

# 1971 年特種業務客船協定

1971 年 10 月 6 日 訂於倫敦，1974 年 01 月 02 日生效

## Special Trade Passenger Ships Agreement, 1971

London 6 Oct 1971; Entered into Force 2, January, 1974

### STP 1971

The Governments parties to the present Agreement;  
**BEING** Contracting Governments to the International Convention for the Safety of Life at Sea, 1960, and thereby having undertaken to give effect to the provisions of the Convention;

**CONSIDERING** that the requirements of Chapters II and III of the said Convention could be modified in the case of passenger ships registered in their countries and engaged in the carriage of large numbers of unberthed passengers in special trades;

**RECOGNIZING** that Regulation 1 (e) of Chapter II and Regulation 3 (b) of Chapter III of the said Convention provide as a condition for exemption from the requirements of those Chapters that steps shall be taken to formulate general rules which shall be applicable to the particular circumstances of these trades;

**DESIRING**, in pursuance of the said Regulations, to formulate such general rules prescribing the minimum safety standards which shall be made applicable to the particular circumstances of these trades;

**HAVE AGREED** as follows:

#### Article I General Obligations under the Agreement

The Governments parties to the present Agreement undertake to give effect to the provisions of the present Agreement and of the Rules annexed hereto which shall constitute an integral part of the present Agreement. Every reference to the present Agreement constitutes at the same time a reference to the Annex.

#### Article II Application

(a) The ships to which the present Agreement applies are passenger ships engaged in the special trades and registered in countries the Governments of which are Contracting Governments to the International Convention for the Safety of Life at Sea, 1960 (hereinafter referred to as "the Convention") and parties to the present Agreement and ships registered in territories to which application of the Convention has been extended under Article XIII thereof and application of the present Agreement has been extended under Article IX hereof.

參加本協定的各國政府；

作為『1960 年國際海上人命安全公約』的締約國政府，有義務執行該公約的各項規定；

考慮到該公約第 II 章及第 III 章要求，對於在這些國家登記且從事特種業務的客船，在載運大量無鋪位旅客的情況下是可以為修正的；

認識到上述公約第 II 章第 1 條(e)項及第 III 章第 3 條(b)項所規定該兩章要求可予以免除的條件，應採取步驟訂立適用於這類業務特殊情況的通用規則；

願依照上述條款訂立該通用規則，藉以規定適用於這類業務特殊情況的最低安全要求；

經協議如下：

#### 第 I 條 協定的一般義務

參加本協定的各國政府，應確保實施本協定的各項規定及所附規則，該規則屬本協定組成部分。凡引用本協定時，即指引用該規則。

#### 第 II 條 適用範圍

(a) 本協定所適用的船舶為從事特種業務並在『1960 年國際海上人命安全公約』(以下簡稱“公約”)締約國政府及參加本協定各國政府登記的客船，及依據公約第 VIII 條與本協定第 IX 條擴大適用的領土所登記的船舶。

- (b) Such ships shall comply with the requirements of the Convention as applicable to passenger ships, subject to such modifications and additions thereto as are set out in the Rules annexed to the present Agreement.
- (c) The application to such ships of any revision or amendment of the Convention shall be considered by the Governments parties to the present Agreement and directly interested in the special trades and those Governments shall proceed, if necessary, with the amendment of the present Agreement in accordance with its Article VII.

### Article III Communication of Information

The Governments parties to the present Agreement undertake to communicate and deposit with the Inter-Governmental Maritime Consultative Organization (hereinafter referred to as "the Organization"):

- (a) the text of laws, decrees, orders, regulations and other instruments which shall have been promulgated on the various matters within the scope of the present Agreement;
- (b) a sufficient number of specimens of their certificate issued under the provisions of the present Agreement for circulation to the Governments parties to the present Agreement and also to Contracting Governments to the Convention; and
- (c) a list of non-governmental agencies which are authorized to act in their behalf in the administration of measures under the present Agreement for circulation to Governments parties to the present Agreement and also to Contracting Governments to the Convention.

