju športa.

**20. člen**

Pogodbenici spodbujata obojestransko povabila učencev, študentov in mladine iz druge države k sodelovanju na mednarodnih športnih festivalih in tekmovanjih v obeh državah.

**21. člen**

Pogodbenici sprejmeta ukrepe za predstavitev turističnih zanimivosti druge države z izmenjavo turističnih informacij, publikacij in turističnega reklamnega gradiva.

**22. člen**

Pogodbenici sodelujeta z izmenjavo informacij in dokumentov o ustanavljanju in vlogi nacionalnih turističnih organizacij in ustanov v svojih državah.

**Article 12**

The Contracting Parties support the cooperation of experts, professors and researchers from both countries and their participation in international scientific and educational conferences, symposiums and seminars in both countries.

**Chapter 3 – Education****Article 13**

The Contracting Parties shall inform each other on study conditions and scholarship programmes for foreign citizens.

**Article 14**

During the validity of the Programme, the Contracting Parties shall exchange information and innovations in the fields of the organisation of education system, educational contents, materials, programmes, sources, documents and films, professional and vocational education and sport as well as the education of gifted children and children with special needs.

**Article 15**

During the validity of the Programme and on the basis of reciprocity, the Contracting Parties shall exchange experts and experience in the field of education, based on direct agreements between interested institutions.

**Article 16**

The Contracting Parties shall examine the possibilities of mutual recognition of educational programmes and to this end encourage the exchange of information between the two countries.

**Article 17**

The Contracting Parties shall support cooperation in learning the language and literature of the other country.

**Article 18**

The Contracting Parties shall exchange information, books and documents relating to history, culture and the civilisation of both countries for objective depiction in their respective textbooks.

**Chapter 4 – Sport and Tourism****Article 19**

The Contracting Parties shall encourage cooperation between sports organisations through the exchange of sports teams and delegations and the latest scientific achievements of both countries in sport.

**Article 20**

The Contracting Parties shall encourage invitations to pupils, students and the youth from the other country to participate in international sport festivals and competitions in both countries.

**Article 21**

The Contracting Parties shall take measures for the presentation of tourist attractions of the other country through the exchange of information, publications and commercial material in the field of tourism.

**Article 22**

The Contracting Parties shall cooperate through the exchange of information and documents relating to the establishment and the status of national tourist boards and institutions in their respective countries.

**5. poglavje – Splošni in finančni pogoji****23. člen**

Določbe tega programa ne vplivajo na izvajanje katerega koli drugega programa, za katerega se državi kakor koli dogovorita.

**24. člen**

Dejavnosti, predvidene v tem programu, se izvajajo v skladu s pravili in predpisi posamezne države.

**25. člen**

Država pošiljateljica državo sprejemnico po uradni poti seznanji z izmenjavami med trajanjem tega programa.

**26. člen**

Vloge, povezane z ocenami raziskovalnih in znanstvenih projektov, se sporočijo drugi strani po uradni poti. Vloga naj vsebuje podatke o izobrazbi prosilca, času bivanja in zelenem kraju obiska.

**27. člen**

Stroške pošiljanja filmov, mikrofilmov in kopij zgodovinskih ter kulturnih dokumentov krije država pošiljateljica.

**28. člen**

Stroške prevoza predstavnikov in obiskovalcev krije država pošiljateljica, medtem ko stroške nastanitve, hrane in lokalnih prevozov krije država sprejemnica.

**29. člen**

Stroške prevoza opreme umetniških skupin krije država pošiljateljica, medtem ko stroške bivanja, hrane in lokalnega prevoza ter stroške ustreznega razstavnega prostora krije država sprejemnica.

**30. člen**

Stroške prevoza razstavnih predmetov v državo sprejemnico in iz nje ter stroške zavarovanja pri tem krije država pošiljateljica, država sprejemnica pa krije stroške lokalnega prevoza in zavarovanja.

Slednja prav tako krije stroške ustreznega razstavnega prostora.

**31. člen**

Država pošiljateljica poskrbi za ustrezno zdravstveno zavarovanje oseb, izmenjanih v skladu s tem programom za čas njihovega bivanja v državi sprejemnici, pred njihovim prihodom v državo sprejemnico.

**32. člen**

Pri vstopu državljanov ene pogodbenice na ozemlje druge pogodbenice in med njihovim bivanjem na tem ozemlju velja zanje nacionalna zakonodaja, ki ureja pogoje za vstop v državo in bivanje v njej za tuje državljane.

