

Enforcement of the STCW 95 Convention During Port State Control Exams

Procedures During Port State Control (PSC) Examinations: The following procedures and guidance are to be followed by PSC Officers while conducting pre-arrival screenings.

A. **Pre-arrival Screening:** Prior to each U. S. port entry, the vessel should be evaluated with regards to whether it is flagged with a "White List" Administration. This information should be used to determine the boarding priority as follows:

- (1) **"White List" Administration :** The White List includes those Administrations signatory to the convention who are currently deemed to be giving full effect to the provisions of STCW 95 Code. Vessels flagged by white list Administrations will be screened using the current Port State Control Matrix standards to determine the vessels boarding priority on receiving pre-arrival information. A list of white list nations can be found at: http://www.imo.org/includes/blastDataOnly.asp/data_id=4045/1018.pdf.
- (2) **Non-White List Administrations:** Vessel's flagged by Administrations signatory to the Convention but who are not on the white list will be targeted as *Priority II* unless other factors in the targeting matrix determine a higher boarding priority. A list of signatory nations to STCW 95 can be found at the IMO website: <http://www.imo.org/home.asp>. (Open "Conventions" under quick links; then the open the "Status of Conventions – Complete list" link, in the right hand column).
- (3) **Non-signatory Administrations:** Vessel's flagged by non-signatory Administrations to the Convention shall be targeted as a *Priority I* vessel.
- (4) **Taiwan:** The flag Administration of Taiwan R.O.C. is not signatory to the STCW 95 Code. At the request the Ministry of Transportation of Taiwan, Det Norske Veritas (DNV) conducted a comprehensive review of their merchant marine licensing program to determine if it complied with STCW 95. DNV followed the same procedures that IMO used to evaluate Administration for white list eligibility (IMO MSC Circ.796, dated 9 June 1997). DNV found that Taiwan R.O.C. has given the Convention "full and complete effect." Mariner credentials and vessels associated with Taiwan R.O.C. should be treated similar to nations associated with the white list.

B. **Onboard Screening of Mariners:** Once a vessel has been determined to be boarded either as a result of points assigned in the targeting matrix or as a result of the pre-arrival screening, then the PSCO must evaluate whether the crew has documents issued by white list, non-white list, or non-signatory Administrations.

- (1) **Mariners from "White List" Administrations:** Officer's licenses should be randomly examined to ensure issuance by signatory white list flag states. STCW certificates issued to individuals by an Administration different than that associated with the vessel should be examined for proper flag State endorsement (Regulation I/10). See Table (1) of this enclosure, for guidance on mariners serving onboard vessels from flag Administration either not on the white list or not signatory to the Convention.

正本

交通部 函

裝

訂

線

受文者：中華民國僱用外國籍船員輔導委員會

速別：最速件

密等及解密條件：普通

發文日期：中華民國九十一年八月十四日

發文字號：交航字第0910049757號

附件：如主旨

主旨：有關中華海員總工會（NCSU）與菲律賓海員工會（AMOSUP）簽訂之備忘錄（MOU），准予備查，並檢送MOU乙份，請查收並配合辦理。

說明：依據中華海員總工會九十一年八月五日台廿一（九十一）秘字第一三一八號函辦理。

正本：中華海員總工會、中華民國僱用外國籍船員輔導委員會
副本：外交部亞太司、本部航政司（含附件）

機關地址：10042 台北市長沙街一段二號
傳 真：0223492278

部長 林 陵 三

僱	外	會
收文第	2360	號
P1年	8月	20日

保存年限：
檔 號：

091049757

第一頁·共一頁

MEMORANDUM OF UNDERTAKING

**CONCERNING THE RECOGNITION OF TRAINING AND CERTIFICATION
OF SEAFARERS FOR
SERVICE ON BOARD VESSELS REGISTERED IN THE REPUBLIC OF CHINA**

BETWEEN

NATIONAL CHINESE SEAMEN'S UNION (NCSU)

OF THE REPUBLIC OF CHINA

AND

ASSOCIATED MARINE OFFICER'S

AND SEAMEN'S UNION OF THE PHILIPPINES

(AMOSUP-PTGWO-ITF)

MEMORANDUM OF UNDERTAKING

BETWEEN
NATIONAL CHINESE SEAMEN'S UNION
OF THE REPUBLIC OF CHINA
AND
ASSOCIATED MARINE OFFICERS'
AND SEAMEN'S UNION OF THE PHILIPPINES

