

October 22, 1999

**AGREEMENT ON MARITIME TRANSPORT BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE
GOVERNMENT OF THE KINGDOM OF NORWAY**

The Government of the Republic of the Philippines and the Government of the Kingdom of Norway,

desiring to further develop the friendly relations between the two countries and to strengthen co-operation in the field of maritime transport;

taking into account the desirability of an efficient organization of international maritime transport,

having due regard to the principles of equality and mutual benefits,

HAVE AGREED AS FOLLOWS:

**ARTICLE I
Definition of Terms**

For the purpose of this agreement, the term "vessel of the other Contracting Party" shall mean merchant vessels flying the national flag of the other Contracting Party and carrying the certificate of registry duly issued by its competent authority in compliance with its national laws and regulations.

The term "crew members" shall mean all persons, including the Master, who are or actually have been employed for duties on board a vessel of the Contracting Parties and nationals of the Contracting Parties actually employed for duties on board vessels of a third country with regard to the working or service of the vessel and who are included in its crew list.

The term "offense" comprises acts dealt with under the criminal law of the Contracting Party in which a vessel is registered.

The term "competent authority" means the designated government agency or agencies of either Contracting Party.

The term "port" shall mean a place where vessels may anchor or tie up for the purpose of shelter, repair, loading or discharge of cargo, or for other such activities connected with water-borne commerce, and including all the land and water areas and the structure, equipment and facilities related to these functions.

**ARTICLE II
General Principles**

The Contracting Parties shall cooperate on the basis of equal rights, mutual benefit and the principles of freedom of merchant shipping in order to develop the relations between the Government of the Kingdom of Norway and the Government of the Republic of the Philippines in the field of merchant shipping, seafarers' employment and maritime training.

ARTICLE III

Access to Facilities

Each Contracting Party shall grant to the vessel of the other Contracting Party a non-discriminatory treatment in its ports.

This applies to customs formalities, the levying of charges and port dues, freedom of access to, and the use of ports as well as to all facilities afforded to shipping and commercial operations in respect of vessels, their crew, passengers and cargoes. In particular, this refers to the allocation of berths at piers, loading and unloading facilities and port services.

The Contracting Parties shall adopt all appropriate measures to facilitate as much as possible the performance of customs and other formalities required in ports.

ARTICLE IV

Applicability of National Laws

The vessels and the crew members of a Contracting Party shall observe the relevant laws and regulations of the other Contracting Party during their stay in the latter's territory.

The competent authorities of either Contracting Party shall not exercise jurisdiction over or intervene in the internal affairs of the vessel of the other Contracting Party in the ports, except:

- (a) at the request or with the consent of the diplomatic or consular authorities of the other Contracting Party;
- (b) where the peace, public order or the public security has been disturbed through what has happened on the vessel or as a consequence thereof;
- (c) where those involved in the matter are not crew members of such a vessel.

ARTICLE V

Nationality of Vessels

The Contracting Parties shall recognize the nationality of vessels of the other Contracting Party on the basis of the certificate of registry duly issued by the competent authority of either Contracting Party in compliance with its relevant laws and regulations.

The Contracting Parties shall mutually recognize the tonnage certificate and other relevant documents of the vessel duly issued by the competent authorities of either Contracting Party or those recognized by a Contracting Party and met with no objections from the other Contracting Party without re-measuring the vessel concerned. All port charges and expenses shall be collected on the basis of these documents.

ARTICLE VI

Terms of Employment

Each Contracting Party shall, when accepting crew members of the other Contracting Party on its vessels, do so in accordance with international conventions

to which both Contracting Parties are signatories. Each Contracting Party shall respect and accept the terms and conditions of employment of the crew members of a vessel belonging to either Contracting Party, as established by employment contracts, Collective Bargaining Agreements, social welfare standards and conditions of work and applicable for crew members on board the registered vessels of a Contracting Party.

ARTICLE VII

Qualifications of Seafarers

The Contracting Parties shall take the necessary measures to ensure that crew members seeking service on a vessel flying the flag of the other Contracting Party meet the seafarers' standards of training, certification and watchkeeping as agreed within the International Maritime Organization and accepted by both Contracting Parties.

The Contracting Parties shall exchange information regarding the maritime training, education, certification, regulations and procedures and give due notification of any significant changes in the arrangements.

The Contracting Parties shall encourage co-operation in the field of maritime training between the competent institutions and authorities.

ARTICLE VIII

Assistance in Cases of Maritime Accidents

If a vessel of a Contracting Party suffers shipwreck, is grounded, or meets any other accident or danger off the coast of the territory of the other Contracting Party, the vessel and the cargo shall enjoy in the territory of the latter party the same benefits and privileges and accept the same liabilities as are accorded to a vessel of that Contracting Party and its cargo. The master, the crew and passengers, as well as the vessel itself and its cargo, shall be granted, at any time, help and assistance to the same extent and on the same terms as in the case of a national vessel.

Each Contracting Party shall promptly notify the consular officials, or in their absence, the diplomatic representatives of the other Contracting Party when a vessel of the other Contracting Party is involved in a maritime accident and the crew is understood not to be in a position to establish contact as required for the rescue and protection of the crew members, passengers, vessel, cargo and stores.

When cargo and other properties from a vessel involved in a maritime accident need to be temporarily stored in the territory of the other Contracting Party, such cargo and properties shall be exempted from all taxes, insofar as it is not sold for consumption or use in the territory of the other Contracting Party.

ARTICLE IX

Seamen's Valid Documents

Each Contracting Party shall not take discriminatory measures against the crew members of the other Contracting Party during their stay in its ports and territory.

The valid identity documents of crew members duly issued by the competent authorities of each Contracting Party shall be recognized by the other Contracting Party. These documents are: