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Treaty Series No. 11 (2001)

Protocol of 1988
relating to the
International Convention for the
Safety of Life at Sea, 1974

London, 11 November 1988

[The United Kingdom instrument of Accession was deposited on 8 March 2000 and the Protocol entered into force for the United Kingdom on 8 June 2000]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 2001*



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**PROTOCOL OF 1988 RELATING TO THE INTERNATIONAL CONVENTION FOR
THE SAFETY OF LIFE AT SEA, 1974**

THE PARTIES TO THE PRESENT PROTOCOL,

BEING PARTIES to the International Convention for the Safety of Life at Sea, done at London on 1 November 1974¹,

RECOGNIZING the need for the introduction into the above-mentioned Convention of provisions for survey and certification harmonized with corresponding provisions in other international instruments,

CONSIDERING that this need may best be met by the conclusion of a Protocol relating to the International Convention for the Safety of Life at Sea, 1974,

HAVE AGREED as follows:

ARTICLE I

General obligations

- 1 The Parties to the present Protocol undertake to give effect to the provisions of the present Protocol and the Annex hereto, which shall constitute an integral part of the present Protocol. Every reference to the present Protocol constitutes at the same time a reference to the Annex hereto.
- 2 As between the Parties to the present Protocol, the provisions of the International Convention for the Safety of Life at Sea, 1974, as amended, (hereinafter referred to as "the Convention") shall apply subject to the modifications and additions set out in the present Protocol.
- 3 With respect to ships entitled to fly the flag of a State which is not a Party to the Convention and the present Protocol, the Parties to the present Protocol shall apply the requirements of the Convention and the present Protocol as may be necessary to ensure that no more favourable treatment is given to such ships.

ARTICLE II

Prior treaties

- 1 As between the Parties to the present Protocol, the present Protocol replaces and abrogates the Protocol of 1978² relating to the Convention.
- 2 Notwithstanding any other provisions of the present Protocol, any certificate issued under, and in accordance with, the provisions of the Convention and any supplement to such certificate issued under, and in accordance with, the provisions of the Protocol of 1978 relating to the Convention which is current when the present Protocol enters into force in respect of the Party by which the certificate or supplement was issued, shall remain valid until it expires under the terms of the Convention or the Protocol of 1978 relating to the Convention, as the case may be.
- 3 A Party to the present Protocol shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1974, as adopted on 1 November 1974.

¹ Treaty Series No. 46 (1980), Cmnd 7874

² Treaty Series No. 40 (1981), Cmnd 8277

ARTICLE III

Communication of information

The Parties to the present Protocol undertake to communicate to, and deposit with, the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Organization"):

- (a) the text of laws, decrees, orders and regulations and other instruments which have been promulgated on the various matters within the scope of the present Protocol;
- (b) a list of nominated surveyors or recognized organizations which are authorized to act on their behalf in the administration of measures for safety of life at sea for circulation to the Parties for information of their officers, and a notification of the specific responsibilities and conditions of the authority delegated to those nominated surveyors or recognized organizations; and
- (c) a sufficient number of specimens of their certificates issued under the provision of the present Protocol.

ARTICLE IV

Signature, ratification, acceptance, approval and accession

1 The present Protocol shall be open for signature at the Headquarters of the Organization from 1 March 1989 to 28 February 1990 and shall thereafter remain open for accession. Subject to the provisions of paragraph 3, States may express their consent to be bound by the present Protocol by:

- (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 of the Organization.

3 The present Protocol may be signed without reservation, ratified, accepted, approved or acceded to only by States which have signed without reservation, ratified, accepted, approved or acceded to the Convention.

ARTICLE V

Entry into force

1 The present Protocol shall enter into force twelve months after the date on which both the following conditions have been met:

- (a) not less than fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, have expressed their consent to be bound by it in accordance with article IV, and

(b) the conditions for the entry into force of the Protocol of 1988¹ relating to the International Convention on Load Lines, 1966², have been met,

provided that the present Protocol shall not enter into force before 1 February 1992.

2 For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of the present Protocol after the conditions for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the present Protocol or three months after the date of deposit of the instrument, whichever is the later date.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.

4 After the date on which an amendment to the present Protocol is deemed to have been accepted under article VI, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol as amended.

