BILATERAL

MEMORANDUM OF AGREEMENT CONCERNING THE RECOGNITION OF TRAINING AND CERTIFICATION OF SEAFARERS UNDER REGULATION 1/10 OF THE STCW CONVENTION BETWEEN MARITIME INDUSTRY AUTHORITY OF...

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Article (1):

This Agreement shall be cited as a bilateral agreement concerning the recognition of maritime education and training, certification of competency of seafarers between The Maritime Industry Authority of the Philippines and the Marine Department of Thailand (both hereinafter referred to as "Parties") 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.")

Article (2): Application

2.1 This Agreement shall be applicable with respect to seafarers holding certificates of competency issued by the one party in accordance with the relevant provisions of the STCW Convention and serving on board ships flying the flag of the other party.

2.2. This Agreement is signed without prejudice to the National Laws of either Party.

Article (3): Scope of the Agreement

3.1

Both Parties have agreed on the recognition of maritime education and training, certificates of competency, endorsements, training documentary evidence and medical fitness certificates for seafarers (hereinafter referred to as "Certificates") issued by the Maritime Administration of the other party in accordance with the provision of regulations 1/10 of the seafarers of the STCW Convention as amended, and cooperation between the two parties in the training, certification and management of the seafarers.

3.2

Seafarers at the management level are required by the Maritime Administration of both prties to acquire appropriate knowledge of the national legislation relevant to the functions they are permitted to perform.

3.3

Both Parties have agreed to make available the results of the external audit reports on the quality standards evaluation conducted in accordance with paragraph 3, selection A-I/8 and the steps it has taken to implement any subsequent amendments to the STCW Convention and STCW Code pursuant to Section A-I/7.

3.4 The Certificate Issuing Party shall ensure that a register or registers of all certificates and endorsement is/are maintained and the information shall be make available as required by Regulation I/9 of the Convention.

3.5

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The Recognizing Party shall not issue the recognition endorsement based on the endorsement issued by the third party in accordance with the provisions of Regulation I/10 of the Convention.

Article (4): Education and training and assessment of seafarers

The Parties shall, within the framework of their relevant laws and regulation, ensure the education and training and assessment of seafarers, as required by the STCW Convention, are administered and monitored in accordance with the provision of section A-I/6 of the STCW Code for each type and level of training assessment involved.

Article (5): Mutual Cooperation

The parties agree to provide mutual cooperation to fortify the technical and administrative capabilities as regards to the certification, training, watchkeeping, and labour maritime affairs of the seafarers of each Party.

Article (6): Verifications of authority and validity

6.1

Both parties have agreed that the Maritime Administration of each party 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 Agreement. The request shall include personal details of the holder (name, surname, date of birth) and details of the certificates 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.

6.2

The contact address of the Responsible Official for the implementation of the Agreement for the Maritime Authority of the Philippines:

Executive Director

STCW Office

Maritime Industry Authority of the Philippines

984 Parkview Plaza,

Taft Avenue corner

Kalaw Street

Manila, Philippines

Tel.: +632 354-9645

Fax: +632 554 0122

E-Mail: stcw@marina.gov.ph

Website" stcwo.marina.gov.ph

6.3 The Certificate Issuing Party shall ensure that a register or registers of all certificates and endorsement is/are maintained and the information shall be make available as required by Regulation I/9 of the Convention.

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Director General

Marine Department of Thailand

1278 Yotha Road

Samphanthawong District

Bangkok 10100,

THAILAND

Tel.: +66 2 2331311-8 ext 230

E-Mail: seafarers@md.go.th

Article (7): Inspection/review of facilities and procedures

The Maritime Administration of one party may, in accordance with the provision of regulation 1/10 of STCW Convention and with the consent of the other Certificate-issuing Party, inspect/review the facilities, procedures and the policies which have been approved or adopted by the Certificate-issuing Party of meeting the requirements of the STCW Convention concerning:

1

Capabilities of each Maritime Administration to follow-up the implementation of the STCW Convention and Maritime Education and Training Facilities;

2

Standards of issuing competency certificates;

3

The issues, endorsement, revalidation and revocation of certificates;

4 Record-keeping;

5. Standards for medical fitness;

6. Communication and response process to request for verifications; and

7.

Quality standards.

When requesting a visit, the Party who intends to visit the other Party shall observe the following conditions:

1

A request to visit facilities shall be forwarded in writing, by facsimile or by email at least thirty (30) days before the intended date of visit;

2

The request shall list the motives which, in the views of the Party who intends to visit the other Party, make it

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necessary to carry out the visit;

3

The request shall name the specific facility or facilities which the Party intends to visit and the names of the officials taking part in the visit including their designation; and

4 The Party that conducted the visit shall communicate the results of any evaluation carried out within three (3) months from its completion to the visited Party.

Article (8): Notification of any significant changes

Each Party shall notify the Maritime Administration of the Party ad significant changes in the arrangements for training and certification, within sixty (60) days from the application of such changes. As a minimum, significant changes should be understood to include:

1

Changes in the contact details of the official responsible for authentication checks;

2

Changes affecting the procedures set forth in this Agreement; and

3

Changes that amount to substantial differences from the information communicated to the Secretary-General pursuant to Section A-I/7 of the STCW Code.

Article (9): Suspension revocation and withdrawal of the recognition endorsements

The Maritime Administration of one of the parties may refuse the issue of recognition endorsements or suspend, revoke or withdraw recognition endorsements required pursuant to regulation I/2 of the STCW Convention to duly certified seafarers on account of a disciplinary offence or any other cause as provided for in its legislation and must advice via facsimile or electronic mail the Certificate-issuing Party of occurrence within seven (7) days.

Article (10): Validity

This Memorandum of Agreement shall be valid for an initial period of five (5) years and shall be subsequently extended for periods of five (5) years unless either Party submits a written notice of termination thereof to the other Party, six (6) months prior to the expiration of this Memorandum of Agreement of five (5) year period and can be amended in the same manner, provided that during this period both Parties are listed on NSC.1/Circ.1163 as amended (IMO "White List").

Article (11): Entry into force

This Memorandum of Agreement shall enter into force on the date of later written notification by the Parties, through diplomatic channels, indicating that the domestic requirements for its entry into force have been complied with.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Authorities, have signed this Memorandum of Agreement.

(SGD.) MARY HOY A. BERNARDO-ARAGON

(SGD.) CHIRUTE VISALACHITRA

Ambassador Extraordinary Plenipotentiary Director General

Embassy of the Republic of the Philippines in Marine Department of the

the Kingdom of Thailand Kingdom of Thailand

Dated on this 16th day of January 2018

Dated on this 13th day of December 2017

Entry into Force: March 14, 2019

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