

1910 年有關統一海上救助及撈救某些規則國際公約 1967 年修正議定書

1967 年 5 月 27 日 訂於布魯塞爾，1977 年 8 月 15 日生效

1967 Protocol To Amend The International Convention for the Unification of Certain Rules of Law Respecting Assistance and Salvage at Sea, 1910

Done at Bussels on May 27, 1967 ; Entered into Force August 15, 1977

Salvage 1967

The contracting parties, -
Considering that it is desirable to amend the Convention for the unification of certain rules of law relating to assistance and salvage at sea, signed at Brussels on September 23, 1910,
Have agreed as follows :

締約各方，
考慮到希將 1910 年 9 月 23 日在布魯塞爾簽訂的關於統一海上救助某些規定的公約加以修訂，經協議如下：

Article 1

第 1 條

Article 14 of the Convention for the unification of certain rules of law relating to assistance and salvage at sea, signed at Brussels on September 23, 1910, shall be replaced by the following :

1910 年 9 月 23 日於布魯塞爾簽訂之有關統一海上救助及撈救某些規則國際公約第 14 條應予修訂如下：

" The provisions of this Convention shall also apply to assistance or salvage services rendered by or to a ship of war or any other ship owned, operated or chartered by a State or Public Authority.

本公約各項規定亦應適用於國家或政府當局所擁有、經營或租用之軍用船舶或任何其他船舶所施以或被施以之救助。

A claim against a State for assistance or salvage services rendered to a ship of war or other ship which is, either at the time of the event or when the claim is brought, appropriated exclusively to public non commercial service, shall be brought only before the Courts of such State.

施以軍用船舶或其他船舶之救助而向某一國家提出之請求，不論該船舶於事故發生時或於提出請求時完全作為公共非商業服務之用途，均僅能該國家法院提起。

Any High Contracting Party shall have the right to determine whether and to what extent Article 11 shall apply to ships coming within the terms of the second paragraph of this Article ".

任何締約國有權決定第 11 條內容是否適用於本條第 2 項規定範圍之內之船舶，以及於何等範圍內為適用。

Article 2

第 2 條

This Protocol shall be open for signature by the States which have ratified the Convention or which have adhered thereto before May.27, 1967, and by any State represented at the twelfth session of the Diplomatic Conference on Maritime Law.

本議定書應予開放，供在 1967 年 5 月 27 日以前批准或加入本公約，以及參加海洋法外交會議第十二屆會議之任何國家簽署。

Article 3

第 3 條

1. This Protocol shall be ratified. .
2. Ratification of this Protocol by any State which is not a Party to

1. 本議定書須經批准。
2. 非屬本公約締約國之任何國家批准本

the Convention shall have the effect of accession to the Convention. .

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

Article 4

1. This Protocol shall come into force one month after the deposit of five instruments of ratification.
2. This Protocol shall come into force, in respect of each signatory State which ratifies it after the deposit of the fifth instrument of ratification, one month after the date of deposit of the instrument of ratification of that State.

Article 5

1. States, Members of the United Nations or Members of the specialized agencies, not represented at the Twelfth session of the Diplomatic Conference On Maritime Law, 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.
4. The Protocol shall come into force in respect of the acceding State one month after the date of deposit of the instrument of accession of that State, but not before the date of entry into force of the Protocol as established by Article 4.

Article 6

1. Any contracting state may denounce this Protocol by notification to the Belgian Government.
2. This denunciation shall have the effect of denunciation of the Convention.
3. The denunciation shall take effect one year after the date on which the notification has been received by the Belgian Government.

Article 7

1. Any contracting state may at the time of signature, ratification or accession to this Convention or at any time thereafter declare by written notification to the Belgian Government which among the territories under its sovereignty or for whose international relations it is responsible, are those to which the present Protocol applies. The Protocol shall one month 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 those territories.
3. Any contracting state which has made a declaration under 9 1 of this Article may at any time thereafter declare by notification given to the Belgian Government that the Protocol shall cease to

議定書時，應具有加入本公約之效力。

3. 批准書應交存比利時政府。

第 4 條

1. 本議定書於交存五份批准書一個月後生效。
2. 對交存第五份批准書以後批准本議定書之國家，應在該國交存批准書後一個月生效。

第 5 條

1. 未參加海洋法外交會議第十二屆會議之國家、聯合國會員國或聯合國專門機構之成員國，得加入本議定書。
2. 加入本議定書應具有加入本公約之效力。
3. 加入書應交存比利時政府。
4. 本議定書對加入國於該國交存加入書一個月後生效，然不得早於第 4 條所規定之議定書生效日期。

第 6 條

1. 任何締約國均可透過向比利時政府發出通知而退出本議定書。
2. 該退出應具有退出本公約之效力。
3. 退出應於比利時政府收到通知之日一年後生效。

第 7 條

1. 任何締約國均可簽署、批准或加入本公約時或在此後任何時間，以書面通知比利時政府，於其主權管轄或對其國際關係負責之哪些領域應適用本議定書。本議定書應於比利時政府收到此項通知後擴大適用於通知中所述領域，然不得早於本議定書對該國生效之日。
2. 如本公約尚未適用於前述領域，此項擴大適用亦應適用於本公約。
3. 凡已依據本條第 1 項提出聲明之締約國，得在此後任何時期透過送交比利時政府之通知宣佈本議定書不再適用

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, it also shall apply to the Convention.

於上述領域。此項退出應在比利時政府收到有關此事通知一年後生效。此一情況亦適用於本公約。

Article 8

第 8 條

The Belgian Government shall notify the States represented at the twelfth session of the Diplomatic Conference on Maritime Law, the acceding States to this Protocol, and the States parties to the Convention, of the following :

比利時政府應將下列事項通知參加海洋法外交會議第十二屆會議各國、加入本議定書各國以及本公約締約國：

1. The signatures, ratifications and accessions received in accordance with Articles 2, 3 and 5.
2. The date on which the present Protocol will come into force in accordance with Article 4.
3. The notifications with regard to the territorial application in accordance with Article 7.
4. The denunciations received in accordance with Article 6.

1. 收到第 2、3、5 條規定之簽字、批准書及加入書情況。
2. 本議定書依據第 4 條規定生效之日期。
3. 第 7 條規定有關領域適用之通知。
4. 收到第 6 條規定之退出。

In witness whereof the undersigned plenipotentiaries, duly authorized, have signed this Protocol.

下列具名者經正式授權之全權代表已在本議定書上簽字，以昭信守。

Done at Brussels, this 27th day of May 1967, in the French and English language, 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.

1967 年 5 月 27 日訂於布魯塞爾，共一份，以法文及英文寫成，兩文本同等有效。該份存於比利時政府檔案處，並由比利時政府發送經核證之副本。