

法規名稱：AGREEMENT CONCERNING THE RECOGNITION OF TRAINING AND CERTIFICATION OF SEAFARERS FOR SERVICE ON TUVALU FLAGGED VESSELS UNDER THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978. BETWEEN THE GOVERNMENT OF THE REPUBLIC OF CHINA (TAIWAN) AND THE GOVERNMENT OF TUVALU

簽訂日期：民國 108 年 05 月 03 日

生效日期：民國 108 年 05 月 03 日

This Agreement is made between the Government of the Republic of China (Taiwan) as represented by the Ministry of Transport and Communications and the Government of Tuvalu as represented by the Ministry of Communication and Transport (hereinafter referred to individually as “ Party ” and collectively as “ Parties ”)

ARTICLE 1

This Agreement is for the recognition of national certificates and is made in accordance with the terms of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended (hereinafter referred to as “ STCW ”). This Agreement is made without prejudice to the existing laws and regulations in force in the Parties.

For the purposes of this Agreement:

- (a) The term “ Taiwanese Administration ” means “ the Ministry of Transport and Communications, the Republic of China (Taiwan). ”
- (b) The term “ Tuvalu Administration ” means “ the Ministry of Communication and Transport, Tuvalu ” .

ARTICLE 3

The Parties, having regard to the provisions of Regulation I/10 of STCW, including the relevant provisions in the STCW Code, undertake that:

- I. The Taiwanese Administration is the Party whose national certificates are to be recognised, and the Tuvalu Administration is the Party that will provide its endorsements as evidence of such recognition.
- II. In order for its training to be recognized for certification pursuant to Section A - I/10 of the STCW Code, the Taiwanese Administration shall have communicated its seafarers' training to the Tuvalu Administration as outlined by Regulation I/7 of STCW Convention and by Section A-I/7 of the STCW Code for review and confirmation by the Tuvalu Administration that the information provided demonstrates the full and complete effect is being given to the provision of the Convention.
- III. The Taiwanese Administration shall ensure that the training and assessment of seafarers as required under STCW are administered and monitored in accordance with the provisions of Regulation I/6 of STCW and Section A-I/6 of the STCW Code and that a register or registers of all certificates and endorsements is maintained and the information will be made available as required by Regulation I/9 of STCW. Similarly, the Taiwanese Administration shall ensure that those who are responsible for and provide such training and assessment are qualified in accordance with the provisions of Regulation I/6 of STCW and Section A-I/6 of the STCW Code for the type and level of training or assessment involved.
- IV. In accordance with Regulation I/10.1.1 of STCW, the Taiwanese Administration shall allow the Tuvalu Administration to undertake periodic inspection of its approved facilities and procedures, and that it will make materials and training facilities available for inspection and review when requested. Similarly, the Taiwanese Administration shall allow the Tuvalu Administration to have access to the results of the quality standards evaluations conducted in accordance with Regulation I/8 of STCW and

Section A-I/8 of the STCW Code.

- V. The Taiwanese Administration shall notify the Tuvalu Administration within ninety (90) days of any significant change in the arrangements for training and certification applied under its Administration in accordance with STCW, and in particular Regulation I/10.1.2. The significant changes include:
- (a) Changes in the contact details of the official responsible for authentication checks; and
 - (b) Changes affecting the procedures set forth in this Agreement.
- VI. The Taiwanese Administration and the Tuvalu Administration acknowledge that endorsements provided by the Tuvalu Administration as evidence of such recognition under this Agreement shall not be used as the basis for further recognition by another Administration in accordance with Regulation I/10.6 of STCW.
- VII. Where the Tuvalu Administration withdraws its recognition of a certificate issued by the Taiwanese Administration for disciplinary reasons, the Tuvalu Administration shall notify the Taiwanese Administration of the circumstances of such withdrawals.

ARTICLE 4

This Agreement shall enter into force on the date of the last signature and shall remain in force for a period of five (5) years.

ARTICLE 5

Either Party may terminate this Agreement at any time by giving written notice of at least twelve (12) months prior to the date on which it intends that this Agreement will cease to be in force. Unless either Party has given notice of termination at least twelve (12) months before the date of its expiration, this Agreement shall be automatically extended for successive period



of five (5) years.

IN WITNESS WHEREOF, the undersigned, being duly authorised by their respective Governments, have signed this Agreement.

Done in duplicate in the English language.

For the
GOVERNMENT OF
THE REPUBLIC OF
CHINA (TAIWAN)

Chia-Lung Lin

MINISTER OF
COMMUNICATION
AND TRANSPORT

Dated: 2019/05/03

Place: Taipei

For the
GOVERNMENT OF
TUVALU

Monise Tuivaka Laafai

MINISTER OF
TRANSPORTATION
AND
COMMUNICATIONS

Date: 2019/05/03

Place: Taipei