

No. 23642

MULTILATERAL

International Convention relating to the limitation of the liability of owners of sea-going ships (with protocol of signature). Concluded at Brussels on 10 October 1957

Protocol amending the above-mentioned Convention. Concluded at Brussels on 21 December 1979

Authentic texts: French and English.

Registered by Belgium on 2 December 1985.

MULTILATÉRAL

Convention internationale sur la limitation de la responsabilité des propriétaires de navires de mer (avec protocole de signature). Conclue à Bruxelles le 10 octobre 1957

Protocole portant modification de la Convention susmentionnée. Conclu à Bruxelles le 21 décembre 1979

Textes authentiques : français et anglais.

Enregistrés par la Belgique le 2 décembre 1985.

INTERNATIONAL CONVENTION¹ RELATING TO THE LIMITATION OF THE LIABILITY OF OWNERS OF SEA-GOING SHIPS

The High Contracting Parties,

Having recognised the desirability of determining by agreement certain uniform rules relating to the limitation of the liability of owners of sea-going ships;

Have decided to conclude a Convention for this purpose, and thereto have agreed as follows:

Article 1. (1) The owner of a sea-going ship may limit his liability in accordance with Article 3 of this Convention in respect of claims arising from any of the following occurrences, unless the occurrence giving rise to the claim resulted from the actual fault or privity of the owner:

¹ Came into force on 31 May 1968, i.e., 6 months after the date of deposit with the Government of Belgium of at least 10 instruments of ratification, of which at least 5 had been deposited by States that had each a tonnage equal or superior to 1 million gross tons of tonnage, in accordance with article 11 (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>	
Denmark*	1 March	1965
Finland*	19 August	1964
France	7 July	1959
(With a declaration of territorial application effected on 8 December 1966 in respect of New Hebrides**. With effect from 21 May 1968.)		
Iran	26 April	1966
Israel*	30 November	1967
Netherlands*	10 December	1965
(For the Kingdom in Europe.)		
Norway*	1 March	1965
Spain*	16 July	1959
Sweden*	4 June	1964
Switzerland	21 January	1966
United Kingdom of Great Britain and Northern Ireland*	18 February	1959
(With the following declarations of territorial application effected on the dates indicated hereinafter:		
In respect of the Isle of Man	18 November	1960
In respect of Singapore	17 April	1963
In respect of the Bahamas, Ellice Islands, Mauritius, Fiji, Gilbert Islands, Solomon Islands, Seychelles, Bermuda, British Antarctic Territories, British Honduras, Falkland Islands and dependencies, Gibraltar, Hong Kong and British Virgin Islands	21 August	1964
In respect of the Bailiwicks of Guernsey and Jersey*	21 October	1964
In respect of Barbados, Dominica, Grenada, Saint Lucia, Cayman Islands, Montserrat, Saint Vincent, Turks and Caicos Islands	4 August	1965
In respect of Guiana	25 March	1965
In respect of New Hebrides**)	8 December	1966)

In addition, the Convention also came into force on 31 May 1968 in respect of the following acceding States, in accordance with article 12:

<i>State</i>	<i>Date of deposit of the instrument of accession</i>	
Algeria	18 August	1964
United Arab Republic*	7 September	1965
Ghana*	26 July	1961
Madagascar	13 July	1965
Zaire*	17 July	1967

(Continued on page 82)

- (a) Loss of life of, or personal injury to, any person being carried in the ship, and loss of, or damage to, any property on board the ship;
- (b) Loss of life of, or personal injury to, any other person, whether on land or on water, loss of or damage to any other property or infringement of any rights caused by the act, neglect or default of any person on board the ship for whose act, neglect or default the owner is responsible or any person not on board the ship for whose act, neglect or default the owner is responsible: Provided however that in regard to the act, neglect or default of this last class of person, the owner shall only [be] entitled to limit his liability when the act, neglect or

(Footnote 1 continued from page 81)

Subsequently, the Convention entered into force in respect of the following States on the dates indicated, i.e., six months after the date of deposit of their instrument of ratification, accession or territorial application with the Government of Belgium, in accordance with article 11(2):

<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>	<i>Date of entry into force</i>
Australia*	30 July 1980	30 January 1981
Belgium	31 July 1975	31 January 1976
German Democratic Republic*	14 February 1979 ^a	14 August 1979
Germany, Federal Republic of*	6 October 1972	6 April 1973
Iceland*	16 October 1968	16 April 1969
India*	1 June 1971	1 December 1971
Japan*	1 March 1976	1 September 1976
Monaco*	24 January 1977 ^a	24 July 1977
Papua New Guinea*	14 March 1980 ^a	14 September 1980
Poland	1 December 1972	1 June 1973
Portugal*	8 April 1968	8 October 1968
Syrian Arab Republic	10 July 1972 ^a	10 January 1973
Tonga*	13 June 1978 ^a	13 December 1978

Furthermore, the following territories for which the Convention entered into force in accordance with article 14 (1) and which became independent deposited a notification of succession to the Convention:

<i>State</i>	<i>Date of deposit of the notification of succession</i>
Fiji*** (With effect from 10 October 1970.)	22 August 1972
Solomon Islands (With effect from 7 July 1978.)	17 September 1981
Singapore*** (With effect from 31 May 1968.)	13 September 1977

Finally, the following States denounced the Convention on the dates indicated hereunder, in accordance with article 13:

<i>State</i>	<i>Date of deposit of the notification of denunciation</i>
Japan (With effect from 20 May 1984.)	19 May 1983
Denmark	} 1 April 1984
Finland	
Norway	
Sweden (With effect from 1 April 1985.)	
Egypt (With effect from 8 May 1985.)	8 May 1984

* See p. 99 of this volume for the texts of the declarations and reservations made upon ratification, accession and territorial application.

** Territorial application effected for the New Hebrides (British and French condominium) by the United Kingdom of Great Britain and Northern Ireland and France, in accordance with article 14 (1) and following an agreement between the British and French Governments.

*** See p. 110 of this volume for the texts of the declarations and reservations made upon succession.

default is one which occurs in the navigation or the management of the ship or in the loading, carriage or discharge of its cargo or in the embarkation, carriage or disembarkation of its passengers;

- (c) Any obligation or liability imposed by any law relating to the removal of wreck and arising from or in connection with the raising, removal or destruction of any ship which is sunk, stranded or abandoned (including anything which may be on board such ship) and any obligation or liability arising out of damage caused to harbour works, basins and navigable waterways.

(2) In the present Convention the expression "personal claims" means claims resulting from loss of life and personal injury; the expression "property claims" means all other claims set out in paragraph (1) of this Article.

(3) An owner shall be entitled to limit his liability in the cases set out in paragraph (1) of this Article even in cases where his liability arises, without proof of negligence on the part of the owner or of persons for whose conduct he is responsible, by reason of his ownership, possession, custody or control of the ship.

(4) Nothing in this Article shall apply:

- (a) To claims for salvage or to claims for contribution in general average;
- (b) To claims by the Master, by members of the crew, by any servants of the owner on board the ship or by servants of the owner whose duties are connected with the ship, including the claims of their heirs, personal representatives or dependents, if under the law governing the contract of service between the owner and such servants the owner is not entitled to limit his liability in respect of such claims or if he is by such law only permitted to limit his liability to an amount greater than that provided for in Article 3 of this Convention.