**33. člen**

Pogoji za izmenjavo in finančne podrobnosti, povezani s štipendijami, kratkoročnim študijem in izobraževalnimi tečajji, se določijo z dogovorom med pristojnimi organi.

**34. člen**

Ta program začne veljati 60. dan po podpisu in velja do podpisa novega programa.

**Chapter 5 – General and Financial Conditions****Article 23**

The provisions of this Programme do not affect the implementation of any other programme agreed upon in any way by the two countries.

**Article 24**

Activities envisaged by this Programme shall be implemented in accordance with the rules and regulations of either country.

**Article 25**

The Sending State shall notify the Receiving State of the exchanges during the validity of the Programme through official channels.

**Article 26**

Applications related to research and scientific reviews of the projects shall be communicated to the other Contracting Party through official channels. The application should contain the applicant's level of education, duration of stay and the desired destination.

**Article 27**

The costs of deliveries of films, microfilms and copies of historical and cultural documents shall be covered by the Sending State.

**Article 28**

The costs of transport of delegates and visitors shall be covered by the Sending State; the costs of accommodation, food and local transport shall be covered by the Receiving State.

**Article 29**

The costs of transport of equipment of art groups shall be covered by the Sending State; the costs of accommodation, food and local transport and the costs of exhibition space shall be covered by the Receiving State.

**Article 30**

The costs of transport of exhibits to the Receiving State and back and transport insurance shall be covered by the Sending State; the costs of local transport and insurance shall be covered by the Receiving State.

The latter shall also cover the costs of an adequate exhibition space.

**Article 31**

The Sending State shall arrange adequate health insurance for persons exchanged in compliance with the Programme prior to their arrival in the Receiving State for the period of their stay in that State.

**Article 32**

National legislation regulating the conditions of entry in the country and stay of foreign citizens applies to the entry of citizens of one Contracting Party in the territory of the other, and during their stay on that territory.

**Article 33**

The conditions for the exchange and financial details related to scholarships, short-term study and educational courses shall be arranged through an agreement between the competent authorities.

**Article 34**

This Programme shall take effect on the 60<sup>th</sup> day after its signing and shall apply until the signing of a new programme.

Sestavljeno v Ljubljani dne 11. julija 2011, kar ustreza 20. TIRU 1390 A.H., v dveh izvornikih v slovenskem, perzijskem in angleškem jeziku, pri čemer so vsa besedila enako verodostojna. Ob razlikah v razlagi prevlada angleško besedilo.

Done in Ljubljana on 11 July 2011 which corresponds to 20 TIR AH in two original copies in the Slovene, Persian and English languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

Za Vlado  
Republike Slovenije  
**Tadej Rupel** l.r.

Za Vlado  
Islamske republike Iran  
**Ali Reza Esmaeili** l.r.

For the Government  
of the Republic of Slovenia  
**Tadej Rupel** (s)

For the Government  
of the Islamic Republic of Iran  
**Ali Reza Esmaeili** (s)

3. člen

Za izvajanje kulturnega, znanstvenega in študijskega programa izmenjave skrbi ministrstvo, pristojno za izobraževanje, znanost, kulturo in šport.

4. člen

Ta sklep začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 00724-16/2013  
Ljubljana, dne 11. aprila 2013  
EVA 2012-1811-0112

**Vlada Republike Slovenije**

**mag. Alenka Bratušek** l.r.  
Predsednica

**39. Sklep o potrditvi Programa sodelovanja v kulturi, umetnosti, izobraževanju, znanosti, športu in medijih med Vlado Republike Slovenije in Vlado Republike Indije za obdobje 2010–2014**

Na podlagi osmega odstavka 75. člena Zakona o zunanjih zadevah (Uradni list RS, št. 113/03 – uradno prečiščeno besedilo, 20/06 – ZNOMCMO, 76/08, 108/09 in 80/10 – ZUTD) je Vlada Republike Slovenije sprejela

**S K L E P****o potrditvi Programa sodelovanja v kulturi, umetnosti, izobraževanju, znanosti, športu in medijih med Vlado Republike Slovenije in Vlado Republike Indije za obdobje 2010–2014**

## 1. člen

Potrdi se Program sodelovanja v kulturi, umetnosti, izobraževanju, znanosti, športu in medijih med Vlado Republike Slovenije in Vlado Republike Indije za obdobje 2010–2014, podpisan v Ljubljani 15. marca 2010.