The NATIONAL CHINESE SEAMEN'S UNION OF THE REPUBLIC OF CHINA and the ASSOCIATED MARINE OFFICERS' AND SEAMEN'S UNION OF THE PHILIPPINES:

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

RECOGNIZING the importance of the 1995 amendments to the STCW Convention which entered into force on 01 February 1997, and that compliance with its provisions is required;

HAVING REGARD to the obligations imposed under the STCW Convention, and without prejudice to the National Laws of either Party to this Memorandum of Undertaking;

The Parties hereby enter into this Memorandum of Undertaking, pursuant to Regulation I/10 for the purpose of ensuring that the requirements of the STCW Convention, including the related provisions of the STCW Code, are complied with as follows:

1. The seafarers of the Republic of the Philippines whose seagoing service, education and training acquired under their competent authority and National Laws in accordance with the 1978 STCW Convention, as amended, is to be recognized and accepted by the other Party who will issue its own certificate of endorsement pursuant to the requirements of the STCW Convention and its National Laws, whenever practicable.

2. In order to give effect to certification pursuant to Regulation I/10, AMOSUP will exert best efforts to make representations and measures to ensure that its competent authority communicate its Seafarers' Training and Certification System to the other Party's competent authority as required by Regulation I/7 of the STCW Convention and Section A-I/7 of the STCW Code for review and confirmation by the other Party's concerned competent authority that the information provided demonstrates that full and complete effect is given to the provisions of the STCW Convention;
3. AMOSUP shall, within the framework of their National Laws and Regulations, exert all efforts to make representations and take measures to ensure that the education, training and assessment of Philippine seafarers, as required by the STCW Convention, have been administered and monitored by their proper competent authority in accordance with the provisions of Section A-I/6 of the STCW Code for the type and level of training or assessment involved.
4. AMOSUP shall exert efforts to make representations and take measures in ensuring that the other Party's competent authority will be assured and confirmed by its concerned competent authority, which may include allowing periodic inspection of facilities and procedures; that there is full compliance with the requirements concerning the standards of competence, the issuance of certificates and record keeping; that the necessary action has been taken to comply with the training requirements of the STCW Convention, including the STCW Code, as may be applicable; and that materials and training facilities may be available for inspection and review if and when requested by the other Party's competent authority.
5. AMOSUP shall exert efforts and make representations to ensure that its competent authority will, in accordance with Regulation I/10, notify or communicate to the other Party's competent authority any significant change in the arrangements for training and certificates provided in compliance with the STCW Convention within ninety (90) days of any such change.
6. NCSU shall exert efforts to make representations to ensure that its competent authority shall inform or communicate the circumstances of any suspension, revocation or otherwise withdrawal of certificates of endorsement for disciplinary reasons pursuant to

fu

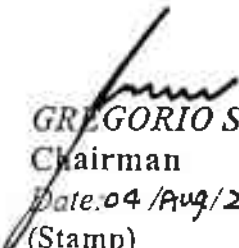
h

the STCW Convention to the other Party's counterpart competent authority within ninety (90) days.

7. This Memorandum of Undertaking shall take effect on the date on which signed by both Parties and shall remain in force for a period of five (5) years, and may be terminated by either Party at any time after giving written notice of at least six (6) months prior to the date on which it intends that this Memorandum of Undertaking will cease to be in force. Unless notice of termination has been given by the other Party, at least six (6) months before the date of its expiration, this Memorandum of Undertaking shall be automatically extended for successive periods of five (5) years, each Party reserving the right to terminate this Memorandum of Undertaking upon notice of at least six (6) months.