(5) If the owner of a ship is entitled to make a claim against a claimant arising out of the same occurrence, their respective claims shall be set off against each other and the provisions of this Convention shall only apply to the balance, if any.

(6) The question upon whom lies the burden of proving whether or not the occurrence giving rise to the claim resulted from the actual fault or privity of the owner shall be determined by the *lex fori*.

(7) The act of invoking limitation of liability shall not constitute an admission of liability.

Article 2. (1) The limit of liability prescribed by Article 3 of this Convention shall apply to the aggregate of personal claims and property claims which arise on any distinct occasion without regard to any claims which have arisen or may arise on any other distinct occasion.

(2) When the aggregate of the claims which arise on any distinct occasion exceeds the limits of liability provided for by Article 3 the total sum representing such limits of liability may be constituted as one distinct limitation fund.

(3) The fund thus constituted shall be available only for the payment of claims in respect of which limitation of liability can be invoked.

(4) After the fund has been constituted, no claimant against the fund shall be entitled to exercise any right against any other assets of the shipowner in respect of his claim against the fund, if the limitation fund is actually available for the benefit of the claimant.

Article 3. (1) The amounts to which the owner of a ship may limit his liability under Article 1 shall be:

- (a) Where the occurrence has only given rise to property claims an aggregate amount of 1,000 francs for each ton of the ship's tonnage;
- (b) Where the occurrence has only given rise to personal claims an aggregate amount of 3,100 francs for each ton of the ship's tonnage;
- (c) Where the occurrence has given rise both to personal claims and property claims an aggregate amount of 3,100 francs for each ton of the ship's tonnage, of which a first portion amounting to 2,100 francs for each ton of the ship's tonnage shall be exclusively appropriated to the payment of personal claims and of which a second portion amounting to 1,000 francs for each ton of the ship's tonnage shall be appropriated to the payment of property claims: Provided however that in cases where the first portion is insufficient to pay the personal claims in full, the unpaid balance of such claims shall rank rateably with the property claims for payment against the second portion of the fund.

(2) In each portion of the limitation fund the distribution among the claimants shall be made in proportion to the amounts of their established claims.

(3) If before the fund is distributed the owner has paid in whole or in part any of the claims set out in Article 1, paragraph (1), he shall *pro tanto* be placed in the same position in relation to the fund as the claimant whose claim he has paid, but only to the extent that the claimant whose claim he has paid would have had a right of recovery against him under the national law of the State where the fund has been constituted.

(4) Where the shipowner establishes that he may at a later date be compelled to pay in whole or in part any of the claims set out in Article 1, paragraph (1), the Court or other competent authority of the State where the fund has been constituted may order that a sufficient sum shall be provisionally set aside to enable the shipowner at such later date to enforce his claim against the fund in the manner set out in the preceding paragraph.

(5) For the purpose of ascertaining the limit of an owner's liability in accordance with the provisions of this Article the tonnage of a ship of less than 300 tons shall be deemed to be 300 tons.

(6) The franc mentioned in this Article shall be deemed to refer to a unit consisting of sixty-five and a half milligrams of gold of millesimal fineness nine hundred. The amounts mentioned in paragraph (1) of this Article shall be converted into the national currency of the State in which limitation is sought on the basis of the value of that currency by reference to the unit defined above at the date on which the shipowner shall have constituted the limitation fund, made the payment or given a guarantee which under the law of that State is equivalent to such payment.

(7) For the purpose of this Convention tonnage shall be calculated as follows:

- In the case of steamships or other mechanically propelled ships there shall be taken the net tonnage with the addition of the amount deducted from the gross tonnage on account of engine room space for the purpose of ascertaining the net tonnage;
- In the case of all other ships there shall be taken the net tonnage.

Article 4. Without prejudice to the provisions of Article 3, paragraph (2), of this Convention, the rules relating to the constitution and distribution of the limita-

tion fund, if any, and all rules of procedure shall be governed by the national law of the State in which the fund is constituted.

Article 5. (1) Whenever a shipowner is entitled to limit his liability under this Convention, and the ship or another ship or other property in the same ownership has been arrested within the jurisdiction of a Contracting State or bail or other security has been given to avoid arrest, the Court or other competent authority of such State may order the release of the ship or other property or of the security given if it is established that the shipowner has already given satisfactory bail or security in a sum equal to the full limit of his liability under this Convention and that the bail or other security so given is actually available for the benefit of the claimant in accordance with his rights.

(2) Where, in circumstances mentioned in paragraph (1) of this Article, bail or other security has already been given:

- (a) At the port where the accident giving rise to the claim occurred;
- (b) At the first port of call after the accident if the accident did not occur in a port;
- (c) At the port of disembarkation or discharge if the claim is a personal claim or relates to damage to cargo;

the Court or other competent authority shall order the release of the ship or the bail or other security given, subject to the conditions set forth in paragraph (1) of this Article.

(3) The provisions of paragraphs (1) and (2) of this Article shall apply likewise if the bail or other security already given is in a sum less than the full limit of liability under this Convention: Provided that satisfactory bail or other security is given for the balance.

(4) When the shipowner has given bail or other security in a sum equal to the full limit of his liability under this Convention such bail or other security shall be available for the payment of all claims arising on a distinct occasion and in respect of which the shipowner may limit his liability.

(5) Questions of procedure relating to actions brought under the provisions of this Convention and also the time limit within which such actions shall be brought or prosecuted shall be decided in accordance with the national law of the Contracting State in which the action takes place.

Article 6. (1) In this Convention the liability of the shipowner includes the liability of the ship herself.

(2) Subject to paragraph (3) of this Article, the provisions of this Convention shall apply to the charterer, manager and operator of the ship, and to the master, members of the crew and other servants of the owner, charterer, manager or operator acting in the course of their employment, in the same way as they apply to an owner himself: Provided that the total limits of liability of the owner and all such other persons in respect of personal claims and property claims arising on a distinct occasion shall not exceed the amounts determined in accordance with Article 3 of this Convention.

(3) When actions are brought against the master or against members of the crew such persons may limit their liability even if the occurrence which gives rise to the claims resulted from the actual fault or privity of one or more of such persons. If, however, the master or member of the crew is at the same time the owner, co-owner,

charterer, manager or operator of the ship the provisions of this paragraph shall only apply where the act, neglect or default in question is an act, neglect or default committed by the person in question in his capacity as master or as member of the crew of the ship.

Article 7. This Convention shall apply whenever the owner of a ship, or any other person having by virtue of the provisions of Article 6 hereof the same rights as an owner of a ship, limits or seeks to limit his liability before the Court of a Contracting State or seeks to procure the release of a ship or other property arrested or the bail or other security given within the jurisdiction of any such State.

Nevertheless, each Contracting State shall have the right to exclude, wholly or partially, from the benefits of this Convention any non-Contracting State, or any person who, at the time when he seeks to limit his liability or to secure the release of a ship or other property arrested or the bail or other security in accordance with the provisions of Article 5 hereof, is not ordinarily resident in a Contracting State, or does not have his principal place of business in a Contracting State, or any ship in respect of which limitation of liability or release is sought which does not at the time specified above fly the flag of a Contracting State.

Article 8. Each Contracting State reserves the right to decide what other classes of ship shall be treated in the same manner as seagoing ships for the purposes of this Convention.

