

INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA

Note: The Agreement entered into force for the Philippines, November 15, 1965.

ARTICLE I

(a) The Contracting Governments undertake to give effect to the provisions of the present Convention and of the Regulations annexed thereto, which shall be deemed to constitute an integral part of the present Convention. Every reference to the present Convention implies at the same time a reference to these Regulations.

(b) The Contracting Governments undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the present Convention full and complete effect, so as to ensure that, from the point of view of safety of life, a ship is fit for the service for which it is intended.

ARTICLE II

The ships to which the present Convention applies are ships registered in countries the Governments of which are Contracting Governments, and ships registered in territories to which the present Convention is extended under Article XIII.

ARTICLE III

LAWS REGULATIONS

The Contracting Governments undertake to communicate to and deposit with the Inter-Governmental Maritime Consultative Organization (hereinafter called the Organization):

(a) a list of non-governmental agencies which are authorised to act in their behalf in the administration of measures for safety of life at sea for circulation to the Contracting Governments for the information of their officers;

(b) the text of laws, decrees, orders and regulations which shall have been promulgated on the various matters within the scope of the present Convention;

(c) a sufficient number of specimens of their Certificates issued under the provisions of the present Convention for circulation to the Contracting Governments for the information of their officers.

ARTICLE IV

CASES OF "FORCE MAJEURE"

(a) No ship, which is not subject to the provisions of the present Convention at the time of its departure on any voyage, shall become subject to the provisions of the present Convention on account of any deviation from its intended voyage due to stress of weather or any other cause of force majeure.

(b) Persons who are on board a ship by reason of force majeure or in consequence of the obligation laid upon the master to carry shipwrecked or other persons shall not be taken into account for the purpose of ascertaining the application to a ship of any provisions of the present Convention.

ARTICLE V

CARRIAGE OF PERSONS IN EMERGENCY

(a) For the purpose of moving persons from any territory in order to avoid a threat to the security of their lives a Contracting Government may permit the carriage of a larger number of persons in its ships than is otherwise permissible under the present Convention.

(b) Such permission shall not deprive other Contracting Governments of any right of control under the present Convention over such ships which come within their ports.

(c) Notice of any such permission, together with a statement of the circumstances, shall be sent to the Organization by the Contracting Government granting such permission.

ARTICLE VI

SUSPENSION IN THE CASE OF WAR

(a) In case of war or other hostilities, a Contracting Government which considers that it is affected, whether as a belligerent or as a neutral, may suspend the operation of the whole or any part of the Regulations annexed hereto. The suspending Government shall immediately give notice of any such suspension to the Organization.

(b) Such suspension shall not deprive other over the ships of the suspending Government when such ships are within their ports.

(c) The suspending Government may at any time terminate such suspension and shall immediately give notice of such termination to the Organization.

(d) The Organization shall notify all Contracting Governments of any suspension or termination under this Article.

ARTICLE VII

PRIOR TREATIES AND CONVENTIONS

(a) As between the Contracting Governments the present Convention replaces and abrogates the International Convention for the Safety of Life at Sea which was signed in London on 10 June 1948.

(b) All other treaties, conventions and arrangements relating to safety of life at sea, or matters appertaining thereto, 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 :

(i) ships to which the present Convention does not apply;

(ii) ships to which the, present Convention applies, in respect of matters for which it has not expressly provided.

(c) To the extent, however, that such treaties, conventions or arrangement conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

(d) All matters which are not expressly provided for in the present Convention remain subject to the legislation of the Contracting Governments.

ARTICLE VIII

SPECIAL RULES DRAWN UP BY AGREEMENT

When accordance with the present Convention special rules are drawn up by agreement between all or some of the Contracting Governments, such rules shall be communicated to the Organization for circulation to all Contracting Governments.

ARTICLE IX

AMENDMENTS

(a) (i) The present Convention may be amended by unanimous agreement between the Contracting Governments.

(ii) Upon the request of any Contracting Government a proposed amendment shall be communicated by the Organization to all Contracting Governments for consideration and acceptance under this paragraph.

