

September 07, 1984

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT OF THE REPUBLIC OF CYRUS ON MERCHANT SHIPPING

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

Desiring to strengthen and friendly relations between the two countries and to intensify their economic relations;

Aiming to develop and promote cooperation between the Republic of the Philippines and the Republic of Cyprus in the field of merchant shipping on a mutually advantageous basis in accordance with their respective needs and objectives for economic development;

Have agreed as follows:

ARTICLE I

The Contracting Parties agree to cooperate on the basis of equal rights, mutual benefit and the principle of freedom of merchant shipping in order to develop the relations between the Republic of the Philippines and the Republic of Cyprus in the field of merchant shipping

ARTICLE 2

For the purpose of this Agreement:

(a) The term "vessel" shall mean any merchant vessel registered in the territory and flying; the national flag of either Contracting Party, or used on a time charter basis by a shipping enterprise registered and operating under the laws and regulations and having its registered office in the territory of either Contracting Party.

This definition excludes warships, auxiliary warships, fishing vessels and other vessels destined or used for non-commercial purposes ;

(b) The term "crew" shall mean all persons, including the Master, actually employed under contract for duties on board a vessel during a voyage and included in the crew list;

(c) The term, "ports" of the Contracting Parties shall mean seaports, including roadsteads, in the territory of either Contracting Party which are approved and open to international shipping,

ARTICLE 3

The territories of the Contracting Parties to which the present Agreement applies are:

(a) on the part of the Philippines, the Republic of the Philippines, and

(b) on the part of Cyprus, the Republic of Cyprus.

ARTICLE 4

(1) The Contracting Parties shall:

(a) promote participation of their vessels in the transportation of goods between the Republic of the Philippines and the Republic of Cyprus;

(b) co-operate in eliminating hindrances which may complicate merchant shipping between the ports of their respective territories;

(c) for the purpose of effectively utilizing mutually their vessels, support measures, as far as possible, for the transportation of goods to and from third countries;

(d) cooperate for the employment, improvement of conditions of work and for the welfare of their seamen employed on each other's vessels.

(2) The provisions of this Article shall not affect the right of vessels under the flag of a third State to participate in the transportation of goods between the territories of the Contracting Parties;

(3) Shipping enterprises registered and operating under the laws and regulations and having their registered office in the territory of either Contracting Party, may operate joint liner services as well as conclude mutual agreements on technical, organizational and commercial matters, subject to existing laws and regulations of the Contracting Parties.

ARTICLE 5

(1) The vessels of one Contracting Party and their crews and cargoes shall be subject to the same conditions as vessels, crews and cargoes of the most-favoured nation when, entering into, sailing from, or staying in the ports of the other Contracting Party.

(2) The provisions of paragraph (1) shall apply in particular with respect to:

(a) fees, dues, and charges of any kind levied in the name or for account of public institutions or other organizations, as well as the mode of their levy;

(b) mooring and unmooring, loading and unloading of vessels in the ports;

(c) services of pilots and towage and the use of canals, locks, bridges, signals and fairway lightings;

(d) the use of cranes, weigh-bridges, warehouses, dockyards, docks and repair shops;

(e) supply with fuel, lubricating oils, water and food;

(f) medical and sanitary care.

ARTICLE 6

The Contracting Parties shall adopt, within the limits of their respective national laws and regulations, all appropriate measures to reduce, as far as possible, unnecessary delay of vessels in ports and to simplify, as far as possible, the carrying out of administrative, customs and sanitary formalities applicable in ports.

ARTICLE 7

(1) Each of the Contracting Parties shall recognize the nationality of vessels of the other Contracting Party on the basis of the documents on board those vessels issued by the competent authorities of the other Contracting Party in accordance with its national, laws and regulations.

(2) Ships' documents on board vessels, including documents in relation to their crews, issued or recognized by the competent authorities of one Contracting Party shall be accented by the other Contracting Party.

(3) Vessels of one of the Contracting Party in possession of duly issued tonnage certificate shall be exempt from re-measurement in the ports of the other Contracting Party.

ARTICLE 8

Vessels, crews, passengers and cargoes of one Contracting Party, while in the territorial waters of the other Contracting Party shall be subject to the respective national laws and regulations in force, especially to the rules concerning traffic and safety, public order, frontier, crossing, customs, foreign exchange, health, veterinary and phytosanitary controls.

ARTICLE 9

(1) each of the Contracting Parties shall recognize the seamen's identity documents issued by the competent authority of the other Contracting Party documents are: These seamen's identity

(a) for nationals of the Republic of the Philippines, the "Seaman's Record Book" or the "Philippine Passport".

(b) for nationals of the Republic of Cyprus the "Passport of the Republic of Cyprus" and the "Cyprus Seaman's Boole".

(2) A seaman holding the appropriate seaman's identity documents specified in paragraph (1), shall, subject to the provisions of paragraph (1) of Article 11, be permitted as the case may be

(a) to enter, without visa³ the territory of either Contracting Party, for temporary shore leave when the vessel, on which he is engaged as a member of the crew, is in a port of that Contracting Party;

(b) to leave the territory of either Contracting Party upon the termination of his engagement on a vessel as a member of the crew, which has to be certified by a written declaration of the master, when this takes place in a port of either Contracting Party;

(c) to enter, without visa, the territory of either Contracting Party for the purpose of Joining a vessel as a member of the crew, provided that be is in possession of a written declaration signed and stamped by an