

- 4.2.5 船舶容量低於第21.2條中表1中最小容量閾值……………
- 5 船舶能效管理計劃**
- 5.1 船舶按照第22條攜帶船舶能效管理計劃……………
- 6 能效設計指數技術案卷**
- 6.1 按照第20.1條國際能效證書附有能效設計指數技術案卷……………
- 6.2 能效設計指數技術案卷識別/驗證號……………
- 6.3 能效設計指數技術案卷驗證日期……………

茲證明本記錄在各方面均正確無誤。

簽發於 .....

(記錄簽發地點)

(年/月/日) .....

(簽發日期)

(經正式授權簽發本記錄的官員簽字)

(主管當局鋼印或蓋章)

### 第 3/2016 號行政長官公告

中華人民共和國於二零零六年九月二十六日以照會通知荷蘭王國外交部，接受海牙國際私法會議第二十屆外交大會於二零零五年六月三十日通過的《海牙國際私法會議章程修正案》（下稱“修正案”），並聲明修正案同時適用於澳門特別行政區；

修正案已於二零零七年一月一日起對中華人民共和國生效，包括對澳門特別行政區生效；

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，命令公佈上指修正案的英文文本及其中文譯本。

二零一六年一月十五日發佈。

行政長官 崔世安

### Aviso do Chefe do Executivo n.º 3/2016

Considerando que a República Popular da China, por nota datada de 26 de Setembro de 2006, notificou o Ministério dos Negócios Estrangeiros do Reino dos Países Baixos sobre a aceitação das Emendas ao Estatuto da Conferência da Haia de Direito Internacional Privado adoptadas pela 20.ª Sessão Diplomática da Conferência em 30 de Junho de 2005, adiante designadas por Emendas, declarando que as mesmas se aplicam na Região Administrativa Especial de Macau;

Considerando igualmente que as Emendas entraram em vigor em 1 de Janeiro de 2007 em relação à República Popular da China, incluindo a Região Administrativa Especial de Macau;

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), as referidas Emendas, no seu texto em língua inglesa, acompanhado da tradução para a língua chinesa.

Promulgado em 15 de Janeiro de 2016.

O Chefe do Executivo, *Chui Sai On*.

AMENDMENTS TO THE STATUTE OF THE HAGUE CONFERENCE,  
AS ADOPTED BY THE TWENTIETH DIPLOMATIC SESSION ON 30 JUNE 2005

Article 2, paragraph 2:

2. Any other State, the participation of which is from a juridical point of view of importance for the work of the Conference, may become a Member. The admission of new **Member States** shall be decided upon by the Governments of the participating States, upon the proposal of one or more of them, by a majority of the votes cast, within a period of six months from the date on which that proposal is submitted to the Governments.

Following Article 2 insert Article 2A as follows –

**1. The Member States of the Conference may, at a meeting concerning general affairs and policy where the majority of Member States is present, by a majority of the votes cast, decide to admit also as a Member any Regional Economic Integration Organisation which has submitted an application for membership to the Secretary General. References to Members under this Statute shall include such Member Organisations, except as otherwise expressly provided. The admission shall become effective upon the acceptance of the Statute by the Regional Economic Integration Organisation concerned.**

**2. To be eligible to apply for membership of the Conference, a Regional Economic Integration Organisation must be one constituted solely by sovereign States, and to which its Member States have transferred competence over a range of matters within the purview of the Conference, including the authority to make decisions binding on its Member States in respect of those matters.**

**3. Each Regional Economic Integration Organisation applying for membership shall, at the time of such application, submit a declaration of competence specifying the matters in respect of which competence has been transferred to it by its Member States.**

**4. Each Member Organisation and its Member States shall ensure that any change regarding the competence of the Member Organisation or in its membership shall be notified to the Secretary General, who shall circulate such information to the other Members of the Conference.**

**5. Member States of the Member Organisation shall be presumed to retain competence over all matters in respect of which transfers of competence have not been specifically declared or notified.**