**ASSOCIATED MARINE OFFICERS'
AND SEAMEN'S UNION OF THE
PHILIPPINES**

Represented by:


GREGORIO S. OCA

Chairman

Date: 04 / Aug / 2002

(Stamp)

**NATIONAL CHINESE SEAMEN'S UNION
OF THE REPUBLIC OF CHINA**

Represented by:

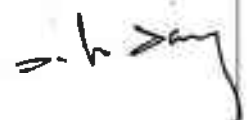

FANG FU-LIANG

Chairman

Date: 04 / Aug / 2002

(Stamp)





交通部 函

受文者：中華民國僱用外國籍船員輔導委員會

速別：普通件

密等及解密條件：普通

發文日期：中華民國九十一年十月十五日

發文字號：交航字第0910057885號

附件：如主旨

主旨：有關中華海員總工會（NCSU）與印尼海員工會（KPI）簽訂之備忘錄（MOU），准予備查，並檢送MOU乙份，請查收並配合辦理。

說明：依據中華海員總工會九十一年九月廿三日台廿一（九十一）秘字第一三八三號函辦理。

正本：中華海員總工會、中華民國僱用外國籍船員輔導委員會
副本：本部航政司（含附件）

部長 林 陵 三

本案依分層負責規定授權業務主管決行

機關地址：10042 台北市長沙街一段二號
傳 真：0223492278

會 外 傳
收文第 2797 號
91年 10月 18 日

MEMORANDUM OF UNDERTAKING

**CONCERNING THE RECOGNITION OF TRAINING AND CERTIFICATION
OF SEAFARERS FOR
SERVICE ON BOARD VESSELS REGISTERED IN THE REPUBLIC OF CHINA**

BETWEEN

NATIONAL CHINESE SEAMEN'S UNION (NCSU)

OF THE REPUBLIC OF CHINA

AND

KESATUAN PELAUT INDONESIA (KPI)

OF THE REPUBLIC OF INDONESIA



MEMORANDUM OF UNDERTAKING

**BETWEEN
NATIONAL CHINESE SEAMEN'S UNION
OF THE REPUBLIC OF CHINA
AND
KESATUAN PELAUT INDONESIA
OF THE REPUBLIC OF INDONESIA**

The NATIONAL CHINESE SEAMEN'S UNION OF THE REPUBLIC OF CHINA and the KESATUAN PELAUT INDONESIA OF THE REPUBLIC OF INDONESIA :


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

RECOGNIZING the importance of the 1995 amendments to the STCW Convention which entered into force on 01 February 1997, and that compliance with its provisions is required;

HAVING REGARD to the obligations imposed under the STCW Convention, and without prejudice to the National Laws of either Party to this Memorandum of Undertaking;

The Parties hereby enter into this Memorandum of Undertaking, pursuant to Regulation I/10 for the purpose of ensuring that the requirements of the STCW Convention, including the related provisions of the STCW Code, are complied with as follows:

1. The seafarers of the Republic of Indonesia whose seagoing service, education and training acquired under their competent authority and National Laws in accordance with the 1978 STCW Convention, as amended, is to be recognized and accepted by the other Party who will issue its own certificate of endorsement pursuant to the requirements of the STCW Convention and its National Laws, whenever practicable.
2. In order to give effect to certification pursuant to Regulation I/10, KPI will exert best efforts to make representations and measures to ensure that its competent authority



communicate its Seafarers' Training and Certification System to the other Party's competent authority as required by Regulation I/7 of the STCW Convention and Section A-I/7 of the STCW Code for review and confirmation by the other Party's concerned competent authority that the information provided demonstrates that full and complete effect is given to the provisions of the STCW Convention;

3. KPI shall, within the framework of their National Laws and Regulations, exert all efforts to make representations and take measures to ensure that the education, training and assessment of Indonesia seafarers, as required by the STCW Convention, have been administered and monitored by their proper competent authority in accordance with the provisions of Section A-I/6 of the STCW Code for the type and level of training or assessment involved.
4. KPI shall exert efforts to make representations and take measures in ensuring that the other Party's competent authority will be assured and confirmed by its concerned competent authority, which may include allowing periodic inspection of facilities and procedures; that there is full compliance with the requirements concerning the standards of competence, the issuance of certificates and record keeping; that the necessary action has been taken to comply with the training requirements of the STCW Convention, including the STCW Code, as may be applicable; and that materials and training facilities may be available for inspection and review if and when requested by the other Party's competent authority.
5. KPI shall exert efforts and make representations to ensure that its competent authority will, in accordance with Regulation I/10, notify or communicate to the other Party's competent authority any significant change in the arrangements for training and certificates provided in compliance with the STCW Convention within ninety (90) days of any such change.
6. NCSU shall exert efforts to make representations to ensure that its competent authority shall inform or communicate the circumstances of any suspension, revocation or otherwise withdrawal of certificates of endorsement for disciplinary reasons pursuant to the STCW Convention to the other Party's counterpart competent authority within ninety (90) days.