## 2. člen

Program se v izvirniku v slovenskem in angleškem jeziku glasi\*:

**P R O G R A M****SODELOVANJA V KULTURI, UMETNOSTI, IZOBRAŽEVANJU, ZNANOSTI, ŠPORTU IN MEDIJH MED VLADO REPUBLIKE SLOVENIJE IN VLADO REPUBLIKE INDIJE ZA OBDOBJE 2010–2014**

Vlada Republike Slovenije in Vlada Republike Indije, v nadaljevanju »strani«, sta se, v želji, da bi razvijali sodelovanje in okrepili medsebojno razumevanje med Vlado Republike Slovenije in Vlado Republike Indije in ob izvajanju 6. člena Sporazuma med Vlado Republike Slovenije in Vlado Republike Indije o sodelovanju v kulturi, umetnosti, izobraževanju, športu in pri javnih občilih, podpisanega 16. decembra 1996 v New Delhiju, sporazumeli o naslednjem programu izmenjav za obdobje 2010–2014.

**I. UMETNOST IN KULTURA****1. ČLEN**

Strani bosta letno povabili enega ali dva pisatelja na mednarodno pisateljsko srečanje, katerega stroški se krijejo po načelu vzajemnosti.

**2. ČLEN**

Strani bosta po načelu vzajemnosti vsaka v svoj(e) jezik(e) prevedli in izdali antologijo kratkih zgodb svojih držav. O podrobnostih se bosta dogovorili po diplomatski poti.

**3. ČLEN**

Strani bosta izmenjali skupine pisateljev, da bi spodbudili boljše razumevanje med kulturama. O podrobnostih se bosta dogovorili po diplomatski poti.

**4. ČLEN**

Strani bosta izmenjevali strokovnjake z institucij za varstvo premične in nepremične kulturne dediščine. O podrobnostih se bosta dogovorili po diplomatski poti.

**P R O G R A M M E****ON COOPERATION IN THE FIELDS OF CULTURE, ARTS, EDUCATION, SCIENCE, SPORTS AND MASS MEDIA BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SLOVENIA AND THE GOVERNMENT OF THE REPUBLIC OF INDIA FOR THE PERIOD 2010–2014**

Desirous to further develop cooperation and strengthen mutual understanding between the Government of the Republic of Slovenia and the Government of the Republic of India and by implementing Article 6 of the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of India on Cooperation in the Fields of Culture, Arts, Education, Sports and Mass-Media signed on 16 December 1996 in New Delhi, the Government of the Republic of Slovenia and the Government of the Republic of India, hereinafter referred to as the "Parties", have agreed on the following Programme of Exchanges for the period 2010–2014.

**I ARTS AND CULTURE****ARTICLE 1**

Each Party shall annually invite one or two writers to the International Writers Meeting, expenditure of which will be met on a reciprocal basis.

**ARTICLE 2**

Each Party shall translate and publish an anthology of short stories of the other Party into their respective language(s) on a reciprocal basis. Details shall be settled through diplomatic channels.

**ARTICLE 3**

The Parties shall exchange groups of writers in order to promote better understanding between the two respective cultures. Details shall be settled through diplomatic channels.

**ARTICLE 4**

The Parties shall exchange experts of the institutions for the preservation of movable and non-movable cultural heritage. Details shall be settled through diplomatic channels.

\* Besedilo sporazuma v hindujskem jeziku je na vpogled v Sektorju za mednarodno pravo Ministrstva za zunanje zadeve.

## 5. ČLEN

Strani bosta izmenjali konzervatorja/restavradorja na področju restavriranja kamnitih objektov, za obdobje enega meseca vsako leto.

## 6. ČLEN

Strani bosta izmenjali publikacije s področja muzejskega in galerijskega delovanja ter s področja arheologije na podlagi neposrednega dogovora med institucijami.

## 7. ČLEN

Slovenska stran bo v času veljavnosti tega programa poslala eno slovensko plesno/glasbeno/gledališko skupino izvajalcev v Indijo. O podrobnostih se bosta zainteresirani partnerski instituciji dogovorili na skupnih posvetovanjih.

