



TM/CONF/C.1/SR.14
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IMCO

INTERNATIONAL CONFERENCE ON
TONNAGE MEASUREMENT OF SHIPS, 1969

General Committee

SUMMARY RECORD OF THE FOURTEENTH MEETING

held at Church House, Westminster, London, S.W.1,
on Tuesday, 17 June 1969, at 10 a.m.

Chairman:	Mr. R. VANCRAEYNEST (Belgium)
Vice-Chairman:	Mr. P. NIKOLIĆ (Yugoslavia)
Committee Secretary:	Mr. V. NADEINSKI

A list of participants is given in TM/CONF/INF.1/Rev.2 & Corr.1.

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AGENDA ITEM 5 - EXAMINATION OF THE DRAFT TEXT OF THE FINAL
ACT OF THE CONFERENCE (TM/CONF/C.3/2)

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Paragraph 1

Mr. GERDES (Netherlands) thought the expression "maritime transport" somewhat restrictive. The Convention would also cover ships such as fishing vessels. Would it not be better to speak of "shipping industries"?

Baron de GERLACHE de GOMERY (Belgium) supported that proposal.

Mr. PROSSER (UK) said that he did not object to the amendment suggested by the representative of the Netherlands, but felt that the term "maritime transport" was more general than "shipping industries".

Mr. GERDES (Netherlands) suggested the term "maritime activities".

Mr. NADEINSKI (Committee Secretary) reminded the Committee that the Final Act was to be prepared in four languages. It would be advisable for the French-speaking, Spanish-speaking and Russian-speaking representatives to reflect on the best way of translating the expressions proposed.

Mr. BIEULE (Argentina) was in favour of the expression "actividad maritima".

Mr. DARAM (France) remarked that the proposal by the Netherlands representative would give rise to drafting difficulties. He further pointed out that the movements of fishing vessels hardly came within the definition of "international voyages" given in Article 2 of the Convention.

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Mr. HINZ (Federal Republic of Germany) considered that the expression "shipping industries" placed too much stress on the economic aspect of the question, and that the word "activity" was too general. He preferred "maritime transport", an expression which rendered the desired meaning fairly well and was in current use in IMCO conventions.

Mr. GLUKHOV (USSR) was in favour of retaining the existing text.

Mr. GERDES (Netherlands), replying to Mr. Daran, said that fishing vessels sometimes made voyages which came within the definition of "international voyages". Moreover, the Convention was important in relation to port activities which were not exactly covered by the term "maritime transport".

Mr. BARDARSON (Iceland) said he preferred the original wording. Even fishing vessels when on international voyages were engaged in maritime transport, carrying fish from one country to another.

The amendment proposed by the Netherlands representative was rejected by 22 votes to 7.

Paragraphs 2 - 11

Approved with no objections.

Paragraph 12

Mr. DARAM (France) thought that paragraph should give the subjects of the recommendations.

The CHAIRMAN observed that the corresponding paragraph in the Final Act of the Convention on Load Lines did not include any list of recommendations. They were, however, listed in the 1962 International Convention on the Prevention of Pollution of the Sea by Oil.

Mr. DARAM (France) pointed out that such a list appeared also in the Final Act of the 1965 Convention on Facilitation of International Maritime Traffic.

Mr. BACHE (Denmark) supported the French delegation's proposal.

Mr. PROSSER (UK) said that, on that point, which he considered of minor importance, he would prefer to adopt the view taken, doubtless with full knowledge of the facts, by the Drafting Committee.

The French proposal was approved by 5 votes to 1.

The CHAIRMAN thought the Committee might leave it to Mr. Nadeinski to prepare a text which would meet the wishes of the French delegation.

It was so decided.

Paragraph 13 and the final clauses

Paragraph 13 and the final clauses were approved without objection.

The draft Final Act, as a whole and as amended, was approved.

