

1996 年關於客滾船在歐洲西北部及波羅的海指定港口間 從事定期國際短程航行的特殊穩性要求協定

1996 年 2 月 27~28 日 訂於斯德哥爾摩，1997 年 4 月 1 日生效

Agreement concerning specific stability requirements for ro-ro passenger ships undertaking regular scheduled international voyages between or to or from designated ports in North West Europe and the Baltic sea, 1996 (Stockholm agreement, 1996)

Concluded in Stockholm, 27~28 February, 1996; Entered into Force 1 April, 1997

SOLAS 1996 Agreement

The Contracting Governments,

BEING PARTIES to the International Convention for the Safety of Life at Sea (SOLAS) 1971 as amended;

RECALLING Article VII of the SOLAS Convention;

MINDFUL that the principal responsibility for establishing global safety standards rests with the International Maritime Organization (hereinafter referred to as "the Organization");

NOTING the Organization's efforts in this area;

NOTING IN PARTICULAR the adoption by the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea 1974 held in London on 20, 27, 28 and 29 November 1995 of Conference Resolution 14 "Regional Agreements on Specific Stability Requirements for Ro-Ro Passenger Ships",

RECOGNISING that the prevailing, often adverse, sea and weather conditions with low visibility, the low water temperatures, the need to maintain intensive all year round ro-ro passenger ferry services, the public dependence on such services, recent accidents and the density of ro-ro passenger ship movements and potentially conflicting shipping movements at particular locations require the application of specific stability requirements to all ro-ro passenger ships operating regular scheduled voyages between or to or from designated ports in North West Europe and the Baltic Sea;

HAVE AGREED as follows:

締約國政府，

作為經修訂的“1971 年國際海上人命安全公約”(SOLAS)的締約國；

回顧 SOLAS 公約第 VII 條；

意識到建立全球安全標準的主要責任在於國際海事組織(以下簡稱“本組織”);

注意本組織在這一領域的努力；

特別是通過締約國政府會議於 1995 年 11 月 20 日、27 日、28 日及 29 日在倫敦舉行的“1974 年國際海上人命安全公約”大會第 14 號有關“滾裝客船”的決議，

承認不利的海洋及天候條件、低能見度、低水溫、需要保持密集的全年滾裝客船服務、公眾對這種服務的依賴，最近的事務及滾裝客運密度-客運船舶運輸及在特定地點可能發生碰撞的航運活動，需要對在西北歐及波羅的海的指定港口之間或往返運行的所有滾裝客船應用特定的穩定性要求；

業經達成協議如下：

Article 1 Definitions

For the purposes of the present Agreement:

- (a) *International voyage* means a voyage from a country to which the present Agreement applies to a port outside that country, or conversely;
- (b) *Ro-ro passenger ship* means a passenger ship with ro-ro cargo spaces or special category spaces as defined in regulation II-2/3 of the International Convention for the Safety of Life at Sea 1974 as amended;
- (c) *Specific stability requirements* means the specific stability requirements specified in Annex 2;
- (d) *Designated port* means any port within the area bounded by lines and the coast as shown on the map at Annex 1 from which ro-ro passenger ships operate on regular scheduled international voyages;
- (e) *Secretary-General* means the Secretary-General of the International Maritime Organization.

Article 2 General Obligation

The Contracting Governments agree to apply the specific stability requirements to ro-ro passenger ships entitled to fly their flag and operating on regular scheduled international voyages carrying passengers.

- (a) between designated ports or
- (b) to or from designated ports.

Article 3 Specific Stability Requirements

The Contracting Governments agree to apply the specific stability requirements no later than the dates prescribed in Annex 2.