7. This Memorandum of Undertaking shall take effect on the date on which signed by both Parties and shall remain in force for a period of five (5) years, and may be terminated by either Party at any time after giving written notice of at least six (6) months prior to the date on which it intends that this Memorandum of Undertaking will cease to be in force. Unless notice of termination has been given by the other Party, at least six (6) months before the date of its expiration, this Memorandum of Undertaking shall be automatically extended for successive periods of five (5) years, each Party reserving the right to terminate this Memorandum of Undertaking upon notice of at least six (6) months.

**KESATUAN PELAUT INDONESIA
OF THE REPUBLIC OF INDONESIA**

**NATIONAL CHINESE SEAMEN'S UNION
OF THE REPUBLIC OF CHINA**

Represented by:

Represented by:



Hanafi Rustandi
HANAFI RUSTANDI
Chairman
Date: /07/2002
(Stamp)

Fang Fu-Liang
FANG FU-LIANG
Chairman
Date: 15 /07/2002
(Stamp)



Approved By :

正本

交通部 函

機關地址：10042台北市長沙街一段二號
傳 真：23811550

受文者：中華民國僱用外國籍船員輔導委員會

速別：普通件

密等及解密條件：密

發文日期：中華民國九十二年四月十日

發文字號：交航密字第092A000361號

附件：如主旨

主旨：有關中華民國輪船商業同業公會全國聯合會（NACS）與越南船東協會（VSA）簽訂之船員認可證書備忘錄，准予備查，並檢送船員認可證書備忘錄乙份，請查收並配合辦理。

說明：依據中華民國輪船商業同業公會全國聯合會九十二年四月一日台聯密（92）字第00三號函辦理。

正本：中華民國輪船商業同業公會全國聯合會、中華民國僱用外國籍船員輔導委員會
副本：本部航政司（含附件）

部長 林 陵 三

會 外 傳
收文第 821 號
92年4月11日

保存年限：
檔 號：

092A00361

第一頁，共一頁

MEMORANDUM OF UNDERTAKING

**CONCERNING THE RECOGNITION OF TRAINING AND CERTIFICATION
OF SEAFARERS FOR SERVICE ON BOARD VESSELS REGISTERED IN
TAIWAN**

BETWEEN

*NATIONAL ASSOCIATION OF CHINESE SHIOWNERS
Of TAIWAN*

AND

*VIETNAM SHIOWNERS' ASSOCIATION
Of VIETNAM*

MEMORANDUM OF UNDERTAKING

BETWEEN

NATIONAL ASSOCIATION OF CHINESE SHIPOWNERS Of TAIWAN AND VIETNAM SHIPOWNERS' ASSOCIATION Of VIETNAM

The National Association of Chinese Shipowners (NACS) of Taiwan and the Vietnam Shipowners' Association (VSA) of Vietnam

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

RECOGNIZING the importance of the 1995 amendments to the STCW Convention which entered into force on 01 February 1997, and that compliance with its provision is required;

HAVING REGARD to the obligations imposed under the STCW Convention, and without prejudice to the National Laws of either Party to this Memorandum of Undertakings;

The Parties hereby enter into this Memorandum of Undertaking, pursuant to Regulation I/10 for the purpose of ensuring that the requirements of the STCW Convention including the related provisions of the STCW Code, are complied with as follows:

1. The certification of seagoing service, education and training that Vietnam's seafarers have acquired under their respective competent authority and National Laws in accordance with the 1978 STCW Convention, as amended, is to be recognized and accepted by the competent authority of the other Party who will duly issue its own certificate of endorsement pursuant to the requirements of the STCW Convention and its National Laws whenever practicable.
2. In order to give effect to certification pursuant to Regulation I/10, VSA shall exert best efforts to make representations and measures to ensure that its competent authority informs its Seafarers' Training and Certification System to the other Party's competent authority as required by Regulation I/7 of the STCW Convention and Section A-I/7 of the STCW Code for the review and confirmation by the other Party's concerned competent authority that basing on the information provided, full and complete compliance to the provisions of the STCW Convention is observed.
3. VSA shall, within the framework of its National Laws and Regulations, exert all efforts to make representations and take measures to ensure that the education, training and assessment of its seafarers, as required by the STCW Convention, have

been administered and monitored by their proper competent authority in accordance with the provisions of Section A-I/6 of the STCW Code for the type and level of training of assessment involved.

