

1992 年國際油污賠償基金公約議定書 2000 年修正 第 LEG.2(82)號決議採用

2000 年 10 月 18 日 訂於倫敦，2003 年 11 月 1 日生效

2000 Adoption of Amendments of The Limits of Compensation in The Protocol of 1992 to Amend The International Convention on The Establishment of An International Fund for Compensation for Oil Pollution Damage, 1971

RESOLUTION LEG.2(82)

London, 18 Oct. 2000 ; Entered into Force on 1 November 2003

FUND 2000

RESOLUTION LEG.2(82)
(adopted on 18 October 2000)

第 LEG.2(82)號決議
(2000年10月18日通過)

Adoption of Amendments of The Limits of Compensation in The Protocol of 1992 to Amend The International Convention on The Establishment of An International Fund for Compensation for Oil Pollution Damage, 1971

修正1971年設立國際油污損害賠償基金國際公約1992年議定書賠償限額修正

THE LEGAL COMMITTEE at its eighty-second session:

法律委員會於其第82屆會議：

RECALLING Article 33(b) of the Convention on the International Maritime Organization (hereinafter referred to as the "IMO Convention") concerning the functions of the Committee, MINDFUL of Article 36 of the IMO Convention concerning rules governing the procedures to be followed when exercising the functions conferred on it by or under any international convention or instrument,

回顧國際海事組織公約（以下稱“海事組織公約”）有關本委員會職責第33(b)條之規定，

注意到海事組織公約有關履行在由或依任何國際公約或文件賦予其職責時需遵循之程序規則之第36條，

RECALLING FURTHER article 33 of the Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971 (hereinafter referred to as the "1992 Fund Protocol") concerning the procedures for amending the limits of the amounts of compensation set out in article 6(3) of the 1992 Fund Protocol,

進一步回顧修正1971年設立國際油污損害賠償基金國際公約1992年議定書（以下稱“1992年基金議定書”）有關1992年基金議定書第6(3)條賠償限額修正程序之第33條，

HAVING CONSIDERED amendments to the limits of the amounts of compensation proposed and circulated in accordance with the provisions of article 33(1) and (2) of the 1992 Fund Protocol,

審議依1992年基金議定書第33(1)及(2)條規定提議及發送之賠償限額修正案，

1. ADOPTS, in accordance with article 33(4) of the 1992 Fund Protocol, amendments to the limits of the amounts of compensation set out in article 6(3) of the 1992 Fund Protocol, as set out in the Annex to this resolution;

1. 依1992年基金議定書第33(4)條，通過1992年基金議定書第6(3)條有關限額修正；

2. DETERMINES, in accordance with article 33(7) of the 1992 Fund Protocol, that these amendments shall be deemed to have been accepted on 1 May 2002 unless, prior to that date, not less than one

2. 決定依1992年基金議定書第33(7)條，除於2002年5月1日前，有少於4分之1於修正案通過日(2000年10

quarter of the States that were Contracting States on the date of the adoption of these amendments (being 18 October 2000) have communicated to the Organization that they do not accept these amendments;

3. FURTHER DETERMINES that, in accordance with article 33(8) of the 1992 Fund Protocol, these amendments, deemed to have been accepted in accordance with paragraph 2 above, shall enter into force on 1 November 2003;
4. REQUESTS the Secretary-General, in accordance with articles 33(7) and 38(2)(vi) of the 1992 Fund Protocol, to transmit certified copies of the present resolution and the amendments contained in the Annex thereto to all States which have signed or acceded to the 1992 Fund Protocol; and
5. FURTHER REQUESTS the Secretary-General to transmit copies of the present resolution and its Annex to the Members of the Organization which have not signed or acceded to the 1992 Fund Protocol.

Annex

Amendments of The Limits of Compensation in The Protocol of 1992 to Amend The International Convention on The Establishment of An International Fund for Compensation for Oil Pollution Damage, 1971

Article 6(3) of the 1992 Fund Protocol is amended as follows:

the reference in paragraph 4(a) to "135 million units of account" shall read "203,000,000 units of account";

the reference in paragraph 4(b) to "135 million units of account" shall read "203,000,000 nits of account"; and

the reference in paragraph 4(c) to "200 million units of account" shall read "300,740,000 nits of account".

月18日)為締約國之國家，通知本組織其不接受本修正，本修正應於2002年5月1日視為已被接受；

3. **進一步決定**依1992年基金議定書第33(8)條，本修正案於依前述第2段視為已被接受後，應於2003年11月1日生效；
4. **要求**秘書長依1992年基金議定書第33(7)條及第38(2)(vi)條，向業已簽署或加入1992年基金議定書之所有國家發送本決議及其附件中所載之修正核證副本；及
5. **進一步要求**秘書長向尚未簽署或加入1992年基金議定書之本組織會員國發送本決議及其附件。

附件

修正1971年設立國際油污損害賠償基金國際公約1992年議定書賠償限額之修正

1992年基金議定書第6(3)條修正如下：

第4(a)條提及“135,000,000 記帳單位”應修正為“203,000,000 記帳單位”；

第4(b)條提及“135,000,000 記帳單位”應修正為“203,000,000 記帳單位”；及

第4(c)條提及“200,000,000 記帳單位”應修正為“300,740,000 記帳單位”。