Article 4 Single Voyage Exemptions

A ro-ro passenger ship which is not normally engaged on regular scheduled international voyages between or to or from designated ports but which is required to undertake a single voyage between such ports or to or from such a port may be exempted from any or all of the specific stability requirements by a Contracting Government or by the ship's flag state, following consultations with the Contracting Government or Governments between or to or from whose ports the voyage is to take place. An exemption shall not be granted by the ship's flag state unless the ship complies with international safety requirements which in the joint opinion of the ship's flag state and the Contracting Government or Governments between or to

第 1 條 定義

為本協定的目的：

- (a) 國際航行係指從本協定適用的國家到該國境外的港口的航行，或與之相反；
- (b) 滾裝客船係指經修訂的“1974 年國際海上人命安全公約”第 II-2/3 條所定義具滾裝貨艙或特種艙間的客船；
- (c) 具體穩性要求是指附件 2 規定的具體穩性要求；
- (d) 指定港口是指在附表 1 地圖上所示圖線及海岸線區域內的任何港口，滾裝客船可從該地經常進行定期航行者；
- (e) 秘書長是指國際海事組織秘書長。

第 2 條 一般義務

締約各國政府同意對有權懸掛其國旗及在定期航班載運旅客的國際航行之滾裝客船適用具體穩性要求。

- (a) 於指定港口間或
- (b) 往返指定港口。

第 3 條 具體穩性要求

締約國政府同意在附件 2 所規定的日期前適用具體穩性要求。

第 4 條 單程航班豁免

不經常以定期國際航行往返於指定港口間或往返指定港口，但必須在該等港口之間進出或往來於該港口的單程航程的滾裝客船，可豁免其任何或全部締約國政府或船旗國在與締約國政府或其政府在其港口間或其間進行協商後之具體穩性要求。除非船舶已適當滿足船舶所屬船旗國及締約國政府或各締約國政府或其政府在其港口間或從其港口進行的預定航程符合國際安全要求，否則船舶船旗國不得給予豁免。

or from whose ports the voyage is to take place are adequate for the intended voyage.

Article 5 Application to Ro-Ro Passenger Ships of Flag States Non-parties to the present Agreement

- (1) The Contracting Governments agree that the specific stability requirements should apply to all ro-ro passenger ships operating on regular scheduled international voyages carrying passengers between or to or from designated ports, irrespective of flag and bearing in mind the necessity to ensure that no more favourable treatment should be given to ships entitled to fly the flag of States non-parties to the present Agreement.
- (2) The Contracting Governments further agree to encourage the application of the specific stability requirements, on the time scale set out in Annex 2, to ro-ro passenger ships entitled to fly the flag of States non-parties to the present Agreement and operating on regular scheduled international voyages carrying passengers between or to or from designated ports.
- (3) Each Contracting Government undertakes to advise the other Contracting Governments, the Secretary-General and, with respect to States that are members of the European Union, the Commission of the European Communities of the steps it has taken to implement paragraph 2 of this Article.

Article 6 Mutual Acceptance of Documents

- (1) Each Contracting Government shall provide each ship entitled to fly its flag and to which the present Agreement applies with a document indicating that the ship complies with the specific stability requirements.
- (2) The Contracting Governments agree to accept a document provided under paragraph 1 as evidence that the ship to which the document relates complies with the specific stability requirements.
- (3) When a State non-party to the present Agreement issues a document indicating that a ship complies with the specific stability requirements such a document will be accepted as prima facie evidence that the ship so complies.

Article 7 Signature, Ratification, Acceptance, Approval and Accession

1. The present Agreement shall be open for signature at the Headquarters of the Organization from 1 July until 30 September 1996, and shall thereafter remain open for accession. States may be parties to the present Agreement by:

第 5 條 船旗國駛上駛下客船的適用本協定的非締約國

- (1) 締約國政府同意具體穩性要求應適用於所有在定期國際航行中運行於指定港口間或其間運送旅客的所有滾裝客船，而不論是否為船旗國，其並考慮必須確保不會對有權懸掛本協定非締約國國旗的船舶給予更有利的待遇。
- (2) 締約國政府另同意鼓勵在有權懸掛本協定非締約國國旗且在指定港口之間或往返指定港口的定期國際航行的滾裝客船能依照附件 2 規定的時間表適用具體穩性要求。
- (3) 每個締約國政府承諾向其他締約國政府，秘書長及歐洲聯盟成員國歐洲共同體委員會通報為執行本條第 2 項所採取的措施。

第 6 條 文件的相互接受

- (1) 每個締約國政府應向有權懸掛其國旗且本協定適用的每艘船舶提供一份文件，表明該船符合具體穩性要求。
- (2) 締約國政府同意接受依據第 1 項所提供的文件作為證明該文件所涉及的船舶符合特定穩性要求的證據。
- (3) 當本協定非締約國簽發表明船舶符合具體穩性要求的文件時，該文件應被接受為該船舶符合的初步證據。

第 7 條 簽署，批准，接受，核准及加入

1. 本協定應於 1996 年 7 月 1 日至 9 月 30 日在本組織總部開放供簽署，其後繼續開放供加入。各國均可為本協定的締約國：

- a) signature without reservation as to ratification, acceptance or approval, or
 - b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval, or
 - c) accession.
2. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.
 3. The Secretary-General shall inform the Governments of all States which have signed the present Agreement or acceded to it of any signature or of the deposit of any instrument of ratification, acceptance, approval or accession and the date of its deposit. When the conditions for entry into force have been met, the Secretary-General shall inform the Governments of these States of the date of entry into force of the Agreement.

Article 8 Notification and Entry into Force

1. The present Agreement shall be notified by the Government of Sweden to the Secretary-General.
It shall enter into force:
 - a) twelve months after the date of notification to the Secretary-General, or
 - b) on the date on which not fewer than five States have become parties in accordance with Article 7, whichever is the later.
2. Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Agreement enters into force shall take effect thirty days after the date of deposit.

Article 9 Denunciation

1. Any Contracting Government may, by written notification addressed to the Secretary-General, denounce the present Agreement.
2. A denunciation shall take effect twelve months after its receipt by the Secretary-General.

Article 10 Deposit and Registration

1. The present Agreement shall be deposited with the Secretary-General.
2. The Secretary-General shall, as soon as the present Agreement enters into force, transmit certified copies of the Agreement to:
 - a) all Contracting Governments to the International Convention for the Safety of Life at Sea 1974 as amended,
 - b) the Commission of the European Communities.

- a) 對批准、接受或核准無保留的簽字，或
 - b) 簽字須經批准、接受或核准，然後批准、接受或核准，或
 - c) 加入。
2. 批准、接受、核准或加入批准書，接受書、核准書或加入書應由秘書長交存一份文書。
 3. 秘書長應將簽署本協定或已加入本協定的所有國家的政府通知任何簽署或所交存任何批准書、接受書、核准書或加入書及其交存日期的國家。生效條件滿足後，秘書長應將這些協定生效日期通知這些國家的政府。

第 8 條 通知及生效

1. 瑞典政府應將本協定通知秘書長。
其應於以下日期生效：
 - a) 通知秘書長後 12 個月，或
 - b) 依據第 7 條，不少於 5 個國家成為締約方的日期，以較晚者為準。
2. 於本協定生效日後交存的任何批准書、接受書、核准書或加入書應於交存之日後 30 天生效。

第 9 條 退出

1. 任何締約國政府可書面通知秘書長，退出本協定。
2. 退出應於秘書長收到後滿 12 個月生效。

第 10 條 交存及登記

1. 本協定應交存給秘書長。
2. 秘書長應在本協定生效後立即將協定的核證副本送交給：
 - a) 經修訂“1974 年國際海上人命安全公約”的所有締約國政府，
 - b) 歐洲共同體委員會。

3. As soon as the present Agreement enters into force the Secretary-General shall transmit a copy of the Agreement to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

Article 11 Languages

The present Agreement is established in a single copy in the English, French, Spanish and Russian languages, each text being equally authentic.

3. 本協定一經生效，秘書長應依據“聯合國憲章”第 102 條，將協定副本送交聯合國秘書處登記及出版。

第 11 條 語言

本協定以英文、法文、西班牙文及俄文各一份，每份文本具有同等效力。