

**AN UNDERTAKING**

**CONCERNING**

**THE RECOGNITION OF TRAINING AND CERTIFICATION OF**

**SEAFARERS FOR SERVICE ON BOARD**

**VESSELS REGISTERED IN LUXEMBOURG**

**BETWEEN**

**THE VIETNAM MARITIME ADMINISTRATION,**

**MINISTRY OF TRANSPORT**

**OF**

**VIETNAM**

**AND THE**

**COMMISSARIAT AUX AFFAIRES MARITIMES**

**OF**

**LUXEMBOURG**

## AN UNDERTAKING

The present Undertaking is made pursuant to Regulation I/10, paragraph 1.2 of the annex to the International Convention on Standards of Training, Certification and Watchkeeping for seafarers, 1978, as amended in 1995, (the STCW Convention) and Section A-1/10 of the STCW Code, between the Vietnam Maritime Administration, Ministry of Transport of Viet Nam and the Commissariat aux affaires maritimes of Luxembourg.

For the purposes of this Undertaking the term "Certificate Issuing Party" shall mean the Viet Nam Maritime Administration, Ministry of Transport of Viet Nam, the national administration responsible for regulating the STCW Convention in Viet Nam, and the term "Administration" shall mean the Commissariat aux affaires maritimes, the national administration responsible for regulating the STCW Convention in Luxembourg.

It is agreed that the "Certificate Issuing Party" is the Party whose national certificates of competency are to be recognized by endorsement, and the "Administration" is the Party that will issue the endorsement.

The Parties, recognizing the importance of the STCW Convention and without prejudice to the National Laws of either Party, enter into this Undertaking for the purpose of ensuring that the requirements of Regulation I/10, paragraph 1.2 of the Convention are complied with as follows.

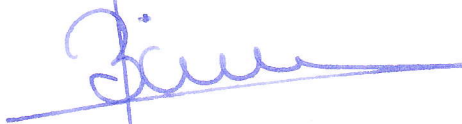
1. The "Certificate Issuing Party" shall :
  - a. provide the "Administration" with details of the arrangements for the training and certification of seafarers, as requested so as to ensure that the education, training and assessment of seafarers, as required by the STCW Convention, are administered and monitored in accordance with the provisions of Section A-I/6 of the STCW Code and that those who are responsible for training and assessment are appropriately qualified in accordance with the provisions of Section A-I/6 of the STCW Code;
  - b. allow the "Administration" to undertake periodic inspection of approved facilities and procedures, when requested, in accordance with Regulation I/10.1.1 of the annex to STCW Convention, as well as provide an access to the results of the quality standards evaluations conducted in accordance with Regulation I/8 of the annex to STCW Convention;
  - c. notify the "Administration" within ninety (90) days of any significant change in the arrangements for training and certification provided in compliance with the STCW Convention and in particular with Regulation I/10.1.2 thereof. The significant changes include :
    - changes in the contact details of the competent authority on issues arising of this Undertaking;
    - changes affecting the procedures set forth in this Undertaking;

- changes that amount to substantial differences from the information communicated to the Secretary-General of the International Maritime Organization pursuant to Section A-I/7 of the STCW Code.
  - d. provide without delay confirmation of the status and validity of any certificate of competency issued by it whenever the "Administration" should request such information.
2. The "Administration" shall :
- a. provide the "Certificate Issuing Party" with details of their national maritime legislation as required in Regulation I/10.2 of the annex to STCW Convention;
  - b. notify and provide with details the "Certificate Issuing Party" of any certificate that appears to be fraudulent or otherwise unacceptable;
  - c. notify the "Certificate Issuing Party" of the circumstances underlying any decision to withdraw, suspend or revoke on the grounds of misconduct or incompetence or any other reason an endorsement recognizing a certificate of competency issued by the "certificate issuing Party";
  - d. maintain comprehensive register of endorsements issued in accordance with the requirements of Regulation I/9.4 of the annex to the STCW Convention and provide with details, upon request from the "Certificate Issuing Party".

The present Undertaking shall enter into force on the date on which it has been signed by both Parties and shall remain in force for a period of five (5) years. It may be terminated by either Party at any time after written notice of at least six months prior to the date on which it intends that the Undertaking cease to be in force. Unless notice of termination has been given by either Party, this Undertaking shall be automatically extended for successive periods of five (5) years.

For the Administration

Robert BIWER  
Government Commissioner  
for maritime affairs - Ministry  
of Economy & Foreign Trade

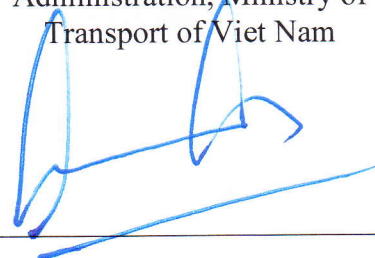


Luxembourg

Date: 17 March 2010

For the Certificate Issuing Party

Do Duc Tien  
Deputy Director General of  
Vietnam Maritime  
Administration, Ministry of  
Transport of Viet Nam



Hanoi

Date: 12 April 2010