

(9)

AN UNDERTAKING

**CONCERNING THE RECOGNITION OF TRAINING AND CERTIFICATION
OF SEAFARERS FOR**

SERVICE ON BOARD VESSELS REGISTERED IN GEORGIA

between

THE DEPUTY COMMISSIONER OF MARITIME AFFAIRS

On behalf of

THE GOVERNMENT OF GEORGIA

and

PREFECTURA NACIONAL NAVAL, DIRECCION REGISTRAL Y DE

MARINA MERCANTE

On behalf of

THE GOVERNMENT OF URUGUAY

THE UNDERTAKING

This document relates to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995 (which will be referred to as the STCW Convention). The undersigned Parties recognize the importance of the 1995 Amendments to the STCW Convention which entered into force on 1 February 1997, and that compliance with its provisions is required. Whenever the term "Georgian Administration" is used in this document, it shall mean the Deputy Commissioner of Maritime Affairs, acting on the behalf of the Government of Georgia and wherever the term Prefectura Nacional Naval, Direccion Registral y de Marina Mercante (Marina Mercante) is used in this

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document, it shall mean the organization acting on behalf of the Government of Uruguay. The Parties have reviewed their respective obligations under the STCW Convention and, without prejudice to the National Laws of either Party, hereby enter into this Undertaking (which will be referred to as "the Undertaking"), as required by 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 Marina Mercante is the Party whose national certificates of competency are to be recognized for endorsement, and the Georgian Administration is the Party that will issue the endorsements.
2. In order for its certificates of competency to be recognized by endorsement pursuant to Regulation I/10, the Marina Mercante must have communicated its Seafarers Certification System to the International Maritime Organization (IMO) as required by Regulations I/7 and I/8 of the STCW Convention and Sections A-I/7 and A-I/8 of the STCW Code for review and confirmation by IMO that the information provided demonstrates that full and complete effect is given to the provisions of the Convention.
3. The Parties shall, within the framework of their respective laws and regulations, ensure that the education, 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; and ensure that those who are responsible for such things are appropriately qualified 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. The Georgian Administration shall, with respect to recognition of certificates under Regulation I/10 of the STCW Convention, ensure that an endorsement in accordance with Regulation I/2, paragraph 5, is only issued if the applicable requirements of the STCW Convention have been complied with by the Marina Mercante by or under whose authority a certificate of competency was issued to an applicant who presents the certificate of competency to the Georgian Administration for endorsement.

5. The Marina Mercante shall give the Georgian Administration assurance and confirmation, through all necessary measures, which may include allowing the periodic inspection of its approved facilities and procedures: that it is in full compliance with the requirements concerning the standards of competence, the issuance of certificates and record keeping; that it has taken necessary action to comply with the training requirements of the STCW Convention, including the STCW Code, as they may be applicable; and that it will make materials and training facilities available for inspection and review when requested by the Georgian Administration.
6. The Marina Mercante shall, in accordance with Regulation I/10, notify the Georgian Administration within 90 (ninety) days of any significant change in the arrangements for training and certification provided in compliance with the STCW Convention, except if the change trends to ensure and improve the STCW Convention implementation level.
7. The Marina Mercante is hereby assured that in accordance with Regulation I/10, paragraph 6, endorsements issued by it under the provisions of this regulation in recognition of, or attesting the recognition of, a certificate issued by another Party may not be used nor will be accorded further recognition by the Georgian Administration.
8. The Georgian Administration shall establish measures to ensure that seafarers, at the management level, who are issued endorsement certificates acquire an appropriate knowledge of the maritime legislation of the Georgia Administration relevant to the function they are permitted to perform.
9. Should it become necessary for the Georgian Administration to suspend, revoke or otherwise withdraw its endorsement of recognition of a certificate of competency for disciplinary reasons, the Georgian Administration shall, within 90 (ninety) days, inform the Marina Mercante of the circumstances.

The Undertaking shall enter into force on the date on which it had been signed by both Parties and shall remain in force for a period of 5 (five) years. The Undertaking may be terminated by either Party at any time after giving written notice of at least 6 (six months) prior to the date on which it intends that the

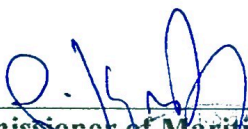
Undertaking will cease to be in force. Unless notice of termination has been given by either Party at least 6 (six months) before the date of its expiration, the Undertaking shall be automatically extended for successive periods of 5 (five) years, each Party reserves the right to conclude the Undertaking upon notice of at least 6 (six) months.



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