ARTICLE VI

Amendments

The procedures set out in article VIII of the Convention shall apply to amendments to the present Protocol, provided that:

- (a) references in that article to the Convention and to Contracting Governments shall be taken to mean references to the present Protocol and to the Parties to the present Protocol respectively;
- (b) amendments to the articles of the present Protocol and to the Annex thereto shall be adopted and brought into force in accordance with the procedure applicable to amendments to the articles of the Convention or to chapter I of the Annex thereto; and
- (c) amendments to the appendix to the Annex to the present Protocol may be adopted and brought into force in accordance with the procedure applicable to amendments to the Annex to the Convention other than chapter I.

ARTICLE VII

Denunciation

1 The present Protocol may be denounced by any Party at any time after the expiry of five years from the date on which the present Protocol enters into force for that Party.

2 Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization.

3 A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.

4 A denunciation of the Convention by a Party shall be deemed to be a denunciation of the present Protocol by that Party. Such denunciation shall take effect on the same date as denunciation of the Convention takes effect according to paragraph (c) of article XI of the Convention.

¹ Miscellaneous No. 26 (1999), Cm 4419

² Treaty Series No. 58 (1968), Cmnd 3708

ARTICLE VIII

Depositary

- 1 The present Protocol shall be deposited with the Secretary-General of the Organization (hereinafter referred to as “the depositary”).
- 2 The depositary shall:
 - (a) inform the Governments of all States which have signed the present Protocol or acceded thereto of:
 - (i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;
 - (ii) the date of entry into force of the present Protocol;
 - (iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which it was received and the date on which the denunciation takes effect;
 - (b) transmit certified true copies of the present Protocol to the Governments of all States which have signed the present Protocol or acceded thereto.
- 3 As soon as the present Protocol enters into force, a certified true copy thereof shall be transmitted by the depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE IX

Languages

The present Protocol is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic. An official translation into the Italian language shall be prepared and deposited with the signed original.

DONE AT LONDON this eleventh day of November one thousand nine hundred and eighty-eight.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed the present Protocol.

ANNEX

MODIFICATIONS AND ADDITIONS TO THE ANNEX TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

CHAPTER I

GENERAL PROVISIONS

PART A—APPLICATION, DEFINITIONS, ETC.

REGULATION 2

Definitions

The existing text of paragraph (k) is replaced by the following:

“(k)“New ship” means a ship the keel of which is laid or which is at a similar stage of construction on or after 25 May 1980.”

The following paragraph is added to the existing text:

“(n)“Anniversary date” means the day and the month of each year which will correspond to the date of expiry of the relevant certificate.”

PART B—SURVEYS AND CERTIFICATES

REGULATION 6

Inspection and survey

The existing text is replaced by the following:

“(a)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 Administration. The Administration may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it.

(b) An Administration nominating surveyors or recognizing organizations to conduct inspections and surveys as set forth in paragraph (a) shall as a minimum empower any nominated surveyor or recognized organization to:

- (i) require repairs to a ship;
- (ii) carry out inspections and surveys if requested by the appropriate authorities of a port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognized organizations.

(c) When a nominated surveyor or recognized organization determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate or is such that the ship is not fit to proceed to sea without danger to the ship, or persons on board, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the relevant certificate should be withdrawn and the Administration shall be notified immediately; and, if the ship is in the port of another Party, the appropriate authorities of the port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or a recognized

organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organization any necessary assistance to carry out their obligations under this regulation. When applicable, the Government of the port State concerned shall ensure that the ship shall not sail until it can proceed to sea, or leave port for the purpose of proceeding to the appropriate repair yard, without danger to the ship or persons on board.

- (d) In every case, the Administration shall fully guarantee the completeness and efficiency of the inspection and survey, and shall undertake to ensure the necessary arrangements to satisfy this obligation.”

REGULATION 7

Surveys of passenger ships

The existing text is replaced by the following:

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

- (i) an initial survey before the ship is put in service;
- (ii) a renewal survey once every 12 months, except where regulation 14(b), (e), (f) and (g) is applicable;
- (iii) additional surveys, as occasion arises.

