



Crna Gora

MINISTARSTVO VANJSKIH POSLOVA

MEMORANDUM OF UNDERSTANDING

Broj: 13/2-063-SF-5

BETWEEN

Podgorica: 19 06 2014 god.

MONTENEGRO REPRESENTED BY THE MINISTRY OF TRANSPORT AND MARITIME AFFAIRS AND THE REPUBLIC OF CYPRUS REPRESENTED BY THE SHIPPING DEPUTY MINISTRY CONCERNING THE RECOGNITION OF THE TRAINING AND CERTIFICATION OF SEAFARERS HOLDING CERTIFICATES ISSUED BY THE GOVERNMENT OF MONTENEGRO, FOR SERVICE ON CYPRUS FLAGGED VESSELS

Montenegro represented by the Ministry of Transport and Maritime Affairs and the Republic of Cyprus represented by the Shipping Deputy Ministry,

ACTING in accordance with Regulation I/10 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 as amended;

RECOGNIZING the mutual interest of establishing a Memorandum concerning the recognition of the training for seafarers;

HAVING REGARD to the guidance on Memorandum between Participants to allow for recognition of certificates under the above-mentioned convention approved by the Maritime Safety Committee of the International Maritime Organization at its ninety-first session in November 2012 (MSC.1/Circ.1450);

TAKING INTO ACCOUNT that the Shipping Deputy Ministry of the Republic of Cyprus (hereinafter referred to as "Administration") and the Ministry of Transport and Maritime Affairs of the Government of Montenegro (hereinafter referred to as "certificate-issuing Party") (the "Administration" and the "certificate issuing Party" referred together herein as the "Participants"), for the purpose of implementing the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (hereinafter referred to as the "STCW Convention"), in particular with respect to the recognition, by the Administration, of certificates of competency, certificates of proficiency, training documentary evidence, and medical fitness certificates for seafarers (hereinafter referred to as "certificates") issued by the certificate-issuing Party in accordance with the STCW Convention and for the purpose of cooperation between the two Participants in the training, certification and management of seafarers, have reached the following understandings:

Section 1

Officials responsible for implementing this Memorandum

1. The officials designated to be directly responsible for implementing this Arrangement and for liaison purposes between the two Participants are as follows:

a) Shipping Deputy Ministry of the Republic of Cyprus

Position: Dr Stelios D Himonas Permanent Secretary
Address: Kyllinis Street, Mesa Geitonia, CY-4007 Lemesos, Cyprus
Tel: +357 258848100
Fax: +357 25848200
E-mail : seafarers@dms.gov.cy

b) The Ministry of Transport and Maritime Affairs of the Government of Montenegro

Position: Capt Vladan Radonjic Independent Advisor 1, Ministry of Transport and Maritime Affairs
Address: Obala 13, jula, 17a, 85.000 Bar, Crna Gora
Tel: +382 69 333 252
Fax: +382 30 302 060
E-mail: vladan.radonjic@pomorstvo.me

2. The official of the certificate-issuing Party and the official of the Administration may designate one or more persons to perform on their behalf the functions referred to in Sections 5 and 6 of this Memorandum.

3. The official of the Administration and the official of the certificate-issuing Party will each communicate to the other the list of the persons they designated in accordance with point 2.

Section 2

Scope

This Memorandum establishes the arrangements applicable with respect to seafarers holding certificates issued by or under the authority of the certificate-issuing Party, in accordance with the relevant provisions of the STCW Convention and serving on board ships flying the flag of Cyprus.

Section 3

Inspection of facilities and review of procedures

1. The Administration may in accordance with the provisions of Regulation I/10 of the STCW Convention subject to the consent of the certificate-issuing Party, visit the facilities, observe the procedures or review the policies which have been approved or employed by the certificate-issuing Party for meeting the requirements of the STCW Convention regarding:

- standards of competence;
- training;
- the issue, endorsement, revalidation and revocation of certificates;
- record-keeping;
- medical standards;
- quality standards;
- communication and response process to requests for verifications.

2. When requesting a visit, the Administration will observe the following conditions:

- a request to visit facilities will be forwarded in writing, by telefax or by email, by the official of the Administration, to the official of the certificate issuing Party at least thirty (30) days before the intended date of visit;
- the request will list the motives which, in the view of the Administration, make it necessary to carry out a visit;
- the request will name the specific facility or facilities which the Administration intends to visit;
- the request will contain the names of the officials taking part in the visit and their position in the Administration;
- the Administration will communicate the results of any evaluation carried out pursuant to the provisions of this Section to the certificate-issuing Party within three (3) months from its completion.

