

1969 年國際船舶噸位丈量公約

1969 年公約：1969 年 6 月 23 日通過，1982 年 7 月 18 日生效

2013 年修正：2013 年 12 月 4 日通過，2017 年 2 月 28 日生效

綜合文本(1969~2013)

International Convention on Tonnage Measurement of Ships, 1969

1969 Convention: 23 June 1969, Entered into Force 18 July 1982

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Consolidated Text (1969~2013)

Tonnage 綜合文本(1969~2013)

THE CONTRACTING GOVERNMENTS,

DESIRING to establish uniform principles and rules with respect to the determination of tonnage of ships engaged on international voyages;

CONSIDERING that this end may best be achieved by the conclusion of a Convention;

HAVE AGREED as follows:

各締約國政府，

願為國際航行船舶的噸位丈量制訂統一原則及規則；

認為締結一公約可最好地達到此一目的；

業經協議如下：

Article 1 General obligation under the Convention

The Contracting Governments undertake to give effect to the provisions of the present Convention and the Annexes hereto which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the Annexes.

第 1 條 公約的一般義務

各締約國政府應承擔實施本公約各項規定及其附則之義務，附則應視為本公約之組成部分。凡引用本公約時，同時意指適用所述附則。

Article 2 Definitions

For the purpose of the present Convention, unless expressly provided otherwise:

- (1) "Regulations" means the Regulations annexed to the present Convention;
- (2) "Administration" means the Government of the State whose flag the ship is flying;
- (3) "international voyage" means a sea voyage from a country to which the present Convention applies to a port outside such country, or conversely. For this purpose, every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the

第 2 條 定義

除另有明文規定外，本公約所用名詞意義如下：

- (1) “規則”係指指本公約所附的規則；
- (2) “主管機關”係指船旗國政府；
- (3) “國際航行”係指由適用本公約的國家駛往該國以外的港口，或與此相反的航行。為此目的，凡由締約國政府對其國際關係負責的任一領域，或由聯合國管理的任一領域，

- administering authority is regarded as a separate country;
- (4) "gross tonnage" means the measure of the overall size of a ship determined in accordance with the provisions of the present Convention;
 - (5) "net tonnage" means the measure of the useful capacity of a ship determined in accordance with the provisions of the present Convention;
 - (6) "new ship" means a ship the keel of which is laid, or which is at a similar stage of construction, on or after the date of coming into force of the present Convention;
 - (7) "existing ship" means a ship which is not a new ship;
 - (8) "length" means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline;
 - (9) "Organization" means the Inter-Governmental Maritime Consultative Organization.

Article 3 Application

- (1) The present Convention shall apply to the following ships engaged on international voyages;
 - (a) ships registered in countries the Governments of which are Contracting Governments;
 - (b) ships registered in territories to which the present Convention is extended under Article 20; and
 - (c) unregistered ships flying the flag of a State, the Government of which is a Contracting Government.
- (2) The present Convention shall apply to:
 - (a) new ships;
 - (b) existing ships which undergo alterations or modifications which the Administration deems to be a substantial variation in their existing gross tonnage;
 - (c) existing ships if the owner so requests; and
 - (d) all existing ships, twelve years after the date on which the Convention comes into force, except that such ships, apart from those mentioned in (b) and (c) of this paragraph, shall retain their then existing tonnages for the purpose of the application to them of relevant requirements under other existing International Conventions.
- (3) Existing ships to which the present Convention has been applied in accordance with sub-paragraph (2)(c) of this Article shall not subsequently have their tonnages determined in accordance with the requirements which the Administration applied to ships on international voyages prior to the coming into force of the present Convention.

Article 4 Exceptions

均應被視為一單獨的國家；

- (4) “總噸位”係指依據本公約各項規定所丈量確定的船舶總容積；
- (5) “淨噸位”係指依據本公約各項規定所丈量確定的船舶有效容積；
- (6) “新船”係指在本公約生效之日起安放龍骨或處於類似建造階段之船舶；
- (7) “現成船”係指非新船；
- (8) “長度”係指水線總長度的 96%，該水線位於自龍骨上面量得的最小型深的 85% 處；或是指該水線從艏柱前面量到上舵杆中心的長度，兩者取其較大者。如船舶設計具有傾斜龍骨，作為測量本長度的水線應平行於設計水線；
- (9) “本組織”係指政府間海事協商組織。

第 3 條 適用範圍

- (1) 本公約適用於從事國際航行的下列船舶：
 - (a) 於締約國政府之國家所登記的船舶；
 - (b) 於依據第 20 條擴大適用於本公約領域內所登記之船舶；
 - (c) 懸掛某締約國政府國旗但不在該國登記之船舶。
- (2) 本公約適用於：
 - (a) 新船；
 - (b) 經改建或改裝之現成船，而主管機關認為該改建或改裝對其現有總噸位有實質上的變更；
 - (c) 經船舶所有人提出要求適用本公約的現成船；
 - (d) 本公約生效之日起 12 年後的一切現有船舶，但為使其適用於現行其他國際公約之有關要求而需保留其原有噸位、且不屬於本項 (b) 及 (c) 款所述船舶之船舶除外。
- (3) 對於已依據本條第(2)項(c)款適用本公約之現成船，此後不得再依照本公約生效前該主管機關對國際航行船舶之要求丈量該船之噸位。

第 4 條 除外適用

- (1) The present Convention shall not apply to:
- (a) ships of war; and
 - (b) ships of less than 24 metres (79 feet) in length.
- (2) Nothing herein shall apply to ships solely navigating:

- (a) the Great Lakes of North America and the River St. Lawrence as far east as a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the meridian of longitude 63W;
- (b) the Caspian Sea; or
- (c) the Plate, Parana and Uruguay Rivers as far east as a rhumb line drawn between Punta Rasa (Cabo San Antonio), Argentina, and Punta del Este, Uruguay.

Article 5 Force majeure

- (1) A ship which is not subject to the provisions of the present Convention at the time of its departure on any voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to stress of weather or any other cause of force majeure.
- (2) In applying the provisions of the present Convention, the Contracting Governments shall give due consideration to any deviation or delay caused to any ship owing to stress of weather or any other cause of force majeure.

Article 6 Determination of tonnages

The determination of gross and net tonnages shall be carried out by the Administration which may, however, entrust such determination either to persons or organizations recognized by it. In every case the Administration concerned shall accept full responsibility for the determination of gross and net tonnages.

Article 7 Issue of certificate

- (1) An International Tonnage Certificate (1969) shall be issued to every ship, the gross and net tonnages of which have been determined in accordance with the present Convention.
- (2) Such certificate shall be issued by the Administration or by any person or organization duly authorized by it. In every case, the Administration shall assume full responsibility for the certificate.

Article 8 Issue of certificate by another government

- (1) A Contracting Government may, at the request of another

- (1) 本公約不適用於下列船舶：
- (a) 軍艦；
 - (b) 長度小於 24m(79ft)的船舶。
- (2) 本公約之任何規定，不適用於專門航行於下列區域的船舶：
- (a) 北美洲各大湖及聖羅倫斯河向東到從 Rosiers 角至 Anticosti 島兩點間所繪恒向線，以及到 Anticosti 島北面的西經 63°子午線；
 - (b) 裏海；或
 - (c) Plate 河、Parana 河及 Uruguay 河向東到從阿根廷的 Runta Rasa 與烏拉圭的 Punta del Este 之間所繪恒向線。

第 5 條 不可抗力

- (1) 在開航時不受本公約約束之船舶，倘因天氣惡劣或其他不可抗力原因而駛離原定航程，則該船並不因此變為必須受本公約約束。
- (2) 各締約國政府在適用本公約規定時，應適當考慮任何船舶因氣候或其他不可抗力所導致之偏航及延遲。

第 6 條 噸位之測定

總噸位及淨噸位的測定，應由主管機關辦理，但主管機關可將該測定工作委託其所認可之人員或組織辦理。不論採用何種方式，該主管機關應對總噸位及淨噸位之測定負完全責任。

第 7 條 證書之發給

- (1) 依照本公約測定總噸位及淨噸位的任一船舶，應發給國際噸位證書(1969)。
- (2) 該證書應由主管機關發給，或由該主管機關正式授權之人或組織發給。不論屬於哪種情況，該主管機關應對證書負完全責任。

第 8 條 由他國政府代發證書

- (1) 任一締約國政府可應另一締約國政

Contracting Government, determine the gross and net tonnages of a ship and issue or authorize the issue of an International Tonnage Certificate (1969) to the ship in accordance with the present Convention.

- (2) A copy of the certificate and a copy of the calculations of the tonnages shall be transmitted as early as possible to the requesting Government.
- (3) A certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the State whose flag the ship is or will be flying and it shall have the same validity and receive the same recognition as a certificate issued under Article 7.
- (4) No International Tonnage Certificate (1969) shall be issued to a ship which is flying the flag of a State the Government of which is not a Contracting Government.

Article 9 Form of certificate

- (1) The certificate shall be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.
- (2) The form of the certificate shall correspond to that of the model given in Annex II.

Article 10 Cancellation of certificate

- (1) Subject to any exceptions provided in the Regulations, an International Tonnage Certificate (1969) shall cease to be valid and shall be cancelled by the Administration if alterations have taken place in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry as indicated in the ship's passenger certificate, assigned load line or permitted draught of the ship, such as would necessitate an increase in gross tonnage or net tonnage.
- (2) A certificate issued to a ship by an Administration shall cease to be valid upon transfer of such a ship to the flag of another State, except as provided in paragraph (3) of this Article.
- (3) Upon transfer of a ship to the flag of another State the Government of which is a Contracting Government, the International Tonnage Certificate (1969) shall remain in force for a period not exceeding three months, or until the Administration issues another International Tonnage Certificate (1969) to replace it, whichever is the earlier. The Contracting Government of the State whose flag the ship was flying hitherto shall transmit to the Administration as soon as possible after the transfer takes place a copy of the certificate carried by the ship at the time of transfer and a copy of the relevant tonnage calculations.

