

No. 48580

**Philippines
and
Cyprus**

Agreement between the Government of the Republic of the Philippines and the Government of the Republic of Cyprus on merchant shipping. Nicosia, 9 November 2006

Entry into force: *20 February 2011 by notification, in accordance with article 22*

Authentic texts: *English and Greek*

Registration with the Secretariat of the United Nations: *Philippines, 6 June 2011*

**Philippines
et
Chypre**

Accord entre le Gouvernement de la République des Philippines et le Gouvernement de la République de Chypre relatif à la marine marchande. Nicosie, 9 novembre 2006

Entrée en vigueur : *20 février 2011 par notification, conformément à l'article 22*

Textes authentiques : *anglais et grec*

Enregistrement auprès du Secrétariat des Nations Unies : *Philippines, 6 juin 2011*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
AND THE
GOVERNMENT OF THE REPUBLIC OF CYPRUS
ON MERCHANT SHIPPING**

The Government of the Republic of the Philippines and the Government of the Republic of Cyprus, hereinafter referred to as "the Contracting Parties".

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

Aiming to develop and promote cooperation between Republic of the Philippines and the Government 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 1- Scope

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- Definition of Terms

For the purpose of this Agreement:

- a. The term "ship" shall mean any merchant ship registered in the territory and flying the national flag of either Contracting Party or chartered 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 ships and other ships 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 ship during a voyage and included in the crew list.

- c. The term "port" shall mean a port of either Contracting Party declared open to international shipping by the Contracting Party where ships may anchor or tie up for the purpose of shelter, repair, embarkation and/or disembarkation of passengers, loading or discharge of cargo, or for other such activities connected with water-borne commerce, and including all the land and water areas and structures, equipment and facilities related to these functions.

Article 3 - Application

The territories of the Contracting Parties to which this 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- Cooperation

- 1. The Contracting Parties shall:
 - a. promote the participation of their ships in the transportation of goods between the Republic of the Philippines and the Republic of the Cyprus;
 - b. cooperate in eliminating hindrances which impede the development of sea trade between their ports;
 - c. for the purpose of effectively utilizing mutually their ships, 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 seafarers employed on each other's ships.
- 2. 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.
- 3. The provisions of this Article shall not affect the right of ships under a flag of a third State to participate in the transportation of goods between the territories of the Contracting Parties.
- 4. 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 ships in ports and to simplify, as far as possible, the carrying out of administrative, customs and sanitary formalities applicable in ports.

Article 5 – Treatment of Ships in Ports

1. The ships of one Contracting Party and their crews and cargoes shall be subject to the same conditions as ships, 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 ships 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, weighbridges, warehouses, dockyards, docks and repair shops;
 - e. supply with fuel, lubricating oils, water and food;
 - f. medical and sanitary care.

Article 6 – Parallel Registration of Ships

1. Ships of one Contracting Party may be registered in parallel for a specified period of time in the register of ships of the other Contracting Party and fly that Party's flag, provided that the ship is bareboat chartered by a national of the other Contracting Party or by a corporation registered therein being qualified to own a ship flying its flag. For such registration, the approval of the competent authorities of both Contracting Parties is required and any conditions imposed must be complied with. The ship will not be deleted from the register of one Contracting Party and its registration will remain valid as regards ownership and registered mortgages, but its nationality shall be suspended.
2. In case the national legislation of one Contracting Party has no express provisions as to the mode of registration of ships in parallel, this Contracting Party agrees that its administrative practice shall be

guided by the relevant provisions and requirements of the legislation of the other Contracting Party.

Article 7 – Recognition of Nationality of Ships, Ship's Documents and Crew Documents

1. Each of the Contracting Parties shall recognize the nationality of ships of the other Contracting Party on the basis of the documents on board those ships issued by the competent authorities of the other Contracting Party in accordance with its laws and regulations.
2. Ship's documents onboard, issued or recognized by the competent authorities of one Contracting Party, shall be accepted by the other Contracting Party.
3. Crew's certificates of competency issued or recognized by the competent authorities of one Contracting Party, in accordance with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended, as well as the Undertaking signed by representatives of the Contracting Parties on September 13, 2001 concerning the recognition of Certificates under Regulation I/10 of the STCW Convention 1978, as amended, shall be accepted by the other Contracting Party.

Article 8 - Applicability of National Legislation

1. Ships, 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.
2. Nationals of one Contracting Party shall at all times be accorded fair and equitable treatment and shall enjoy protection and security in the territory of the other Contracting Party.

Article 9 – Seafarer's Identity Documents, Temporary Shore Leave and Right of Transit

1. Each of the Contracting Parties shall recognize the seafarer's identity documents issued by the competent authority of the other Contracting Party to its nationals, being members of the crew, and shall grant to the holders of such documents the rights provided for in Article 9 of this Agreement under the conditions stipulated herein.