### Article IV Prior Conventions, Agreements and Arrangements

- (a) The present Agreement constitutes the general rules applicable to the particular circumstances of the special trades envisaged in sub-paragraph (e) (ii) of Regulation 1 of Chapter II and in sub-paragraph (b) (iv) of Regulation 3 of Chapter III of the Convention.
- (b) As between the Governments parties to it, the present Agreement replaces and abrogates the Simla Rules, 1931.

### Article V Signature, Acceptance and Accession

- (a) The present Agreement shall remain open for signature for three months from this day's date and shall thereafter remain open for accession. Contracting Governments to the Convention may become parties to the Agreement by:
  - (i) signature without reservation as to acceptance;
  - (ii) signature subject to acceptance followed by acceptance; or
- (iii) accession.

(b) 該船舶除遵守本協定所附規則對公約提出的修正及補充外，應履行公約適用於該客船的要求。

(c) 公約對適用於該船舶的任何修訂或修正，應由參加本協定且與特種業務直接有關的各國政府加以考慮，如有必要，這些政府應依本協定第 VII 條對本協定進行修正。

### 第 III 條 資料提交

參加本協定的各國政府，應將下列文書交存於政府間海事協商組織(以下簡稱“本組織”)：

- (a) 在本協定範圍內為各種事項頒佈的法律、法令、命令、規章和其它文書；
- (b) 依據本協定規定頒發足夠數量的證書樣本，以便分送給參加本協定的各國政府及“公約”的締約國政府；
- (c) 經授權代表參加國政府執行有關本協定事項的非政府機構的名單，以便分送參加本協定的各國政府及“公約”締約國政府。

### 第 IV 條 以前的公約、協定及協議

- (a) 本協定構成公約第 II 章第 1 條第(e)項(ii)款及第 III 章第 3 條第(b)項(iv)款所要求制訂適用於特種業務特殊情況的通用規則。
- (b) 本協定在其參加的政府之間，代替並廢除 1931 年西姆拉規則。

### 第 V 條 簽字、接受及加入

- (a) 本協定自本日起開放 3 個月供簽字，以後仍予開放，以供加入。公約締約國政府可依下列方式成為本協定的締約國：
  - (i) 簽字並對接受無保留；
  - (ii) 簽字，並待接受，隨後予以接受；
- (iii) 加入。

(b) Acceptance or accession shall be effected by the deposit of an instrument of acceptance or accession with the Organization which shall inform all other Governments that have signed the present Agreement or acceded to it and Contracting Governments to the Convention of each acceptance or accession deposited and the date of its deposit.

## Article VI Entry into Force

- (a) The present Agreement shall enter into force six months after the date on which three Contracting Governments to the Convention have signed the present Agreement without reservation as to acceptance or deposited instruments of acceptance or accession with the Organization in accordance with Article V hereof; provided that at least two of such Governments shall be Governments of States in whose territory are registered ships engaged in the special trades or whose nationals are carried in ships engaged in these trades.
- (b) The Organization shall inform the Governments which have signed without reservation or accepted or acceded to the present Agreement and also Contracting Governments to the Convention of the date on which it enters into force.
- (c) For Governments which have deposited an instrument of acceptance or accession during the six months mentioned in paragraph (a) of this Article or after the date on which the present Agreement enters into force the acceptance or accession shall take effect on the entry into force of the Agreement or three months after the date of deposit whichever is the later date.