(b) The surveys referred to above shall be carried out as follows:

- (i) the initial survey shall include a complete inspection of the ship’s structure, machinery and equipment, including the outside of the ship’s bottom and the inside and outside of the boilers. This survey shall be such as to ensure that the arrangements, materials and scantlings of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in life-saving appliances, fire protection, fire safety systems and appliances, life-saving appliances and arrangements, shipborne navigational equipment, nautical publications, means of embarkation for pilots and other equipment fully comply with the requirements of the present regulations, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration for ships of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the ship and its equipment is in all respects satisfactory, and that the ship is provided with the lights, shapes, means of making sound signals and distress signals as required by the provisions of the present regulations and the International Regulations for Preventing Collisions at Sea in force;
- (ii) the renewal survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, including the outside of the ship’s bottom. The survey shall be such as to ensure that the ship, as regards the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in life-saving appliances, fire protection, fire safety systems and appliances, life-saving appliances and arrangements, shipborne navigational equipment, nautical publications, means of embarkation for pilots and other equipment is in satisfactory condition and is fit for the service for which it is intended, and that it complies with the requirements of the present regulations and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration. The lights, shapes, means of making sound signals and distress signals carried by the ship shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present regulations and of the International Regulations for Preventing Collisions at Sea in force;

- (iii) an additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in regulation 11, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship complies in all respects with the provisions of the present regulations and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration.
- (c) (i) the laws, decrees, orders and regulations referred to in paragraph (b) of this regulation shall be in all respects such as to ensure that, from the point of view of safety of life, the ship is fit for the service for which it is intended;
 - (ii) they shall among other things prescribe the requirements to be observed as to the initial and subsequent hydraulic or other acceptable alternative tests to which the main and auxiliary boilers, connections, steam pipes, high pressure receivers and fuel tanks for internal combustion engines are to be submitted including the test procedures to be followed and the intervals between two consecutive tests.”

REGULATION 8

[Surveys of life-saving appliances and other equipment of cargo ships]

The existing text is replaced by the following:

“(a)The life-saving appliances and other equipment of cargo ships of 500 tons gross tonnage and upwards as referred to in paragraph (b)(i) shall be subject to the surveys specified below:

- (i) an initial survey before the ship is put in service;
- (ii) a renewal survey at intervals specified by the Administration but not exceeding 5 years, except where regulation 14(b), (e), (f) and (g) is applicable;
- (iii) a periodical survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the Cargo Ship Safety Equipment Certificate which shall take the place of one of the annual surveys specified in paragraph (a)(iv);
- (iv) an annual survey within 3 months before or after each anniversary date of the Cargo Ship Safety Equipment Certificate;
- (v) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).

(b) The surveys referred to in paragraph (a) shall be carried out as follows:

- (i) the initial survey shall include a complete inspection of the fire safety systems and appliances, life-saving appliances and arrangements except radio installations, the shipborne navigational equipment, means of embarkation for pilots and other equipment to which chapters II-1, II-2, III and V apply to ensure that they comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended. The fire control plans, nautical publications, lights, shapes, means of making sound signals and distress signals shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present regulations and, where applicable, the International Regulations for Preventing Collisions at Sea in force;
- (ii) the renewal and periodical surveys shall include an inspection of the equipment referred to in paragraph (b)(i) to ensure that it complies with the relevant requirements of the present regulations and the International Regulations for Preventing Collisions at Sea in force, is in satisfactory condition and is fit for the service for which the ship is intended;
- (iii) the annual survey shall include a general inspection of the equipment referred to in paragraph (b)(i) to ensure that it has been maintained in accordance with regulation 11(a) and that it remains satisfactory for the service for which the ship is intended.

- (c) The periodical and annual surveys referred to in paragraphs (a)(iii) and (a)(iv) shall be endorsed on the Cargo Ship Safety Equipment Certificate.”

