



IMCO

INTERNATIONAL CONFERENCE ON
TONNAGE MEASUREMENT, 1969
General Committee

PROGRESS REPORT NO.2

2 June 1969

The Committee, except where indicated otherwise, agreed upon the text of the following Articles, in addition to those given in TM/CONF/C.1/WP.3.

Article 4

Exceptions

The following definition should be added:

"Organization" means the Inter-Governmental Maritime Consultative Organization.

Article 9

Cancellation of Certificate

- (1) An International Tonnage Certificate (1969) shall be cancelled by the Administration if alterations have taken place in the arrangements, construction or capacity of the ship such as would necessitate a change of [.....].
- (2) A certificate issued to a ship by an Administration shall cease to be valid upon transfer of such a ship to the flag of another State, except as provided in paragraph (3) of this Article.

TM/CONF/C.1/WP.5

- (3) Upon transfer of a ship to the flag of another Contracting Government, the International Tonnage Certificate (1969) will remain in force for a period not exceeding three months. The Contracting Government of the State whose flag the ship was flying hitherto shall forthwith transmit a copy of the certificate and a copy of the calculations to the new Administration to enable that Administration to issue its own certificate without re-measuring the ship.

Article 10

Acceptance of Certificate

The certificate issued under the authority of a Contracting Government in accordance with the present Convention shall be accepted by the other Contracting Governments and regarded for all purposes covered by the present Convention as having the same force as certificates issued by them.

Article 11

Control

- (1) A ship flying the flag of a Contracting Government is subject, when in the ports of other Contracting Governments, to inspection by officers duly authorized by such Governments. Such inspection shall be limited to the purpose of securing:
 - (a) that the ship is provided with a valid International Tonnage Certificate (1969), and
 - (b) that the main features of the ship correspond to the data given in the Certificate.
- (2) In no case shall the exercise of such inspection cause any delay to the ship.

- (3) Should the inspection reveal that the actual conditions on the ship differ from those entered on the Tonnage Certificate, the Government of the State whose flag the ship is flying shall be informed without delay.

Article 12

Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds a valid certificate under the Convention.

Article 13

Prior Treaties and Conventions

- (1) All other treaties, Conventions and arrangements relating to tonnage matters at present in force between Governments Parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards:
- (a) ships to which the present Convention does not apply; and
 - (b) ships to which the present Convention applies, in respect of matters for which it has not expressly provided.
- (2) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

Note:

Article 14 was deleted.

TM/CONF/C.1/WP.5

Article 15

Communication of Information

The Contracting Governments undertake to communicate to and deposit with the Organization

- (a) a sufficient number of specimens of their certificates issued under the provisions of the present Convention for circulation to the Contracting Governments;
- (b) the text of the laws, decrees, orders, regulations and other instruments which shall have been promulgated on the various matters within the scope of the present Convention; and
- (c) a list of non-governmental agencies which are authorized to act in their behalf in matters relating to tonnages for circulation to the Contracting Governments.

Article 16

Signature, Acceptance and Accession

- (1) The present Convention shall remain open for signature for six months from, and shall thereafter remain open for accession. Governments of States Members of the United Nations, or of any of the Specialized Agencies, or of the International Atomic Energy Agency, or parties to the Statute of the International Court of Justice may become Parties to the Convention by:
 - (a) signature without reservation as to acceptance;
 - (b) signature subject to acceptance followed by acceptance, or
 - (c) accession.

- (2) Acceptance or accession shall be effected by the deposit of an instrument of acceptance or accession with the Organization. The Organization shall inform all Governments which have signed the present Convention or acceded to it of each new acceptance or accession and of the date of its deposit. The Organization shall also inform all Governments which have already signed the Convention of any signature effected during the six months from the date of

Note:

Consideration of Article 17 was postponed.

Article 18

Amendments

- (1) The present Convention may be amended upon the proposal of a Contracting Government by any of the procedures specified in this Article.
- (2) Amendment by unanimous acceptance:
- (a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention shall be communicated by the Organization to all Contracting Governments for consideration with a view to unanimous acceptance.
- (b) Any such amendment shall enter into force twelve months after the date of its acceptance by all Contracting Governments unless an earlier date is agreed upon. A Contracting Government which does not communicate its acceptance or rejection of the amendment to the Organization within twenty-four months of its first communication by the latter shall be deemed to have accepted the amendment.
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