Article 9. This Convention shall be open for signature by the States represented at the tenth session of the Diplomatic Conference on Maritime Law.

Article 10. This Convention shall be ratified and the instruments of ratification shall be deposited with the Belgian Government which shall notify through diplomatic channels all signatory and acceding States of their deposit.

Article 11. (1) This Convention shall come into force six months after the date of deposit of at least ten instruments of ratification, of which at least five shall have been deposited by States that have each a tonnage equal or superior to one million gross tons of tonnage.

(2) For each signatory State which ratifies the Convention after the date of deposit of the instrument of ratification determining the coming into force such as is stipulated in paragraph (1) of this Article, this Convention shall come into force six months after the deposit of their instrument of ratification.

Article 12. Any State not represented at the tenth session of the Diplomatic Conference on Maritime Law may accede to this Convention.

The instruments of accession shall be deposited with the Belgian Government which shall inform through diplomatic channels all signatory and acceding States of the deposit of any such instruments.

The Convention shall come into force in respect of the acceding State six months after the date of the deposit of the instrument of accession of that State, but not before the date of entry into force of the Convention as established by Article 11 (1).

Article 13. Each High Contracting Party shall have the right to denounce this Convention at any time after the coming into force thereof in respect of such High

Contracting Party. Nevertheless, this denunciation shall only take effect one year after the date on which notification thereof has been received by the Belgian Government which shall inform through diplomatic channels all signatory and acceding States of such notification.

Article 14. (1) Any High Contracting Party may at the ratification of or accession to this Convention or at any time thereafter declare by written notification to the Belgian Government that the Convention shall extend to any of the territories for whose international relations it is responsible. The Convention shall six months after the date of the receipt of such notification by the Belgian Government extend to the territories named therein, but not before the date of the coming into force of this Convention in respect of such High Contracting Party.

(2) Any High Contracting Party which has made a declaration under paragraph (1) of this Article extending the Convention to any territory for whose international relations it is responsible may at any time thereafter declare by notification given to the Belgian Government that the Convention shall cease to extend to such territory. This denunciation shall take effect one year after the date on which notification thereof has been received by the Belgian Government.

(3) The Belgian Government shall inform through diplomatic channels all signatory and acceding States of any notification received by it under this Article.

Article 15. Any High Contracting Party may three years after the coming into force of this Convention in respect of such High Contracting Party or at any time thereafter request that a Conference be convened in order to consider amendments to this Convention.

Any High Contracting Party proposing to avail itself of this right shall notify the Belgian Government which shall convene the Conference within six months thereafter.

Article 16. In respect of the relations between States which ratify this Convention or accede to it, this Convention shall replace and abrogate the International Convention for the unification of certain rules concerning the limitation of the liability of the owners of sea-going ships, signed at Brussels, on the 25th of August 1924.¹

IN WITNESS WHEREOF the Plenipotentiaries, duly authorized, have signed this Convention.

DONE at Brussels, this tenth day of October 1957, in the French and English languages, the two texts being equally authentic, in a single copy, which shall remain deposited in the archives of the Belgian Government, which shall issue certified copies.

¹ League of Nations, *Treaty Series*, vol. CXX, p. 123.

Pour la République Fédérale
d'Allemagne :

For the Federal Republic
of Germany:

C. F. OPHÜLS
ERNST GESSLER

Pour l'Argentine :

For Argentina:

Pour l'Australie :

For Australia:

[— —]¹

Pour l'Autriche :

For Austria:

Pour la Belgique :

For Belgium:

LILAR

Pour le Brésil :

For Brazil:

HUGO GOUTHIER DE OLIVEIRA GONDIM
Ad referendum

Pour le Canada :

For Canada:

R. R. MACGILLIVRAY
L. J. LEAVEY

Pour la Cité du Vatican :

For the Vatican City:

P. DEMEUR

Pour le Danemark :

For Denmark:

Pour l'Egypte :

For Egypt:

Pour l'Espagne :

For Spain:

El Conde de Casa Miranda
Ad referendum

Pour les Etats-Unis
d'Amérique :

For the United States
of America:

¹ The name of the signatory could not be determined — Le nom du signataire n'a pu être déterminé.

Pour la Finlande :

For Finland:

[— —]¹

Pour la France :

For France:

H. DE LAGENESTE

Pour le Royaume-Uni
de Grande-Bretagne
et d'Irlande du Nord :For the United Kingdom
of Great Britain
and Northern Ireland:

GEORGE P. LABOUCHERE

Pour la Grèce :

For Greece:

Pour l'Inde :

For India:

B. N. KAUL
R. E. KUMANASubject to acceptance by the Government of India²

Pour l'Indonésie :

For Indonesia:

Pour l'Iran :

For Iran:

[— —]¹

Pour Israël :

For Israel:

GIDEON RAFAEL
IZAAK MINTZ
Ad referendum

Pour l'Italie :

For Italy:

ROBERTO SANDIFORD

Pour le Japon :

For Japan:

Pour la Norvège :

For Norway:

[— —]¹

Pour les Pays-Bas :

For the Netherlands:

E. TEIXEIRA DE MATTOS
R. P. CLEVERINGA¹ The name of the signatory could not be determined — Le nom du signataire n'a pu être déterminé.² Sous réserve d'acceptation par le Gouvernement indien.

Pour le Pérou :	For Peru:
PABLO ABRIL DE VIVERO	
Pour la Pologne :	For Poland:
T. OCIOZYNSKI	
Pour le Portugal :	For Portugal:
EDUARDO VIEIRA LEITAO J. A. CORRÊA DE BARROS <i>Ad referendum</i>	
Pour la Suède :	For Sweden:
STURE PETRÉN	
Pour la Suisse :	For Switzerland:
G. JACCARD	
Pour l'Union des Républiques Socialistes Soviétiques :	For the Union of Soviet Socialist Republics:
Pour le Venezuela :	For Venezuela:
Pour la Yougoslavie :	For Yugoslavia:
M. DRAGUSTIN	

PROTOCOL OF SIGNATURE

(1) Any State, at the time of signing, ratifying or acceding to this Convention, may make any of the reservations set forth in paragraph (2). No other reservations to this Convention shall be admissible.

(2) The following are the only reservations admissible:

- (a) Reservation of the right to exclude the application of Article 1, paragraph (1) (c).
- (b) Reservation of the right to regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons.
- (c) Reservation of the right to give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

Pour la République Fédérale
d'Allemagne :

For the Federal Republic
of Germany:

C. F. OPHÜLS
ERNST GESSLER

Pour l'Argentine :

For Argentine:

Pour l'Australie :

For Australia:

[— —]¹

Pour l'Autriche :

For Austria:

Pour la Belgique :

For Belgium:

LILAR

Pour le Brésil :

For Brazil:

HUGO GOUTHIER DE OLIVEIRA GONDIM
Ad referendum

Pour le Canada :

For Canada:

R. R. MACGILLIVRAY
L. J. LEAVEY

Pour la Cité du Vatican :

For the Vatican City:

P. DEMEUR

Pour le Danemark :

For Denmark:

Pour l'Egypte :

For Egypt:

Pour l'Espagne :

For Spain:

El Conde de Casa Miranda

Pour les Etats-Unis
d'Amérique :

For the United States
of America:

¹ The name of the signatory could not be determined — Le nom du signataire n'a pu être déterminé.

