



LE GOUVERNEMENT  
DU GRAND-DUCHÉ DE LUXEMBOURG  
Ministère de l'Économie  
et du Commerce extérieur

Commissariat aux affaires maritimes

Capitán de Navio (CP) Miguel Fleitas  
Dirección Registral y de Marina Mercante  
Prefectura Nacional Naval  
Rbla. 25 de agosto de 1825, S/N  
Comando General de la Armada, 1<sup>er</sup> Piso  
C.P. 11.00 - Montevideo  
URUGUAY

Luxembourg, 20/11/2012

Our ref. : VS/99924  
Concerning : STCW 78/95 - Recognition of Certificates

Dear Sir,


As you are aware, the 2010 Manila amendments to the STCW Convention 1978 introduced significant changes which require adjustments from our method of certification of seafarers employed on board of vessels flying the Luxembourg flag. Considering that the certification system of seafarers in your country has been acknowledged by the Maritime Safety Committee (MSC) of the International Maritime Organisation (IMO) as giving full and complete effect to the provisions of the STCW Convention, amended 1995, I am, pursuant to Regulation I/10, proposing that our two administrations enter into the enclosed undertaking.

The undertaking was drafted to ensure that all points in MSC Circular letters 950 and 1018, respectively of May 2000 and November 2001, concerning the recommended contents of such undertakings have been covered. Given the fact that our country does not have any maritime training facilities, no recognition of Luxembourg's certificates by your administration will be necessary at any stage.

I therefore have the honour to submit to you two signed duplicate originals of this Memorandum of Agreement. If acceptable, please have both undertakings signed and return one of them to this administration. Otherwise, you may draft any changes and forward the revised document back for our review and consideration. Should your office not be the authority to act on this matter, we would kindly appreciate if you could forward this correspondence to the attention of the appropriate office.

I thank you for your kind co-operation on this matter and trust this subject will merit your early consideration.

Yours faithfully,



Robert BIERER  
Government Commissioner  
for maritime affairs

This matter is being dealt with **Victor Soeiro** ☎ (00352) 478 4453 ✉ cam@cam.etat.lu  
19-21, boulevard Royal Tél.: (+352) 247-84453 e-mail: cam@cam.etat.lu  
L-2449 Luxembourg Fax: (+352) 29 91 40 www.cam.etat.lu

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

**between**

**THE COMMISSARIAT AUX AFFAIRES MARITIMES**

On behalf of

**THE GOVERNMENT OF LUXEMBOURG**

**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 Watch keeping for Seafarers, 1978, as amended in (which will be referred to as the STCW Convention). The undersigned Parties recognise the importance of the 2010 Manila Amendments to the STCW Convention which entered into force on 1 January 2012, and that compliance with its provisions is required.

Whenever the term "Administration of Luxembourg" is used in this document, it shall mean the Commissariat aux Affaires Maritimes, acting on the behalf of the Government of Luxembourg and wherever the term Prefectura Nacional Naval, Dirección Registral y de Marina Mercante (Marina Mercante) is used in this 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:

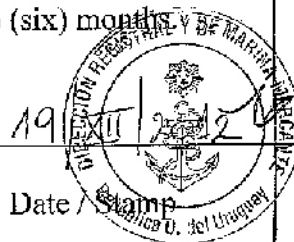
1. The Marina Mercante is the Party whose national certificates of competency and/or proficiency are to be recognized for endorsement, and the Administration of Luxembourg is the Party that will issue the endorsements.
2. In order for its certificates of competency and/or proficiency to be recognized 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 tasks 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 Administration of Luxembourg 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 or under whose authority a certificate of competency and/or proficiency was issued to an applicant who presents the certificate of competency and/or proficiency to the Administration of Luxembourg for endorsement.
5. The Marina Mercante shall give the Administration of Luxembourg 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 Administration of Luxembourg.
6. The Marina Mercante shall, in accordance with Regulation I/10, notify the Administration of Luxembourg 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 tends 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 Administration of Luxembourg.

8. The Administration of Luxembourg 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 Administration of Luxembourg relevant to the function they are permitted to perform.

9. Should it become necessary for the Administration of Luxembourg to suspend, revoke or otherwise withdraw its endorsement of recognition of a certificate of competency for disciplinary reasons, the Administration of Luxembourg shall, within 90 (ninety) days, inform the Marina Mercante of the circumstances.

The Undertaking shall enter into force on the date 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.

Capitán de Navío (CP) Miguel FLEITAS  
Dirección Registral y de Marina Mercante  
Prefectura Nacional Naval  
Representing the Government of Uruguay  
Rbla. 25 de agosto de 1825, S/N  
Comando General de la Armada, 1er. Piso;  
C.P.11.000 Montevideo  
URUGUAY  
Phone: + (598 2) 916 4914  
Fax: + (598 2) 916 4914  
E-mail: delea@armada.gub.uy



Mr. Robert Biwer  
Commissariat aux Affaires Maritimes  
19-21 Boulevard Royal  
L-2449  
LUXEMBOURG  
Tel: +352 2478 4453  
Fax: +352 29 91 40  
E-mail: cam@cam.etat.lu