## 8. ČLEN

Strani bosta za obdobje 10 do 14 dni izmenjali določeno število znanstvenikov in intelektualcev s področja umetnosti, kulture, varstva kulturne dediščine ter akademikov. O izmenjavi se bosta naknadno dogovorili po diplomatski poti.

## 9. ČLEN

Indijska stran bo v času veljavnosti tega programa v Sloveniji predstavila indijsko grafično umetnost. Slovenska stran bo po načelu vzajemnosti v Indiji predstavila slovensko grafično umetnost. O podrobnostih se bosta dogovorili po diplomatski poti.

## 10. ČLEN

Strani bosta izmenjali izvorno gradivo vzajemnega interesa, zlasti v obliki reprografije umetnostne in kulturne dediščine, ki je na voljo v rokopisu, zlasti glasbenih zbirk. O podrobnostih se bosta dogovorili po diplomatski poti.

## 11. ČLEN

Nacionalna knjižnica v Kalkuti bo z Narodno in univerzitetno knjižnico v Ljubljani izmenjala bralno gradivo vzajemnega interesa, vključno z mikrofili in mikrokarticami.

## 12. ČLEN

Strani povabita druga drugo na svoje mednarodne filmske festivale in festivale dokumentarnega filma.

## 13. ČLEN

Strani bosta v času veljavnosti tega programa priredili filmske dneve v enem ali več središčih za sedem dni z 2–3 članskimi filmskimi delegacijami ter osebo, ki bo zadolžena za usklajevanje med organizacijama. O podrobnostih se bodo dogovorile pristojne ustanove obeh držav.

## 14. ČLEN

Strani soglašata, da bosta sodelovali pri izmenjavi in predstavitvi projektov s področja intermedijskih umetnikov na tovrstnih prireditvah v obeh državah.

## II. IZOBRAŽEVANJE IN ZNANOST

## 15. ČLEN

Glede na to, da sodelovanje na področju naravoslovno matematičnih ved, tehniških ved, biotehniških ved in medicinskih ved ter multidisciplinarnih raziskav poteka na podlagi Sporazuma o znanstvenem in tehnološkem sodelovanju med Republiko Slovenijo in Republiko Indijo, strani v okviru tega programa vzpodbujata in sofinancirata sodelovanje na področju humanističnih in družbenih ved v obliki skupnih raziskovalnih projektov, študijskih obiskov in delavnic.

## ARTICLE 5

The Parties shall exchange a conservator/restorer in the field of stone objects restoration for a period of one month annually.

## ARTICLE 6

The Parties shall exchange publications from the field of museum and gallery operation as well as from the field of archaeology on the basis of direct agreement between relevant institutions.

## ARTICLE 7

The Slovene side shall send a Slovene dance/music/theatre group to India during the validity of this Programme. Details shall be settled through joint consultations by the interested partner institutions.

## ARTICLE 8

The Parties shall exchange an agreed number of scientists and intellectuals from the fields of arts, culture and protection of cultural heritage as well as academics for 10 to 14 days. The exchange shall be subsequently agreed upon through diplomatic channels.

## ARTICLE 9

The Indian side shall present Indian graphic art in Slovenia during the validity of this Programme. The Slovene side shall present Slovene graphic art in India on the basis of reciprocity. Details shall be settled through diplomatic channels.

## ARTICLE 10

The Parties shall exchange source material of mutual interest particularly in form of reprography of artistic and cultural heritage available in manuscript form, particularly music collections. Details shall be settled through diplomatic channels.

## ARTICLE 11

National Library in Calcutta shall exchange reading material of mutual interest, including microfilms and microfiche, with the National and University Library in Ljubljana.

## ARTICLE 12

Each Party shall invite the other Party to their respective international film festivals and documentary films festivals.

## ARTICLE 13

The Parties shall, during the validity of this Programme, organize 7-day film events in one or several centres with 2–3 member film delegations and a person responsible for coordination between both organizations. Details shall be agreed upon by the relevant institutions of both countries.

## ARTICLE 14

The Parties agree to cooperate in exchange and presentation of projects in the field of inter-media artists at such events in both countries.

## II EDUCATION AND SCIENCE

## ARTICLE 15

As cooperation in the fields of natural and mathematical sciences, technical, biotechnical and medical sciences as well as multidisciplinary research is based on the Agreement on Scientific and Technological Cooperation between the Republic of Slovenia and the Republic of India, the Parties, in the framework of this Programme, shall promote and cofinance cooperation in the fields of humanistic and social sciences in the form of joint research projects, study visits and workshops.