REGULATION 9

Surveys of radio and radar installations of cargo ships

The existing heading is replaced by the following:

“Surveys of radio installations of cargo ships”

The existing text is replaced by the following:

- “(a) The radio installations, including those used in life-saving appliances, of cargo ships to which chapters III and IV apply shall be subject to the surveys specified below:
- (i) an initial survey before the ship is put in service;
 - (ii) a renewal survey at intervals specified by the Administration but not exceeding five years, except where regulation 14(b), (e), (f) and (g) is applicable;
 - (iii) a periodical survey within three months before or after each anniversary date of the Cargo Ship Safety Radio Certificate;
 - (iv) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).
- (b) The surveys referred to in paragraph (a) shall be carried out as follows:
- (i) the initial survey shall include a complete inspection of the radio installations of cargo ships, including those used in life-saving appliances, to ensure that they comply with the requirements of the present regulations;
 - (ii) the renewal and periodical surveys shall include an inspection of the radio installations of cargo ships, including those used in life-saving appliances, to ensure that they comply with the requirements of the present regulations.
- (c) The periodical surveys referred to in paragraph (a)(iii) shall be endorsed on the Cargo Ship Safety Radio Certificate.”

REGULATION 10

Surveys of hull, machinery and equipment of cargo ships

The existing heading is replaced by the following:

“Surveys of structure, machinery and equipment of cargo ships”

The existing text is replaced by the following:

- “(a) The structure, machinery and equipment (other than items in respect of which a Cargo Ship Safety Equipment Certificate and a Cargo Ship Safety Radio Certificate are issued) of a cargo ship as referred to in paragraph (b)(i) shall be subject to the surveys and inspections specified below:
- (i) an initial survey including an inspection of the outside of the ship’s bottom before the ship is put in service;
 - (ii) a renewal survey at intervals specified by the Administration but not exceeding 5 years, except where regulation 14(b), (e), (f) and (g) is applicable;
 - (iii) an intermediate survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the Cargo Ship Safety Construction Certificate, which shall take the place of one of the annual surveys specified in paragraph (a)(iv);
 - (iv) an annual survey within 3 months before or after each anniversary date of the Cargo Ship Safety Construction Certificate;

- (v) a minimum of two inspections of the outside of the ship's bottom during any five year period, except where regulation 14(e) or (f) is applicable. Where regulation 14(e) or (f) is applicable, this five year period may be extended to coincide with the extended period of validity of the certificate. In all cases the interval between any two such inspections shall not exceed 36 months;
 - (vi) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).
- (b) The surveys and inspections referred to in paragraph (a) shall be carried out as follows:
- (i) the initial survey shall include a complete inspection of the structure, machinery and equipment. This survey shall be such as to ensure that the arrangements, materials, scantlings and workmanship of the structure, boilers and other pressure vessels, their appurtenances, main and auxiliary machinery including steering gear and associated control systems, electrical installation and other equipment comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended and that the required stability information is provided. In the case of tankers such a survey shall also include an inspection of the pump-rooms, cargo, bunker and ventilation piping systems and associated safety devices;
 - (ii) the renewal survey shall include an inspection of the structure, machinery and equipment as referred to in paragraph (b)(i) to ensure that they comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended;
 - (iii) the intermediate survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, the steering gear and the associated control systems and electrical installations to ensure that they remain satisfactory for the service for which the ship is intended. In the case of tankers, the survey shall also include an inspection of the pump-rooms, cargo, bunker and ventilation piping systems and associated safety devices and the testing of insulation resistance of electrical installations in dangerous zones;
 - (iv) the annual survey shall include a general inspection of the structure, machinery and equipment referred to in paragraph (b)(i), to ensure that they have been maintained in accordance with regulation 11(a) and that they remain satisfactory for the service for which the ship is intended;
 - (v) the inspection of the outside of the ship's bottom and the survey of related items inspected at the same time shall be such as to ensure that they remain satisfactory for the service for which the ship is intended.
- (c) The intermediate and annual surveys and the inspections of the outside of the ship's bottom referred to in paragraphs (a)(iii), (a)(iv) and (a)(v) shall be endorsed on the Cargo Ship Safety Construction Certificate."

REGULATION 11

Maintenance of conditions after survey

The existing text is replaced by the following:

- (a) The condition of the ship and its equipment shall be maintained to conform with the provisions of the present regulations to ensure that the ship in all respects will remain fit to proceed to sea without danger to the ship or persons on board.
- (b) After any survey of the ship under regulations 7, 8, 9 or 10 has been completed, no change shall be made in the structural arrangements, machinery, equipment and other items covered by the survey, without the sanction of the Administration.
- (c) Whenever an accident occurs to a ship or a defect is discovered, either of which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the ship shall report at the earliest opportunity to the Administration, the nominated surveyor or recognized organization responsible for issuing the relevant certificate, who shall cause investigations to be initiated to

determine whether a survey, as required by regulations 7, 8, 9 or 10, is necessary. If the ship is in a port of another Contracting Government, the master or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such a report has been made.”

