



Undertaking

Between

the Ministry of Shipping of the Republic of India

and

the Ministry of Oceans and Fisheries of the Republic of Korea

On Mutual Recognition of Certificates Pursuant to Regulation I/10 of

International Convention on Standards of Training,

Certification and Watchkeeping for Seafarers, 1978,

as amended.

The Ministry of Shipping of the Republic of India and the Ministry of Oceans and Fisheries of the Republic of Korea together referred to as Parties, in accordance with the requirements of Regulation I/10 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as Amended (hereinafter referred to as the STCW Convention) including the related provisions of the Seafarers Training, Certification and Watchkeeping Code (hereinafter referred to as STCW Code), have agreed, without prejudice to national laws of either Party as follows:-

Article (1): Definitions

- 1.1 The term "Certificate of Competence (y)" means a valid document, regardless of its rank, issued by the Certificate-issuing Party or under its authority, giving its holder the right to occupy the position according to certificate of competence or national legislation;
- 1.2 The term "Endorsement" means a valid document, that attest the recognition of certificate under the provisions of the STCW Convention, issued by the Party to acknowledge that its holder has right to occupy the position according to the national legislation of either Party;
- 1.3 The term "Certificate-issuing Party" means Ministry of Oceans and Fisheries of Republic of Korea and the Ministry of Shipping of the Republic of India according to the national legislation of Republic of Korea and Republic of India.
- 1.4 The term "Official" means the official of the competent body of either party responsible for implementing this Undertaking.
- 1.5 The term "facilities and procedures" means authorities, organizations, maritime education and training institutions and operating systems within the limits of Party's responsibility according to the STCW Convention, as well as the system on controlling and observing compliance with the STCW Convention's requirements on training, assessment of competence and certification for seafarers of the Certificate-issuing party.

Article (2): Objective

The objective of this Undertaking is the recognition of maritime education and training, certification of competency of seafarers between Republic of Korea and Republic of India for the purpose of implementing the STCW Convention.

Article (3): Application

This Undertaking shall be applicable with respect to seafarers holding certificate 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.

Article (4): Scope of the Undertaking

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 Government of the other Party in accordance with the provisions of regulation I/10 of the STCW Convention, and cooperation between the two Parties in the training, certification and management of seafarers.

Article (5): Education, training and assessment of seafarers

1. The parties shall, within the framework of their relevant laws and regulations, ensure the education, training and assessment of seafarers, as required by the STCW Convention, are administrated and monitored in accordance with the section A-I/6 of the STCW Code for each type and level of training assessment involved.
2. Parties shall ensure that certificates are duly registered and authenticated, this to be certified by inscription on the document;
3. Parties shall ensure that persons responsible for training and assessment for seafarers are duly qualified pursuant to the requirements of section A-I/6 of the STCW Code.
4. Parties shall ensure that evaluation of quality standards is in compliance with the requirements of regulation I/8 of the STCW Convention.

Article (6): Verification of authenticity and validity

1. Both Parties have agreed that each Party shall verify the authenticity and validity of certificates issued by the certificated-issuing Party by a direct request via facsimile or electronic mail to the Official directly responsible for implementing this Undertaking.
2. The request shall include personal details of the holder (name, surname, date of birth) and details of the certificate in question (type of certificate, serial number, place of issue and date of issue). The certificate-issuing party shall communicate in response via facsimile or electronic mail within three (3) working days from the date of receiving such request.

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

1. Parties of this Undertaking may, in accordance with the provisions of regulation I/10 of the STCW Convention and with the consent of the other certificate-issuing Party, visit/review the facilities, procedures and the policies which have been approved or adopted by the certificate-issuing Party for meeting the requirements of the STCW Convention concerning:
 - (a) Capacities of each Party to follow the implementation of the STCW Convention, as well as maritime education and training facilities;
 - (b) Standards for issuing certificates of competency;
 - (c) The issuing, endorsement, revalidation and revocation of certificates;
 - (d) Record keeping;
 - (e) Standards for medical fitness;
 - (f) Communication and response process to request for verifications.
2. Visiting of approved facilities and procedures of the Party by another Party will follow notification, 30 (thirty) days prior to expected date of visit, by fax or electronic mail on behalf of the Official of either Party in the name of the Official of the Certificate-issuing Party that contains:
 - (a) Purpose of visit;
 - (b) Facilities and procedures to be visited by the Party;

(c) List of visiting officials from visiting Party.

3. Parties having carried out the visit shall communicate the results of the evaluation carried out pursuant to the provisions of the above paragraph to the certificate-issuing Party within three (3) months from its completion.

Article (8): Notification of any significant change

Parties shall notify each other of any significant change in the arrangements for training and certification provided in compliance with the STCW Convention, within sixty (60) days from the application of such changes.

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

Each Party may refuse the issue of recognition endorsement 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 advise via facsimile or electronic mail the certificate-issuing Party of such occurrence within seven (7) working days.

Article (10): Communications

1. All communications, arising from this Undertaking, shall be made to the following addresses:-

Indian Party

Government of India, Ministry of Shipping, Directorate General of Shipping

Tel: +91-22-25752005

Fax: +91-22-25752011

Address: Government of India, Ministry of Shipping, Directorate General of Shipping, "Beta Building", 9th Floor, i-Think Techno Campus, Kanjur Village Road, Kanjur Marg (East), Mumbai – 400042, India,
E-mail: dgship-dgs@nic.in.

Korean Party

Ministry of Oceans and Fisheries of Republic of Korea

Tel: +82442005741

Fax: +82442005739

Address: Ministry of Oceans and Fisheries, Government complex Building 5,
#94, Dasom2-Ro, Sejong Special Self-governing City, 30110, Korea,

E-mail: moowool@korea.kr.

2. Any change in contact addresses are to be communicated to the parties without delay.

Article (11): Validity

The Undertaking shall enter into force on the date of signature and shall be valid for an initial period of 5 (five) years, being subsequently extended for periods of 5 (five) years unless either Party submits a written notice of termination thereof to other Party, 6 (six) months prior to the expiration of this Undertaking or the five-year period.

Prepared, on this 10th day of April, in the year 2018, in 2 (two) copies in English language, 1(one) for each party.

For the Ministry of Shipping of
the Republic of India

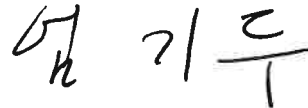


Joint Secretary

For the Ministry of Shipping

Date: April 10th, 2018

For the Ministry of Oceans and Fisheries of
the Republic of Korea



Director General

For the Shipping and Logistics Bureau

Date: April 10th, 2018