**6. Any Member of the Conference may request the Member Organisation and its Member States to provide information as to whether the Member Organisation has competence in respect of any specific question which is before the Conference. The Member Organisation and its Member States shall ensure that this information is provided on such request.**

**7. The Member Organisation shall exercise membership rights on an alternative basis with its Member States that are Members of the Conference, in the areas of their respective competences.**

**8. The Member Organisation may exercise on matters within its competence, in any meetings of the Conference in which it is entitled to participate, a number of votes equal to the number of its Member States which have transferred competence to the Member Organisation in respect of the matter in question, and which are entitled to vote in and have registered for such meetings. Whenever the Member Organisation exercises its right to vote, its Member States shall not exercise theirs, and conversely.**

**9. “Regional Economic Integration Organisation” means an international organisation that is constituted solely by sovereign States, and to which its Member States have transferred competence over a range of matters, including the authority to make decisions binding on its Member States in respect of those matters.**

Article 3:

**1. The Council on General Affairs and Policy (hereafter “the Council”), composed of all Members, has charge of the operation of the Conference. Meetings of the Council shall, in principle, be held annually.**

**2. The Council ensures such operation through a Permanent Bureau, the activities of which it directs.**

**3. The Council shall examine all proposals intended to be placed on the agenda of the Conference. It shall be free to determine the action to be taken on such proposals.**

**4. The Netherlands Standing Government Committee, instituted by Royal Decree of 20 February 1897 with a view to promoting the codification of private international law, shall, after consultation with the Members of the Conference, determine the date of the Diplomatic Sessions.**

**5. The Standing Government Committee shall address itself to the Government of the Netherlands for the convocation of the Members. The Chair of the Standing Government Committee presides over the Sessions of the Conference.**

**6. The Ordinary Sessions of the Conference shall, in principle, be held every four years.**

**7. If necessary, the Council may, after consultation with the Standing Government Committee, request the Government of the Netherlands to convene the Conference in Extraordinary Session.**

**8. The Council may consult the Standing Government Committee on any other matter relevant to the Conference.**

Article 4:

**1. The Permanent Bureau shall have its seat at The Hague. It shall be composed of a Secretary General and four Secretaries who shall be appointed by the Government of the Netherlands upon presentation by the Standing Government Committee.**

**2. The Secretary General and the Secretaries must possess appropriate legal knowledge and practical experience. In their appointment account shall also be taken of diversity of geographic representation and of legal expertise.**

**3.** The number of Secretaries may be increased after consultation with the **Council and in accordance with Article 9.**

Article 5:

Under the direction of the **Council**, the Permanent Bureau shall be charged with –

- a) the preparation and organisation of the Sessions of the Hague Conference and the meetings **of the Council and of any** Special Commissions;
- b) the work of the Secretariat of the Sessions and meetings envisaged above;
- c) all the tasks which are included in the activity of a secretariat.

Article 6:

**1.** With a view to facilitating communication between the Members of the Conference and the Permanent Bureau, the Government of each of the Member **States** shall designate a national **organ and each Member Organisation a contact organ.**

**2.** The Permanent Bureau may correspond with all the **organs** so designated and with the competent international organisations.

Article 7:

**1.** The **Sessions** and, in the interval between Sessions, the **Council**, may set up Special Commissions to prepare draft Conventions or to study all questions of private international law which come within the purpose of the Conference.

**2. The Sessions, Council and Special Commissions shall, to the furthest extent possible, operate on the basis of consensus.**

Article 8:

**1. The budgeted costs of the Conference shall be apportioned among the Member States of the Conference.**

**2. A Member Organisation shall not be required to contribute in addition to its Member States to the annual budget of the Conference, but shall pay a sum to be determined by the Conference, in consultation with the Member Organisation, to cover additional administrative expenses arising out of its membership.**

**3. In any case, travelling and living expenses of the delegates to the Council and the Special Commissions shall be payable by the Members represented.**

Article 9:

**1.** The budget of the **Conference** shall be submitted each year to the **Council of Diplomatic Representatives of the Member States** at The Hague for approval.