4. VSA shall exert efforts to make representations and take measures in ensuring that the other Party's competent authority will be assured and confirmed by its concerned competent authority, which may include allowing periodic inspection of facilities and procedures; that there is full compliance with the requirements concerning the standards of competence, the issuance of certificates and record keeping; that the necessary action has been taken to comply with the training requirements of the STCW Convention, including the STCW Code, as may be applicable; and that materials and training facilities may be available for inspection and review if and when justifiably requested by the other Party's competent authority.
5. VSA shall exert best efforts to notify or inform NACS of any significant change in the arrangements for training and certificates provided in compliance with the STCW Convention within ninety (90) days of any such change in accordance with Regulation I/10.
6. NACS shall exert best efforts to inform or notify the circumstances of any suspension, revocation or otherwise withdrawal of certificates of endorsement for disciplinary reasons pursuant to the STCW Convention to VSA within ninety (90) days since the date of such disciplinary measures.
7. This Memorandum of Undertaking shall take effect on the date on which it is signed by both Parties and shall remain in force for a period of five (5) years, and may be terminated by either Party at any time after a written notice to such effect having been given at least six (6) months prior to the date on which it is intended that this Memorandum of Undertaking will cease to be in force. Unless notice of termination has been given by the other Party, at least six (6) months before the date of its expiration, this Memorandum of Undertaking shall be automatically extended for successive periods of five (5) years, each Party reserving the right to terminate this Memorandum of Undertaking upon notice of at least six (6) months.

For and on behalf of
Vietnam Shipowners' Association

For and on behalf of
National Association of Chinese Shipowners



Hu Ngoc Son
Chairman

Date: dd/mm/yyyy
(Stamp)

T.H.Chen
Chairman

Date: dd/mm/yyyy
(Stamp)



正本

交通部 函

機關地址：10042 台北市長沙街一段二號
傳 真：23811550

受文者：中華民國僱用外國籍船員輔導委員會

速別：最速件

密等及解密條件：普通

發文日期：中華民國九十三年四月三十日

發文字號：交航字第0930004521號

附件：如主旨

主旨：檢送 Det Norske Veritas 挪威總公司核發「中華民國執行 STCW 獨立評估符合聲明書」(STATEMENT OF COMPLIANCE INDEPENDENT EVALUATION OF TAIWAN R.O.C.) 影本乙份及「中華民國執行 STCW 公約獨立評估專案」報告乙本，請查照。

說明：

一、為利我國船員持續為國際認同，同享等同白名單國家待遇，本部依據航海人員訓練發證及當值標準國際公約 (Standards of Training, Certification and Watchkeeping for Seafarers，簡稱 STCW) 規定，於九十二年度委託 Det Norske Veritas (簡稱 DNV) 台灣分公司進行我國海事機構及船員發證系統品質標準之獨立評估專案，該獨立



093004521

0970
5 4

1001-0001
1001-0001

評估專案之受評單位包括本部航政司等十四單位，案經 DNV 挪威總公司 STCW 專家審查結果，對我國海事體系確實完成全面稽查，已證明我國海事機構及船員發證系統品質標準之獨立評估完全符合 STCW 國際公約規定，同時就我國率先依據 STCW 國際公約規定完成獨立評估報告尤其表示肯定，並核發予我國「獨立評估符合聲明書」。

二、另 DNV 台灣分公司亦完成該專案報告如附件，併附該聲明書影本乙份，請存參。

正本：外交部、考選部、國立臺灣海洋大學、國立高雄海洋科技大學、中國海事商業專科學校、中華航業人員訓練中心、長榮船員訓練中心、中華民國輪船商業同業公會全國聯合會、中華民國船長公會、中華海員總工會、中華民國僱用外國籍船員輔導委員會、本部基隆港務局、台中港務局、高雄港務局、花蓮港務局
副本：本部航政司

部長 林 陵 三

093004521



To Whom It May Concern

Your ref.:

Our ref.:

MTPNO863/KJEK/429-J-55

Date:

2004-02-12

DET NORSKE VERITAS AS
Maritime Technology and Production
Centre

Classification & ISM

Veritasveien 1

1322 Høvik

Norway

Tel: +47 67 57 99 00

Fax: +47 67 57 99 11

<http://www.dnv.com>

Org. No. NO 945 748 931 MVA

STATEMENT OF COMPLIANCE

INDEPENDENT EVALUATION OF TAIWAN R.O.C.