## 16. ČLEN

Strani razvijata medsebojno sodelovanje in stike v izobraževanju in v ta namen podpirata neposredno sodelovanje in stike med univerzami ter drugimi izobraževalnimi ustanovami.

Zainteresirane institucije se neposredno dogovorijo o poteku sodelovanja tako po organizacijski kot finančni plati.

## 17. ČLEN

Strani se bosta vsakoletno po diplomatski pošti obveščali o možnostih štipendiranja.

## III. MLADINA IN ŠPORT

## 18. ČLEN

Strani izmenjata izkušnje s področja športa in proučita možnosti izmenjave moštev/trenerjev v različnih disciplinah. O podrobnostih se bodo dogovorile pristojne ustanove obeh držav.

## IV. MEDIJI

## 19. ČLEN

Strani spodbujata izmenjavo programov, ki prikazujejo različne vidike življenja in kulture v obeh državah prek radijskih in TV-organizacij ene in druge države.

## 20. ČLEN

Vsaka stran omogoči obisk radijskega in televizijskega osebja druge države v zvezi z razvojem radijskih in televizijskih prenosov.

## 21. ČLEN

Strani bosta v času veljavnosti tega programa spodbujali izmenjavo dveh novinarjev, vključno s takimi s področja širjenja vladnih informacij, in sicer za največ dva tedna vsako leto.

## V. RAZNO

## 22. ČLEN

Ta program ne izključuje možnosti drugih prireditev in izmenjav, za katere se strani vzajemno dogovorita na podlagi medsebojno dogovorjenih pogojev.

## 23. ČLEN

Splošne in finančne določbe, ki so priložene k temu programu, so njegov sestavni del.

## 24. ČLEN

Ta program začne veljati 30. dan po podpisu in velja do podpisa novega.

Sestavljeno v Ljubljani dne 15. 3. 2010 v dveh izvornikih v slovenskem, hindujskem in angleškem jeziku. V primeru različnega tolmačenja velja angleško besedilo.

Za Vlado  
Republike Slovenije  
**Helena Drnovšek Zorko** l.r.

Za Vlado  
Republike Indije  
**Villur Sundararajan**  
**Seshadri** l.r.

## ARTICLE 16

The Parties shall develop mutual cooperation and contacts in education and therefore support direct cooperation and contacts between universities and other educational institutions.

Interested institutions shall directly agree on the course of cooperation – on organisational as well as financial matters.

## ARTICLE 17

The Parties will annually notify each other, through diplomatic channels, on the possibilities of granting scholarships.

## III YOUTH AND SPORTS

## ARTICLE 18

The Parties shall exchange experience in the field of sports and examine the possibilities for exchange of teams/coaches in different disciplines. Details shall be agreed upon by the relevant institutions of both countries.

## IV MASS MEDIA

## ARTICLE 19

The Parties shall encourage the exchange of programmes depicting various facets of life and culture in the two countries through the respective radio and TV organization of either country.

## ARTICLE 20

Each Party shall facilitate the visit of the radio and TV personnel of the other country linked to the development of radio and television broadcasting.

## ARTICLE 21

The Parties shall encourage the exchange of two journalists including those dealing with dissemination of governmental information for a period not exceeding two weeks annually during the validity of this Programme.

## V MISCELLANEOUS

## ARTICLE 22

This Programme does not preclude the possibility of other events and exchanges, mutually agreed upon between the two parties on mutually agreed terms.

## ARTICLE 23

General and Financial provisions attached hereto form an integral part of this Programme.

## ARTICLE 24

This Programme shall take effect on the 30<sup>th</sup> day after its signing and shall be valid until the signing of a new Programme.

Done at Ljubljana on 15. 3. 2010 in two originals in Slovene, Hindi and English languages. In case of divergence in interpretation, the English text shall prevail.

For the Government  
of the  
Republic of Slovenia  
**Helena Drnovšek Zorko** (s)

For the Government  
of the  
Republic of India  
**Villur Sundararajan**  
**Seshadri** (s)

## SPLOŠNE IN FINANČNE DOLOČBE

## 1. IZMENJAVA POSAMEZNIKOV/DELEGACIJ/RAZSTAV

(1) Vsaka stran pošlje drugi strani biografske podatke (skupaj z znanjem jezikov) in predlagani načrt potovanja vsaj tri mesece pred predvidenim obiskom delegacije/posameznika/ansambla/skupine, izbranih po tem programu.