**2.** These Representatives shall also apportion among the **Member States** the expenses which are charged in that budget to the latter.

**3.** The Diplomatic Representatives shall meet for such purposes under the chairmanship of the Minister of Foreign Affairs of the **Kingdom of the Netherlands.**

Article 10:

1. The expenses resulting from the Ordinary **and Extraordinary** Sessions of the Conference shall be borne by the Government of the Netherlands.
2. In any case, the travelling and living expenses of the delegates shall be payable by the respective **Members**.

Article 12:

1. **Amendments to the Statute must be adopted by consensus of the Member States present at a meeting concerning general affairs and policy.**
2. **Such amendments shall enter into force, for all Members, three months after they are approved by two thirds of the Member States in accordance with their respective internal procedures, but not earlier than nine months from the date of their adoption.**
3. **The meeting referred to in paragraph 1 may change by consensus the periods of time referred to in paragraph 2.**

Article 13:

To provide for their execution, the provisions of the present Statute will be complemented by Regulations. The Regulations shall be established by the Permanent Bureau and submitted to a **Diplomatic Session, the Council of Diplomatic Representatives or the Council on General Affairs and Policy** for approval.

Article 14, paragraph 3:

3. The **Netherlands Government shall**, in the case of the admission of a new **Member, inform all Members of** the declaration of acceptance of that **new Member**.

Article 15, paragraph 2:

2. Notice of the denunciation shall be given to the Ministry of Foreign Affairs of the **Kingdom of the Netherlands** at least six months before the expiration of the budgetary year of the Conference, and shall become effective at the expiration of the said year, but only with respect to the Member which has given notice thereof.

Following Article 15, add:

**The English and French texts of this Statute, as amended on ..... 200., are equally authentic.**

## 《海牙國際私法會議章程修正案》

(第20屆外交大會於二〇〇五年六月三十日通過)

### 第二條第二款

2. 任何其他國家，如其參加在法律上對海牙會議的工作有重要關係，也可以成為會員。新會員國的接納應在一個或幾個會員國政府向其他會員國政府作出提議後六個月內，經多數會員國政府投票同意後成為會員。

### 增加第二 A 條

1. 在多數會員國出席的總務與政策會議上，任何向秘書長提交了會員申請的區域經濟一體化組織，經多數會員國的投票同意也可以成為會員。除非另行做出明確規定，本章程所指的會員應當包括上述會員組織。接納於有關區域經濟一體化組織接受本章程起生效。
2. 具備申請成為海牙會議會員資格的區域經濟一體化組織，必須全部由主權國家構成，且其成員國已將處理海牙會議管轄範圍內的事項的權限讓渡給該組織，包括可就有關事項作出對成員國有約束力決定的權限。
3. 提出會員申請的區域經濟一體化組織應當在申請時提交聲明，說明其成員國已向其讓渡權限的事項。

4. 會員組織及其成員國應當確保通知秘書長該會員組織的權限或該組織的成員的任何變動。秘書長應當通知海牙會議的其他會員。
5. 對所有未經特別聲明或通知權限已讓渡的事項，應當推定會員組織的成員國保有管轄權。
6. 就海牙會議面臨的任何具體問題，海牙會議的任何會員均可以請求會員組織及其成員國提供該會員組織是否具有管轄權的說明。應請求，會員組織及其成員國應當確保提供上述說明。
7. 當其成員國同為海牙會議會員時，會員組織與其成員國只能在二選一的基礎上在各自權限範圍內分別行使會員權利。
8. 在其有權參加的海牙會議的任何會議中，會員組織可就其權限範圍內的事項行使表決權，表決權數目等同於已就該事項讓渡權限並在會議註冊且有權表決的其成員國數目。會員組織行使表決權時，其成員國不再行使其自身的表決權，反之亦然。
9. “區域經濟一體化組織”是指完全由主權國家構成的國際組織，其成員國已將處理某一範圍的事項的權限讓渡給該組織，包括可就有關事項作出對其成員國有約束力決定的權限。