Pour la Finlande :

For Finland:

[— —]¹

Pour la France :

For France:

H. DE LAGENESTE

Pour le Royaume-Uni
de Grande-Bretagne
et d'Irlande du Nord :

For the United Kingdom
of Great Britain
and Northern Ireland:

GEORGE P. LABOUCHERE

Pour la Grèce :

For Greece:

Pour l'Inde :

For India:

B. N. KAUL

R. E. KUMANA

Subject to acceptance by the Government of India²

Pour l'Indonésie :

For Indonesia:

Pour l'Iran :

For Iran:

[— —]¹

Pour Israël :

For Israel:

GIDEON RAFAEL

IZAACK MINTZ

Ad referendum

Pour l'Italie :

For Italy:

ROBERTO SANDIFORD

Pour le Japon :

For Japan:

Pour la Norvège :

For Norway:

[— —]¹

Pour les Pays-Bas :

For the Netherlands:

E. TEIXEIRA DE MATTOS

R. P. CLEVERINGA

¹ The name of the signatory could not be determined — Le nom du signataire n'a pu être déterminé.

² Sous réserve d'acceptation par le Gouvernement indien.

Pour le Pérou :	For Peru:
PABLO ABRIL DE VIVERO	
Pour la Pologne :	For Poland:
T. OCIOZYNSKI	
Pour le Portugal :	For Portugal:
EDUARDO VIEIRA LEITÃO J. A. CORRÊA DE BARROS <i>Ad referendum</i>	
Pour la Suède :	For Sweden:
STURE PETRÉN Sous les réserves prévues au paragraphe (2) (b) et (c) ¹	
Pour la Suisse :	For Switzerland:
G. JACCARD	
Pour l'Union des Républiques Socialistes Soviétiques :	For the Union of Soviet Socialist Republics:
Pour le Venezuela :	For Venezuela:
Pour la Yougoslavie :	For Yugoslavia:
M. DRAGUSTIN	

¹ Subject to the reservations stipulated in paragraph 2 (b) and (c).

RESERVATIONS AND DECLARATIONS
MADE UPON SIGNATURE

FINLAND

[TRANSLATION — TRADUCTION]

The Government of Finland reserves the right:

1. To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
2. To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

FRANCE

[TRANSLATION — TRADUCTION]

The Government of the French Republic reserves the right:

1. To exclude the application of Article 1, paragraph (1) (c);
2. To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
3. To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

ISRAEL

“The Government of Israel reserves the right to:

- “1) Exclude from the scope of the Convention the obligations and liabilities stipulated in Article 1 (1) (c);

RÉSERVES ET DÉCLARATIONS
FAITES LORS DE LA SIGNATURE

FINLANDE

«Le Gouvernement de Finlande se réserve le droit :

- 1) De régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonnes de jauge;
- 2) De donner effet à la présente Convention soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.»

FRANCE

«Le Gouvernement de la République française se réserve le droit :

- 1) D'exclure l'application de l'article 1, paragraphe (1) (c);
- 2) De régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonnes de jauge;
- 3) De donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.»

ISRAËL

[TRANSLATION¹ — TRANSLATION²]

Le Gouvernement d'Israël se réserve le droit :

- 1) D'exclure du champ d'application de la Convention, les obligations et responsabilités stipulées dans l'article 1 (1) (c);

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

“2) Regulate by provisions of domestic legislation the limitation of liability in respect of ships of less than 300 tons of tonnage.”

2) De régler par les stipulations de sa loi nationale la limitation de la responsabilité en ce qui concerne les navires de moins de 300 tonneaux de jauge.

NETHERLANDS

[TRANSLATION — TRADUCTION]

The Government of the Netherlands reserves the right:

- (1) To exclude the application of Article 1, paragraph (1) (c);
- (2) To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- (3) To give effect to this Convention by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

NORWAY

[TRANSLATION — TRADUCTION]

The Government of the Kingdom of Norway reserves the right to regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons.

The Government of the Kingdom of Norway reserves the right to give effect to this Convention either giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

SPAIN

[TRANSLATION — TRADUCTION]

The Spanish Government reserves the right:

- (1) To exclude the obligations and liabilities under Article 1, paragraph (1) (c), from the scope of the Convention;

PAYS-BAS

«Le Gouvernement des Pays-Bas se réserve le droit :

- 1) D'exclure l'application de l'article 1, paragraphe (1) (c);
- 2) De régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- 3) De donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.»

NORVÈGE

«Le Gouvernement du Royaume de Norvège se réserve le droit de régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge.

Le Gouvernement du Royaume de Norvège se réserve le droit de donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.»

ESPAGNE

«Le Gouvernement espagnol se réserve le droit :

- 1) D'exclure du champ d'application de la Convention les obligations et les responsabilités prévues par l'article 1, paragraphe (1) (c);

- | | |
|--|---|
| <p>(2) To regulate by specific provisions of its national law the system of limitation of liability to be applied to owners of ships of less than 300 tons;</p> <p>(3) To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.</p> | <p>2) De régler par les dispositions particulières de sa loi nationale le système de limitation de responsabilité applicable aux propriétaires de navires de moins de 300 tonneaux de jauge;</p> <p>3) De donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la Convention sous une forme appropriée à cette législation.»</p> |
|--|---|

*SWEDEN**SUÈDE*

[TRANSLATION — TRADUCTION]

The Swedish Government reserves the right:

- (1) To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- (2) To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

«Le Gouvernement suédois se réserve le droit :

- 1) De régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- 2) De donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.

RESERVATIONS AND DECLARATIONS MADE UPON RATIFICATION, ACCESSION (a) OR TERRITORIAL APPLICATION (n)

AUSTRALIA

“... The Government of Australia reserves for and on behalf of Australia the right to exclude the application of Article 1, paragraph (1) (c), of the Convention.”

DENMARK

[TRANSLATION — TRADUCTION]

The Government of Denmark reserves the right:

1. To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
2. To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

UNITED ARAB REPUBLIC (a)

- “1) To exclude the application of Article 1, paragraph (1) (c);
- “2) To regulate by specific provision of national law the system of limitation of liability to be applied to ships of less than 300 tons.”

RÉSERVES ET DÉCLARATIONS FAITES LORS DE LA RATIFICATION, DE L'ADHÉSION (a) OU DE L'APPLICATION TERRITORIALE (n)

AUSTRALIE

[TRADUCTION¹ — TRANSLATION²]

Le Gouvernement de l'Australie se réserve, pour et au nom de l'Australie, le droit d'exclure l'application de l'article 1, paragraphe (1) (c) de la Convention.

DANEMARK

«Le Gouvernement du Danemark se réserve le droit :

- 1) De régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- 2) De donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.»

RÉPUBLIQUE ARABE UNIE (a)

[TRADUCTION¹ — TRANSLATION²]

- 1) D'exclure l'application de l'article 1, paragraphe (1) (c);
- 2) De régler par des dispositions spéciales de la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge.