AGENDA ITEM 6 - ANY OTHER MATTERS REFERRED TO THE COMMITTEE
(continued):

(a) DRAFT RECOMMENDATION ON THE UNIFORM
INTERPRETATION OF DEFINITION OF TERMS
(TM/CONF/C.3/3)

(b) DRAFT RECOMMENDATION ON ADAPTATION OF THE
CONVENTION (TM/CONF/C.1/WP.16)

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Mr. NICHOLSON (Australia), supported by Mr. KASBEKAR (India) said he feared that it was not clear from the text that the International Convention on Tonnage Measurement was included amongst the Conventions referred to in the penultimate line.

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Mr. PROSSER (UK), supported by Mr. MacGILLIVRAY (Canada) said that, in his view, the text was in no way ambiguous. The expression "such conventions" covered the Convention on Tonnage Measurement just as it did "other conventions".

Mr. NICHOLSON (Australia) said he was satisfied with that explanation.

The draft recommendation was approved without objection.

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Mr. BACHE (Denmark), commenting on his delegation's draft recommendation on the Adaptation of the Convention, said that it was intended to facilitate the application of the Convention by enabling the authorities responsible for taxation, during the transitional period, to gain a better understanding of the new system and to adjust their charges in accordance with the information given in the certificates, which would reveal the divergencies - at times considerable - between the old and the new tonnage figures.

Mr. KASBEKAR (India) feared that the entry of two different tonnage values in the same certificate might prove to be somewhat confusing for the port authorities and be to the detriment of owners of existing ships.

Mr. DARAM (France) supported the Danish proposal. The entry of two sets of tonnages on the certificate would make it possible to adapt charges during the transitional period, and to avoid penalizing new ships. It was an equitable measure which would be to the advantage both of port authorities and of the shipping industry.

Mr. PROSSER (UK) was inclined to agree with the representative of India. The effect of the Danish proposal would, in fact, be to apply to existing ships a measure which the Technical Committee had rejected for new ships (TM/CONF/C.2/WP.41, paragraph 8). That measure would be a source of needless confusion and complications.

Mr. CONTOGEOORGIS (Greece), Mr. GLUKHOV (USSR), Mr. SUZUKI (Japan), Mr. FILA (Poland) and Mr. MARINI (Italy) concurred in that view.

Mr. HINZ (Federal Republic of Germany) said that he also failed to see the purpose of the Danish proposal, unless it was to inform port authorities of the results that would follow from the application of the new Regulations. If they wished to obtain such information, those authorities would do better to enquire of their tonnage measurement administrative departments.

Mr. BACHE (Denmark) thought nevertheless that his proposal would provide a useful instrument of comparison. The fact that two sets of tonnage measurements were entered would show everyone concerned that the purpose of the Convention was indeed to introduce a formula giving results as close as possible to existing values. The confusion to which various speakers had referred was taken care of by the stipulation in the draft recommendation that the information on new tonnages should be clearly separated from the rest of the certificate - e.g. in a separate "box" with a title warning that the tonnages were not yet in force.

Mr. OMAR (United Arab Republic) supported the Danish proposal, which should lighten the task of port authorities.

Mr. DARAM (France) did not think there was any real danger of confusion. Furthermore, he would remind the United Kingdom representative that the decision of the Technical Committee did not bind the General Committee, the latter being both competent and sovereign.

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Mr. WIE (Norway) said he understood the considerations which prompted the representative of Denmark. Nevertheless, he considered that it was sufficient to enter only one set of tonnages on the certificate. In that way difficulties such as had been encountered in implementing the tonnage mark system would be obviated.

Mr. KLEINBLOESEM (Netherlands) unreservedly supported the Danish proposal. He drew the attention of the representative of the Federal Republic of Germany to the fact that every port received ships of all nationalities, and that it would be pointless for port authorities to ask their Administrations for information relating to ships flying the flags of other States. He also reminded the Committee of the comment made in the Technical Committee by the Director of the port of Bordeaux, to the effect that the port authorities would protect their own interests by applying higher rates if they considered that the particulars supplied to them were insufficient.

Mr. QUARTEY (Ghana) said he failed to grasp the purport of the Danish proposal and did not see why shipowners should be compelled to bear the additional costs entailed by a second measurement.

The Danish proposal was rejected by 23 votes to 8.

The meeting rose at 11.05 a.m.