(b) (i) An amendment to the present Convention may be proposed to the Organization at any time by any Contracting Government and such proposal, if adopted by a two-thirds majority of the Assembly of the Organization (hereinafter called the Assembly), upon recommendation adopted by a two-thirds majority Maritime Safety Committee of the Organization (hereinafter called the Maritime Safety Committee), shall be communicated by the Organization to all Contracting Governments for their acceptance.

(ii) Any such recommendation by the Maritime Safety Committee shall be communicated by the Organization to all Contracting Governments for their consideration at least six months before it is considered by the Assembly.

(c) (i) A conference of Governments to consider amendments to the present Convention proposed by any Contracting Government shall at any time be convened by the Organization upon the request of one-third of the Contracting Governments.

(ii) Every amendment adopted by such conference by a two-thirds majority of the Contracting Governments shall be communicated by the Organization to all Contracting Governments for their acceptance.

(d) Any amendment communicated to Contracting Governments for their acceptance under paragraph (b) or (c) of this Article shall come into force for all Contracting Governments, 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 Contracting Governments represented on the Maritime Safety Committee.

(e) The Assembly, by a two-thirds majority vote, including two-thirds of the Governments represented on the Maritime Safety Committee, and subject to the concurrence of two-thirds of the Contracting Governments to the present Convention, or a conference convened under paragraph(c)of this Article by a two-thirds majority vote, may determine at the time of its adoption that the amendment is of such an important nature that any

Contracting Government which makes a declaration under paragraph (d) of this Article and which does not accept the amendment within a period of twelve months after the amendment comes into force, shall, upon the expiry of this period, cease to be a party to the present Convention.

(f) Any amendment to the present Convention made under this Article which relates to the structure of a ship shall apply only to ships the keels of which are laid after the date on which the amendment comes into force.

(g) The Organization shall inform all Contracting Governments of any amendments which come into force under this Article, together with the date on which such amendments shall come into force.

(h) Any acceptance or declaration under this Article shall be made by a notification in writing to the Organization, which shall notify all Contracting Governments of the receipt of the acceptance or declaration.

ARTICLE X

SIGNATURE AND ACCEPTANCE

(a) The present Convention shall remain open for signature for one month from this day's date and shall thereafter remain open for acceptance. Governments of States may become parties to the Convention by:

- (i) signature without reservation as to acceptance;
- (ii) signature subject to acceptance followed by acceptance; or
- (iii) acceptance.

(b) Acceptance shall be effected by the deposit of an instrument with the Organization, which shall inform all Governments that have already accepted the Convention of each acceptance received and of the date of its receipt.

ARTICLE XI

COMING INTO FORCE

(a) The present Convention shall come into force twelve months after the date on which not less than fifteen acceptances, including seven by countries each with not less than one million gross tons of shipping, have been deposited in accordance with Article X. The Organization shall inform all Governments which have signed or accepted the present Convention of the date on which it comes into force.

(b) Acceptances deposited after the date on which the present Convention comes into force shall take effect three months after the date of their deposit.

ARTICLE XII

DENUNCIATION

(a) The present Convention may be denounced by any Contracting Government at any time after the expiry of five years from the date on which the Convention comes into force for that Government.

(b) Denunciation shall be effected by a notification in writing addressed to the Organization which shall notify all the other Contracting Governments 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 notification after its receipt by the Organization.

ARTICLE XIII

TERRITORIES

(a) (i) The United Nations in cases where they are the administering authority for a territory or any Contracting Government responsible for the International relations of a territory shall as soon as possible consult with such territory in an endeavour to extend the present Convention to that territory and may at any time by notification in writing given to the Organization declare that the present Convention shall extend to such territory.

(ii) The present Convention shall from the date of the receipt of the notification or from such other date as may be specified in the notification extend to the territory named therein.

(b) (i) The United Nations or any Contracting Government 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 Convention has been so extended to any territory, may by a notification in writing given to the Organization declare that the present Convention shall cease to extend to any such territory named in the notification.