Det Norske Veritas (DNV), as an independent organisation, has reviewed compliance with the requirements in the STCW Convention for Taiwan R.O.C. on the request of the Ministry of Transportation and Communications (MOTC).

The following training facilities and bureaus have been subject to an independent evaluation:

- Seafarer Division, Navigation and Aviation Department, Ministry of Transportation and Communications, R.O.C.
- Section Supervision, Shipping and Navigation Department, Keelung Harbour Bureau, Ministry of Transportation and Communications, R.O.C.
- Section Supervision, Shipping and Navigation Department, Hualien Harbour Bureau, Ministry of Transportation and Communications, R.O.C.
- Section Supervision, Shipping and Navigation Department, Taichung Harbour Bureau, Ministry of Transportation and Communications, R.O.C.
- Section Supervision, Shipping and Navigation Department, Kaohsiung Harbour Bureau, Ministry of Transportation and Communications, R.O.C.
- Professionals and Technologists Examination, Ministry of Examination
- National Assistance Commission for Foreign Seafarer Employment
- National Kaohsiung Institute of Marine Technology and Merchant Seafarer Training Center
- Evergreen Seafarer Training Center
- Chung Hwa Merchant Marine Seafarers Training Center
- National Taiwan Ocean University and Seafarer Training Center
- China College of Marine Technology and Commerce and CCMTTC Seafarers Training Center
- National Chinese Seamen's Union
- Seafarer's Training Center of the Master Mariners' Association, the Republic of China

DNV has followed the same procedures and criteria (see IMO MSC/Circ.997, dated 11. June 2001), as used by IMO *competent persons* to verify that Taiwan R.O.C. has performed an independent evaluation and that full and complete effect is given to the provision of regulation I/8 of the STCW Convention and section A-I/7, paragraph 4 of the STCW Code.

Yours faithfully
for DET NORSKE VERITAS AS

Tor E. Svensen
Chief Operating Officer
DNV Maritime

Kjetil Kåsamoen
STCW Co-ordinator

副本

交通部 函

機關地址：10042 台北市長沙街1段2號

傳 真：23811550

100

台北市重慶南路1段10號508室

受文者：中華民國輪船商業同業公會
全國聯合會

發文日期：中華民國94年1月14日

發文字號：交航字第0940000502號

速別：普通件

密等及解密條件或保密期限：普通

附件：

主旨：有關貴會與緬甸海員工會（Myanmar Overseas Seafarers Association of the union of Myanmar）簽訂之備忘錄（MOU），准予備查，請查照。

說明：依據本部航政司案陳貴會94年1月10日台22(94)秘字第1163號函辦理。

正本：中華海員總工會

副本：外交部亞太司、本部航政司、中華民國輪船商業同業公會全國聯合會

部長 林 陵 三

本案依分層負責規定授權業務主管決行

檢	外	行
收文第	0183	
94年	1月17	

檔 號：
保存年限：

副本

中華海員總工會 函

機關地址：台北市南京東路三段二十五號八樓
傳 真：(0二) 二五〇七八二一一
電 話：(0二) 二五一五〇二五九

受文者：中華民國輪船商業同業公會全國聯合會

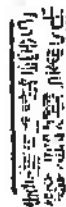
發文日期：中華民國 94 年 1 月 10 日
發文字號：台 22 (94) 秘字第 1163 號
速別：速件
密等及解密條件：普通
附件： 如文

主旨：檢陳本會與緬甸海員工會 (Myanmar Overseas Seafarers Association of the union of Myanmar) 簽訂之備忘錄(MOU)文件乙份及來函影本。
敬請 核備。

正本：交通部航政司

副本：中華民國輪船商業同業公會全國聯合會

中華海員總工會 理事長 方福樑



全聯會暨北市會
收文第 040 號
94年 1月 14日

MEMORANDUM OF UNDERTAKING

**CONCERNING THE RECOGNITION OF TRAINING AND CERTIFICATION
OF SEAFARERS FOR
SERVICE ON BOARD VESSELS REGISTERED IN THE REPUBLIC OF CHINA**