## Article VII Amendments

- (a) Amendment by Unanimous Agreement:
- (i) The present Agreement may be amended by unanimous agreement between the Governments parties to it.
  - (ii) Upon the request of any Government party to the present Agreement, a proposed amendment shall be communicated by the Organization to all the Governments parties to the present Agreement for their consideration and acceptance.
  - (iii) Any such amendment shall enter into force six months after the date of its acceptance by all Governments parties to the present Agreement. A Government party to the present Agreement which does not communicate its acceptance or rejection of the amendment to the Organization within twelve months from the date of its communication by the latter under sub-paragraph (ii) of this paragraph shall be deemed to have accepted the amendment.
- (b) Amendment by Conference:
- (i) Upon the request of a Government party to the present Agreement, concurred in by at least one-third of the Governments parties to the present Agreement, a conference of such Governments shall be convened by the Organization to consider amendments to the present Agreement.

(b) 接受或加入應在接受或加入的文書交存於本組織後始生效力。本組織應將每一交存的接受或加入文書及其交存日期通知所有已簽字或加入本協定的其他政府及公約締約國政府。

## 第 VI 條 生效

- (a) 本協定應在 3 個締約國政府依據第 V 條規定簽字並對接受無保留，或將接受或加入文書交存於本組織之日起 6 個月後生效；但其中至少有兩個政府應為在其領土內登記特種業務船舶的政府，或其國民是由這種業務船舶運送的政府。
- (b) 本組織應將本協定生效日期通知已簽字並對接受無保留或已接受或加入本協定的各政府及公約締約國政府。
- (c) 凡在本條第(a)項所述 6 個月期間內或在本協定生效之日後交存接受或加入文書的政府，其接受或加入應在本協定生效之日有效，或在交存之日後 3 個月有效，兩者以較遲的日期為準。

## 第 VII 條 修正

- (a) 一致接受的修正：
- (i) 本協定經參加各國政府一致同意後予以修正。
  - (ii) 經任何參加本協定的政府請求，本組織應將建議修正案通知參加本協定的所有政府，以供考慮及接受。
  - (iii) 任何該修正案應在所有參加本協定的各國政府接受之日起 6 個月後生效。參加本協定的任一政府，在本組織依據本項(ii)款通知該修正案之日起 12 個月內，尚未將其接受或反對意見通知本組織，應被視為已接受該修正案。
- (b) 會議修正：
- (i) 經參加本協定的某一政府請求，同時有至少三分之一參加本協定政府的同意，本組織可召集各政府會議，以考慮對本協定的修正。

- (ii) Every amendment adopted by such a conference by a two-thirds majority of the Governments parties to the present Agreement present and voting shall be communicated by the Organization to all Governments parties to the present Agreement for their acceptance.
- (iii) Any amendment communicated to Governments parties to the present Agreement under sub-paragraph (ii) of this paragraph shall come into force for all Governments parties to the present Agreement, except those which before it comes into force make a declaration that they do not accept the amendment, twelve months after the date on which the amendment is accepted by two-thirds of the Governments parties to the present Agreement.

## Article VIII Denunciation

- (a) The present Agreement may be denounced by any Government party to it at any time after the expiry of five years from the date on which the Agreement enters into force for that Government.
- (b) Denunciation shall be effected by deposit of an instrument with the Organization which shall inform all other Governments parties to the present Agreement of any denunciation received and of the date of its receipt.
- (c) A denunciation shall take effect one year, or such longer period as may be specified in the instrument, after its receipt by the Organization.

## Article IX Territories

- (a)
  - (i) The United Nations in cases where they are the administering authority for a territory, or any Contracting Government to the Convention responsible for the international relations of a territory, shall as soon as possible consult with such territory in an endeavour to extend the present Agreement to that territory and may at any time, by notification in writing given to the Organization, declare that the present Agreement shall extend to such territory.
  - (ii) The present Agreement shall, from the date of receipt of the notification or from such other date as may be specified in the notification, extend to the territory named in the notification.
- (b)
  - (i) The United Nations, or any Contracting Government to the Convention which has made a declaration under paragraph (a) of this Article at any time after the expiry of a period of five years from the date on which the present Agreement has been extended to any territory, may, by notification in writing given to the Organization, declare that the present Agreement shall cease to extend to any such territory named in the notification.
  - (ii) The present Agreement shall cease to extend to any territory named in such notification one year, or such longer period as

