

**BILATERAL UNDERTAKING BETWEEN THE GOVERNMENT OF THE
HELLENIC REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC
OF THE PHILIPPINES CONCERNING THE RECOGNITION OF
CERTIFICATES PURSUANT TO REGULATION 1/10 OF THE 1978
STCW CONVENTION, AS AMENDED**

The Government of the Hellenic Republic and the Government of the Republic of the Philippines, herein after referred to as "the Contracting Parties";

Having regard to the National Convention on "1978 Standards of Training, Certification and Watchkeeping for Seafarers (STCW), as amended in 1995, and pursuant to Regulation 1/10, which has been verified by the Government of Greece with the Law No. 1314/1983, (Governmental Gazette issue No. 2 A / 11.1.1983) and its 1995 amendments have also been verified with the Presidential Decree No. 132/1997 (Governmental Gazette issue No 116 A/ 11.6.1997), which has been verified by both the Undersigned Parties. (The above-mentioned International Convention will be referred to as the "Convention").

Noting also the E.C. Directives 94/58/EC/22.11.94 and 98/35/EC/ 25.5.98 of the European Union Council, on "the minimum requirements of seafarers¹ training", as they have been incorporated into the Greek National Legislation with the Presidential Decree Nos. 210/1996 (Governmental Gazette Issue No. 165 A' / 22.7.1996) and 295/1999 (Governmental Gazette issue No 226 A' / 30.11.1999), whose provisions have been taken into account for the drafting of this Undertaking.

Reviewing their respective obligations under the "Convention" and intending to comply with them, reviewing also the Law and Instruments of their National Legislation, especially those concerning issues of access and working conditions on ships flying the flag of an "Undersigned Party".

Hereby, they enter into this Bilateral Undertaking, which will be referred to as the "Undertaking", as required by Regulation I/10.1.2 of the "Convention", aiming at complying with the relevant provisions of the "Convention", which also include the provisions of the Code of the "Convention", and have agreed as follows:

ARTICLE 1

A) The Hellenic Ministry of Mercantile Marine, General Directorate of Shipping Policy, Seafarers Training Directorate, herein after referred to as the "Greek Authority," is the competent authority of the Hellenic Republic for the purposes of this Undertaking.

B) The Maritime Training Council (MTC), herein after referred to as the "Philippines Authority", is the competent authority of the Government of the Republic of the Philippines for the purposes of this Undertaking.

C) The "Philippines Authority" is the Party whose National Certificates of Competency are to be recognized by the "Greek Authority", according to the relevant provisions of the "Convention."

D) The "Greek Authority" is the Party, which will recognize the Certificates of Competency issued by the "Philippines Authority", by issuing an appropriate endorsement certificate.

ARTICLE 2

The "Greek Authority", before recognizing the above mentioned certificates, has considered the fulfillment of the prerequisite that the Philippines is a Member-State of the "Convention" and that, according to written submitted evidence, it has been regarded by the Maritime Safety Committee of the International Maritime Organization (IMO), as giving full and complete effect to the relevant provisions of the "Convention."

Moreover, the "Greek Authority", has considered the fact that the "Philippines Authority" has established and uses a Quality Control System to its System of Maritime Training and Certification according to the Regulation 1/8 of the "Convention."

ARTICLE 3

The "Philippines Authority," within the framework of its National Legislation, ensures that the education, training and assessment of seafarers, are administered and monitored in accordance with the provisions of Section A-1/6 of the STCW Code and also ensures that those who are responsible for such duties are appropriately qualified for the type and the level of training or assessment involved, in accordance with the same Section of the STCW Code.

ARTICLE 4

The "Greek Authority," with respect to the provisions for recognition of certificates laid down in Regulation 1/10 of the "Convention," shall ensure that an endorsement in accordance with Regulation 1/2, paragraph 5, will only be issued if the applicable requirements of the "Convention" have been complied with by the "Philippines Authority" or under whose authority a certificate of competency to the "Greek Authority" for endorsement. The certificate of competency should also be followed by a valid issue endorsement of the "Philippines Authority".

ARTICLE 5

A) The "Philippines Authority," declares that it guarantees and ensures the "Greek Authority," through any necessary and applicable measures, which may include the inspection of its approved facilities and procedures:

- That it is in full compliance with the requirements of the "Convention" concerning the standards of competence and medical fitness, the issue, endorsement, revalidation and revocation of certificates and the Keeping of relevant records.
- That it has already taken all necessary action to comply with the training requirements of the "Convention," including the STCW Code, as they may be applicable, and
- That it will make all materials and training facilities, used for seafarers' training, available for inspection and review.

B) In particular, when the "Greek Authority" requests, by any document, (which includes the use of e-mail), to visit and review training facilities or procedures, for