(2) Država sprejemnica se o predlogu odloči v enem mesecu po njegovem prejemu.

(3) Potem ko država pošiljateljica prejme obvestilo pogodbenice sprejemnice, da je predlog sprejet, ji vsaj štiri tedne vnaprej sporoči podrobnosti o načinu in datumu prihoda oseb.

(4) Povabljeni osebe morajo znati govoriti jezik države sprejemnice ali angleško.

(5) Obe strani omogočita delegacijam ali posameznikom iz druge države, da spoznajo kulturo in življenje države gostiteljice.

(6) Posamezniki, ki na podlagi tega programa izvajajo medsebojne obiske, morajo v državi pošiljateljici pred obiskom obvezno urediti ustrezno zdravstveno zavarovanje za čas bivanja v državi gostiteljici.

## 2. IZMENJAVA GRADIV

Vsaka stran ima v svojih programih pravico uporabiti gradiva, ki so se izmenjala na področju obveščanja, radia in televizije, pri čemer država sprejemnica takih programov ne sme posredovati tretji strani. Država pošiljateljica je odgovorna za avtorske in umetniške pravice ter za stroške prevoza.

## 3. OBISKI, KI NISO DALJŠI OD ENEGA MESECA (TUDI DELEGACIJ)

(1) Država pošiljateljica krije stroške potovanja tja in nazaj.

(2) Država sprejemnica zagotovi:

- potovanje znotraj države skupaj z lokalnimi prevozi,
- primerno nastanitev in prehrano,
- žepnino.

## 4. OBISKI, KI SO DALJŠI OD ENEGA MESECA

O finančnih podrobnostih za obiske, daljše od enega meseca, se strani dogovorita za vsak primer posebej.

## 5. SKUPINE

(a) Predlogi za izmenjavo umetniških skupin se po diplomatski poti pošljejo vsaj devet (9) mesecev vnaprej. Država sprejemnica na predlog odgovori v dveh (2) mesecih po prejemu predlogov.

(b) Država pošiljateljica krije potne stroške skupin ter prevoz njihovih rekvizitov do prvega namembnega kraja v strani sprejemnici in nazaj.

(c) Država pošiljateljica vsaj štiri (4) mesece vnaprej pri skrbi sprejemnici ustrezne informacije o skupinah, programih, gradivu za medije, datumu prihoda in odhoda itd.

(d) Vseeno pa se organizatorji izmenjav lahko vnaprej dogovorijo o spremembah v zvezi s tem.

## 6. RAZSTAVE

1. Država pošiljateljica krije stroške mednarodnega prevoza razstavnih predmetov do prvega namembnega kraja v državi sprejemnici in z zadnjega kraja razstave v državi sprejemnici nazaj do prvega namembnega kraja v državi pošiljateljici.

2. Država sprejemnica krije vse stroške prevoza razstavnih predmetov v druge kraje na svojem ozemlju.

3. Država sprejemnica na svoje stroške poskrbi za postavitev razstave in njeno oglaševanje, vključno s pripravo katalogov, brošur itd.

## GENERAL AND FINANCIAL PROVISIONS

## 1. EXCHANGE OF INDIVIDUALS/EXHIBITIONS/DELEGATIONS

(1) Each side will send to the other side bio-data (including languages spoken) and proposed itinerary at least three months in advance of the expected date of visit of the delegation(s)/individual(s)/troupe(s)/ensemble selected under this Programme.

(2) The receiving side shall intimate the acceptance or otherwise of the proposal within one month after the receipt.

(3) After the receiving side conveys its acceptance, the sending side shall inform the receiving side at least four weeks in advance of the exact mode and time of arrival of the person(s).

(4) Persons invited must know either the language of the receiving side or English.

(5) Both sides shall extend facilities to delegation(s)/individual(s) sent from the other country to get acquainted with the culture and life of the host country.

(6) Prior to the visit, individuals, who, in the framework of this Programme, participate in the exchange of mutual visits, have to arrange a relevant health insurance in the sending country for the period of stay in a receiving country.