(ii)每一修正案如經上述會議出席並投票的三分之二多數通過，即應由本組織將該修正案通知參加本協定的所有政府，以供接受。

(iii)根據本項(ii)款通知參加本協定各國政府的任何修正案，自三分之二政府接受之日起 12 個月後，應對參加本協定的所有政府生效，但在修正案生效前提出聲明不予接受的政府除外。

## 第 VIII 條 退出

- (a)參加本協定的任一政府，在本協定對該政府生效滿五年後，可以隨時退出本協定。
- (b)依據本項(ii)款通知參加本協定各國政府的任何修正案，自三分之二政府接受之日起 12 個月後，應對參加本協定的所有政府生效，但在修正案生效前提出聲明不予接受的政府除外。
- (c)退出本協定，應在本組織收到退出文書一年後，或文書中所指定的較長期限後生效。

## 第 IX 條 領土

- (a)
  - (i)如聯合國為某一領土的管理當局，或公約的任何締約國政府對某一領土的國際關係負有責任，應儘速與該領土當局協商，盡量使本協定適用於該領土，並可隨時用書面通知本組織，聲明本協定擴大適用於該領土。
  - (ii)自收到通知之日或通知中指定之日起，本協定開始擴大適用於通知中所述領土。
- (b)
  - (i)根據本條第(a)項提出聲明的聯合國或公約的任何締約國政府，自本協定擴大適用於該領土之日起滿五年後，可以隨時用書面通知本組織，聲明本協定終止擴大適用於通知中所述領土。
  - (ii)自本組織收到上述通知之日起一年後，或通知中指定的較長期限以

may be specified in the notification, after the date of receipt of the notification by the Organization.

- (c) The Organization shall inform all Governments parties to the present Agreement and Contracting Governments to the Convention of the extension of the present Agreement to any territories under paragraph (a) of this Article and of the termination of such extension under the provisions of paragraph (b), stating in each case the date from which the present Agreement has been or will cease to be so extended.

## Article X Deposit and Registration

- (a) The present Agreement shall be deposited in the archives of the Organization and the Secretary-General of the Organization shall transmit certified true copies thereof to all Signatory Governments and to all other Governments which accede to the present Agreement.
- (b) As soon as the present Agreement enters into force it shall be registered by the Organization in accordance with Article 102 of the Charter of the United Nations.

## Article XI Languages

The present Agreement is established in a single copy in the English and French languages, both texts being equally authentic. Official translations in the Russian and Spanish languages shall be prepared and deposited with the signed original.

IN WITNESS WHEREOF the undersigned being duly authorized by their respective Governments for that purpose have signed the present Agreement.\*

\* Signatures omitted.

DONE AT LONDON this sixth day of October, 1971.

後，本協定即終止擴大適用於通知中所述領土。

- (c) 本組織應將本協定根據本條第(a)項擴大適用於任何領土，及根據第(b)項終止此項擴大適用事項，通知所有參加本協定的各國政府及公約的締約國政府，並逐一說明本協定的擴大適用或終止擴大適用的日期。

## 第 X 條 交存及登記

- (a) 本協定應存放於本組織檔案處，本組織秘書長應將核證無誤的本協定副本，分送所有簽字國政府及所有加入本協定的政府。
- (b) 本協定一經生效，應由本組織根據聯合國憲章第 102 條辦理登記。

## 第 XI 條 文字

本協定以英文及法文寫成，分計一份，兩種文本具有同等效力。俄文及西班牙文的正式譯本應與簽署的原本一起存放。

具名於下的經各國政府正式授權的代表，特簽署本協定\*，以昭信守。

\*略去簽字部分。

1971 年 10 月 6 日訂於倫敦。

**ANNEX:  
SPECIAL TRADE PASSENGER SHIPS RULES,  
1971**

**PART I GENERAL**

**Rule 1-Name**

These Rules shall be called "Special Trade Passenger Ships Rules, 1971".