BETWEEN

***NATIONAL CHINESE SEAMEN'S UNION(NCSU)
OF THE REPUBLIC OF CHINA***

AND

***MYANMAR OVERSEAS SEAFARERS ASSOCIATION(MOSA)
OF THE UNION OF MYANMAR***

MEMORANDUM OF UNDERTAKING

BETWEEN

**NATIONAL CHINESE SEAMEN'S UNION
OF THE REPUBLIC OF CHINA
AND
MYANMAR OVERSEAS SEAFARERS ASSOCIATION
OF THE UNION OF MYANMAR**

The National Chinese Seamen's Union of the Republic of China and The Myanmar Overseas Seafarers Association of the Union of Myanmar:

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

RECOGNIZING the importance of the 1995 amendments to the STCW Convention which entered into force on 01 February 1997, and that compliance with its provision is required;

HAVING REGARD to the obligations imposed under the STCW Convention, and without prejudice to the National Laws of either Party to this Memorandum of Undertaking;

The Parties hereby enter into this Memorandum of Undertaking, pursuant to Regulation I/10 for the purpose of ensuring that the requirements of the STCW Convention, including the related provisions of the STCW Code, are complied with as follows:

1. The seafarers of the Union of Myanmar whose seagoing service, education and training acquired under their competent authority and National Laws in accordance with the 1978 STCW Convention, as amended, is to be recognized and accepted by the other Party who will issue its own certificate of endorsement pursuant to the requirements of the STCW Convention and its National Laws, whenever practicable.
2. In order to give effect to certification pursuant to Regulation I/10, MOSA will exert best efforts to make representations and measures to ensure that its competent authority communicate its Seafarers' Training and Certification System to the other Party's competent authority as required by Regulation I/7 of the STCW Convention and Section A-I/7 of the STCW Code for the review and confirmation by the other Party's concerned competent authority that the information provided demonstrates that full and complete effect is given to the provisions of the STCW Convention.
3. MOSA shall, within the framework of their National Laws and Regulations, exert all efforts to make representations and take measures to ensure that the education, training and assessment of Myanmar seafarers, as required by the STCW Convention, have been administered and monitored by their proper competent authority in accordance with the provisions of Section A-I/6 of the STCW Code for the type and level of training or assessment involved.

4. MOSA shall exert efforts to make representations and take measures in ensuring that the other Party's competent authority will be assured and confirmed by its concerned competent authority, which may include allowing periodic inspection of facilities and procedures; that there is full compliance with the requirements concerning the standards of competence, the issuance of certificates and record keeping; that the necessary action has been taken to comply with the training requirements of the STCW Convention, including the STCW Code, as may be applicable; and that materials and training facilities may be available for inspection and review if and when requested by the other Party's competent authority.
5. MOSA shall exert efforts and make representations to ensure that its competent authority will, in accordance with Regulation I/10, notify or communicate to the other Party's competent authority any significant change in the arrangements for training and certificates provided in compliance with the STCW Convention within ninety (90) days of any such change.
6. NCSU shall exert efforts to make representations to ensure that its competent authority shall inform or communicate the circumstances of any suspension, revocation or otherwise withdrawal of certificates of endorsement for disciplinary reasons pursuant to the STCW Convention to the other Party's counterpart competent authority within ninety (90) days.
7. This Memorandum of Undertaking shall take effect on the date on which signed by both Parties and shall remain in force for a period of five (5) years, and may be terminated by either Party at any time after giving written notice of at least six (6) months prior to the date on which it intends that this Memorandum of Undertaking will cease to be in force. Unless notice of termination has been given by the other Party, at least six (6) months before the date of its expiration; this Memorandum of Undertaking shall be automatically extended for successive periods of five (5) years, each Party reserving the right to terminate this Memorandum of Undertaking upon notice of at least six (6) months.

**MYANMAR OVERSEAS SEAFARERS ASSOCIATION
OF THE UNION OF MYANMAR**

Represented by:

**NATIONAL CHINESE SEAMEN'S UNION
OF THE REPUBLIC OF CHINA**

Represented by:

Capt. MIN SEIN

Chairman

Date: 24th December 2004

FANG FU-LIANG

Chairman

Date: 24th December 2004

Witness :

Capt. SOE MIN AUNG

Secretary

Witness :

WU HSUEH-CHI

Secretary General