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

FINLAND

FINLANDE

[TRADUCTION — TRANSLATION]

[*Confirming the reservations made upon signature; see p. 96 of this volume.*]

[*Confirmant les réserves faites lors de la signature; voir p. 96 du présent volume.*]

GERMAN DEMOCRATIC
REPUBLIC (a)

RÉPUBLIQUE DÉMOCRATIQUE
ALLEMANDE (a)

[GERMAN TEXT — TEXTE ALLEMAND]

„Die Deutsche Demokratische Republik stellt fest, daß innerhalb ihrer Territorialgewässer und inneren Seegewässer keine Beschränkung der Haftung im Sinne dieser Konvention bezüglich der Beseitigung von Wracks, der Hebung, Beseitigung oder Vernichtung eines gesunkenen, gestrandeten oder verlassenen Schiffes (einschließlich alles dessen, was sich an Bord befindet) besteht. Die Ansprüche, einschließlich der Haftung, ergeben sich aus den Rechtsvorschriften der Deutschen Demokratischen Republik.“

„Die Deutsche Demokratische Republik wird die Bestimmungen dieser Konvention in einer ihrem innerstaatlichen Recht entsprechenden Form in dieses Recht übernehmen.“

„Die Deutsche Demokratische Republik läßt sich in ihrer Haltung zu den Bestimmungen des Artikels 14 der Konvention, soweit sie die Anwendung der Konvention auf Kolonialgebiete und andere abhängige Territorien, betreffen, von den Festlegungen der Deklaration der Vereinten Nationen über die Gewährung der Unabhängigkeit an die kolonialen Länder und Völker (Res. Nr. 1514 (XV) vom 14. Dezember 1960) leiten, welche die Notwendigkeit einer schnellen und bedingungslosen Beendigung des Kolonialismus in allen seinen Formen und Äußerungen proklamiert.“

[TRANSLATION — TRADUCTION]

The German Democratic Republic states that within its territorial waters and internal maritime waters, there is no limitation of liability within the meaning of this Convention with regard to the removal of wrecks and arising from or in connection with the raising, removal or destruction of any ship which is sunk, stranded or abandoned (including anything which may be on board such ship). Claims, including liability, will be based on the legislation of the German Democratic Republic.

[TRADUCTION¹ — TRANSLATION²]

La République démocratique allemande constate qu'à l'intérieur de ses eaux territoriales et intérieures maritimes, il n'y a aucune limitation de la responsabilité dans le sens de cette Convention à l'égard d'une loi relative à l'enlèvement des épaves et se rapportant au renflouement, à l'enlèvement ou à la destruction d'un navire coulé, échoué ou abandonné (y compris tout ce qui se trouve à bord). Les créances y compris la responsabilité résultent de la législation de la République démocratique allemande.

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

The German Democratic Republic will include in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

The German Democratic Republic is guided in its position on the provisions of Article 14 of the Convention, to the extent that they concern the application of the Convention to colonial territories and other dependent territories, by the provisions of the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly Resolution No. 1514 (XV) of 14 December 1960),¹ which proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations.

*GERMANY,
FEDERAL REPUBLIC OF*

La République démocratique allemande donne effet à la Convention en incluant dans la législation nationale les dispositions de cette Convention sous une forme appropriée à cette législation.

La République démocratique allemande s'inspire, dans sa position à l'égard des dispositions de l'article 14 de la Convention dans la mesure où elles concernent : l'application de la Convention à des colonies et d'autres territoires dépendants des dispositions de la Déclaration des Nations Unies sur l'octroi de l'indépendance aux pays et aux peuples coloniaux [résolution n° 1514 (XV) du 14 décembre 1960]¹ qui proclame la nécessité de mettre rapidement et inconditionnellement fin au colonialisme sous toutes ses formes et dans toutes ses manifestations.

*ALLEMAGNE,
RÉPUBLIQUE FÉDÉRALE D'*

[GERMAN TEXT — TEXTE ALLEMAND]

„... mit der Massgabe, dass die Bestimmungen dieses Übereinkommens durch besondere gesetzliche Regelung in einer dem deutschen Recht angepassten Form übernommen werden, und mit der sich aus Absatz 2 Buchstaben *a* und *b* des Unterzeichnungsprotokolls ergebenden Einschränkung bestätige.“

[TRANSLATION — TRADUCTION]

... subject to the reservation that the provisions of this Convention will be adopted through a specific legal provision in a form appropriate to German law and subject to the reservation set forth in paragraph (2) (*a*) and (*b*) of the Protocol of Signature.

[TRADUCTION² — TRANSLATION³]

... sous réserve que les dispositions de cette Convention internationale soient reprises dans une réglementation légale particulière sous une forme adaptée au droit allemand, ainsi que sous réserve du prescrit du § 2, alinéas *a* et *b* du Protocole de signature.

¹ United Nations, *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16* (A/4684), p. 66.

¹ Nations Unies, *Documents officiels de l'Assemblée générale, quinzième session, Supplément n° 16* (A/4684), p. 70.

² Traduction fournie par le Gouvernement belge.

³ Translation supplied by the Government of Belgium.

GHANA (a)

"The Government of Ghana in acceding to the Convention reserves the right:

- "1) To exclude the application of Article 1, paragraph (1) (c);
- "2) To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- "3) To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention."

ICELAND

"The Government of Iceland reserves the right:

- "1) To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- "2) To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention."

INDIA

With the three following reservations set forth in the Protocol of signature:

- "1) To exclude the application of Article 1, paragraph (1) (c);

GHANA (a)

[TRADUCTION¹ — TRANSLATION²]

Le Gouvernement du Ghana se réserve le droit, en adhérant à la Convention :

- 1) D'exclure l'application de l'article 1, paragraphe (1) (c);
- 2) De régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- 3) De donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.

ISLANDE

[TRADUCTION¹ — TRANSLATION²]

Le Gouvernement de l'Islande se réserve le droit :

- 1) De régler par la loi nationale le système de limitation de la responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- 2) De donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.

INDE

Avec les trois réserves prévues au Protocole de signature :

- [TRADUCTION¹ — TRANSLATION²]
- 1) D'exclure l'application de l'article 1, paragraphe (1) (c);

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

- "2) To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- "3) To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention."
- 2) De régler par loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- 3) De donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.

IRAN

IRAN

[TRANSLATION — TRADUCTION]

The Government of Iran reserves the right :

- (a) To exclude the application of Article 1, paragraph (I) (c);
- (b) To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons;
- (c) To give effect to this Convention either by giving it the force of law or by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

«Le Gouvernement de l'Iran se réserve le droit :

- a) D'exclure l'application de l'article 1, par. (I) (c);
- b) De régler par la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonneaux de jauge;
- c) De donner effet à la présente Convention, soit en lui donnant force de loi soit en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.»

ISRAEL

ISRAËL

[*Confirming the reservation made upon signature; see p. 96 of this volume.*]

[TRADUCTION¹ — TRANSLATION²]

[*Confirmant les réserves faites lors de la signature; voir p. 96 du présent volume.*]

"The Government of Israel reserves to themselves the right to give effect to this Convention either by giving it the force of law or by including in its national legislation, in a form appropriate to that legislation, the provisions of this Convention."

Le Gouvernement d'Israël se réserve le droit de donner effet à la présente Convention, soit en lui donnant force de loi, soit en incluant dans sa législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

JAPAN

[TRANSLATION — TRADUCTION]

In depositing its instrument of ratification, the Japanese Government has made the reservations provided for under paragraph (2) of the Protocol of Signature.

JAPON

«En déposant son instrument de ratification le Gouvernement japonais a fait les réserves prévues au paragraphe 2^o du Protocole de signature.»