### 第三條

1. 總務與政策理事會（以下簡稱“理事會”），由全體會員組成，負責海牙會議的工作。理事會原則上應每年召開會議。
2. 該理事會通過指導一個常設事務局的活動實行其職能。

3. 理事會對所有將列入會議議程的議題進行審查，並可以自由決定對這些議題應採取的行動。
4. 為促進國際私法的編纂，依據一八九七年二月二十日國王敕令而設立的荷蘭常設政府委員會應當與海牙會議會員協商後決定每屆外交大會的日期。
5. 由常設政府委員會請求荷蘭政府召集各會員。常設政府委員會主席主持海牙會議外交大會。
6. 會議原則上每四年召開一次外交大會。
7. 如有必要，理事會經與常設政府委員會協商，可以請求荷蘭政府召開特別外交大會。
8. 理事會可以就與海牙會議相關的其他任何事項與常設政府委員會協商。

#### 第四條

1. 常設事務局設於海牙。它由荷蘭政府根據常設政府委員會提名任命的一名秘書長和四名秘書組成。
2. 秘書長和秘書必須具有適當的法律知識和實踐經驗。對於他們的任命需要考慮地域代表性及法律專業的多樣性。
3. 經與理事會協商後並根據本章程第九條的規定，秘書的人數可以增加。



### 第五條

在理事會的指導下，常設事務局負責：

- (一) 準備並組織海牙會議外交大會和理事會及任何特別委員會會議；
- (二) 上述外交大會和會議的秘書處工作；
- (三) 在秘書處活動範圍內的所有任務。

### 第六條

1. 為便於海牙會議會員與常設事務局的聯繫，各會員國政府應當指定一個國家機構，各會員組織應當指定一個聯絡機構。
2. 常設事務局可以同所有指定的機構和有關的國際組織進行聯繫。

### 第七條

1. 外交大會以及在兩屆外交大會間隔期間，理事會可以成立特別委員會起草公約或者研究所有海牙會議宗旨範圍內的國際私法問題。
2. 外交大會、理事會與特別委員會應當盡最大可能，在協商一致的基礎上工作。

### 第八條

1. 海牙會議預算支出應當由海牙會議會員國按比例分攤。

2. 會員組織不被要求在其成員國負擔之外承擔海牙會議的年度預算費用，但為補足因其會員資格支出的額外行政費用，會員組織應當繳納一定費用，數額由海牙會議與其協商後決定。
3. 任何情況下，理事會及特別委員會代表的旅費和生活費由其代表的會員負擔。

### 第九條

1. 海牙會議的預算每年提請各會員國駐海牙的外交代表理事會批准。
2. 這些代表也應當在各會員國中分配根據該預算其應承擔的費用。
3. 各國外交代表應在荷蘭王國外交大臣主持下開會討論此事。

### 第十條

1. 海牙會議的外交大會和特別外交大會的費用由荷蘭政府承擔。
2. 在任何情況下，代表的旅費和生活費均由會員負擔。

### 第十二條

1. 本章程的修改，須經出席總務與政策會議的會員國以協商一致方式通過。

2. 上述修改應當自三分之二會員國根據其各自國內程序同意後三個月起對全體會員生效，但生效期限不早於自通過之日起九個月。
3. 第一款所指的會議可以以協商一致方式改變第二款規定的期限。

### 第十三條

本章程的規定將以條例補充，以便執行。條例由常設事務局制訂，並提請外交大會、外交代表理事會或者總務與政策理事會批准。

### 第十四條第三款

3. 在接納新會員時，荷蘭政府應當將該新會員的接受聲明書通知所有會員。

### 第十五條第二款

2. 退出的通知應在海牙會議財政年度終結前六個月送交給荷蘭王國外交部並於該財政年度終結時生效，但只對作出該通知的會員有效。

約尾：

本章程的英文本和法文本，於二〇〇 年 月 日修訂，同等作準。