



IMCO

INTERNATIONAL CONFERENCE ON TONNAGE MEASUREMENT, 1969

General Committee

PROGRESS REPORT No.1

30 May 1969

General

1. The first Vice-President of the Conference, Mr. W. Milewski (Poland), opened the first meeting of the Committee.
2. The Committee unanimously elected Mr. R. Vancraeynest (Belgium) as Chairman and Dr. P. Nikolić (Yugoslavia) as Vice-Chairman of the Committee.
3. The Provisional Agenda, as contained in TM/CONF/C.1/1, was unanimously adopted.

Consideration and preparation of the draft text of Articles of a Convention on Tonnage Measurement

4. The Committee agreed to use the text of proposed Articles of a Convention, as presented in Proposal "C" (TM/CONF/6), as a basis for its deliberations.
5. The Committee agreed upon the text of the following Articles, except where indicated otherwise:

TM/CONF/C.1/WP.3

"Article 1

General Obligation under the Convention

The Contracting Governments undertake to give effect to the provisions of the present Convention and the Annexes hereto, which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the Annexes.

Article 2

Definitions

For the purpose of the present Convention, unless expressly provided otherwise:

- (1) "Regulations" means the Regulations annexed to the present Convention.
- (2) "Administration" means the Government of the State whose flag the ship is flying.
- (3) "International voyage" means a sea voyage from a country to which the present Convention applies to a port outside such country, or conversely. For this purpose, every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country."

Note: The Committee postponed consideration of paragraphs (4) and (5) of this Article.

"Article 3

Application

- (1) The present Convention shall apply to:
 - (a) ships registered in countries the Governments of which are Contracting Governments;
 - (b) ships registered in territories to which the present Convention is extended under Article ~~20~~⁷; and
 - (c) unregistered ships flying the flag of a State, the Government of which is a Contracting Government.
- (2) The present Convention shall apply to ships engaged on international voyages."

Note: The Committee postponed consideration of paragraphs (3) and (4) of this Article.

"Article 4

Exceptions

~~(1)~~ - see note below⁷

- (2) Nothing herein shall apply to ships solely navigating:
 - (a) the Great Lakes of North America and the River St. Lawrence as far east as a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the meridian of longitude 63°W;
 - (b) the Caspian Sea; or

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- (c) the Plate, Parana and Uruguay Rivers as far east as a rhumb line drawn between Punta Rasa (Cabo san Antonio), Argentina, and Punta del Este, Uruguay."

Note: The Committee requested the Technical Committee to advise upon the minimum overall length which should be specified in paragraph (1)(b) of this Article and on the need for a definition of the term "overall length".

Article 4-A

Force Majeure

- (1) A ship which is not subject to the provisions of the present Convention at the time of its departure on any voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to stress of weather or any other cause of force majeure.
- (2) In applying the provisions of the present Convention, the Contracting Governments shall give due consideration to any deviation or delay caused to any ship owing to stress of weather or any other cause of force majeure.

Article 5

Ascertainment of Tonnages

The ascertainment of [.....] shall be carried out by officers of the Administration. The Administration may, however, entrust the ascertainment of [.....] either to persons or organizations recognized by it. In every case the Administration concerned accepts full responsibility for the ascertainment of [.....].

Article 6

Issue of Certificate

- (1) An International Tonnage Certificate (1969) shall be issued to every ship, [.....] of which have been determined in accordance with the present Convention.
- (2) Such certificate shall be issued by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the certificate.

Article 7

Issue of Certificate by another Government

- (1) A Contracting Government may, at the request of another Contracting Government, determine [.....] of a ship and issue or authorize the issue of an International Tonnage Certificate (1969) to the ship in accordance with the present Convention.
- (2) A copy of the certificate and a copy of the calculations of [the tonnages] shall be transmitted as early as possible to the requesting Government.
- (3) A certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the State whose flag the ship is or will be flying and it shall have the same force and receive the same recognition as a certificate issued under Article [6].

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- (4) No International Tonnage Certificate (1969) shall be issued to a ship which is flying the flag of a State the Government of which is not a Contracting Government.

Article 8

Form of Certificate

- (1) The certificate shall be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.
- (2) The form of the certificate shall be that of the model given in Annex [II]. The arrangements of the printed part of [each] model certificate shall be exactly reproduced in any certificate issued, and in any certified copies thereof."