

**Memorandum of Understanding**

**between**

**the Ministry of Shipping of the Republic of India**

**and**

**the Ministry for Transport, Infrastructure and Capital Projects of  
the Republic of Malta**

**on**

**Maritime Cooperation**

The Ministry of Shipping of the Republic of India and the Ministry for Transport, Infrastructure and Capital Projects of the Republic of Malta:

Recognising the tradition of co-operation and understanding between the two countries concerning the development and implementation of transport policy, especially in the maritime field;

Welcoming current proposals for further co-operation arrangements on matters of operational interest aimed at ensuring maritime safety and the prevention of marine pollution and to further develop the maritime strengths of the two countries;

Desiring to facilitate further opportunities for joint research and training in the maritime field;

Hereby decide in this Memorandum to establish a continuing framework of mutual co-operation on operational matters of bilateral interest.

**Paragraph 1  
Scope**

The framework of this Memorandum will cover any existing arrangements for these purposes and envisages the early development of

further projects on individual subjects. These may include, inter alia, co-operation on:

- a) Maritime and Port Administration;
- b) Maritime Safety, Vessel Monitoring and Marine Pollution Prevention;
- c) Maritime training, education, research and innovation;
- d) Transport of dangerous goods;
- e) Any other form of cooperation deemed necessary by both Parties to this Memorandum; and
- f) Cooperation in matters related to International Maritime Organisation [IMO].

## **Paragraph 2**

### **Areas of Cooperation**

The cooperation in the maritime field shall further focus particularly on:

- a) Sharing information and best practices in the field of flag State management;
- b) Common work on maritime and port projects;
- c) Development of coherent approach to enhance safety and security measures in both countries' ports in compliance with international acts;
- d) Identification of mutual issues of interest in the maritime transport for improvement of seafarers qualifications and training and organizing seminars for clarification of up-to-date practice and expertise in view of the use of modern technology and innovation in maritime activities;
- e) Increasing investments in the national flag of both the countries;



### **Paragraph 3**

#### **Joint Review**

The Ministry of Shipping of the Republic of India and the Ministry for Transport, Infrastructure and Capital Projects of the Republic of Malta agree to establish, as part of the framework, a procedure for joint review from time to time of such arrangements and for the discussion of other matters of mutual interest.

### **Paragraph 4**

#### **Joint Committee on Transport**

A Joint Committee on Transport shall be established between the Ministry of Shipping of the Republic of India and the Ministry for Transport, Infrastructure and Capital Projects of the Republic of Malta. The Committee shall be composed of representatives of both Ministries', relevant departments and agencies.

The meetings of the Joint Committee on Transport shall be held consecutively in India and Malta in the English language.

### **Paragraph 5**

#### **Cooperation between Parties**

Both signatories to this Memorandum recognise the existing close co-operation between the two administrations, both bilaterally and at the international level, and welcome the prospect of extending and deepening that co-operation by seeking out further opportunities to mutual benefit.

### **Paragraph 6**

#### **Safeguard Norms for Trade**

- 1) "This MoU shall not prejudice the rights of a country to maintain preferential treatment for cargo to domestic flag vessels in accordance with the domestic laws and regulations of the country."



- 2) "This MoU Shall not restrict the freedom of the parties to continue the application of the existing measures procedures and practices such as cargo preference to the vessels flying their respective national flags and to introduce such measures as may be required in the interest of their respective national shipping fleets."
- 3) "All vessels of a party as well as goods, passengers and crew of such vessels shall, when in the territorial and internal waters of the other party, be subject to the relevant domestic law in force in the territory of that other party and in particular, to traffic safety, maritime security, border, immigration, customs, foreign currency, health, veterinary and phytosanitary measures."

#### **Paragraph 7** **Consultation and Settlement of Disputes**

- 1) The Committee must be consulted on any dispute arising from the interpretation or implementation of this Agreement.
- 2) If the dispute is not settled after consultations with the Committee, it must be submitted to the competent authorities for direct negotiations.
- 3) If the dispute cannot be resolved through direct negotiations between the competent authorities of both Parties, either of the Parties can then take recourse of the diplomatic channels.

#### **Paragraph 8** **Entry into Effect, Duration and Termination**

This Memorandum shall enter into force on the date of its signing and shall be initially valid for a five year period after which it shall be renewed automatically for subsequent periods of five years. Either Contracting Party may denounce this Agreement at any time by notification in writing through diplomatic channels. The denunciation shall take effect six months after the date on which the notification has been received by the other Contracting Party.

Signed in **Malta** on this **17<sup>th</sup> Day of September** in the year **2018** in the English language.

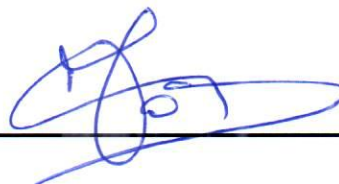
**On behalf of the Ministry of  
Shipping of the Republic of India**



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**H.E. Rajesh Vaishnaw  
High Commissioner  
of the Republic of India**

**On behalf of the Ministry for  
Transport, Infrastructure and  
Capital Projects of the  
Republic of Malta**



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**H.E. Fiona Formosa  
Permanent Secretary  
Ministry for Foreign Affairs and  
Trade Promotion**