MONACO (a)

[TRANSLATION — TRADUCTION]

In depositing its instrument of accession, Monaco has made the reservations provided for under paragraph (2) of the Protocol of Signature.

MONACO (a)

«En déposant son instrument d'adhésion, Monaco fait les réserves prévues au paragraphe 2^o du Protocole de signature.»

NETHERLANDS

[TRANSLATION — TRADUCTION]

...in accordance with paragraph (2) (c) of the Protocol of Signature, we reserve the right to give effect to this Convention by including in national legislation, in a form appropriate to that legislation, the provisions of this Convention.

This ratification applies "to the Kingdom in Europe".

PAYS-BAS

«...conformément au paragraphe (2) (c) du Protocole de signature nous nous réservons [le droit] de donner effet à la présente Convention en incluant dans la législation nationale les dispositions de la présente Convention sous une forme appropriée à cette législation.»

Cette ratification vaut «pour le Royaume en Europe.»

NORWAY

[*Confirming the reservations made upon signature; see p. 97 of this volume.*]

NORVÈGE

[*Confirmant les réserves faites lors de la signature; voir p. 97 du présent volume.*]

PAPUA NEW GUINEA (a)

"(a) The Government of Papua New Guinea excludes paragraph (1) (c) of Article 1.

PAPOUASIE-
NOUVELLE-GUINÉE (a)[TRANSLATION¹ — TRANSLATION²]

(a) Le Gouvernement de Papouasie-Nouvelle-Guinée exclut l'application de l'article 1, paragraphe (1) (c).

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

“(b) The Government of Papua New Guinea will regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons.

“(c) The Government of Papua New Guinea shall give effect to the said Convention by including the provisions of the said Convention in the national legislation of Papua New Guinea.”

(b) Le Gouvernement de Papouasie-Nouvelle-Guinée règlera par des dispositions spéciales de la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonnes de jauge.

(c) Le Gouvernement de Papouasie-Nouvelle-Guinée donnera force de loi à la présente Convention en incluant les dispositions de la présente Convention dans la législation nationale de la Papouasie-Nouvelle-Guinée.

PORTUGAL

PORTUGAL

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

“... com as reservas previstas nas alíneas a), b) e c) do número dois de Protocolo de assinatura, ...”

[TRANSLATION — TRADUCTION]

... with the reservations provided for under paragraph (2) (a), (b) and (c) of the Protocol of Signature, ...

[TRADUCTION¹ — TRANSLATION²]

... avec les réserves prévues aux alinéas a), b) et c) du paragraphe 2 du Protocole de signature, ...

SPAIN

ESPAGNE

[*Confirming the reservations made upon signature; see p. 97 of this volume.*]

[*Confirmant les réserves faites lors de la signature; voir p. 97 du présent volume.*]

SWEDEN

SUÈDE

[SWEDISH TEXT — TEXTE SUÉDOIS]

“Sverige förbehåller sig rätten

- a) Att utesluta tillämpning av artikel 1 (1) (c);
- b) Att genom särskilda bestämmelser i svensk lagstiftning reglera det system för ansvarighetens begränsning, vilket skall tillämpas a fartyg med en dräktighet understigande 300 ton; samt
- c) Att bringa konventionen i tillämpning genom att i svensk lagstiftning upptaga konventionens bestämmelser.”

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

[TRANSLATION — TRADUCTION]

Sweden reserves the right:

- (a) To exclude the application of Article 1, paragraph (1) (c);
- (b) To regulate by specific provisions of Swedish law the system of limitation of liability to be applied to ships of less than 300 tons; and
- (c) To give effect to this Convention by including in Swedish legislation the provisions of the Convention.

TONGA (a)

“(1) In accordance with the provisions of sub-paragraph (a) of paragraph (2) of the Protocol of Signature, the Government of the Kingdom of Tonga exclude paragraph (1) (c) of Article 1 from their application of the said Convention.

“(2) In accordance with the provisions of sub-paragraph (b) of paragraph (2) of the Protocol of Signature, the Government of the Kingdom of Tonga will regulate by specific provisions of national law the system of liability to be applied to ships of less than 300 tons.”

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (n)

“Subject to the following observations:

“(1) In accordance with the provisions of sub-paragraph (a) of paragraph (2) of the said Protocol of Signature, the Government of the United Kingdom of Great Britain and Northern Ireland exclude

[TRADUCTION¹ — TRANSLATION²]

La Suède se réserve le droit :

- a) D'exclure l'application de l'article 1, paragraphe (1) (c);
- b) De régler par la loi suédoise le système de limitation de responsabilité applicable aux navires de moins de 300 tonnes de jauge; et
- c) De donner effet à la Convention en incluant dans la législation suédoise les dispositions de la Convention.

TONGA (a)[TRANSLATION¹ — TRADUCTION²]

(1) Conformément aux dispositions du lit. (a) du paragraphe (2) [du] Protocole de signature, le Gouvernement du Tonga exclut l'application de l'article 1, paragraphe (1) (c), de ladite Convention.

(2) Conformément aux dispositions du lit. (b) du paragraphe (2) du Protocole de signature, le Gouvernement du Royaume du Tonga réglera par dispositions spéciales de sa loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonnes de jauge.

ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD (n)[TRADUCTION¹ — TRANSLATION²]

Sous réserve des observations suivantes :

1) Conformément aux dispositions du lit. (a) du paragraphe (2) dudit protocole de signature, le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord exclut l'application de

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

paragraph (1) (c) of Article 1 from their application of the said Convention.

"2) In accordance with the provisions of sub-paragraph (b) of paragraph (2) of the said Protocol of Signature, the Government of the United Kingdom of Great Britain and Northern Ireland will regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons.

"3) The Government of the United Kingdom of Great Britain and Northern Ireland also reserve the right, in extending the said Convention to any of the territories for whose international relations they are responsible, to make such extension subject to any or all of the reservations set out in paragraph (2) of the said Protocol of Signature. Furthermore, in accordance with the provisions of sub-paragraph (c) of paragraph (2) of the said Protocol of Signature, the Government of the United Kingdom of Great Britain and Northern Ireland declare that the said Convention as such has not been made part of United Kingdom law, but that the appropriate provisions to give effect thereto have been introduced in United Kingdom law."

British Antarctic Territories

"... subject to the same reservations as those made by the United Kingdom on ratification, namely the reservations set out in sub-paragraphs (a) and (b) of paragraph (2) of the Protocol of Signature."

Bahamas

(See under British Antarctic Territories.)

l'article 1, paragraphe (1) (c) de ladite Convention.

2) Conformément aux dispositions du lit. (b) du paragraphe (2) dudit protocole de signature, le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, règlera par dispositions spéciales de sa loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonnes de jauge.

3) Le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord se réserve également le droit d'étendre ladite Convention à tout territoire dont il est chargé d'assurer les relations internationales, de subordonner pareille extension à l'une ou à toutes les réserves énoncées au paragraphe (2) dudit protocole de signature. En outre, conformément aux dispositions du lit. (c) du paragraphe (2) dudit protocole de signature, le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord déclare que ladite Convention, en tant que telle, ne fait pas partie de la législation du Royaume-Uni, mais que les dispositions appropriées pour lui donner effet ont été incluses dans la législation nationale du Royaume-Uni.

