

**UNDERTAKING FOR THE RECOGNITION BY THE GOVERNMENT OF THE REPUBLIC OF CYPRUS OF CERTIFICATES OF COMPETENCY ISSUED BY THE COMPETENT AUTHORITIES OF THE REPUBLIC OF THE PHILIPPINES IN ACCORDANCE WITH REGULATION I/10 OF THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978 AS AMENDED.**

1. The Department of Merchant Shipping of the Republic of Cyprus (hereinafter referred to as "the Cyprus Maritime Administration") and the Maritime Training Council of the Philippines (hereinafter referred to as "the certificate-issuing Party"), for the purpose of implementing the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (hereinafter referred to as the "STCW Convention"), in particular with respect to the recognition, by the Government of the Republic of Cyprus, of certificates of competency, training documentary evidence and medical fitness certificates for seafarers (hereinafter referred to as "certificates") issued by the certificate-issuing Party in accordance with the said Convention and cooperation between the two Parties in the training certification and management of seafarers, have agreed as follows:

**Application**

2. This Undertaking shall be applicable with respect to seafarer holding certificates issued by the certificate-issuing Party, in accordance with the relevant provisions of the STCW Convention and serving on board ships flying the flag of the Republic of Cyprus.

**Inspection of facilities and review of procedures**

3. The Cyprus Maritime Administration may, in accordance with the provisions of regulation I/10 of the STCW Convention and with the consent of the certificate-issuing Party, inspect the facilities and review the procedures and the policies which have been approved or adopted by the certificate-issuing Party for meeting the requirements of the STCW Convention concerning:

1. standards of competence.
2. the issue, endorsement, revalidation and revocation of certificates,
3. records keeping,
4. standards of medical fitness, and
5. communication and response process to requests for verifications.

4. The Cyprus Maritime Administration shall communicate the results of any

evaluation carried out pursuant to the provisions of the above paragraph to the certificate-issuing Party within three (3) months from its completion.

### **Notification of any significant changes**

5. Whenever the certificate-issuing Party forwards to the Secretary-General of the International Maritime Organisation information pursuant to regulations I/7 and I/8 of the STCW Convention, it shall immediately communicate the same to the Cyprus Maritime Administration.

6. The certificate-issuing Party shall notify the Cyprus Maritime Administration of any significant changes in the arrangements for training and certification provided in compliance with the STCW Convention, within thirty (30) days from the application of such changes. As a minimum significant changes should be understood to include:

1. changes in the position, address or access information of the Official responsible for implementing this Undertaking, or
2. changes affecting the procedures set forth in this Undertaking, or
3. changes which amount to substantial differences from the information communicated to the Secretary General of the International Maritime Organisation pursuant to regulation I/7 of the STCW Convention.

7. The Cyprus Maritime Administration, shall notify the certificate-issuing Party within thirty (30) days of any changes

1. in the position, address or access to information of the Official responsible for implementing this, or
2. changes affecting the procedure set forth in this Undertaking.

### **Verification of authenticity and validity**

8. The Cyprus Maritime Administration shall verify the authenticity and validity of certificates issued by the certificate-issuing Party by a direct request via facsimile or electronic mail to the Official directly responsible for implementing this undertaking. The request shall include personal details of the holder (Name, surname, date of birth) and details of the certificate in question (Type of certificate, serial number, place of issue and date of issue). The certificate-issuing Party shall communicate its response via facsimile or electronic mail within seven (7) days from the date of receiving such a request. The Cyprus Maritime Administration may also verify the authenticity and validity of certificates issued by the certificate-issuing Party, via the Internet, by direct access to an electronic database maintained by the certificate-issuing Party.

9. The certificate-issuing Party shall not issue a certificate on the basis of a certificate issued by a third party.

10. The Cyprus Maritime Administration shall notify the certificate-issuing Party without delay via facsimile or electronic mail, of any points that may arise from the verification of the authenticity and validity of certificates and need further clarification and the certificate-issuing Party shall communicate its response via facsimile or electronic mail within seven (7) days from such notification.

### **Appropriate knowledge of the Cyprus maritime legislation**

11. Seafarers who present, for recognition, certificates issued by the certificate-issuing Party, under the provisions of regulations II/2, III/2, or III/3 or issued under VII/1 at the management level, as defined in the STCW Convention, must have an appropriate knowledge of the Cyprus maritime legislation relevant to the functions they permitted to perform.

### **Suspension, revocation and withdrawal of recognition endorsements**

12. The Cyprus Maritime Administration may refuse the issue of recognition endorsement, required pursuant to regulation I/2 of the STCW Convention, to a duly certificated seafarer on account of a disciplinary offence or any other cause as provided for in the Cyprus legislation and shall advise via facsimile or electronic mail the certificate-issuing Party of such occurrence within seven (7) days.

13. The Cyprus Maritime Administration may suspend, revoke or withdraw a recognition endorsement issued in accordance with regulation I/2 of the STCW Convention, on account of a disciplinary offence or any other cause as provided for in the Cyprus legislation and shall advise via facsimile or electronic mail the certificate-issuing Party of such occurrence within seven (7) days.

14. The certificate-issuing Party, upon suspension, revocation or withdrawal of any certificate issued by it in accordance with the STCW Convention, shall advise via facsimile or electronic mail the Cyprus Maritime Administration of such occurrence within seven (7) days.

### **Validity**

15. This Undertaking shall be valid for an initial period of five years and shall be subsequently extended for periods of five years unless either Party submits a written notice of termination thereof to the other Party six months prior to the expiration of this Undertaking or the five year period.

### **Termination of the Undertaking**

16. This Undertaking may be terminated or suspended by either contracting Party at thirty (30) days written notice communicated to the other contracting Party, provided one of the following occurs:

1. The certificate-issuing Party fails to maintain its position in the so-called "White List" (List of countries found by the International Maritime Organisation to give full and complete effect to the relevant provisions of the STCW Convention.)