

Denmark

UNDERTAKING BETWEEN THE GOVERNMENT OF THE
REPUBLIC OF THE PHILIPPINES AND THE GOVERNMENT
OF THE KINGDOM OF DENMARK CONCERNING THE
RECOGNITION OF CERTIFICATES UNDER
REGULATION 1/10 OF THE 1978 STCW CONVENTION,
AS AMENDED

The Government of the Republic of the Philippines and the Government of the Kingdom of Denmark herein after referred to as the Contracting Parties.

ACTING in accordance with the procedures referred to in Regulation 1/10 of the Annex to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended in 1995,

HAVING REGARD to MSC Circular 950 on the Guidance on Arrangements Between Parties to the STCW Convention approved by the Maritime Safety Committee of the International Maritime Organisation during its seventy-third session in May 2000;

Have agreed as follows:

Article 1

1. The Maritime Training Council (MTC), hereinafter referred to as "the certificate issuing party", is the competent authority for the Republic of the Philippines. The Danish Maritime Authority, hereinafter referred to as the "Administration", is the competent authority for the Kingdom of Denmark.
2. The agencies acting for the certificate issuing party responsible for the implementation of this Undertaking are the Professional Regulation Commission (PRC) for the Officers and the Technical Education and Skills Development Authority (TESDA) for the ratings and the Maritime Industry Authority (MARINA).

Article 2

1. The Administration has the right to make visits to facilities which may include observance of procedures or the review of the adopted policies, approved or employed by the certificate issuing party;
2. In the exercise of this right, the Administration shall follow the following procedures:

A. V. I.

Page 1 of 4



- a. a request to visit facilities shall be forwarded in writing, telefax or via E-mail by the Administration to the agency acting for the certificate issuing party at least thirty (30) days before the intended date of the visit;
- b. the request shall list the purposes which, in the view of the Administration, makes it necessary to carry out a visit;
- c. the request shall name the specific facility or facilities which the Administration intends to visit;
- d. the request shall contain the names of the officials taking part in the visit and their position in the Administration;
- e. the purpose of the visit shall be limited to one or more of the following:
 - standards of competence;
 - the issue, endorsement, revalidation and revocation of certificates;
 - record-keeping;
 - standards of medical fitness; and
 - communication and response process to requests for verifications.

Article 3

1. Appropriate certificates covered by this Undertaking are those issued in the Philippines in compliance with Regulation II/1, II/2, III/1, III/2, III/3, IV/2, V/1 paragraph 1 and V/1, paragraph 2, for oil, chemical and/or gas tankers, and endorsed by the Philippines Administration in compliance with Regulation I/2 of STCW 95.
2. Specimen certificates with endorsements covered by the Undertaking are attached to this document for identification.

Article 4

The certificate issuing party shall make available to the Administration the results of the external audit reports on the quality standards evaluations conducted in accordance with paragraph 3, Section A-1/8 of the STCW Code.

Article 5

1. If the Administration, in accordance with Regulation I/9 of the STCW Convention, wants to verify the validity or contents of a certificate issued by the certificate issuing party, it shall enter into contact in writing, by telefax or by E-mail with the agency responsible for the implementation of this

2. The list of names and positions of persons nominated shall be communicated in writing to the Administration before the entry into force of this Undertaking.
3. Any change in the list of persons nominated shall be forwarded to the Administration at the earliest possible opportunity.
4. The Administration shall communicate in writing, before the entry into force of this Undertaking, the list of persons and their position which the Administration has nominated to act on its behalf to carry out the verifications of the validity or contents of a certificates issued by the certificate issuing party.
5. For purpose of this Article, the Maritime Industry Authority (MARINA) of the certificate issuing party shall serve as the focal point to carry out the verification of the validity of contents of certificates issued by the certificate issuing party.

Article 6

The agency responsible or a person nominated by the agency of the certificate issuing party shall respond in writing, by telefax or E-mail to a request of the Administration or the person nominated by the Administration for the verification of the validity of the contents of a certificate within three (3) working days.

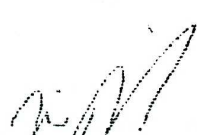
Article 7

The Administration or the person nominated by the Administration shall within two (2) weeks notify the agency responsible or the person nominated or the person nominated by the Administration by the agency of the certificate issuing party of any withdrawal or revocation of an endorsement or recognition issued by it for disciplinary or other reasons

Article 8

The certificate issuing party shall promptly notify the Administration of any significant changes in the arrangements for training and certification provided in compliance with the STCW Convention; such notification shall be given at least in the following circumstances:

- a. changes in the position, address or access information for the agency responsible for the implementation of this Undertaking;
- b. changes which amount to substantial differences in the information communicated to the Secretary General of IMO pursuant to section A-1/7 of the STCW Code;



- c. changes in form and substance of certificates covered by this Undertaking.

Article 9

1. This Undertaking may be terminated by either Party by giving six (6) months notice in writing to the other Party
2. Before giving notice of termination in accordance with paragraph 1 of this article a Party having reasons for termination of this Undertaking shall communicate these reasons in writing to the official responsible of the other Party.
3. The other Party shall reply within two months.

Article 10

This Undertaking shall take effect on the date of the later written notification by either contracting party, through diplomatic channels, indicating that the domestic requirements for its entry into force have been complied with.

Done in on of the year 2000.

For the Government of the Republic
of the Philippines

For the Government of the Kingdom
of Denmark