## 2. EXCHANGE OF MATERIALS

Each side has the right to use the materials exchanges in the fields of information, radio and television, in its own programme and they should not be given by the receiving side to a third party. The sending side shall be responsible for authors' and artists' rights as well as for the transportation expenses.

## 3. IN CASE OF VISITS NOT EXCEEDING ONE MONTH (INCLUDING DELEGATIONS)

(1) The sending party shall cover to and from travel expenses.

(2) The receiving side shall offer:

- Internal travel including local transport
- Suitable board & lodging
- An out-of-pocket allowance for sundry expenses.

## 4. VISITS EXCEEDING ONE MONTH

In case of visit exceeding one month, both sides shall agree upon financial terms in each case separately.

## 5. ENSEMBLES

(a) The proposals concerning the exchange of performing ensembles shall be made through diplomatic channels at least nine (9) months in advance. The receiving side shall respond to the proposal within two (2) months after having received the proposals.

(b) The sending side will cover travel costs of ensembles and transportation costs of their requisites to the first destination in the receiving country and back.

(c) The sending side will provide the receiving side with the relevant information concerning the ensembles, programmes, press material, date of arrival and departure etc. at least four (4) months in advance.

(d) However, variations from the above may be decided by the organization of these exchanges by advance mutual agreement.

## 6. EXHIBITIONS

1. The sending side shall cover the international transportation costs connected with the transportation of the exhibits to the first place of their destination in the receiving country and back to the first of their destination in the sending country from the last place of exhibition in the receiving country.

2. The receiving side shall cover the costs connected with the transportation of the exhibits to other places within its territory.

3. The receiving side shall ensure at its own expense the installation of the exhibition and its propagation including preparations of the catalogues, brochures, etc.

4. Država pošiljateljica krije stroške zavarovanja za obdobje, ko je razstava zunaj njenega ozemlja. Ob morebitni izgubi ali škodi na razstavnih predmetih mora država sprejemnica pridobiti vso dokumentacijo v zvezi z izgubo ali državi pošiljateljici omogočiti, da zahteva povračilo škode od zavarovalnice. Stroške, povezane s pridobivanjem te dokumentacije, krije država sprejemnica.

5. Država sprejemnica poskrbi, da za razstavo vlada ustrezno zanimanje in da je zanjo ustrezno poskrbljeno.

6. Če se razstava pošlje v tretjo državo, stroški prevoza ne smejo preseči pričakovanih stroškov prevoza v državo pošiljateljico.

7. Po potrebi ustanova pokroviteljica in sprejemnica skleneta poseben sporazum.

8. Država pošiljateljica pošlje vse potrebno gradivo/opise, informacije o primernem razstavnem prostoru in informacije za sestavo kataloga ipd. po možnosti tri mesece pred odprtjem razstave, razstavne predmete pa najmanj dva tedna pred odprtjem.

9. Če se državi pošiljateljici to zdi potrebno, razstavo spremlja eden ali več umetnikov/kustosov, ki mu pogodbenica sprejemnica zagotovi ustrezno bivanje.

4. The sending side shall cover the cost of insurance for the period that the exhibition is out of its country. In case the sending side suffers any loss or damages to the exhibits, the receiving side shall be obliged to get all the documents relating to the loss or enable the sending sides to claim compensation from the insurance. The costs connected with the acquisition of the said documents are to be covered by the receiving side.

5. The receiving side will ensure that proper interest in the exhibition is shown and general care taken of it.

6. If the exhibition is sent to a third country, the costs connected with the transportation are not to exceed the expected expenses for its transportation to the sending country.

7. A separate agreement will be signed, where necessary, between the sponsoring and receiving institutions.

8. The sending side shall send all the necessary material/description, data concerning the space needed for the exhibition and information for compiling the catalogues, etc., three months prior to the opening of the exhibition, if possible, and the exhibits at least two weeks prior to the opening of the exhibition.

9. One or more artists/commissioners will accompany the exhibition, if considered necessary by the sending side, and will be provided local hospitality by the receiving side.

### 3. člen

Za izvajanje programa sodelovanja v kulturi, umetnosti, izobraževanju, znanosti, športu in medijih skrbi ministrstvo, pristojno za izobraževanje, znanost, kulturo in šport.

### 4. člen

Ta sklep začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 51002-16/2013  
Ljubljana, dne 4. aprila 2013  
EVA 2012-1811-0113

## Vlada Republike Slovenije

mag. Alenka Bratušek l.r.  
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