Terre Antarctique britannique

[TRADUCTION¹ — TRANSLATION²]

... sous les mêmes réserves que celles formulées par le Royaume-Uni lors de la ratification, à savoir les réserves énoncées au paragraphe (2) lit. (a) et (b) du Protocole de Signature.

Bahamas

(Voir sous Terre Antarctique britannique.)

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

Bailiwicks of Guernsey and Jersey
(See under British Antarctic Territories.)

Barbados
(See under British Antarctic Territories.)

Bermuda
(See under British Antarctic Territories.)

British Honduras
(See under British Antarctic Territories.)

British Virgin Islands
(See under British Antarctic Territories.)

Cayman Islands
(See under British Antarctic Territories.)

Dominica
(See under British Antarctic Territories.)

Falkland Islands
(See under British Antarctic Territories.)

Fiji
(See under British Antarctic Territories.)

Gibraltar
(See under British Antarctic Territories.)

Guyana
(See under British Antarctic Territories.)

Grenada
(See under British Antarctic Territories.)

Bailliages de Guernesey et de Jersey
(Voir sous Terre Antarctique britannique.)

Barbade
(Voir sous Terre Antarctique britannique.)

Bermudes
(Voir sous Terre Antarctique britannique.)

Honduras britannique
(Voir sous Terre Antarctique britannique.)

Iles vierges britanniques
(Voir sous Terre Antarctique britannique.)

Iles Caïman
(Voir sous Terre Antarctique britannique.)

Dominique
(Voir sous Terre Antarctique britannique.)

Iles Falklands
(Voir sous Terre Antarctique britannique.)

Fidji
(Voir sous Terre Antarctique britannique.)

Gibraltar
(Voir sous Terre Antarctique britannique.)

Guyane
(Voir sous Terre Antarctique britannique.)

Grenade
(Voir sous Terre Antarctique britannique.)

Hong Kong
(See under British Antarctic Territories.)

Isle of Man
(See under British Antarctic Territories.)

Gilbert Islands
(See under British Antarctic Territories.)

Mauritius
(See under British Antarctic Territories.)

Montserrat
(See under British Antarctic Territories.)

Saint Lucia
(See under British Antarctic Territories.)

Saint Vincent
(See under British Antarctic Territories.)

Solomon Islands
(See under British Antarctic Territories.)

Seychelles
(See under British Antarctic Territories.)

Turks and Caicos Islands
(See under British Antarctic Territories.)

Ellice Islands
(See under British Antarctic Territories.)

New Hebrides
(See under British Antarctic Territories.)

Hong Kong
(Voir sous Terre Antarctique britannique.)

Ile de Man
(Voir sous Terre Antarctique britannique.)

Iles Gilbert
(Voir sous Terre Antarctique britannique.)

Maurice
(Voir sous Terre Antarctique britannique.)

Montserrat
(Voir sous Terre Antarctique britannique.)

Sainte-Lucie
(Voir sous Terre Antarctique britannique.)

Saint-Vincent
(Voir sous Terre Antarctique britannique.)

Iles Salomon
(Voir sous Terre Antarctique britannique.)

Seychelles
(Voir sous Terre Antarctique britannique.)

Iles Turques et Caïques
(Voir sous Terre Antarctique britannique.)

Iles Ellices
(Voir sous Terre Antarctique britannique.)

Nouvelle Hébrides
(Voir sous Terre Antarctique britannique.)

RESERVATIONS AND DECLARATIONS MADE UPON SUCCESSION

FIJI

[Same reservations as the one made by the United Kingdom of Great Britain and Northern Ireland upon declaration of territorial application; see p. 108.]

“Furthermore, in accordance with the provisions of sub-paragraph (c) of paragraph (2) of the said Protocol of signature, the Government of Fiji declare that the said Convention as such has not been made part [of] Fiji law, but that the appropriate provisions to give effect thereto have been introduced in Fiji law.”

SINGAPORE

“... subject to the following reservations:

- “a) The right to exclude the application of Article 1, paragraph 1 (c);
- “b) To regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons.

“The Government of the Republic of Singapore declares under sub-paragraph (c) of paragraph (2) of the Protocol of Signature that provisions of law have been introduced in the Republic of Singapore to give effect to the Convention, although the Convention as such has not been made part of Singapore law.”

RÉSERVES ET DÉCLARATIONS FAITES LORS DE LA SUCCESSION

FIDJI

[Mêmes réserves que celles faites par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord lors de la déclaration d'application territoriale; voir p. 108.]

En outre, conformément aux dispositions du lit. (c) du paragraphe (2) dudit protocole de signature, le Gouvernement déclare que ladite Convention, en tant que telle, ne fait pas partie de la législation de Fidji, mais que les dispositions appropriées pour lui donner effet ont été incluses dans la législation nationale de Fidji.

SINGAPOUR

[TRADUCTION¹ — TRANSLATION²]

... sous les réserves suivantes :

- a) Le droit d'exclure l'application de l'article 1, paragraphe 1 (c);
- b) De régler par des dispositions spéciales de la loi nationale le système de limitation de responsabilité applicable aux navires de moins de 300 tonnes de jauge.

Le Gouvernement de la République de Singapour déclare que conformément aux dispositions du lit. (c) du paragraphe (2) Protocole de Signature, des dispositions de loi ont été introduites en République de Singapour pour donner effet à cette Convention, quoique la Convention en tant que telle ne fait pas partie de la législation de Singapour.

¹ Traduction fournie par le Gouvernement belge.

² Translation supplied by the Government of Belgium.

PROTOCOL¹ AMENDING THE INTERNATIONAL CONVENTION RELATING TO THE LIMITATION OF THE LIABILITY OF OWNERS OF SEA-GOING SHIPS DATED 10 OCTOBER 1957²

The Contracting Parties to the present Protocol,
Being Parties to the International Convention relating to the limitation of the liability of owners of sea-going ships, done at Brussels on 10th October 1957,
Have agreed as follows:

Article I. For the purpose of this Protocol, "Convention" means the International Convention relating to the limitation of the liability of owners of sea-going ships and its Protocol of Signature, done at Brussels on 10th October 1957.

Article II. (1) Article 3, paragraph (1), of the Convention is replaced by the following:

"(1) The amounts to which the owner of a ship may limit his liability under Article 1 shall be:

- "(a) Where the occurrence has only given rise to property claims an aggregate amount of 66.67 units of account for each ton of the ship's tonnage;
- "(b) Where the occurrence has only given rise to personal claims an aggregate amount of 206.67 units of account for each ton of the ship's tonnage;
- "(c) Where the occurrence has given rise both to personal claims and property claims an aggregate amount of 206.67 units of account for each ton of the ship's tonnage, of which a first portion amounting to 140 units of account for each ton of the ship's tonnage shall be exclusively appropriated to the payment of personal claims and of which a second portion amounting to 66.67 units of account for each ton of the ship's tonnage shall be appropriated to the payment of property claims. Provided however that in cases where the first portion is insufficient to pay the personal claims in full, the unpaid balance of such claims shall rank rateably with the property claims for payment against the second portion of the fund."

