

## ARTICLE 28

*Languages*

This Convention is established in a single original in the English and French languages, both texts being equally authentic. Official translations in the Russian and Spanish languages shall be prepared by the Secretary-General of the Organization and deposited with the signed original.

IN WITNESS WHEREOF the undersigned being duly authorized for that purpose have signed this Convention.

DONE AT ATHENS this thirteenth day of December one thousand nine hundred and seventy-four.

**第 127/2015 號行政長官公告**

中華人民共和國於二零零五年六月十七日以照會通知國際海事組織秘書長，一九七六年十一月十九日訂於倫敦的《1974年海上旅客及其行李運輸雅典公約》議定書（下稱“議定書”）適用於澳門特別行政區；

國際海事組織秘書長於二零零五年六月三十日以照會確認議定書自二零零五年六月二十四日起適用於澳門特別行政區；

基於此，行政長官根據第3/1999號法律《法規的公佈與格式》第六條第一款的規定，命令公佈上指議定書的中文及英文文本。

二零一五年十一月二十六日發佈。

行政長官 崔世安

**Aviso do Chefe do Executivo n.º 127/2015**

Considerando que a República Popular da China, por nota datada de 17 de Junho de 2005, notificou o Secretário-Geral da Organização Marítima Internacional sobre a aplicação na Região Administrativa Especial de Macau do Protocolo à Convenção de Atenas de 1974 relativa ao Transporte de Passageiros e Bagagens por Mar, concluído em Londres em 19 de Novembro de 1976, adiante designado por Protocolo;

Considerando ainda que o Secretário-Geral da Organização Marítima Internacional, por nota datada de 30 de Junho de 2005, confirmou que o Protocolo é aplicável na Região Administrativa Especial de Macau desde 24 de Junho de 2005;

O Chefe do Executivo manda publicar, nos termos do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), o referido Protocolo nos seus textos em línguas chinesa e inglesa.

Promulgado em 26 de Novembro de 2015.

O Chefe do Executivo, *Chui Sai On*.

## 《1974 年海上旅客及其行李運輸雅典公約》議定書

本議定書各締約方，

作為 1974 年 12 月 13 日在雅典制定的海上旅客及其行李運輸雅典公約的締約國，

茲協議如下：

### 第 I 條

在本議定書中：

1. “公約”係指《1974 年海上旅客及其行李運輸雅典公約》。
2. “本組織”與公約中的含義相同。
3. “秘書長”係指本組織秘書長。

### 第 II 條

(1) 用下列條文代替公約第 7 條 1 款：

1. 承運人對每位旅客的死亡或人身傷害的責任在任何情況下每次運輸不得超過 46 666 計算單位。如果根據受案法院地的法律，損害賠償金以分期付款方式支付，則這些付款額相應的本金價值不得超過上述限額。

(2) 用下列條文代替公約第 8 條：

1. 承運人對自帶行李的滅失或損壞的責任，在任何情況下對每位旅客、每次運輸不得超過 833 計算單位。
2. 承運人對車輛包括車內或車上所有行李滅失或損壞的責任，在任何情況下對每一車輛、每次運輸不得超過 3 333 計算單位。

3. 承運人對本條第 1 款和第 2 款中所述者以外的行李的滅失或損壞的責任，在任何情況下對每位旅客、每次運輸不得超過 1 200 計算單位。

4. 承運人與旅客可以協議商定承運人的免賠額，但對每一車輛損失的免賠額不超過 117 計算單位，對每位旅客其他行李的滅失或損壞的免賠額不超過 13 計算單位。上述免賠額應從滅失或損壞中扣除。

(3) 用下列條文代替公約第 9 條及其標題：

### **計算單位或貨幣單位和折算**

1. 本公約中所述計算單位為國際貨幣基金組織規定的特別提款權。第 7 條和第 8 條所述金額應按判決之日或雙方同意之日受案法院地國貨幣的價值，折算成該國貨幣。凡屬國際貨幣基金組織成員的國家，按特別提款權所折合為該國貨幣的價值，應按國際貨幣基金組織於所述日期的業務和交易中實際適用的定值方法計算。非國際貨幣基金組織成員的國家，按特別提款權折合為該國貨幣的價值，應按該國確定的方法計算。

2. 但是，非國際貨幣基金組織成員國，且其法律不允許適用本條第 1 款的規定的國家，在批准或加入本公約時，或在此後的任何時間均可聲明本公約所規定的適用於其領土的賠償責任限額，確定如下：