**Rule 2-Definitions**

For the purpose of these Rules:

- (1) "Administration" means the Government of the country in which the ship is registered.
- (2) "Approved" means approved by the Administration.
- (3) "Convention" means the International Convention for the Safety of Life at Sea, 1960.
- (4) "Regulations" means the Regulations annexed to the Convention; reference to such Regulations shall be taken to mean references to those Regulations as modified by these Rules.
- (5) "Mile" is 1,852 metres or 6,080 feet.
- (6) "Special trade" means the conveyance of large numbers of special trade passengers by sea on international voyages within the area specified below (as illustrated in the chart in Appendix I to these Rules):
  - on the south bounded by the parallel of latitude 20° S from the east coast of Africa to the west coast of Madagascar, thence the west and north coasts of Madagascar to longitude 50° E, thence the meridian of longitude 50° E to latitude 10° S, thence the rhumb line to the point latitude 3° S, longitude 75° E, thence the rhumb line to the point latitude 110 S, longitude 120° E, thence the parallel of latitude 11° S to longitude 141° 03' E;
  - on the east bounded by the meridian of longitude 141° 03' E from latitude 110 S to the south coast of New Guinea, thence the south, west and north coasts of New Guinea to the point longitude 141° 03' E, thence the rhumb line from the north coast of New Guinea at the point 141° 03' E to the point latitude 10° N, at the north-east coast of Mindanao, thence the west coasts of the islands of Leyte, Samar and Luzon to the Port of Sual (Luzon Island), thence the rhumb line from the Port of Sual to Hong Kong;
  - on the north bounded by the south coast of Asia from Hong Kong to Suez;
  - on the west bounded by the east coast of Africa from Suez to the point latitude 20° S.
- (7) "International voyage" means a voyage within the area prescribed in paragraph (6) of this Rule from a port in a country to which the present Agreement applies to a port outside such country or conversely. For this purpose every territory for the international

**附件  
1971年特種業務客船規則**

**第 I 章 總則**

**第 1 條 名稱**

本規則定名為“1971 年特種業務客船規則”。

**第 2 條 定義**

為本規則目的：

- (1)“主管機關”指船舶登記國政府。
- (2)“批准”是指經主管機關批准。
- (3)“公約”指『1960 年國際海上人命安全公約』。
- (4)“規則”指該公約所附的規則；引用該規則係指引用經本規則修正的該規則。
- (5)“哩”為 1852m 或 6080ft。
- (6)“特種業務”指在以下指定的區域內（見本規則附錄一圖解），通過海上國際航行，運送大量特種業務旅客：
  - 南面以南緯 20° 線為界，從非洲東岸至馬達加斯加西岸，再沿馬達加斯加西岸和北岸至東經 50°，然後沿東經 50° 子午線至南緯 10°，再沿恒向線至南緯 3° 東經 75° 一點，然後沿恒向線至南緯 11° 東經 120° 一點，再沿南緯 11° 線至東經 141° 03'。
  - 東面以東經 141° 03' 子午線為界，從南緯 11° 至新幾內亞南岸，再沿新幾內亞南岸、西北岸至東經 141° 03' 一點，然後從新幾內亞北岸東經 141° 03' 一點沿恒向線至民答那峨 (Min - danao) 東北海岸北緯 10° 一點，再沿萊特 (Leyte)、薩馬 (Samar) 和呂宋三島西岸至呂宋島的蘇爾港 (Port Sual)，然後自蘇爾港沿恒向線至香港；
  - 北面以亞洲南海岸為界，自香港至蘇伊士；
  - 西面以非洲東岸為界，自蘇伊士至南緯 20° 一點。
- (7)“國際航行”是指在本條第 6 項規定的區域內由適用本協定的一國港口駛往該國以外港口或與此相反的航行；為此，凡由一公約締約國政府對