(2) Article 3, paragraph (6), of the Convention is replaced by the following:

"(6) The unit of account mentioned in paragraph (1) of this Article is the Special Drawing Right as defined by the International Monetary Fund. The amounts mentioned in that paragraph shall be converted into the national currency of the State in which limitation is sought on the basis of the value of that

¹ Came into force on 6 October 1984, i.e., three months after the date of deposit of six instruments of ratification or accession with the Belgian Government, in accordance with article VI (1):

<i>State</i>	<i>Date of deposit of the instrument of ratification or accession (a)</i>
Australia	30 November 1983
Belgium	7 September 1983
Poland	6 July 1984
Portugal	30 April 1982
Spain	14 May 1982
United Kingdom of Great Britain and Northern Ireland	2 March 1982

² See p. 81 of this volume.

currency on the date on which the shipowner shall have constituted the limitation fund, made the payment or given a guarantee which under the law of that State is equivalent to such payment. The value of the national currency, in terms of the Special Drawing Right, of a State which is a member of the International Monetary Fund, shall be calculated in accordance with the method of valuation applied by the International Monetary Fund in effect at the date in question for its operations and transactions. The value of the national currency, in terms of the Special Drawing Right, of a State which is not a member of the International Monetary Fund, shall be calculated in a manner determined by that State.

“(7) Nevertheless, a State which is not a member of the International Monetary Fund and whose law does not permit the application of the provisions of paragraph (6) of this Article may, at the time of ratification of the Protocol of 1979 or accession thereto or at any time thereafter, declare that the limits of liability provided for in this Convention to be applied in its territory shall be fixed as follows:

- “(a) In respect of paragraph (1) (a) of this Article, 1,000 monetary units;
- “(b) In respect of paragraph (1) (b) of this Article, 3,100 monetary units;
- “(c) In respect of paragraph (1) (c) of this Article, 3,100, 2,100 and 1,000 monetary units, respectively.

“The monetary unit referred to in this paragraph corresponds to 65.5 milligrammes of gold of millesimal fineness 900”. The conversion of the amounts specified in this paragraph into the national currency shall be made according to the law of the State concerned.

“(8) The calculation mentioned in the last sentence of paragraph (6) of this Article and the conversion mentioned in paragraph (7) of this Article shall be made in such a manner as to express in the national currency of the State as far as possible the same real value for the amounts in paragraph (1) of this Article as is expressed there in units of account. States shall communicate to the depositary the manner of calculation pursuant to paragraph (6) of this Article or the result of the conversion in paragraph (7) of this Article, as the case may be, when depositing an instrument of ratification of the Protocol of 1979 or of accession thereto or when availing themselves of the option provided for in paragraph (7) of this Article and whenever there is a change in either.”

(3) Article 3, paragraph (7), of the Convention shall be renumbered Article 3, paragraph (9).

Article III. This Protocol shall be open for signature by the States which have signed the Convention or which are Parties thereto.

Article IV. (1) This Protocol shall be ratified.

(2) Ratification of this Protocol by any State which is not a Party to the Convention shall have the effect of ratification of the Convention.

(3) The instruments of ratification shall be deposited with the Belgian Government.

Article V. (1) States not referred to in Article III may accede to this Protocol.

(2) Accession to this Protocol shall have the effect of accession to the Convention.

(3) The instruments of accession shall be deposited with the Belgian Government.

Article VI. (1) This Protocol shall come into force three months after the date of the deposit of six instruments of ratification or accession.

(2) For each State which ratifies this Protocol or accedes thereto after the sixth deposit, this Protocol shall come into force three months after the deposit of its instrument of ratification or accession.

Article VII. (1) Any Contracting Party may denounce this Protocol by notification to the Belgian Government.

(2) The denunciation shall take effect one year after the date on which the notification has been received by the Belgian Government.

Article VIII. (1) Each State may at the time of signature, ratification or accession or at any time thereafter declare by written notification to the Belgian Government which, among the territories for whose international relations it is responsible, are those to which the present Protocol applies. The Protocol shall three months after the date of the receipt of such notification by the Belgian Government extend to the territories named therein, but not before the date of the coming into force of the Protocol in respect of such State.

(2) This extension also shall apply to the Convention if the latter is not yet applicable to these territories.

(3) Any Contracting Party which has made a declaration under paragraph (1) of this Article may at any time thereafter declare by notification given to the Belgian Government that the Protocol shall cease to extend to such territories. This denunciation shall take effect one year after the date on which notification thereof has been received by the Belgian Government.

Article IX. The Belgian Government shall notify the signatory and acceding States of the following:

1. The signatures, ratifications and accessions received in accordance with Articles III, IV and V.
2. The date on which the present Protocol will come into force in accordance with Article VI.
3. The notifications with regard to the territorial application in accordance with Article VIII.
4. The declarations and communications made in accordance with Article II.
5. The denunciations received in accordance with Article VII.

IN WITNESS WHEREOF the undersigned, duly authorized thereto, have signed this Protocol.

DONE at Brussels, this 21st day of December 1979, in the English and French languages, both texts being equally authentic, in a single copy, which shall remain deposited in the archives of the Belgian Government, which shall issue certified copies.

Pour l'Algérie :
For Algeria:

Pour la République fédérale d'Allemagne :
For the Federal Republic of Germany:

P. LIMBOURG
R. HERBER
7-II-1980

[Pour l'Australie :
For Australia:]¹

Pour la Belgique :
For Belgium:

F. BAEKELANDT

Pour l'Etat de la Cité du Vatican :
For the State of the Vatican City:

S. MARCUS HELMONS

Pour le Danemark :
For Denmark:

Pour l'Espagne :
For Spain:

NUÑO AGUIRRE DE CÁRCER Y LOPEZ
4-VI-1980

Pour la Finlande :
For Finland:

P. A. O. KÄRKKÄINEN

Pour la France :
For France:

Pour Israël :
For Israel:

Pour l'Italie :
For Italy:

Pour le Japon :
For Japan:

¹ The Protocol was signed by Australia on 30 November 1983; the name of the signatory could not be determined (information provided by the Government of Belgium) — Le Protocole a été signé par l'Australie le 30 novembre 1983; le nom du signataire n'a pu être déterminé (information fournie par le Gouvernement belge).

Pour Madagascar :
For Madagascar:

P. RANJEVA
11-I-1980

Pour Maurice :
For Mauritius:

Pour Monaco :
For Monaco:

Pour la Norvège :
For Norway:

Pour les Pays-Bas :
For the Netherlands:

Pour le Pérou :
For Peru:

Pour la Pologne :
For Poland:

W. FLERA

Pour le Portugal :
For Portugal:

PAULO TIAGO FERNANDES JERONIMO DA SILVA

Pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord :
For the United Kingdom of Great Britain and Northern Ireland:

C. A. PALMER

Pour Singapour :
For Singapore:

Pour la Suède :
For Sweden:

Pour la Suisse :
For Switzerland:

W. MÜLLER
R. STETTLER

Pour la Syrie :
For Syria:

F. LAHAM

L'acceptation de ce Protocole ainsi que sa signature n'implique en aucune façon la reconnaissance d'Israël et n'entraîne pas l'engagement de la République arabe syrienne d'entretenir des relations découlant des dispositions de ce document¹.

¹ Acceptance of this Protocol as well as the signature thereof by the Syrian Arab Republic does not, in any way, imply recognition of Israel, nor shall it lead to any such dealings with the latter as are governed by the provisions of the said document. (Translated by the Secretariat of the United Nations — Traduction effectué par le Secrétariat de l'Organisation des Nations Unies.)