(a) 關於第 7 條第 1 款，700 000 貨幣單位；

(b) 關於第 8 條第 1 款，12 500 貨幣單位；

(c) 關於第 8 條第 2 款，50 000 貨幣單位；

(d) 關於第 8 條第 3 款，18 000 貨幣單位；

(e) 關於第 8 條第 4 款，免賠額對車輛損壞不超過 1 750 貨幣單位，對每位旅客其他行李的滅失或損壞不超過 200 貨幣單位。

本款所述貨幣單位相當於純度為千分之九百的黃金 65.5 毫克。本款確定的金額折合成國家貨幣時，應按該國法律辦理。

3. 第 1 款末句中所述計算和第 2 款所述折合，應儘可能使該締約國以該國貨幣表示的金額與第 7 條和第 8 條中以計算單位表示的金額具有相同的實際價值。締約國將其按第 1 款的計算方法或第 2 款中的折合結果，在交存第 III 條所指的文件時，以及上述計算方法或折合結果發生變動時通知保管人。

### 第 III 條

#### 簽署、批准和加入

1. 本議定書將開放供任何已簽署或加入公約的國家和任何應邀參加於 1976 年 11 月 17 日至 19 日在倫敦召開的修改 1974 年海上旅客及其行李運輸雅典公約中計算單位條款會議的國家簽署。本議定書自 1977 年 2 月 1 日起至 1977 年 12 月 31 日止在本組織總部開放供簽署。

2. 除本條第 4 款規定外，本議定書有待已簽署本議定書的國家批准、接受或核准。

3. 除本條第 4 款規定之外，本議定書應開放供未簽署本議定書的國家加入。

4. 本議定書可由公約各締約國批准、接受、核准或加入。

5. 批准、接受、核准或加入應向秘書長交存一份相應的正式文件。

6. 在涉及現有締約國的本議定書修正案生效之後，或在涉及現有締約國的修正案的生效所需的各種手續完備之後，任何交存的批准、接受、核准或加入文件應視為適用於經修正案修改的本議定書。

## 第 IV 條

### 生效

1. 本議定書應在 10 個國家對批准、接受或核准無保留的簽署，或者已交存批准、接受、核准和加入的必要文件之日後第 90 天，對批准、接受、核准或加入本議定書的國家生效。

2. 但是，本議定書在公約生效前不生效。

3. 對於在此後無保留簽署批准、接受、核准或加入本議定書，或交存批准、接受、核准或加入書的每一國家，本議定書應在該國簽署或交存相應文件之日後第 90 天對其生效。

## 第 V 條

### 退出

1. 任何締約國可在本議定書對其生效之後，隨時退出本議定書。

2. 退出應向秘書長交存一份文件。秘書長應將接到退出文件的信息和其交存日期通報其他各締約國。

3. 退出應在向秘書長交存退出文件一年之後，或在退出文件中載明的更長時間之後生效。

## 第 VI 條

### 修訂和修正

1. 修訂或修正本議定書的會議，可由本組織召開。

2. 經不少於三分之一的締約國的要求，本組織應召開本議定書的締約國會議，對其進行修訂或修正。

## 第 VII 條

### 保存人

1. 本議定書應交秘書長保存。

2. 秘書長應：

(a) 將下列事項通知所有已簽署或加入本議定書的國家；

(1) 每一新的簽署或新的文件的交存及其日期；

(2) 本議定書的生效日期；

(3) 任何退出本議定書的文件的交存及退出的生效日期；

(4) 本議定書的任何修正案；

(b) 將本議定書的核證無誤的副本送交所有簽署或加入本議定書的國家。

3. 本議定書一經生效，秘書長應按照聯合國憲章第 102 條的規定，將本議定書的核證無誤的副本送交聯合國秘書處，供登記和公佈。

## 第 VIII 條

### 文字

本議定書正本一份，用英文和法文寫成，兩種文本具有同等效力。俄文和西班牙文的正式譯本應由秘書長準備與經簽署的正本一併交存。

1976 年 11 月 19 日訂於倫敦。

下列署名者，經正式授權，特簽署本議定書，以昭信守。

PROTOCOL TO THE ATHENS CONVENTION RELATING TO THE CARRIAGE  
OF PASSENGERS AND THEIR LUGGAGE BY SEA, 1974

THE PARTIES TO THE PRESENT PROTOCOL,

BEING PARTIES to the Athens Convention Relating to the Carriage  
of Passengers and their Luggage by Sea, done at Athens on  
13 December 1974;

HAVE AGREED AS FOLLOWS:

ARTICLE I

For the purpose of the present Protocol:

1. "Convention" means the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974.
2. "Organization" has the same meaning as in the Convention.
3. "Secretary-General" means the Secretary-General of the Organization.