Section 4

Access to reports

The certificate issuing Party will endeavor to make available to the Administration:

- the results of quality standards evaluations conducted in accordance with Regulation I/8 of the STCW Convention;

- the reports of the steps taken by the certificate-issuing Party to implement any subsequent amendments to the STCW Convention and STCW Code (hereinafter "Code") in accordance with Section A-I/7 of the Code.

Section 5

Verification of authenticity and validity or contents of certificates

1. The Administration may, after registration, verify the authenticity and validity of the certificates issued by the certificate-issuing Party by an on-line system in accordance with Regulation I/2.16 of the STCW Convention provided by the certificate-issuing Party.
2. The Administration will notify the certificate-issuing Party without delay, via facsimile or electronic mail, of any points that may arise from the verification of the authenticity and validity of certificates and which need further clarification.
3. The certificate-issuing Party when confirming the validity and authenticity of a certificate, will also inform the Administration if the certificate in question has been issued on the basis of a certificate issued by a third Party, giving details of the underlying certificate. (Issuing Authority, certificate type, certificate number, date of issue and limitations if any)

Section 6

Suspension, revocation and withdrawal of recognition endorsements

1. The Administration may refuse the issue of recognition endorsement, required pursuant to regulation I/2 of the STCW Convention, to a duly certificated seafarer on account of a disciplinary offence or any other cause as provided for in the legislation of the Republic of Cyprus and will advise via facsimile or electronic mail the certificate-issuing Party of such occurrence within seven (7) days.
2. The Administration may suspend, revoke or withdraw a recognition endorsement issued in accordance with Regulation I/2 of the STCW Convention, on account of a disciplinary offence or any other cause as provided for in the legislation of the Government of Montenegro and if it does so it will advise the certificate-issuing Party of such occurrence within seven (7) days.
3. The certificate-issuing Party, upon suspension, revocation or withdrawal of any certificate issued by it in accordance with the STCW Convention, will advise via facsimile or electronic mail the Administration, of such occurrence within seven (7) days.

Section 7

Notification of any significant changes

The certificate-issuing Party was acknowledged by the Maritime Safety Committee of the International Maritime Organization as having given full and complete effect to the relevant provisions of the STCW78 Convention as amended, after forwarding to the Secretary-General of the International Maritime Organization information pursuant to regulations I/7 and I/8 of the STCW Convention.

The certificate-issuing Party will notify the Administration of any significant changes in the arrangements for training and certification provided in compliance with the STCW Convention within thirty (30) days from the application of such changes. Significant changes will be understood to include:

- changes in the position, address or access information of the official responsible for implementing this Memorandum, or
- changes affecting the procedures set forth in this Memorandum, or
- changes that amount to substantial differences from the information communicated to the Secretary-General pursuant to the Section A-I/7 of the STCW Convention.

The Administration, will notify the certificate-issuing Party within thirty (30) days of any changes in the position, address or access to information of the Official responsible for implementing this, or changes affecting the procedures set forth in this Memorandum.

Section 8

Validity

This Arrangement will continue to have effect for an initial period of five years and will be subsequently extended for periods of five years unless terminated by either Participant in accordance with Section 9 of this Memorandum.

Section 9

Termination of the Arrangement

1. This Memorandum may be terminated by either Participant at 12 months written notice communicated to the other Participant.

2. This Memorandum may be terminated by either Participant at thirty (30) days written notice communicated to the other Participant, provided one of the following occurs:

- the certificate-issuing Party fails to maintain in accordance with Regulation I/7, 2, its position in the so-called "White List" (List of countries found by the International Maritime Organization to give full and complete effect to the relevant provisions of the STCW Convention);
- refusal of the certificate-issuing Party to allow the inspection of its facilities and the review of its procedures in accordance with Section 3, point 1, of this Memorandum

3. The other Participant may reply to the communication referred to in point 2 within 30 days from the date of the communication of the written notice.

Section 10

Amendments

This Memorandum may be amended in written form by mutual consent of the Participants. Any Amendment will enter into effect in compliance with Section 11 and will be considered as an integral part of this Memorandum.

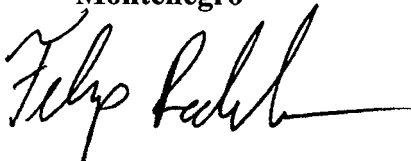
Section 11

Entry into effect

This Memorandum will come into effect on the date of the signature by the Participants.

SIGNED on2024 in in two original copies in English.

**For the Government of
Montenegro**



**Mr. Filip Radulović
Minister of Transport and
Maritime Affairs**

**For the Government of the
Republic of Cyprus**



**Ms. Marina Hadjimanolis
Shipping Deputy Minister to the
President of the Republic of Cyprus**