

# 1976年海事求償責任限制公約 1996年議定書 之 2012年修正

2012年4月19日 通過，(預計2015年中生效)

## Amendment of the Limitation Amounts in the Protocol of 1996 to the Convention on Limitation of Liability for Maritime Claims 1976

Adopted on 19 April 2012

### LLMC 1996-2012

**SOLUTION LEG.5(99)**  
(Adopted on 19 April 2012)

**第LEG.5(99)號決議**  
(2012年4月19日通過)

**Adoption of Amendments of The Limits of Liability in The  
Protocol of 1996 to Amend The Convention on Limitation  
of Liability for Maritime Claims, 1976**

**通過1976年海事求償責任限制公  
約之1996年議定書責任限額之修  
正**

**THE LEGAL COMMITTEE** at its ninety-ninth session,

**法律委員會**於其第99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,

**回顧**國際海事組織公約(以下簡稱  
為"IMO公約")第33條(b)款有關本  
委員會之功能，

**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,

**注意到**IMO公約第36條有關遵從執  
行該公約及其他國際公約或文書所  
賦予功能之相關程序規範，

**TAKING INTO CONSIDERATION** article 8 of the Protocol of  
1996 to amend the Convention on Limitation of Liability for  
Maritime Claims, 1976 (hereinafter referred to as the "1996 LLMC  
Protocol") concerning the procedures for amending the limitation  
amounts set out in article 3 of the 1996 LLMC Protocol,

**斟酌**1976年海事求償責任限制公約  
之1996年議定書(以下稱為1996年  
LLMC議定書)第8條有關修正1996  
年LLMC議定書第3條責任限額之修  
正程序，

**HAVING CONSIDERED** amendments to the limitation amounts  
proposed and circulated in accordance with the provisions of article  
8(1) and (2) of the 1996 LLMC Protocol,

**業考量**依照1996年LLMC議定書第8  
條1及2項之各項限額修正建議並予  
以通告，

1. **ADOPTS**, in accordance with article 8(4) of the 1996 LLMC Protocol, amendments to the limitation amounts set out in article 3 of the 1996 LLMC Protocol, as set out in the annex to this resolution;
2. **DETERMINES**, in accordance with article 8(7) of the 1996 LLMC Protocol, that these amendments shall be deemed to have been accepted at the end of a period of 18 months after the date of notification unless, prior to that date, not less than one-fourth of

1. 依據1996年LLMC議定書第8條4項規定，謹此**通過**1996年LLMC議定書第3條所規定之限額修正，一如本決議附件所載；
2. 依據1996年LLMC議定書第8條7項規定，**決定**這些修正應於通知日後18個月期間屆滿時視為已被接受，除非在此期限內，有不少

the States that were Contracting States on the date of the adoption of these amendments have communicated to the Secretary-General that they do not accept these amendments;

3. **FURTHER DETERMINES** that, in accordance with article 8(8) of the 1996 LLMC Protocol, these amendments deemed to have been accepted in accordance with paragraph 2 above shall enter into force 18 months after their acceptance;
4. **REQUESTS** the Secretary-General, in accordance with article 14(2)(a)(v) of the 1996 LLMC 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 1996 LLMC Protocol;
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 1996 LLMC Protocol.

於四分之一在通過該修正案時為締約國之國家通知本組織秘書長不接受此修正；

3. 依據1996年LLMC議定書第8條8項規定，**進一步決定**依前述第2點視為已獲得接受之修正，應於獲得接受後18個月之後生效之；
4. **要求**秘書長依據1996年LLMC議定書第14條2項(a)款v目規定，將本決議及其附件修正之授證副本，發送給簽署或加入1996年LLMC議定書之所有國家；
5. **進一步要求**秘書長將本決議及其附件修正之授證副本，發送給未簽署或加入1996年LLMC議定書之本組織會員國。

## ANNEX

## 附件

### Amendments of The Limits of Liability in The Protocol of 1996 to Amend The Convention on Limitation of Liability for Maritime Claims, 1976

### 通過1976年海事求償責任限制公約之1996年議定書責任限額之修正

#### Article 3 of the 1996 LLMC Protocol is amended as follows:

#### 1996年LLMC議定書第3條修正如下：

in respect of claims for loss of life or personal injury, the reference to:

有關人命傷亡之求償，  
述及

- "2 million Units of Account" shall read "3.02 million Units of Account";
- "800 Units of Account" shall read "1,208 Units of Account";
- "600 Units of Account" shall read "906 Units of Account";
- "400 Units of Account" shall read "604 Units of Account";

- "2,000,000 記帳單位"應修訂為"3,020,000 記帳單位";
- "800 記帳單位"應修訂為"1,208 記帳單位";
- "600 記帳單位"應修訂為"906 記帳單位";
- "400 記帳單位"應修訂為"604 記帳單位";

in respect of any other claims, the reference to:

有關任何其它求償，  
述及

- "1 million Units of Account" shall read "1.51 million Units of Account";
- "400 Units of Account" shall read "604 Units of Account";
- "300 Units of Account" shall read "453 Units of Account";
- "200 Units of Account" shall read "302 Units of Account".

- "1,000,000 記帳單位"應修訂為"1,510,000 記帳單位";
- "400 記帳單位"應修訂為"604 記帳單位";
- "300 記帳單位"應修訂為"453 記帳單位";
- "200 記帳單位"應修訂為"302 記帳單位"。