ARTICLE II

(1) Article 7, paragraph 1 of the Convention is replaced by the following text:

1. The liability of the carrier for the death of or personal injury to a passenger shall in no case exceed 46,666 units of account per carriage. Where in accordance with the law of the court seized of the case damages are awarded in the form of periodical income payments, the equivalent capital value of those payments shall not exceed the said limit.

(2) Article 8 of the Convention is replaced by the following text:

1. The liability of the carrier for the loss of or damage to cabin luggage shall in no case exceed 833 units of account per passenger, per carriage.
2. The liability of the carrier for the loss of or damage to vehicles including all luggage carried in or on the vehicle shall in no case exceed 3,333 units of account per vehicle, per carriage.

3. The liability of the carrier for the loss of or damage to luggage other than that mentioned in paragraphs 1 and 2 of this Article shall in no case exceed 1,200 units of account per passenger, per carriage.

4. The carrier and the passenger may agree that the liability of the carrier shall be subject to a deductible not exceeding 117 units of account in the case of damage to a vehicle and not exceeding 13 units of account per passenger in the case of loss of or damage to other luggage, such sum to be deducted from the loss or damage.

(3) Article 9 of the Convention and its title are replaced by the following:

Unit of Account or Monetary Unit and Conversion

1. The Unit of Account mentioned in this Convention is the Special Drawing Right as defined by the International Monetary Fund. The amounts mentioned in Articles 7 and 8 shall be converted into the national currency of the State of the Court seized of the case on the basis of the value of that currency on the date of the judgment or the date agreed upon by the Parties. The value of the national currency, in terms of the Special Drawing Right, of a State which is a member of the International Monetary Fund, shall be calculated in accordance with the method of valuation applied by the International Monetary Fund in effect at the date in question for its operations and transactions. The value of the national currency, in terms of the Special Drawing Right, of a State which is not a member of the International Monetary Fund, shall be calculated in a manner determined by that State.

2. Nevertheless, a State which is not a member of the International Monetary Fund and whose law does not permit the application of the provisions of paragraph 1 of this Article may, at the time of ratification or accession or at any time thereafter, declare that the limits of liability provided for in this Convention to be applied in its territory shall be fixed as follows:

(a) in respect of Article 7, paragraph 1, 700,000 monetary units;

(b) in respect of Article 8, paragraph 1, 12,500 monetary units;



- (c) in respect of Article 8, paragraph 2, 50,000 monetary units;
- (d) in respect of Article 8, paragraph 3, 18,000 monetary units;
- (e) in respect of Article 8, paragraph 4, the deductible shall not exceed 1,750 monetary units in the case of damage to a vehicle and shall not exceed 200 monetary units per passenger in the case of loss of or damage to other luggage.

The monetary unit referred to in this paragraph corresponds to sixty-five and a half milligrammes of gold of millesimal fineness nine hundred. The conversion of the amounts specified in this paragraph into the national currency shall be made according to the law of the State concerned.

3. The calculation mentioned in the last sentence of paragraph 1 and the conversion mentioned in paragraph 2 shall be made in such a manner as to express in the national currency of the State as far as possible the same real value for the amounts in Articles 7 and 8 as is expressed there in units of account. States shall communicate to the depositary the manner of calculation pursuant to paragraph 1 or the result of the conversion in paragraph 2 as the case may be, when depositing an instrument referred to in Article III and whenever there is a change in either.

#### ARTICLE III

##### Signature, Ratification and Accession

1. The present Protocol shall be open for signature by any State which has signed the Convention or acceded thereto and by any State invited to attend the Conference to Revise the Unit of Account Provisions in the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974, held in London from 17 to 19 November 1976. This Protocol shall be open for signature from 1 February 1977 to 31 December 1977 at the Headquarters of the Organization.

2. Subject to paragraph 4 of this Article, the present Protocol shall be subject to ratification, acceptance or approval by the States which have signed it.

3. Subject to paragraph 4 of this Article, this Protocol shall be open for accession by States which did not sign it.
4. The present Protocol may be ratified, accepted, approved or acceded to by States Parties to the Convention.
5. Ratification, acceptance, approval or accession shall be effected by the deposit of a formal instrument to that effect with the Secretary-General.
6. Any instrument of ratification, acceptance, approval or accession deposited after the entry into force of an amendment to the present Protocol with respect to all existing Parties or after the completion of all measures required for the entry into force of the amendment with respect to all existing Parties shall be deemed to apply to the Protocol as modified by the amendment.