REGULATION 12

Issue of certificates

The existing heading is replaced by the following:

“Issue or endorsement of certificates”

The existing text is replaced by the following:

- “(a) (i) a certificate called a Passenger Ship Safety Certificate shall be issued after an initial or renewal survey to a passenger ship which complies with the relevant requirements of chapters II-1, II-2, III, IV and V and any other relevant requirements of the present regulations;
- (ii) a certificate called a Cargo Ship Safety Construction Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1 and II-2 (other than those relating to fire safety systems and appliances and fire control plans) and any other relevant requirements of the present regulations;
- (iii) a certificate called a Cargo Ship Safety Equipment Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1, II-2, III and V and any other relevant requirements of the present regulations;
- (iv) a certificate called a Cargo Ship Safety Radio Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapter IV and any other relevant requirements of the present regulations;
- (v) (1) a certificate called a Cargo Ship Safety Certificate may be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1, II-2, III, IV and V and any other relevant requirements of the present regulations, as an alternative to the certificates referred to in paragraph (a)(ii), (a)(iii) and (a)(iv);
- (2) whenever in this chapter reference is made to a Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate or Cargo Ship Safety Radio Certificate, it shall apply to a Cargo Ship Safety Certificate, if it is used as an alternative to these certificates.
- (vi) the Passenger Ship Safety Certificate, the Cargo Ship Safety Equipment Certificate, the Cargo Ship Safety Radio Certificate and the Cargo Ship Safety Certificate, referred to in subparagraphs (i), (iii), (iv) and (v), shall be supplemented by a Record of Equipment;
- (vii) when an exemption is granted to a ship under and in accordance with the provisions of the present regulations, a certificate called an Exemption Certificate shall be issued in addition to the certificates prescribed in this paragraph;
- (viii) the certificates referred to in this regulation shall be issued or endorsed either by the Administration or by any person or organization authorised by it. In every case, that Administration assumes full responsibility for the certificates.

- (b) A Contracting Government shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1960¹, 1948² or 1929³, after the date on which acceptance of the present Convention by the Government takes effect.”

REGULATION 13

Issue of certificate by another Government

The existing heading is replaced by the following:

“Issue or endorsement of certificates by another Government”

The existing text is replaced by the following:

“A Contracting Government may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the requirements of the present regulations are complied with, shall issue or authorize the issue of certificates to the ship and, where appropriate, endorse or authorize the endorsement of certificates on the ship in accordance with the present regulations. Any certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the State the flag of which the ship is entitled to fly, and it shall have the same force and receive the same recognition as a certificate issued under regulation 12.”

REGULATION 14

Duration of certificates

The existing heading is replaced by the following:

“Duration and validity of certificates”

The existing text is replaced by the following:

- “(a) A Passenger Ship Safety Certificate shall be issued for a period not exceeding 12 months. A Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate and Cargo Ship Safety Radio Certificate shall be issued for a period specified by the Administration which shall not exceed five years. An Exemption Certificate shall not be valid for longer than the period of the certificate to which it refers.
- (b) (i) notwithstanding the requirements of paragraph (a), when the renewal survey is completed within three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to:
- (1) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate;
 - (2) for a cargo ship, a date not exceeding five years from the date of expiry of the existing certificate;
- (ii) when the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to:
- (1) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate;
 - (2) for a cargo ship, a date not exceeding five years from the date of expiry of the existing certificate;

¹ Treaty Series No. 65 (1965), Cmdnd 2812

² Treaty Series No. 1 (1953), Cmd 8720

³ Treaty Series No. 34 (1932), Cmd 4198

- (iii) when the renewal survey is completed more than three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to:
 - (1) for a passenger ship, a date not exceeding 12 months from the date of completion of the renewal survey;
 - (2) for a cargo ship, a date not exceeding five years from the date of completion of the renewal survey.
- (c) If a certificate other than a Passenger Ship Safety Certificate is issued for a period of less than five years, the Administration may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph (a), provided that the surveys referred to in regulations 8, 9 and 10 applicable when a certificate is issued for a period of 5 years are carried out as appropriate.
- (d) If a renewal survey has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the person or organization authorized by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.
- (e) If a ship at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No certificate shall be extended for a period longer than three months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be valid to:
 - (i) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate before the extension was granted;
 - (ii) for a cargo ship, a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.
- (f) A certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new certificate shall be valid to:
 - (i) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate before the extension was granted;
 - (ii) for a cargo ship, a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.
- (g) In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by paragraphs (b)(ii), (e) or (f). In these special circumstances, the new certificate shall be valid to:
 - (i) for a passenger ship, a date not exceeding 12 months from the date of completion of the renewal survey;
 - (ii) for a cargo ship, a date not exceeding five years from the date of completion of the renewal survey.
- (h) If an annual, intermediate or periodical survey is completed before the period specified in the relevant regulations then:
 - (i) the anniversary date shown on the relevant certificate shall be amended by endorsement to a date which shall not be more than three months later than the date on which the survey was completed;
 - (ii) the subsequent annual, intermediate or periodical survey required by the relevant regulations shall be completed at the intervals prescribed by these regulations using the new anniversary date;

- (iii) the expiry date may remain unchanged provided one or more annual, intermediate or periodical surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by the relevant regulations are not exceeded.
- (i) A certificate issued under regulation 12 or 13 shall cease to be valid in any of the following cases:
 - (i) if the relevant surveys and inspections are not completed within the periods specified under regulations 7(a), 8(a), 9(a) and 10(a);
 - (ii) if the certificate is not endorsed in accordance with the present regulations;
 - (iii) upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulation 11(a) and (b). In the case of a transfer between Contracting Governments, if requested within three months after the transfer has taken place, the Government of the State whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificates carried by the ship before the transfer and, if available, copies of the relevant survey reports.”

REGULATION 15

Form of certificates

The existing heading is replaced by the following:

“Forms of certificates and records of equipment”

The existing text is replaced by the following:

“The certificates and records of equipment shall be drawn up in the form corresponding to the models given in the appendix to the Annex to the present Convention. If the language used is neither English nor French, the text shall include a translation into one of these languages.”

REGULATION 16

Posting up of certificates

The existing heading is replaced by the following:

“Availability of certificates”

The existing text is replaced by the following:

“The certificates issued under regulations 12 and 13 shall be readily available on board for examination at all times.”

REGULATION 19

Control

The existing text is replaced by the following:

“(a) Every ship when in a port of another Contracting Government is subject to control by officers duly authorized by such Government in so far as this control is directed towards verifying that the certificates issued under regulation 12 or regulation 13 are valid.

- (b) Such certificates, if valid, shall be accepted unless there are clear grounds for believing that the condition of the ship or of its equipment does not correspond substantially with the particulars of any of the certificates or that the ship and its equipment are not in compliance with the provisions of regulation 11(a) and (b).
- (c) In the circumstances given in paragraph (b) or where a certificate has expired or ceased to be valid, the officer carrying out the control shall take steps to ensure that the ship shall not sail until it can proceed to sea or leave the port for the purpose of proceeding to the appropriate repair yard without danger to the ship or persons on board.
- (d) In the event of this control giving rise to an intervention of any kind, the officer carrying out the control shall forthwith inform, in writing, the Consul or, in his absence, the nearest diplomatic representative of the State whose flag the ship is entitled to fly of all the circumstances in which intervention was deemed necessary. In addition, nominated surveyors or recognized organizations responsible for the issue of the certificates shall also be notified. The facts concerning the intervention shall be reported to the Organization.
- (e) The port State authority concerned shall notify all relevant information about the ship to the authorities of the next port of call, in addition to parties mentioned in paragraph (d), if it is unable to take action as specified in paragraphs (c) and (d) or if the ship has been allowed to proceed to the next port of call.
- (f) When exercising control under this regulation all possible efforts shall be made to avoid a ship being unduly detained or delayed. If a ship is thereby unduly detained or delayed it shall be entitled to compensation for any loss or damage suffered.”