Article 11 Acceptance of certificate

府之請求，依據本公約測定船舶之總噸位及淨噸位，並發給或授權簽發國際噸位證書(1969)給該船舶。

- (2) 證書之副本及噸位計算書之副本，應儘早送交提出該請求之政府。
- (3) 依前述發給之證書必須載明，該證書是順應船旗國政府或行將懸掛該國國旗之政府請求而發給；該證書應與依據本公約第 7 條發給的證書具同等效力，並受到同樣之承認。
- (4) 對於懸掛非締約國政府國旗之船舶，不應發給國際噸位證書(1969)。

第 9 條 證書格式

- (1) 證書應使用發證國之官方語文印寫。如所用語文非英文或法文，則證書文本應包括有上述兩種語文之一的譯文。
- (2) 證書格式如附則 II 所示。

第 10 條 證書之註銷

- (1) 當船舶之配置、結構、容積、處所用途、載客證書中准許之乘客總數、勘定的載重線或准許吃水等方面發生變動，致使總噸位或淨噸位必需增加時，則除附則 I 規則中所規定的例外情況外，國際噸位證書(1969)應停止生效，並由主管機關予以註銷。
- (2) 除本條第(3)項規定外，當船舶轉為懸掛另一國家國旗時，由原主管機關發給該船的證書應停止生效。
- (3) 當船舶轉為懸掛另一締約國政府國旗時，原發國際噸位證書(1969)之繼續有效期應不超過 3 個月，或直到主管機關發給另一國際噸位證書(1969)以代替原證書為止，二者以較早者為準。船舶原來懸掛其國旗的締約國政府，應於完成轉移後，盡速將該船轉移時持有之證書副本及其噸位計算書副本送交上述主管機關。

第 11 條 證書之承認

The certificate issued under the authority of a Contracting Government in accordance with the present Convention shall be accepted by the other Contracting Governments and regarded for all purposes covered by the present Convention as having the same validity as certificates issued by them.

Article 12 Inspection

- (1) A ship flying the flag of a State the Government of which is a Contracting Government shall be subject, when in the ports of other Contracting Governments, to inspection by officers duly authorized by such Governments. Such inspection shall be limited to the purpose of verifying:
 - (a) that the ship is provided with a valid International Tonnage Certificate (1969); and
 - (b) that the main characteristics of the ship correspond to the data given in the certificate.
- (2) In no case shall the exercise of such inspection cause any delay to the ship.
- (3) Should the inspection reveal that the main characteristics of the ship differ from those entered on the International Tonnage Certificate (1969) so as to lead to an increase in the gross tonnage or the net tonnage, the Government of the State whose flag the ship is flying shall be informed without delay.

Article 13 Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds a valid certificate under the Convention.

Article 14 Prior treaties, conventions and arrangements

- (1) All other treaties, conventions and arrangements relating to tonnage matters at present in force between Governments Parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards:
 - (a) ships to which the present Convention does not apply; and
 - (b) ships to which the present Convention applies, in respect of matters for which it has not expressly provided.
- (2) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

Article 15 Communication of information

The Contracting Governments undertake to communicate to and

由任一締約國政府授權依據本公約發給之證書，其他締約國政府應予以承認，並認為在本公約範圍內與其他締約國政府所頒發的證書具有同等效力。

第 12 條 檢查

- (1) 懸掛締約國政府國旗之船舶在其他締約國港口時，應接受該國政府正式授權之官員檢查。該檢查之目的以核實下述事項為限：
 - (a) 該船是否備有有效的國際噸位證書(1969)；
 - (b) 該船的主要特徵是否與證書中所載的資料相符。
- (2) 在任何情況下，不得因實施該檢查而造成船舶任何遲延。
- (3) 如經檢查發現船舶的主要特徵與國際噸位證書(1969)所載不一致，從而導致增加總噸位或淨噸位，則應及時通知該船旗國政府。

第 13 條 權利

除持有依本公約簽發之有效證書者外，任何船舶不得要求享有本公約所賦予之權利。

第 14 條 先前條約、公約及協議

- (1) 本公約各締約國政府間現行的一切有關噸位事項之其他條約、公約及協議，於其有效期間內，對下列船舶仍可繼續保持完全有效：
 - (a) 不適用本公約之船舶；
 - (b) 適用本公約之船舶，但本公約未予明確規定之事項。
- (2) 前述條約、公約或協議與本公約規定有抵觸時，應以本公約規定為準。

第 15 條 資訊之提報

各締約國政府就下列事項應向本組織為