#### ARTICLE IV

##### Entry Into Force

1. The present Protocol shall enter into force for the States which have ratified, accepted, approved or acceded to it on the ninetieth day following the date on which ten States have either signed it without reservation as to ratification, acceptance or approval or have deposited the requisite instruments of ratification, acceptance, approval or accession.
2. However, the present Protocol shall not enter into force before the Convention has entered into force.
3. For any State which subsequently signs this Protocol without reservation as to ratification, acceptance or approval, or deposits its instrument of ratification, acceptance, approval or accession, the present Protocol shall come into force on the ninetieth day after the date of such signature or deposit.

#### ARTICLE V

##### Denunciation

1. The present Protocol may be denounced by a Party at any time after the date on which the Protocol enters into force for that party.

2. Denunciation shall be effected by the deposit of an instrument with the Secretary-General who shall inform all other Parties of the receipt of the instrument of denunciation and of the date of its deposit.
3. A denunciation shall take effect one year after the deposit of an instrument of denunciation, or after such longer period as may be specified in the instrument.

#### ARTICLE VI

##### Revision and Amendment

1. A Conference for the purpose of revising or amending the present Protocol may be convened by the Organization.
2. The Organization shall convene a Conference of the Parties to the present Protocol for revising or amending it at the request of not less than one-third of the Parties.

#### ARTICLE VII

##### Depositary

1. The present Protocol shall be deposited with the Secretary-General.
2. The Secretary-General shall:
  - (a) inform all States which have signed or acceded to the present Protocol of:
    - (i) each new signature and each deposit of an instrument 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 the denunciation takes effect;
    - (iv) any amendments to the present Protocol;
  - (b) transmit certified true copies of the present Protocol to all States which have signed the present Protocol or acceded thereto.

3. Upon entry into force of the present Protocol, a certified true copy thereof shall be transmitted by the Secretary-General to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE VIII

Languages

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

DONE AT LONDON this nineteenth day of November one thousand nine hundred and seventy-six.

IN WITNESS WHEREOF the undersigned being duly authorized for that purpose have signed the present Protocol.

二零一五年十一月三十日於行政長官辦公室

辦公室主任 柯嵐

Gabinete do Chefe do Executivo, aos 30 de Novembro de 2015. — A Chefe do Gabinete, *O Lam*.

行政法務司司長辦公室

第 61/2015 號行政法務司司長批示

行政法務司司長行使《澳門特別行政區基本法》第六十四條賦予的職權，並根據第6/1999號行政法規第二條第一款（二）項及第七條，結合第109/2014號行政命令第一款、第二款及第五款的規定，作出本批示。

轉授一切所需權力予民政總署管理委員會主席黃有力或其法定代任人，以代表澳門特別行政區作為簽署人，與“羅振華建築商”簽署《氹仔蓮花單車徑優化工程》合同。

二零一五年十一月二十七日

行政法務司司長 陳海帆

二零一五年十一月三十日於行政法務司司長辦公室

辦公室代主任 張少雄

GABINETE DA SECRETÁRIA PARA A ADMINISTRAÇÃO  
E JUSTIÇA

Despacho da Secretária para a Administração  
e Justiça n.º 61/2015

Usando da faculdade conferida pelo artigo 64.º da Lei Básica da Região Administrativa Especial de Macau e nos termos da alínea 2) do n.º 1 do artigo 2.º e do artigo 7.º, ambos do Regulamento Administrativo n.º 6/1999, conjugados com os n.ºs 1, 2 e 5 da Ordem Executiva n.º 109/2014, a Secretária para a Administração e Justiça manda:

São subdelegados no presidente do Conselho de Administração do Instituto para os Assuntos Cívicos e Municipais, Vong Iao Lek, ou no seu substituto legal, todos os poderes necessários para representar a Região Administrativa Especial de Macau, como outorgante, no contrato da «Obra de melhoria da Pista de bicicletas da Flor de Lótus», a celebrar com o «construtor civil Lo Chan Va».

27 de Novembro de 2015.

A Secretária para a Administração e Justiça, *Chan Hoi Fan*.

Gabinete da Secretária para a Administração e Justiça, aos 30 de Novembro de 2015. — O Chefe do Gabinete, substituto, *Cheong Sio Hong*.