(ii) The present Convention shall cease to extend to any territory mentioned in such notification one year, or such longer period as may be specified therein, after the date of receipt of the notification by the Organization

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

ARTICLE XIV

REGISTRATION

(a) The present Convention 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 accept the present Convention.

(b) As soon as the present Convention comes into force it shall be registered by the Organization with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed the present Convention.

DONE in London this seventeenth day of June, 1960, in a single copy in English and French, each text being equally authoritative.

The original texts will be deposited with the Inter-Governmental Maritime Consultative Organization, together with texts in the Russian and Spanish languages which will be translations.

CHAPTER I—GENERAL PROVISIONS

PART A.—APPLICATION, DEFINITIONS, &c.

REGULATION 1

APPLICATION

(a) Unless expressly provided otherwise, the present Regulations apply only ships engaged on international voyages.

(b) The classes of ships to which each Chapter applies are more precisely fined, and the extent of the application is shown, in each Chapter.

REGULATION 2

DEFINITIONS

For the purpose of the present Regulations, unless expressly provided otherwise:—

(a) "Regulations" means the regulations referred to in Article 1 (a) of the present Convention.

(b) "Administration" means the Government of the country in which the ship is registered.

(c) "Approved" means approved by the Administration.

(d) "International voyage" means a voyage from a country to which the present Convention applies to a port outside such country, or conversely; and for this purpose every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country,

(e) A passenger is every person other than: —

(i) the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and

(ii) a child under one year of age.

(f) A passenger ship is a ship which carries more than twelve passengers.

(g) A cargo ship is any ship which is not a passenger ship.

(h) A tanker is a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable nature.

(i) A fishing vessel is a vessel used for catching fish, whales, seals, walrus or other living resources of the sea.

(j) A nuclear ship is a ship provided with a nuclear power plant.

(k) "New ship" means a ship the keel of which is laid on or after the date of coming into force of the present Convention.

(l) "Existing ship" means a ship which is not a new ship.

(m) A mile is 6,080 feet or 1,852 metres.

REGULATION 3

EXCEPTIONS

(a) The present Regulations, unless expressly provided otherwise, do not apply to:—

(i) Ships of war

(ii) and troopships.

(iii) Cargo ships of less than 500 tons gross tonnage.

(iii) Ships not propelled by mechanical means.

(iv) Wooden ships of primitive build, such as dhows, junks, &c.

(v) Pleasure yachts not engaged in trade.

(vi) Fishing vessels.

(b) Except as expressly provided in Chapter V, nothing herein shall apply to ships solely navigating the Great Lakes of North America and the River St. Lawrence as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd Meridian.

REGULATION 4

EXEMPTIONS

A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present Regulations provided that it complies with safety requirements which are adequate in the opinion of the Administration for the voyage which is to be undertaken by the ship.

REGULATION 5

EQUIVALENTS

(a) Where the present Regulations require that a particular fitting, material, appliance or apparatus, or type thereof, shall be fitted or carried in a ship, or that any particular provision shall be made, the Administration may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made in that ship, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by the present Regulations.

(b) Any Administration which so allows, in substitution, a fitting, material, appliance or apparatus, or type thereof, or provision, shall communicate to the Organization particulars thereof together with a report on any trials made and the Organization shall circulate such particulars to other Contracting Governments for the information of their officers.

PART B.—SURVEYS AND CERTIFICATES

REGULATION 6

INSPECTION AND SURVEY

The inspection and survey of ships, so far as regards the enforcement of the provisions of the present Regulations and the granting of exemptions therefrom, shall be carried out by officers of the country in which the ship is registered, provided that the Government of each country may entrust the inspection and survey either to surveyors nominated for the purpose or to organizations recognized by it. In every case the Government concerned fully guarantees the completeness and efficiency of the inspection and survey.

REGULATION 7

INITIAL AND SUBSEQUENT SURVEYS OF PASSENGER SHIPS

(a) A passenger ship shall be subjected to the surveys specified below: