

## 澳門特別行政區

## REGIÃO ADMINISTRATIVA ESPECIAL DE MACAU

### 行政長官辦公室

### GABINETE DO CHEFE DO EXECUTIVO

#### 第 28/2017 號行政長官公告

#### Aviso do Chefe do Executivo n.º 28/2017

中華人民共和國政府是國際便利海上旅行和運輸會議於一九六五年四月九日在倫敦通過的《1965年便利國際海上運輸公約》(下稱“公約”)(英文縮寫為“FAL”)的締約國政府,於一九九五年一月十六日向國際海事組織秘書長交存了公約加入書,並於一九九五年三月十七日產生效力;

Considerando que o Governo da República Popular da China é um Governo Contratante da Convenção sobre Facilitação do Tráfego Marítimo Internacional, vulgarmente designada pelo seu acrónimo em inglês «FAL», e doravante designada por Convenção, adoptada pela Conferência Internacional sobre a Facilitação das Viagens e Transportes Marítimos, em Londres, em 9 de Abril de 1965, tendo efectuado o depósito do seu instrumento de adesão à Convenção junto do Secretário-Geral da Organização Marítima Internacional (OMI) em 16 de Janeiro de 1995, o qual produziu efeitos em 17 de Março de 1995;

公約締約國政府會議於一九七三年通過了對公約第七條的修正案;

Considerando igualmente que, em 1973, a Conferência dos Governos Contratantes da Convenção adoptou uma emenda ao artigo VII da Convenção;

一九六九年、一九七七年及一九八六年的公約締約國政府會議通過了對公約附件的修正案;

Mais considerando que, em 1969, em 1977 e em 1986 a Conferência dos Governos Contratantes da Convenção adoptou emendas ao Anexo da Convenção;

國際海事組織便利委員會分別透過一九八七年九月十七日第FAL.1(17)號決議、一九九零年五月三日第FAL.2(19)號決議、一九九二年五月一日第FAL.3(21)號決議、一九九三年四月二十九日第FAL.4(22)號決議、一九九六年一月十一日第FAL.5(24)號決議、一九九九年九月九日第FAL.6(27)號決議及二零零二年一月十日第FAL.7(29)號決議,再次通過了對經修正公約附件的修正案;

Considerando ainda que o Anexo da Convenção, tal como emendada, voltou a ser objecto de emendas por parte do Comité de Facilitação da OMI através das suas resoluções FAL.1(17), de 17 de Setembro de 1987, FAL.2(19), de 3 de Maio de 1990, FAL.3(21), de 1 de Maio de 1992, FAL.4(22), de 29 de Abril de 1993, FAL.5(24), de 11 de Janeiro de 1996, FAL.6(27), de 9 de Setembro de 1999, e FAL.7(29), de 10 de Janeiro de 2002;

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,經修正的《1965年便利國際海上運輸公約》適用於澳門特別行政區;

Mais considerando que, por nota datada de 17 de Junho de 2005, a República Popular da China notificou o Secretário-Geral da OMI que a Convenção sobre Facilitação do Tráfego Marítimo Internacional, 1965, tal como emendada, se aplica na Região Administrativa Especial de Macau;

國際海事組織秘書長於二零零五年六月三十日覆照收悉中華人民共和國就有關經修正的《1965年便利國際海上運輸公約》適用於澳門特別行政區的通知,並確認該通知於二零零五年六月二十四日產生效力;

Considerando igualmente que o Secretário-Geral da OMI, por nota datada de 30 de Junho de 2005, acusou a recepção da notificação efectuada pela República Popular da China relativa à aplicação da Convenção, tal como emendada, na Região Administrativa Especial de Macau, tendo referido que tal notificação produziu efeitos em 24 de Junho de 2005;

國際海事組織便利委員會再次分別透過二零零五年七月七日第FAL.8(32)號決議及二零零九年一月十六日第FAL.10(35)號決議,通過了對經修正公約附件的修正案。根據公約第七條第二款b)項的規定,修正案分別於二零零六年十一月一日及二零一零年五月十五日在國際法律秩序上生效,包括對中華人民共和國及其澳門特別行政區生效;

Considerando ainda que o Comité de Facilitação da OMI voltou a adoptar emendas ao Anexo da Convenção, tal como emendada, através das suas resoluções FAL.8(32), de 7 de Julho de 2005, e FAL.10(35), de 16 de Janeiro de 2009, emendas essas que entraram em vigor na ordem internacional, incluindo a República Popular da China e a sua Região Administrativa Especial de Macau, nos termos da alínea b) do n.º 2 do artigo VII da Convenção, respectivamente, em 1 de Novembro de 2006 e em 15 de Maio de 2010;

由於公約及其修正案的正式文本至今未曾公佈於《澳門特別行政區公報》;

Considerando ainda que os textos autênticos da Convenção e das suas emendas não foram até ao momento publicados no *Boletim Oficial da Região Administrativa Especial de Macau*;

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：

——一九六五年四月九日在倫敦通過的《1965年便利國際海上運輸公約》（《1965年便利公約》）的英文正式文本；

——經一九七三年修正的《1965年便利公約》第七條的英文正式文本；

——《1965年便利公約》附件的一九六九年和一九七七年修正案的英文正式文本；

——《1965年便利公約》附件的一九八六年修正案的中文及英文正式文本；

——包含公約附件修正案的上指便利委員會第FAL.1(17)號、第FAL.2(19)號、第FAL.3(21)號、第FAL.4(22)號、第FAL.5(24)號、第FAL.6(27)號決議的中文及英文正式文本；

——包含公約附件修正案的上指便利委員會第FAL.7(29)號決議，因缺乏中文正式文本而只有英文正式文本；

——包含公約附件修正案的上指便利委員會第FAL.8(32)號和第FAL.10(35)號決議的中文及英文正式文本；

——國際海事組織二零一一年出版的經修正的《1965年便利公約》中文綜合文本，其中含蓋至二零零九年通過的、並於二零一零年五月十五日前生效的修正案。

為了法律效力，所公佈的中文綜合文本不影響對有關規定的正式文本的查閱。

二零一七年七月十日發佈。

行政長官 崔世安

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):

— a Convenção sobre Facilitação do Tráfego Marítimo Internacional, concluída em Londres em 9 de Abril de 1965 («Convenção FAL 1965»), no seu texto autêntico em língua inglesa;

— o artigo VII da Convenção FAL 1965, tal como emendado em 1973, no seu texto autêntico em língua inglesa;

— as emendas de 1969 e de 1977 ao Anexo da Convenção FAL 1965, nos seus textos autênticos em língua inglesa;

— as emendas de 1986 ao Anexo da Convenção FAL 1965, nos seus textos autênticos em línguas chinesa e inglesa;

— as *supra* referidas resoluções do Comité de Facilitação FAL.1(17), FAL.2(19), FAL.3(21), FAL.4(22), FAL.5(24), FAL.6(27), que contém emendas ao Anexo da Convenção, nos seus textos autênticos em línguas chinesa e inglesa;

— a *supra* referida resolução do Comité de Facilitação FAL.7(29), que contém emendas ao Anexo da Convenção, apenas no seu texto autêntico em língua inglesa, na ausência de texto autêntico em língua chinesa;

— as *supra* referidas resoluções do Comité de Facilitação FAL.8(32) e FAL.10(35), que contém emendas ao Anexo da Convenção, nos seus textos autênticos em línguas chinesa e inglesa; e

— a versão consolidada em língua chinesa da Convenção FAL 1965, tal como emendada, editada em 2011 pela OMI, que inclui as emendas adoptadas até 2009 e que entraram em vigor até 15 de Maio de 2010.

Para efeitos legais, a versão consolidada em língua chinesa ora publicada não prejudica a consulta dos textos autênticos das disposições em causa.

Promulgado em 10 de Julho de 2017.

O Chefe do Executivo, *Chui Sai On*.

CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC

## The Contracting Governments:

Desiring to facilitate maritime traffic by simplifying and reducing to a minimum the formalities, documentary requirements and procedures on the arrival, stay and departure of ships engaged in international voyages;

Have agreed as follows:

## Article I

The Contracting Governments undertake to adopt, in accordance with the provisions of the present Convention and its Annex, all appropriate measures to facilitate and expedite international maritime traffic and to prevent unnecessary delays to ships and to persons and property on board.

## Article II

(1) The Contracting Governments undertake to co-operate, in accordance with the provisions of the present Convention, in the formulation and application of measures for the facilitation of the arrival, stay and departure of ships. Such measures shall be, to the fullest extent practicable, not less favourable than measures applied in respect of other means of international transport; however, these measures may differ according to particular requirements.

(2) The measures for the facilitation of international maritime traffic provided for under the present Convention and its Annex apply equally to the ships of coastal and non-coastal States the Governments of which are Parties to the present Convention.

(3) The provisions of the present Convention do not apply to warships or pleasure yachts.

## Article III

The Contracting Governments undertake to co-operate in securing the highest practicable degree of uniformity in formalities, documentary requirements and procedures in all matters in which such uniformity will facilitate and improve international maritime traffic and keep to a minimum any alterations in formalities, documentary

requirements and procedures necessary to meet special requirements of a domestic nature.

#### Article IV

With a view to achieving the ends set forth in the preceding Articles of the present Convention, the Contracting Governments undertake to co-operate with each other or through the Inter-Governmental Maritime Consultative Organization (hereinafter called the "Organization") in matters relating to formalities, documentary requirements and procedures, as well as their application to international maritime traffic.

#### Article V

(1) Nothing in the present Convention or its Annex shall be interpreted as preventing the application of any wider facilities which a Contracting Government grants or may grant in future in respect of international maritime traffic under its national laws or the provisions of any other international agreement.

(2) Nothing in the present Convention or its Annex shall be interpreted as precluding a Contracting Government from applying temporary measures considered by that Government to be necessary to preserve public morality, order and security or to prevent the introduction or spread of diseases or pests affecting public health, animals or plants.

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

#### Article VI

For the purposes of the present Convention and its Annex:

- (a) "Standards" are those measures the uniform application of which by Contracting Governments in accordance with the Convention is necessary and practicable in order to facilitate international maritime traffic;
- (b) "Recommended Practices" are those measures the application of which by Contracting Governments is desirable in order to facilitate international maritime traffic.

## Article VII

(1) The Annex to the present Convention may be amended by the Contracting Governments, either at the proposal of one of them or by a conference convened for that purpose.

(2) Any Contracting Government may propose an amendment to the Annex by forwarding a draft amendment to the Secretary-General of the Organization (hereinafter called the "Secretary-General").

(a) Upon the express request of a Contracting Government, the Secretary-General shall communicate any such proposal directly to all Contracting Governments for their consideration and acceptance. If he receives no such express request, the Secretary-General may proceed to such consultations as he deems advisable before communicating the proposal to the Contracting Governments.

(b) Each Contracting Government shall notify the Secretary-General within one year from the receipt of any such communication whether or not it accepts the proposal.

(c) Any such notification shall be made in writing to the Secretary-General who shall inform all Contracting Governments of its receipt;

(d) Any amendment to the Annex under this paragraph shall enter into force six months after the date on which the amendment is accepted by a majority of the Contracting Governments;

(e) The Secretary-General shall inform all Contracting Governments of any amendment which enters into force under this paragraph, together with the date on which such amendment shall enter into force.

(3) A conference of the Contracting Governments to consider amendments to the Annex shall be convened by the Secretary-General upon the request of at least one-third of these Governments. Every amendment adopted by such conference by a two-thirds majority of the Contracting Governments present and voting shall enter into force six months after the date on which the Secretary-General notifies the Contracting Governments of the amendment adopted.

(4) The Secretary-General shall notify promptly all signatory Governments of the adoption and entry into force of any amendment under this Article.

Article VIII

(1) Any Contracting Government that finds it impracticable to comply with any Standard by bringing its own formalities, documentary requirements or procedures into full accord with it, or which deems it necessary for special reasons to adopt formalities, documentary requirements or procedures differing from that Standard, shall so inform the Secretary-General and notify him of the differences between its own practice and such Standard. Such notification shall be made as soon as possible after entry into force of the present Convention for the Government concerned, or after the adoption of such differing formalities, documentary requirements or procedures.

(2) Notification by a Contracting Government of any such difference in the case of an amendment to a Standard or of a newly adopted Standard shall be made to the Secretary-General as soon as possible after the entry into force of such amended or newly adopted Standard, or after the adoption of such differing formalities, documentary requirements or procedures, and may include an indication of the action proposed to bring the formalities, documentary requirements or procedures into full accord with the amended or newly adopted Standard.

(3) Contracting Governments are urged to bring their formalities, documentary requirements and procedures into accord with the Recommended Practices insofar as practicable. As soon as any Contracting Government brings its own formalities, documentary requirements and procedures into accord with any Recommended Practice, it shall notify the Secretary-General thereof.

(4) The Secretary-General shall inform the Contracting Governments of any notification made to him in accordance with the preceding paragraphs of this Article.

## Article IX

The Secretary-General shall convene a conference of the Contracting Governments for revision or amendment of the present Convention at the request of not less than one-third of the Contracting Governments. Any revision or amendments shall be adopted by a two-thirds majority vote of the Conference and then certified and communicated by the Secretary-General to all Contracting Governments for their acceptance. One year after the acceptance of the revision or amendments by two-thirds of the Contracting Governments, each revision or amendment shall enter into force for all Contracting Governments except those which, before its entry into force, make a declaration that they do not accept the revision or amendment. The Conference may by a two-thirds majority vote determine at the time of its adoption that a revision or amendment is of such a nature that any Contracting Government which has made such a declaration and which does not accept the revision or amendment within a period of one year after the revision or amendment enters into force shall, upon the expiration of this period, cease to be a party to the Convention.

## Article X

- (1) The present Convention shall remain open for signature for six months from this day's date and shall thereafter remain open for accession.
- (2) The Governments of States Members of the United Nations, or of any of the specialized agencies or the International Atomic Energy Agency, or Parties to the Statute of the International Court of Justice may become Parties to the present Convention by:
  - (a) signature without reservation as to acceptance;
  - (b) signature with reservation as to acceptance followed by acceptance; or
  - (c) accession.

Acceptance or accession shall be effected by the deposit of an instrument with the Secretary-General.

- (3) The Government of any State not entitled to become a Party under paragraph 2 of this Article may apply through the Secretary-General to become a party and shall

be admitted as a Party in accordance with paragraph 2, provided that its application has been approved by two-thirds of the Members of the Organization other than Associate Members.

#### Article XI

The present Convention shall enter into force sixty days after the date upon which the Governments of at least ten States have either signed it without reservation as to acceptance or have deposited instruments of acceptance or accession. It shall enter into force for a Government which subsequently accepts it or accedes to it sixty days after the deposit of the instrument of acceptance or accession.

#### Article XII

Three years after entry into force of the present Convention with respect to a Contracting Government, such Government may denounce it by notification in writing addressed to the Secretary-General who shall notify all Contracting Governments of the content and date of receipt of any such notification. Such denunciation shall take effect one year, or such longer period as may be specified in the notification, after its receipt by the Secretary-General.

#### Article XIII

(1) (a) 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 Secretary-General declare that the Convention shall extend to such territory.

(b) 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.

(c) The provisions of Article VIII of the present Convention shall apply to any territory to which the Convention is extended in accordance with the present Article; for this purpose, the expression "its own formalities, documentary requirements or procedures" shall include those in force in that territory.

(d) The present Convention shall cease to extend to any territory one year after the receipt by the Secretary-General of a notification to this effect, or on such later date as may be specified therein.

(2) The Secretary-General shall inform all the Contracting Governments of the extension of the present Convention to any territory under paragraph 1 of this Article, stating in each case the date from which the Convention has been so extended.

#### Article XIV

The Secretary-General shall inform all signatory Governments, all Contracting Governments and all Members of the Organization of:

- (a) the signatures affixed to the present Convention and the dates thereof;
- (b) the deposit of instruments of acceptance and accession together with the dates of their deposit;
- (c) the date on which the Convention enters into force in accordance with Article XI;
- (d) any notification received in accordance with Articles XII and XIII and the date thereof;
- (e) the convening of any conference under Articles VII or IX.

#### Article XV

The present Convention and its Annex shall be deposited with the Secretary-General who shall transmit certified copies thereof to signatory Governments and to acceding Governments. As soon as the present Convention enters into force, it shall be registered by the Secretary-General in accordance with Article 102 of the Charter of the United Nations.

#### Article XVI

The present Convention and its Annex shall be established in the English and French languages, both texts being equally authentic. Official translations shall be prepared in the Russian and Spanish languages and shall be deposited with the signed originals.

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

DONE at London this ninth day of April 1965.

## ANNEX

SECTION 1 - DEFINITIONS AND GENERAL PROVISIONS

## A. DEFINITIONS

For the purpose of the provisions of this Annex, the following meanings shall be attributed to the terms listed:

Cargo. Any goods, wares, merchandise, and articles of every kind whatsoever carried on a ship, other than mail, ship's stores, ship's spare parts, ship's equipment, crew's effects and passengers' accompanied baggage.

Crew's effects. Clothing, items in everyday use and any other articles, which may include currency, belonging to the crew and carried on the ship.

Crew Member. Any person actually employed for duties on board during a voyage in the working or service of a ship and included in the crew list.

Mail. Dispatches of correspondence and other objects tendered by and intended for delivery to postal administrations.

Passengers' accompanied baggage. Property, which may include currency, carried for a passenger on the same ship as the passenger, whether in his personal possession or not, so long as it is not carried under a contract of carriage or other similar agreement.

Public authorities. The agencies or officials in a State responsible for the application and enforcement of the laws and regulations of that State which relate to any aspect of the Standards and Recommended Practices contained in this Annex.

Shipowner. One who owns or operates a ship, whether a person, a corporation or other legal entity, and any person acting on behalf of the owner or operator.

Ship's equipment. Articles, other than ship's spare parts, on board a ship for use thereon, which are removable but not of a consumable nature, including accessories such as life-boats, life-saving devices, furniture, ship's apparel and similar items.

Ship's spare parts. Articles of a repair or replacement nature for incorporation in the ship in which they are carried.

Ship's stores. Goods for use in the ship, including consumable goods, goods carried for sale to passengers and crew members, fuel and lubricants, but excluding ship's equipment and ship's spare parts.

Time of arrival. Time when a ship first comes to rest, whether at anchor or at a dock, in a port.

#### B. GENERAL PROVISIONS

In conjunction with paragraph 2 of Article V of the Convention, the provisions of this Annex shall not preclude public authorities from taking such appropriate measures, including calling for further information, as may be necessary in cases of suspected fraud or to deal with special problems constituting a grave danger to public order (ordre public), public security or public health, or to prevent the introduction or spread of diseases or pests affecting animals or plants.

1.1 Standard. Public authorities shall in all cases require only essential information to be furnished, and shall keep the number of items to a minimum.

Where a specific list of particulars is set out in the Annex, public authorities shall not require to be furnished such of those particulars as they consider not essential.

1.2 Recommended Practice. Notwithstanding the fact that documents for certain purposes may be separately prescribed and required in this Annex, public authorities, bearing in mind the interests of those who are required to complete the documents as well as the purposes for which they are to be used, should provide for any two or more such documents to be combined into one in any case in which this is practicable and in which an appreciable degree of facilitation would result.

#### SECTION 2 - ARRIVAL STAY AND DEPARTURE OF THE SHIP

This section contains the provisions concerning the formalities required of shipowners by the public authorities on the arrival stay and departure of the ship and shall not be read so as to preclude a requirement for the presentation for inspection by the appropriate authorities of certificates and other papers carried by the ship pertaining to its registry, measurement, safety, manning and other related matters.

## A. GENERAL

2.1 Standard. Public authorities shall not require for their retention, on arrival or departure of ships to which the Convention applies, any documents other than those covered by the present section.

The documents in question are:

- General Declaration
- Cargo Declaration
- Ship's Stores Declaration
- Crew's Effects Declaration
- Crew List
- Passenger List
- The document required under the Universal Postal Convention for mail
- Maritime Declaration of Health

## B. CONTENTS AND PURPOSE OF DOCUMENTS

2.2 Standard. The General Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to the ship.

2.2.1 Recommended Practice. The same form of General Declaration should be accepted for both the arrival and the departure of a ship.

2.2.2 Recommended Practice. In the General Declaration public authorities should not require more than the following information:

- Name and description of ship
- Nationality of ship
- Particulars regarding registry
- Particulars regarding tonnage
- Name of master
- Name and address of ship's agent
- Brief description of the cargo
- Number of crew
- Number of passengers
- Brief particulars of voyage
- Date and time of arrival, or date of departure
- Port of arrival or departure
- Position of the ship in the port

2.2.3 Standard. Public authorities shall accept a General Declaration dated and signed by the master, the ship's agent or some other person duly authorized by the master.

2.3 Standard. The Cargo Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to the cargo. However, particulars of any dangerous cargo may also be required to be furnished separately.

2.3.1 Recommended Practice. In the Cargo Declaration public authorities should not require more than the following information:

(a) on arrival

- Name and nationality of the ship
- Name of master
- Port arrived from
- Port where report is made
- Marks and numbers; number and kind of packages; quantity and description of the goods
- Bill of lading numbers for cargo to be discharged at the port in question
- Ports at which cargo remaining on board will be discharged
- Original ports of shipment in respect of goods shipped on through bills of lading

(b) on departure

- Name and nationality of the ship
- Name of master
- Port of destination
- In respect of goods loaded at the port in question: marks and numbers; number and kind of packages; quantity and description of the goods
- Bill of lading numbers for cargo loaded at the port in question

2.3.2 Recommended Practice. In respect of cargo remaining on board, public authorities should require only brief details of the minimum essential items of information to be furnished.

2.3.3 Standard. Public authorities shall accept a Cargo Declaration dated and signed by the master, the ship's agent, or some other person duly authorized by the master.

2.3.4 Recommended Practice. Public authorities should accept in place of the Cargo Declaration a copy of the ship's manifest provided it contains all the information required in accordance with Recommended Practices 2.3.1 and 2.3.2 and is dated and signed in accordance with Standard 2.3.3.

As an alternative, public authorities may accept a copy of the bill of lading signed in accordance with Standard 2.3.3 or certified as a true copy, if the nature and quantity of cargo make this practicable and provided that any information in accordance with Recommended Practices 2.3.1 and 2.3.2 which does not appear in such documents is also furnished elsewhere and duly certified.

2.3.5 Recommended Practice. Public authorities should allow unmanifested parcels in possession of the master to be omitted from the Cargo Declaration provided that particulars of these parcels are furnished separately.

2.4 Standard. The Ship's Stores Declaration shall be the basic document on arrival and departure providing information required by public authorities relating to ship's stores.

2.4.1 Standard. Public authorities shall accept a Ship's Stores Declaration dated and signed by the master or by some other ship's officer duly authorized by the master and having personal knowledge of the facts regarding the ship's stores.

2.5 Standard. The Crew's Effects Declaration shall be the basic document providing information required by public authorities relating to crew's effects. It shall not be required on departure.

2.5.1 Standard. Public authorities shall accept a Crew's Effects Declaration dated and signed by the master or by some other ship's officer duly authorized by the master. The public authorities may also require each crew member to place his signature, or, if he is unable to do so, his mark, against the declaration relating to his effects.

2.5.2 Recommended Practice. Public authorities should normally require particulars of only those crew's effects which are dutiable or subject to prohibitions or restrictions.

2.6 Standard. The Crew List shall be the basic document providing public authorities with information relating to the number and composition of the crew on the arrival and departure of a ship.

2.6.1 Recommended Practice. In the Crew List, public authorities should not require more than the following information:

- Name and nationality of the ship
- Family name
- Given names
- Nationality
- Rank or rating
- Date and place of birth
- Nature and number of identity document
- Port and date of arrival
- Arriving from

2.6.2 Standard. Public authorities shall accept a Crew List dated and signed by the master or by some other ship's officer duly authorized by the master.

2.7 Standard. The Passenger List shall be the basic document providing public authorities with information relating to passengers on the arrival and departure of a ship.

2.7.1 Recommended Practice. Public authorities should not require Passenger Lists on short sea routes or combined ship/railway services between neighbouring countries.

2.7.2 Recommended Practice. Public authorities should not require Embarkation or Disembarkation Cards in addition to Passenger Lists in respect of passengers whose names appear on those Lists. However, where public authorities have special problems constituting a grave danger to public health a person on an international voyage may on arrival be required to give a destination address in writing.

2.7.3 Recommended Practice. In the Passenger List public authorities should not require more than the following information:

- Name and nationality of the ship
- Family name
- Given names
- Nationality
- Date of birth
- Place of birth

- Port of embarkation
- Port of disembarkation
- Port and date of arrival of the ship

2.7.4 Recommended Practice. A list compiled by shipping companies for their own use should be accepted in place of the Passenger List, provided it contains at least the information required in accordance with Recommended Practice 2.7.3 and is dated and signed in accordance with Standard 2.7.5.

2.7.5 Standard. Public authorities shall accept a Passenger List dated and signed by the master, the ship's agent or some other person duly authorized by the master.

2.7.6 Recommended Practice. Public authorities should ensure that shipowners notify them on arrival of the presence of any stowaway discovered on board.

2.8 Standard. Public authorities shall not require on arrival or departure of the ship any written declaration in respect of mail other than that prescribed in the Universal Postal Convention.

2.9 Standard. The Maritime Declaration of Health shall be the basic document providing information required by Port Health authorities relating to the state of health on board a ship during the voyage and on arrival at a port.

#### C. DOCUMENTS ON ARRIVAL

2.10 Standard. In respect of a ship's arrival in port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 4 copies of the Ship's Stores Declaration
- 2 copies of the Crew's Effects Declaration
- 4 copies of the Crew List
- 4 copies of the Passenger List
- 1 copy of the Maritime Declaration of Health

#### D. DOCUMENTS ON DEPARTURE

2.11 Standard. In respect of a ship's departure from port, public authorities shall not require more than:

- 5 copies of the General Declaration
- 4 copies of the Cargo Declaration
- 3 copies of the Ship's Stores Declaration
- 2 copies of the Crew List
- 2 copies of the Passenger List

2.11.1 Recommended Practice. A new Cargo Declaration should not be required on departure from a port in respect of cargo which has been the subject of a declaration on arrival in that port and which has remained on board.

2.11.2 Recommended Practice. A separate Ship's Stores Declaration on departure should not be required in respect of ship's stores which have been the subject of a declaration on arrival, nor in respect of stores shipped in the port and covered by another customs document presented in that port.

2.11.3 Standard. Where public authorities require information about the crew of a ship on its departure, a copy of the Crew List, presented on arrival, shall be accepted on departure if signed again and endorsed to indicate any change in the number or composition of the crew or to indicate that no such change has occurred.

E. MEASURES TO FACILITATE CLEARANCE OF CARGO,  
PASSENGERS, CREW AND BAGGAGE

2.12 Recommended Practice. Public authorities should, with the co-operation of shipowners and port administrations, take appropriate measures to the end that port time may be kept to a minimum and should provide satisfactory port traffic flow arrangements, should frequently review all procedures in connexion with the arrival and departure of ships including arrangements for embarkation and disembarkation, loading and unloading, servicing and the like. They should also make arrangements whereby cargo ships and their loads can be entered and cleared, in so far as may be practicable, at the ship working area.

2.12.1 Recommended Practice. Public authorities should, with the co-operation of shipowners and port administrations, take appropriate measures to the end that satisfactory port traffic flow arrangements are provided so that handling and clearance procedures for cargo will be smooth and uncomplicated. These arrangements should cover all phases from the time the ship arrives at the dock for unloading and customs clearance and for warehousing and re-forwarding of the cargo if required.

There should be convenient and direct access between the cargo warehouse and the customs area, both of which should be located close to the dock area, and mechanical conveyance systems should be available, where possible.

F. CONSECUTIVE CALLS AT TWO OR MORE  
PORTS IN THE SAME STATE

2.13 Recommended Practice. Taking into account the procedures carried out on the arrival of a ship at the first port of call in the territory of a State, the formalities and documents required by the public authorities at any subsequent port of call in that country visited without intermediate call at a port in another country should be kept to a minimum.

G. COMPLETION OF DOCUMENTS

2.14 Recommended Practice. Public authorities should as far as possible accept the documents provided for in this Annex except as regards Standard 3.7 irrespective of the language in which the required information is furnished thereon, provided that they may require a written or oral translation into one of the official languages of their country or of the Organization when they deem it necessary.

2.15 Standard. Typewriting shall not be required in completing documents provided for in this Section. Entries handwritten in ink or indelible pencil shall be accepted when legible.

2.16 Standard. Public authorities of the country of any intended port of arrival, discharge, or transit shall not require any document relating to the ship, its cargo, stores, passengers or crew, as mentioned in this Section, to be legalized, verified, authenticated, or previously dealt with by any of their representatives abroad. This shall not be deemed to preclude a requirement for the presentation of a passport or other identity document of a passenger or crew member for visa or similar purposes.

SECTION 3. ARRIVAL AND DEPARTURE OF PERSONS

This section contains the provisions concerning the formalities required by public authorities from crew and passengers on the arrival or departure of a ship.

A. ARRIVAL AND DEPARTURE REQUIREMENTS AND PROCEDURES

3.1 Standard. A valid passport shall be the basic document providing public authorities with information relating to the individual passenger on arrival or departure of a ship.

3.1.1 Recommended Practice. Contracting Governments should as far as possible agree, by bilateral or multilateral agreements, to accept official documents of identity in lieu of passports.

3.2 Recommended Practice. Public authorities should make arrangements whereby passports, or official documents of identity accepted in their place, from ship's passengers need be inspected by the immigration authorities only once at the time of arrival and once at the time of departure. In addition these passports or official documents of identity may be required to be produced for the purpose of verification or identification in connexion with customs and other formalities on arrival and departure.

3.3 Recommended Practice. After individual presentation of passports or official documents of identity accepted in their place, public authorities should hand back such documents immediately after examination rather than withholding them for the purpose of obtaining additional control, unless there is some obstacle to the admission of a passenger to the territory.

3.4 Recommended Practice. Public authorities should not require from embarking or disembarking passengers, or from shipowners on their behalf, any information in writing supplementary to or repeating that already presented in their passports or official documents of identity, other than as necessary to complete any documents provided for in this Annex.

3.5 Recommended Practice. Public authorities which require written supplementary information other than as necessary to complete any documents provided for in this Annex, from embarking or disembarking passengers, should limit requirements for further identification of passengers to the items set forth in Recommended Practice 3.6 (Embarkation/Disembarkation Card). Public authorities should accept the Embarkation/Disembarkation Card when completed by the passenger and should not require that it be completed or checked by the shipowner. Legible handwritten script should be accepted on the card, except where the form specifies block lettering. One copy only of the Embarkation/Disembarkation Card, which may include one or more simultaneously prepared carbon copies, should be required from each passenger.

3.6 Recommended Practice. In the Embarkation/Disembarkation Card public authorities should not require more than the following information:

- Family name
- Given names
- Nationality
- Number of passport or other official identity document
- Date of birth
- Place of birth
- Occupation
- Port of Embarkation/Disembarkation
- Sex
- Destination address
- Signature

3.7 Standard. In cases where evidence of protection against cholera, yellow fever or smallpox is required from persons on board a ship, public authorities shall accept the International Certificate of Vaccination or Re-Vaccination in the forms provided for in the International Sanitary Regulations.

3.8 Recommended Practice. Medical examination of persons on board or of persons disembarking from ships should normally be limited to those persons arriving from an area infected with one of the quarantinable diseases within

the incubation period of the disease concerned (as stated in the International Sanitary Regulations). Additional medical examination may, however, be required in accordance with the International Sanitary Regulations.

3.9 Recommended Practice. Public authorities should normally perform customs inspection of inbound passengers' accompanied baggage on a sampling or selective basis. Written declarations in respect of passengers' accompanied baggage should be dispensed with as far as possible.

3.9.1 Recommended Practice. Public authorities should, wherever possible, waive inspection of accompanied baggage of departing passengers.

3.9.2 Recommended Practice. Where inspection of accompanied baggage of departing passengers cannot be waived completely, such inspection should normally be performed on a sampling or selective basis.

3.10 Standard. A valid seafarer's identity document or a passport shall be the basic document providing public authorities with information relating to the individual member of the crew on arrival or departure of a ship.

3.10.1 Standard. In the seafarer's identity document, public authorities shall not require more than the following information:

- Family name
- Given names
- Date and place of birth
- Nationality
- Physical characteristics
- Photograph (authenticated)
- Signature
- Date of expiry (if any)
- Issuing public authority

3.10.2 Standard. When it is necessary for a seafarer to enter or leave a country as a passenger by any means of transportation for the purpose of:

- (a) joining his ship or transferring to another ship,

- (b) passing in transit to join his ship in another country, or for repatriation, or for any other purpose approved by the authorities of the country concerned,

public authorities shall accept from that seafarer in place of a passport the valid seafarer's identity document, when this document guarantees the readmission of the bearer to the country which issued the document.

3.10.3 Recommended Practice. Public authorities should not normally require presentation of individual identity documents or of information supplementing the seafarer's identity document in respect of members of the crew other than that given in the Crew List.

B. MEASURES TO FACILITATE CLEARANCE OF CARGO, PASSENGERS, CREW AND BAGGAGE

3.11 Recommended Practice. Public authorities should, with the co-operation of shipowners and port administrations, take appropriate measures to the end that satisfactory port traffic flow arrangements may be provided so that passengers, crew and baggage can be cleared rapidly, should provide adequate personnel, and should ensure that adequate installations are provided, particular attention being paid to baggage loading, unloading and conveyance arrangements (including the use of mechanized systems) and to points where passenger delays are frequently found to occur. Arrangements should be made, when necessary, for passage under shelter between the ship and the point where the passenger and crew check is to be made.

3.11.1 Recommended Practice. Public authorities should:

- (a) in co-operation with shipowners and port administrations introduce suitable arrangements, such as:
  - (i) an individual and continuous method of processing passengers and baggage;
  - (ii) a system which would permit passengers readily to identify and obtain their checked baggage as soon as it is placed in an area where it may be claimed;

- (b) ensure that port administrations take all necessary measures so that:
  - (i) easy and speedy access for passengers and their baggage, to and from local transport, is provided;
  - (ii) if crews are required to report to premises for governmental purposes, those premises should be readily accessible, and as close to one another as practicable.

3.12 Recommended Practice. Public authorities should require that shipowners ensure that ship's personnel take all appropriate measures which will help expedite arrival procedures for passengers and crew. These measures may include:

- (a) furnishing public authorities concerned with an advance message giving the best estimated time of arrival, followed by information as to any change in time, and stating the itinerary of the voyage where this may affect inspection requirements;
- (b) having ship's documents ready for prompt review;
- (c) providing for ladders or other means of boarding to be rigged while the ship is en route to berth or anchorage;
- (d) providing for prompt, orderly assembling and presentation of persons on board, with necessary documents, for inspection, with attention to arrangements for relieving crew members for this purpose from essential duties in engine rooms and elsewhere.

3.13 Recommended Practice. The practice of entering names on passenger and crew documents should be to put the family name or names first. Where both paternal and maternal family names are used, the paternal family name should be placed first. Where for married women both the husband's and wife's paternal family names are used, the husband's paternal family name should be placed first.

3.14 Standard. Public authorities shall, without unreasonable delay, accept passengers and crew for examination as to their admission into the State when such examination is required.

3.15 Standard. Public authorities shall not impose any penalty upon shipowners in the event that any control document in possession of a passenger is found by public authorities to be inadequate, or if, for that reason, the passenger is found to be inadmissible to the State.

3.15.1 Recommended Practice. Public authorities should invite shipowners to take all reasonable precautions to the end that passengers hold any control documents required by Contracting Governments.

SECTION 4 -  
PUBLIC HEALTH AND QUARANTINE INCLUDING  
SANITARY MEASURES FOR ANIMALS AND PLANTS

4.1 Recommended Practice. Public authorities of a State not Party to the International Sanitary Regulations should endeavour to apply the relevant provisions of these Regulations to international shipping.

4.2 Recommended Practice. Contracting Governments having certain interests in common owing to their health, geographical, social or economic conditions should conclude special arrangements pursuant to Article 104 of the International Sanitary Regulations when such arrangements will facilitate the application of those Regulations.

4.3 Recommended Practice. Where Sanitary Certificates or similar documents are required in respect of shipments of certain animals, plants or products thereof, such certificates and documents should be simple and widely publicized and Contracting Governments should co-operate with a view to standardising such requirements.

4.4 Recommended Practice. Public authorities should whenever practicable authorize granting of pratique by radio to a ship when, on the basis of information received from it prior to its arrival, the health authority for the intended port of arrival is of the opinion that its arrival will not result in the

introduction or spread of a quarantinable disease. Health authorities should as far as practicable be allowed to join a ship prior to entry of the ship into port.

4.4.1 Recommended Practice. Public authorities should seek the co-operation of shipowners to ensure compliance with any requirement that illness on a ship is to be reported promptly by radio to health authorities for the port for which the ship is destined, in order to facilitate provision for the presence of any special medical personnel and equipment necessary for health procedures on arrival.

4.5 Standard. Public authorities shall make arrangements to enable all travel agencies and others concerned to make available to passengers, sufficiently in advance of departure, lists of the vaccinations required by the public authorities of the countries concerned, as well as vaccination certificate forms conforming to the International Sanitary Regulations. Public authorities shall take all possible measures to have vaccinators use the International Certificates of Vaccination or Re-Vaccination, in order to assure uniform acceptance.

4.6 Recommended Practice. Public authorities should provide facilities for the completion of International Certificates of Vaccination or Re-Vaccination as well as facilities for vaccination, at as many ports as feasible.

4.7 Standard. Public authorities shall ensure that sanitary measures and health formalities are initiated forthwith, completed without delay, and applied without discrimination.

4.8 Recommended Practice. Public authorities should maintain at as many ports as feasible adequate facilities for the administration of public health, animal and agricultural quarantine measures.

4.9 Recommended Practice. There should be maintained readily available at as many ports in a State as feasible such medical facilities as may be reasonable and practicable for the emergency treatment of crews and passengers.

4.10 Standard. Except in the case of an emergency constituting a grave danger to public health, a ship which is not infected or suspected of being infected with a quarantinable disease, shall not on account of any other epidemic disease be prevented by the health authorities for a port from discharging or loading cargo or stores or taking on fuel or water.

4.11 Recommended Practice. Shipments of animals, animal raw materials, crude animal products, animal foodstuffs and quarantinable plant products should be permitted in specified circumstances when accompanied by a quarantine certificate in the form agreed by the States concerned.

#### SECTION 5 - MISCELLANEOUS PROVISIONS

##### A. BONDS AND OTHER FORMS OF SECURITY

5.1 Recommended Practice. Where public authorities require bonds or other forms of security from shipowners to cover liabilities under the customs, immigration, public health, agricultural quarantine or similar laws and regulations of a State, they should permit the use of a single comprehensive bond or other form of security wherever possible.

##### B. ERRORS IN DOCUMENTATION AND PENALTIES THEREFOR

5.2 Standard. Public authorities shall, without delaying the ship, allow corrections of errors in a document provided for in this Annex, which they are satisfied are inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate laws or regulations, on the condition that these errors are discovered before the document is fully checked and the corrections can be effected without delay.

5.3 Standard. If errors are found in documents provided for in this Annex, signed by or on behalf of a shipowner or master, no penalties shall be imposed until an opportunity has been given to satisfy the public authorities that the errors were inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate laws or regulations.

## C. SERVICES AT PORTS

5.4 Recommended Practice. The normal services of public authorities at a port should be provided without charge during regular working hours. Public authorities should endeavour to establish regular working hours for their services at ports consistent with the usual periods of substantial work load.

5.4.1 Recommended Practice. Contracting Governments should adopt all practicable measures to organize the normal services of public authorities at ports in order to avoid unnecessary delay of ships after their arrival or when ready to depart and reduce the time for completion of formalities to a minimum, provided that sufficient notice of estimated time of arrival or departure shall be given to the public authorities.

5.4.2 Standard. No charge shall be made by a health authority for any medical examination, or any supplementary examination, whether bacteriological or otherwise, carried out at any time of the day or night, if such examination is required to ascertain the health of the person examined, nor for visit to and inspection of a ship for quarantine purposes except inspection of a ship for the issue of a Deratting or Deratting Exemption Certificate, nor shall a charge be made for any vaccination of a person arriving by ship nor for a certificate thereof. However, where measures other than these are necessary in respect of a ship or its passengers or crew and charges are made for them by a health authority, such charges shall be made in accordance with a single tariff which shall be uniform to the territory concerned and they shall be levied without distinction as to the nationality, domicile or residence of any person concerned or as to the nationality, flag, registry or ownership of the ship.

5.4.3 Recommended Practice. When the services of public authorities are provided outside the regular working hours referred to in Recommended Practice 5.4, they should be provided on terms which shall be moderate and not exceed the actual cost of the services rendered.

5.5 Standard. Where the volume of traffic at a port warrants, public authorities shall ensure that services are provided for the accomplishment of the formalities in respect of cargo and baggage, regardless of value or type.

5.6 Recommended Practice. Contracting Governments should endeavour to make arrangements whereby one Government will permit another Government certain facilities before or during the voyage to examine ships, passengers, crew, baggage, cargo and documentation for customs, immigration, public health, plant and animal quarantine purposes when such action will facilitate clearance upon arrival in the latter State.

D. CARGO NOT DISCHARGED AT THE PORT  
OF INTENDED DESTINATION

5.7 Standard. Where any cargo listed on the Cargo Declaration is not discharged at the port of intended destination, public authorities shall permit amendment of the Cargo Declaration and shall not impose penalties if satisfied that the cargo was not in fact loaded on the ship, or if loaded, was landed at another port.

5.8 Standard. When by error, or for other valid reason, any cargo is discharged at a port other than the port of intended destination, public authorities shall facilitate reforwarding to its intended destination. This provision does not apply to dangerous, prohibited or restricted cargo.

E. LIMITATION OF SHIPOWNER'S  
RESPONSIBILITIES

5.9 Standard. Public authorities shall not require a shipowner to place special information for use of such authorities on a bill of lading or a copy thereof, unless the shipowner is, or is acting for, the importer or exporter.

5.10 Standard. Public authorities shall not hold the shipowner responsible for the presentation or accuracy of documents which are required of the importer or exporter in connexion with the clearance of cargo, unless the shipowner is, or is acting for, the importer or exporter.

AMENDED TEXT  
TO ARTICLE VII OF THE CONVENTION ON FACILITATION  
OF INTERNATIONAL MARITIME TRAFFIC, 1965

ARTICLE VII

(1) The Annex to the present Convention may be amended by the Contracting Governments, either at the proposal of one of them or by a Conference convened for that purpose.

(2) Any Contracting Government may propose an amendment to the Annex by forwarding a draft amendment to the Secretary-General of the Organization (hereinafter called the "Secretary-General"):

- (a) Any amendment proposed in accordance with this paragraph shall be considered by the Facilitation Committee of the Organization, provided that it has been circulated at least three months prior to the meeting of this Committee. If adopted by two-thirds of the Contracting Governments present and voting in the Committee, the amendment shall be communicated to all Contracting Governments by the Secretary-General.
- (b) Any amendment to the Annex under this paragraph shall enter into force fifteen months after communication of the proposal to all Contracting Governments by the Secretary-General unless within twelve months after the communication at least one-third of Contracting Governments have notified the Secretary-General in writing that they do not accept the proposal.
- (c) The Secretary-General shall inform all Contracting Governments of any notification received under sub-paragraph (b) and of the date of entry into force.
- (d) Contracting Governments which do not accept an amendment are not bound by that amendment but shall follow the procedure laid down in Article VIII of the present Convention.

(3) A conference of the Contracting Governments to consider amendments to the Annex shall be convened by the Secretary-General upon the request of at least one-third of these Governments. Every amendment adopted by such conference by a two-thirds majority of the Contracting Governments present and voting shall enter into force six months after the date on which the Secretary-General notifies the Contracting Governments of the amendment adopted.

(4) The Secretary-General shall notify promptly all signatory Governments of the adoption and entry into force of any amendment under this Article.

AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965, PROPOSED ON  
28 NOVEMBER 1969 TO CONTRACTING GOVERNMENTS FOR  
ACCEPTANCE IN ACCORDANCE WITH ARTICLE VII(2)  
OF THE CONVENTION

1. SECTION 1 - DEFINITIONS AND GENERAL PROVISIONS

A. DEFINITIONS

Immediately after the definition of "Crew member" insert the following new definition:

Cruise ship is a ship on an international voyage carrying passengers participating in a group programme and accommodated aboard, for the purpose of making scheduled temporary tourist visits at one or more different ports, and which during the voyage does not normally:

- (a) embark or disembark any other passengers;
- (b) load or discharge any cargo.

2. SECTION 3 - ARRIVAL AND DEPARTURE OF PERSONS

Immediately after the Recommended Practice 3.15.1 insert the new Sub-Section.

C. FACILITATION FOR SHIPS ENGAGED ON CRUISES AND  
FOR CRUISE PASSENGERS

Insert in this new Sub-Section the following new Standards and Recommended Practices:

3.16.1 Standard. Public authorities shall authorize granting of pratique by radio to a cruise ship when, on the basis of information received from it prior to its arrival, the health authority for the intended port of arrival is of the opinion that its arrival will not result in the introduction or spread of a quarantinable disease.

3.16.2 Standard. For cruise ships, the General Declaration, the Passenger List and the Crew List shall be required only at the first port of arrival and final port of departure in a country, provided that there has been no change in the circumstances of the voyage.

3.16.3 Standard. For cruise ships, the Ship's Stores Declaration and the Crew's Effects Declaration shall be required only at the first port of arrival in a country.

3.16.4 Standard. Passports or other official documents of identity shall at all times remain in the possession of cruise passengers.

3.16.5 Recommended Practice. If a cruise ship stays at a port for less than 72 hours, it should not be necessary for cruise passengers to have visas, except in special circumstances determined by the Public Authorities concerned.

Note: It is the intention of this Recommended Practice that each Contracting State may issue to such passengers or accept from them upon arrival, some form indicating that they have permission to enter the territory.

3.16.6 Standard. Cruise passengers shall not be unduly delayed by the control measures exercised by public authorities.

3.16.7 Standard. In general, except for the purpose of establishing identity, cruise passengers shall not be subject to personal examination by immigration officials.

3.16.8 Standard. If a cruise ship calls consecutively at more than one port in the same country, passengers shall, in general, be examined by public authorities at the first port of arrival and at the final port of departure only.

3.16.9 Recommended Practice. To facilitate their prompt disembarkation, the inward control of passengers on a cruise ship, where practicable, should be carried out on board before arrival at the place of disembarkation.

3.16.10 Recommended Practice. Cruise passengers who disembark at one port and rejoin the same ship at another port in the same country should enjoy the same facilities as passengers who disembark and rejoin a cruise ship at the same port.

3.16.11 Recommended Practice. The Maritime Declaration of Health should be the only health control necessary for cruise passengers.

3.16.12 Standard. Duty-free ship's stores shall be allowed aboard ship for cruise passengers during the ship's stay in port.

3.16.13 Standard. Cruise passengers shall not be required to give a written Customs declaration.

3.16.14 Recommended Practice. Cruise passengers should not be subject to any currency control.

3.16.15 Standard. Embarkation/disembarkation cards shall not be necessary for cruise passengers.

3.16.16 Recommended Practice. Except where passenger control is based solely on the Passenger List the public authorities should not insist on the completion of the following details on the Passenger List:

- Nationality (column 6)
- Date and place of birth (column 7)
- Port of embarkation (column 8)
- Port of disembarkation (column 9)

AMENDMENTS TO THE ANNEX OF THE CONVENTION ON FACILITATION  
OF INTERNATIONAL MARITIME TRAFFIC, 1965, ADOPTED BY  
THE CONFERENCE OF CONTRACTING GOVERNMENTS  
ON 10 NOVEMBER 1977

Insert in SECTION 1 - DEFINITIONS AND GENERAL PROVISIONS,  
Sub-Section A. DEFINITIONS, the following new definition after the  
definition of "Mail":

Passenger in transit A passenger who arrives by ship from  
a foreign country for the purpose of continuing his journey  
by ship or some other means of transport to a foreign  
country.

and the following new definition after the definition of "Ship's  
stores":

Shore leave Permission for a crew member to be ashore  
during the ship's stay in port within such geographical or  
time limits, if any, as may be decided by the public  
authorities.

Insert in SECTION 2 - ARRIVAL, STAY AND DEPARTURE OF THE SHIP,  
Sub-Section E. MEASURES TO FACILITATE CLEARANCE OF CARGO, PASSENGERS,  
CREW AND BAGGAGE, the following:

2.12.2 Recommended Practice. Public authorities should  
encourage owners and/or operators of cargo docks and  
warehouses to provide special storage facilities for cargo  
subject to high risk of theft, and to protect those areas  
in which cargo is to be stored, either temporarily or for  
long terms, prior to onward shipment or local delivery  
against access by unauthorized persons.

2.12.3 Standard. Public authorities shall, subject to  
compliance with their respective regulations, permit the  
temporary import of containers and pallets without payment  
of customs duties and other taxes and charges and shall  
facilitate their use in maritime traffic.

2.12.4 Recommended Practice. Public authorities should provide in their regulations, referred to in Standard 2.12.3, for the acceptance of a simple declaration to the effect that containers and pallets temporarily imported will be re-exported within the time limit set by the State concerned.

2.12.5 Recommended Practice. Public authorities should permit containers and pallets entering the territory of a State under the provisions of Standard 2.12.3 to depart the limits of the port of arrival for clearance of imported cargo and/or loading of export cargo under simplified control procedures and with a minimum of documentation.

Insert in SECTION 2 - ARRIVAL, STAY AND DEPARTURE OF THE SHIP, Sub-Section G. COMPLETION OF DOCUMENTS, the following additional sentence at the end of Standard 2.15:

Documents produced by electronic and other automatic data processing techniques, in legible and understandable form, shall be accepted.

Insert in SECTION 2 - ARRIVAL, STAY AND DEPARTURE OF THE SHIP, a new Sub-Section:

H. SPECIAL MEASURES OF FACILITATION FOR SHIPS CALLING AT PORTS IN ORDER TO PUT ASHORE SICK OR INJURED CREW MEMBERS, PASSENGERS OR OTHER PERSONS FOR EMERGENCY MEDICAL TREATMENT

2.17 Standard. Public authorities shall seek the co-operation of shipowners to ensure that, when ships intend to call at ports for the sole purpose of putting ashore sick or injured crew members, passengers or other persons for emergency medical treatment, the master shall give the public authorities as much notice as possible of that intention, with the fullest possible details of the sickness or injury and of the identity and status of the persons.

2.18 Standard. Public authorities shall by radio whenever possible, but in any case by the fastest channels available, inform the master, before the arrival of the ship, of the

documentation and the procedures necessary to put the sick or injured persons ashore expeditiously and to clear the ship without delay.

2.19 Standard. With regard to ships calling at ports for this purpose and intending to leave again immediately, public authorities shall give priority in berthing if the state of the sick person or the sea conditions do not allow a safe disembarkation in the roads or harbour approaches.

2.20 Standard. With regard to ships calling at ports for this purpose and intending to leave again immediately, public authorities shall not normally require the documents mentioned in Standard 2.1 with the exception of the Maritime Declaration of Health and, if it is indispensable, the General Declaration.

2.21 Standard. Where public authorities require the General Declaration, this document shall not contain more information than that mentioned in Recommended Practice 2.2.2 and, wherever possible, shall contain less.

2.22 Standard. Where the public authorities apply control measures related to the arrival of a ship prior to sick or injured persons being put ashore, emergency medical treatment and measures for the protection of public health shall take precedence over these control measures.

2.23 Standard. Where guarantees or undertakings are required in respect of costs of treatment or eventual removal or repatriation of the persons concerned, emergency medical treatment shall not be withheld or delayed while these guarantees or undertakings are being obtained.

2.24 Standard. Emergency medical treatment and measures for the protection of public health shall take precedence over any control measures which public authorities may apply to sick or injured persons being put ashore.

Insert in SECTION 3 - ARRIVAL AND DEPARTURE OF PERSONS,  
Sub-Section B. MEASURES TO FACILITATE CLEARANCE OF CARGO, PASSENGERS,  
CREW AND BAGGAGE, the following:

3.15.2 Recommended Practice. For use at marine terminals and on board ships in order to facilitate and expedite international maritime traffic, public authorities should implement, or where the matter does not come within their jurisdiction, recommend to the responsible parties in their country to implement, standardized international signs and symbols developed or accepted by the Organization in co-operation with other appropriate international organizations and which, to the greatest extent practicable, are common to all modes of transport.

Insert in SECTION 3 - ARRIVAL AND DEPARTURE OF PERSONS, after Recommended Practice 3.16.16, a new Sub-Section:

D. SPECIAL MEASURES OF FACILITATION FOR PASSENGERS  
IN TRANSIT

3.17.1 Standard. A passenger in transit who remains on board the ship on which he arrived and departs with it shall not normally be subjected to routine control by public authorities.

3.17.2 Recommended Practice. A passenger in transit should be allowed to retain his passport or other identity document.

3.17.3 Recommended Practice. A passenger in transit should not be required to complete a Disembarkation/Embarkation Card.

3.17.4 Recommended Practice. A passenger in transit who is continuing his journey from the same port in the same ship should normally be granted temporary permission to go ashore during the ship's stay in port if he so wishes.

3.17.5 Recommended Practice. A passenger in transit who is continuing his journey from the same port in the same ship should not be required to have a visa, except in special circumstances determined by the public authorities concerned.

3.17.6 Recommended Practice. A passenger in transit who is continuing his journey from the same port in the same ship should not normally be required to give a written Customs Declaration.

3.17.7 Recommended Practice. A passenger in transit who leaves the ship at one port and embarks in the same ship at a different port in the same country should enjoy the same facilities as a passenger who arrives and departs in the same ship at the same port.

Insert in SECTION 3 - ARRIVAL AND DEPARTURE OF PERSONS, after Recommended Practice 3.17.7, a new Sub-Section:

E. MEASURES OF FACILITATION FOR SHIPS ENGAGED IN SCIENTIFIC SERVICES

3.18 Recommended Practice. A ship engaged in scientific services carries personnel who are necessarily engaged on the ship for such scientific purposes of the voyage. If so identified, such personnel should be granted facilities at least as favourable as those granted to the crew members of that ship.

Insert in SECTION 3 - ARRIVAL AND DEPARTURE OF PERSONS, after Recommended Practice 3.18, a new Sub-Section:

F. FURTHER MEASURES OF FACILITATION FOR FOREIGNERS BELONGING TO THE CREWS OF SHIPS ENGAGED IN INTERNATIONAL VOYAGES - SHORE LEAVE

3.19 Standard. Foreign crew members shall be allowed ashore by the public authorities while the ship on which they arrive is in port, provided that the formalities on arrival of the ship have been fulfilled and the public authorities have no reason to refuse permission to come ashore for reasons of public health, public safety or public order.

3.19.1 Standard. Crew members shall not be required to hold a visa for the purpose of shore leave.

3.19.2 Recommended Practice. Crew members before going on or returning from shore leave should not normally be subjected to personal checks.

3.19.3 Standard. Crew members shall not be required to have a special permit, e.g. a shore leave pass, for the purpose of shore leave.

3.19.4 Recommended Practice. If crew members are required to carry documents of identity with them when they are on shore leave, these documents should be limited to those mentioned in Standard 3.10.

Insert in SECTION 5 - MISCELLANEOUS PROVISIONS, a new Sub-Section:

F. NATURAL DISASTER RELIEF WORK

5.11 Standard. Public authorities shall facilitate the arrival and departure of vessels engaged in natural disaster relief work.

5.12 Standard. Public authorities shall to the greatest extent possible facilitate the entry and clearance of persons and cargo arriving in vessels referred to in Standard 5.11.

Upgrade the following Recommended Practices to Standards:

2.3.2  
2.7.6  
2.11.1  
3.12  
3.15.1  
4.1  
4.4.1  
4.9  
5.4.1

Insert in Recommended Practice 4.1 "International Health Regulations" in place of "International Sanitary Regulations".

Insert in Recommended Practice 4.2 "Article 98 of the International Health Regulations" in place of "Article 104 of the International Sanitary Regulations".

1986 年 3 月 5 日締約國政府會議通過的  
關於經修正的 1965 年便利國際  
海上運輸公約附件的修正案

1 A 節 —— 定義

加進下列定義 “ 文書資料 : 帶有信息登記項的信息記錄介質 。

信息記錄介質 : 設計用來攜帶信息登記項記錄的工具 。”

1 B 節 —— 通則

在標準 1.1 後面，加上新的推薦做法  
1.1.1 :

“1.1.1 推薦做法。主管當局應考慮到因採用自動信息處理和輸送技術可能會促進運輸的發展，應就此同船東及所有其他關係方進行審議。

現有的資料要求和控制程序應予以簡化並應注意所獲得的資料與其他有關資料系統相一致的願望 。”

2 B 節 —— 文書資料的內容和目的

標準 2.2.3 修改如下：

“2.2.3 標準。主管當局必須接受一份由船長、船舶代理人或船長正式授權的其他人簽名並註明日期的總申報單，或必須接受經證明可為有關主管當局接受的總申報單。”

標準 2.2.3 修改如下：

“2.3.3 標準。主管當局必須接受一份由船長、船舶代理人或船長正式授權的其他人簽名並註明日期的貨物申報單，也必須接受經證明可為有關主管當局接受的貨物申報單。”

## 2 B 節 —— 文書資料的內容和目的

(續)

推薦做法 2.3.4 修改如下：

“2.3.4 推薦做法。如果艙單包括了根據推薦做法 2.3.1 和標準 2.3.2 所要求的資料情況並已按照標準 2.3.3 的要求簽名和註明日期或已獲得證明，主管當局應接受一份艙單副本以代替貨物申報單。作為替代辦法，如果貨物的特性和數量使其切實可行，以及雖然按照推薦做法 2.3.1 和標準 2.3.2 所要求的資料情況未包括在此類文書資料中但仍出

現在其他地方並有正式證明，主管當局可以接受按照標準 2.3.3 簽名或證明的提單副本或核證無誤的正本。”

標準 2.4.1 修改如下：

“2.4.1 標準。主管當局必須接受一份由船長或由其正式授權的親身了解船舶物料實際情況的船舶駕駛員簽名並註明日期的物料申報單，或必須接受經證明可為有關主管當局接受的船舶物料申報單。”

標準 2.5.1 中第一句修改如下：

“2.5.1 標準。主管當局必須接受一份由船長或由其正式授權的其他船舶駕駛員簽名並註明日期的船員物品申報單，或必須接受經證明可為有關主管當局接受的船員物品申報單。……”

標準 2.6.2 修改如下：

“2.6.2 標準。主管當局必須接受經船長或由其正式授權的其他船舶駕駛員簽名並註明日期的船員名

單，或必須接受經證明可為有關主管當局接受的船員名單。”

2 B 節 —— 文書資料的內容和目的

(續)

增添如下新標準 2.6.3：

“2.6.3 標準。在一艘船舶從事定期航行服務因而在十四天內至少停靠同一港口一次，且船員無更動的情況下，主管當局一般不得要求每次靠港都提交船員名單。但必須提交一份能使主管當局接受的“無更動”的聲明書。

增加新的推薦做法 2.6.4 如下：

“2.6.4 推薦做法。在標準 2.6.3 所述的情況下，若船員中有小更動，主管當局一般不應該要求提交新的全部船員名單而應接受已表明更動情況的原有名單。”

推薦做法 2.7.4 修改如下：

“2.7.4 推薦做法。航運公司編製的自用名單應能代替旅客名單而被接受，如果該名單至少包括了根據推薦做法 2.7.3 所要求的資料並按照標準 2.7.5 的要求簽名和註明日期或獲得證明。”

標準 2.7.5 修改如下：

“2.7.5 標準。主管當局必須接受由船長、船舶代理人或船長正式授權的其他人簽名並註明日期的旅客名單，或必須接受經證明可為有關主管當局接受的旅客名單。”

2 E 節——促進貨物、旅客、船員及行李結關的措施

在現有推薦做法 2.12.1 後面，增加如下新的推薦做法 2.12.2：

“2.12.2 推薦做法。締約國政府應提供方便，臨時許可船舶攜帶特殊貨物裝卸設備並在所靠口岸用其裝卸及搬運貨物。”

現有推薦做法 2.12.2 重編為 2.12.3。

現有標準 2.12.3 重編為 2.12.4。

現有推薦做法 2.12.4 重編為 2.12.5 且其中參照內容由“標準 2.12.3”改為“標準 2.12.4”

2 G 節——文書資料的完備

標準 2.15 修改如下：

“2.15 標準。主管當局必須接受任何易讀和易懂媒介所傳播的信息，包括用墨水或用筆跡難以擦掉

的鉛筆書寫的文書資料或由自動信息處理技術所提供的文書資料。

增加如下新的標準 2.15.1：

“2.15.1 標準。主管當局必須接受，當要求時，以手寫、複印、穿孔、蓋章、符號形式或其他任何機械或電子手段的簽名。如果此類接受同國內法不相一致時，則對於所遞交的使用非紙張媒介的資料的證明須使有關主管當局能夠接受。”

5 B 節 —— 文書資料的差錯及其處罰

標準 5.3 修改如下：

“5.3 標準。如果在本附件規定的經過船東或船長簽名或代表船東或船長簽名或另獲得證明的文書資料中有差錯時，在使主管當局有機會確信這些差錯是由於疏忽造成，不具有嚴重性質，不是由於一再漫不經心造成也不是有意違犯法規之前，不得強制處罰。”

在標準 2.3.2.2.7.6、2.11.1、3.12、3.15.1、4.1、4.4.1、及 5.4.1 中“應該”一詞由“必須”一詞代替。

AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED,  
ADOPTED BY THE CONFERENCE OF CONTRACTING  
GOVERNMENTS ON 5 MARCH 1986

Section 1A - Definitions

The following definitions are inserted:

"Document. Data carrier with data entries.

Data carrier. Medium designed to carry records of data entries."

Section 1B - General Provisions

After the present Standard 1.1 new Recommended Practice 1.1.1 is added to read:

"1.1.1 Recommended Practice. Public authorities should take into account the facilitation implications which may result from the introduction of automatic data processing and transmission techniques, and should consider these in collaboration with shipowners and all other interested parties.

Existing information requirements and control procedures should be simplified, and attention should be given to the desirability of obtaining compatibility with other relevant information systems."

Section 2B - Contents and Purpose of Documents

Standard 2.2.3 is amended to read:

"2.2.3 Standard. Public authorities shall accept a General Declaration either dated and signed by the master, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned."

Standard 2.3.3 is amended to read:

"2.3.3 Standard. Public authorities shall accept a Cargo Declaration either dated and signed by the master, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned."

Section 2B – Contents and Purpose  
of Documents  
(continued)

Recommended Practice 2.3.4 is amended to read:

"2.3.4 Recommended Practice. Public authorities should accept in place of the Cargo Declaration a copy of the ship's manifest provided it contains all the information required in accordance with Recommended Practice 2.3.1 and Standard 2.3.2 and is dated and signed or authenticated in accordance with Standard 2.3.3.

As an alternative, public authorities may accept a copy of the bill of lading signed or authenticated in accordance with Standard 2.3.3 or certified as a true copy, if the nature and quantity of cargo make this practicable and provided that any information in accordance with Recommended Practice 2.3.1 and Standard 2.3.2 which does not appear in such documents is also furnished elsewhere and duly certified."

Standard 2.4.1 is amended to read:

"2.4.1 Standard. Public authorities shall accept a Ship's Stores Declaration either dated and signed by the master or by some other ship's officer duly authorized by the master and having personal knowledge of the facts regarding the ship's stores, or authenticated in a manner acceptable to the public authority concerned."

The first sentence of Standard 2.5.1 is amended to read:

"2.5.1 Standard. Public authorities shall accept a Crew's Effects Declaration either dated and signed by the master or by some other ship's officer duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned. ...."

Standard 2.6.2 is amended to read:

"2.6.2 Standard. Public authorities shall accept a Crew List either dated and signed by the master or by some other ship's officer duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned."

Section 2B - Contents and Purpose  
of Documents  
(continued)

New Standard 2.6.3 is added to read:

"2.6.3 Standard. Public authorities shall not normally require a Crew List to be submitted on each call in cases where a ship, serving in a scheduled programme, calls again at the same port at least once within 14 days and when there has been no change in the crew, in which case a statement of "No Change" shall be presented in a manner acceptable to the public authorities concerned."

New Recommended Practice 2.6.4 is added to read:

"2.6.4 Recommended Practice. Under the circumstances mentioned in Standard 2.6.3 but where minor changes in the crew have taken place, public authorities should not normally require a new, Full Crew List to be submitted but should accept the existing Crew List with the changes indicated."

Recommended Practice 2.7.4 is amended to read:

"2.7.4 Recommended Practice. A list compiled by shipping companies for their own use should be accepted in place of the Passenger List, provided it contains at least the information required in accordance with Recommended Practice 2.7.3 and is dated and signed or authenticated in accordance with Standard 2.7.5."

Standard 2.7.5 is amended to read:

"2.7.5 Standard. Public authorities shall accept a Passenger List either dated and signed by the master, the ship's agent or some other person duly authorized by the master, or authenticated in a manner acceptable to the public authority concerned."

Section 2E - Measures to  
facilitate clearance  
of cargo, passengers,  
crew and luggage

After the present Recommended Practice 2.12.1 new Recommended Practice 2.12.2 is added to read:

"2.12.2 Recommended Practice. Contracting Governments should facilitate the temporary admission of specialized cargo handling equipment arriving by ships and used on shore at ports of call for loading, unloading and handling cargo."

Existing Recommended Practice 2.12.2 is renumbered 2.12.3

Existing Standard 2.12.3 is renumbered 2.12.4

Existing Recommended Practice 2.12.4 is renumbered 2.12.5 and the reference therein is changed from "Standard 2.12.3" to "Standard 2.12.4"

Existing Recommended Practice 2.12.5 is renumbered 2.12.6 and the reference therein is changed from "Standard 2.12.3" to "Standard 2.12.4"

Section 2G - Completion of documents

Standard 2.15 is amended to read:

"2.15 Standard. Public authorities shall accept information conveyed by any legible and understandable medium, including documents handwritten in ink or indelible pencil or produced by automatic data processing techniques."

New Standard 2.15.1 is added to read:

"2.15.1 Standard. Public authorities shall accept a signature, when required, in handwriting, in facsimile, perforated, stamped, in symbols, or made by any other mechanical or electronic means, if such acceptance is not inconsistent with national laws. The authentication of information submitted on non-paper media shall be in a manner acceptable to the public authority concerned."

Section 5B - Errors in documentation and penalties therefor

Standard 5.3 is amended to read:

"5.3 Standard. If errors are found in documents provided for in this Annex, which have been signed by or on behalf of a shipowner or master, or otherwise authenticated, no penalties shall be imposed until an opportunity has been given to satisfy the public authorities that the errors were inadvertent, not of a serious nature, not due to recurrent carelessness and not made with intent to violate laws or regulations."

In Standards 2.3.2, 2.7.6, 2.11.1, 3.12, 3.15.1, 4.1, 4.4.1, 4.9 and 5.4.1 the word "should" is replaced by the word "shall".

## 決議 FAL.1 (17)

1987 年 9 月 17 日通過

### 通過關於經修正的 1965 年 便利國際海上運輸公約的修正案

便利運輸委員會，

回顧到經修正的 1965 年便利國際海上運輸公約（以下稱公約）第七條第 2（1）款關於對公約附件修正程序的規定，

進一步回顧到公約已授於便利運輸委員會以審議和通過公約修正案的職能，

在第十七屆會議上審議了按照公約第七條第 2（1）款規定而提議並分發的關於公約附件的修正案，

1 按照公約第七條第 2（1）款的規定，通過關於公約附件中標準 5.11 和 5.12 以及推薦做法 2.3.4，2.6.1 和 5.4 的修正案。具體內容見本決議附件；

2 注意到按照公約第七條第 2（2）款的規定，上述修正案將於 1989 年 1 月 1 日生效，除非在 1988 年 10 月 1 日之前，至少有三分之一公約締約國的政府通知秘書長不接受上述修正案；

- 3 請秘書長遵照公約第七條第 2 ( 1 ) 款的規定將附件中的修正案通知所有的經修正的 1965 年便利國際海上運輸公約的締約國政府；
- 4 進一步請秘書長及時將修正案的通過和生效情況通知所有簽字國政府。

## 附件

### 關於經修正的 1965 年 便利國際海上運輸公約附件的 1987 年修正案

推薦做法 2.3.4 升格為標準並作如下修正：

“2.3.4 標準。如果艙單至少包括了根據推薦做法 2.3.1 和標準 2.3.2 所要求的情況並根據標準 2.3.3 的要求簽名或認證及註明日期，公共管理當局須接受一份艙單副本以代替貨物申報單。”

其後加上新的推薦做法 2.3.4.1:

“2.3.4.1 推薦做法。作為標準 2.3.4 的一種替代辦法，公共管理當局可以接受一份根據標準 2.3.3 簽署或認證的運輸單據副本或核證無誤的副本，但前提是如果貨物性質和數量使之切實可行，而且按推薦做法 2.3.1 和標準 2.3.2 規定所提供的情況，雖未在此類文書中表示，但已在其他地方提供並經正式認證。”

推薦做法 2.6.1 升格為標準並修正如下：

“2.6.1 標準。在船員名單中，公共管理當局所要求的資料不得多於下列項目：

- 船名和船舶國籍
- 姓氏

- 名字
- 國籍
- 職位或等級
- 出生日期和地點
- 身份證明的性質和號碼
- 抵達港和日期
- 來自何港”

推薦做法 5.4 修正如下：

“5.4 推薦做法。在港口的公共管理當局在通常的工作時間內應免費提供正常服務。公共管理當局應制訂正常的港口服務時間，並使其與平時工作量大的時間相一致。”

第五節（六）修正如下：

（六）緊急援助

“5.11 標準。公共管理當局必須為從事救災工作、治理或防止海洋污染，或其他因確保海上安全、居民安全或保護海洋環境所需的緊急行動船舶的抵離提供方便。

5.12 標準。公共管理當局必須儘最大可能為處理標準 5.11 所述情況所需的人員、貨物、材料及設備的入境和結關提供便利。”

RESOLUTION FAL.1(17)  
adopted on 17 September 1987

ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION  
OF INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as "the Convention", concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its seventeenth session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with article VII(2)(a) of the Convention, amendments to Standards 5.11 and 5.12 and Recommended Practices 2.3.4, 2.6.1 and 5.4 of the Annex to the Convention, the texts of which are given in the Annex to the present resolution;
2. NOTES that in accordance with article VII(2)(b) of the Convention, the above-mentioned amendments shall enter into force on 1 January 1989 unless, prior to 1 October 1988, at least one third of the Contracting Governments to the Convention have notified the Secretary-General in writing that they do not accept the said amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the Annex to all Contracting Governments to the Convention on Facilitation of International Maritime Traffic, 1965, as amended;
4. FURTHER REQUESTS the Secretary-General to notify promptly all Signatory Governments of the adoption and entry into force of the amendments.

## ANNEX

1987 AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION  
OF INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

Recommended Practice 2.3.4 is upgraded to a Standard and amended to read:

"2.3.4 Standard. Public authorities shall accept in place of the Cargo Declaration a copy of the ship's manifest provided it contains at least the information required in accordance with Recommended Practice 2.3.1 and Standard 2.3.2 and is signed or authenticated, and dated, in accordance with Standard 2.3.3."

A new Recommended Practice 2.3.4.1 is added to read:

"2.3.4.1 Recommended Practice. As an alternative to Standard 2.3.4, public authorities may accept a copy of the transport document signed or authenticated in accordance with Standard 2.3.3, or certified as a true copy, if the nature and quantity of cargo make this practicable and provided that any information in accordance with Recommended Practice 2.3.1 and Standard 2.3.2 which does not appear in such documents is also furnished elsewhere and duly certified."

Recommended Practice 2.6.1 is upgraded to a Standard and amended to read:

"2.6.1 Standard. In the Crew List, public authorities shall not require more than the following information:

- name and nationality of ship
- family name
- given names
- nationality
- rank or rating
- date and place of birth
- nature and number of identity document
- port and date of arrival
- arriving from."

Recommended Practice 5.4 is amended to read:

"5.4 Recommended Practice. The normal services of public authorities at a port should be provided without charge during normal working hours. Public authorities should establish normal working hours for their services at ports consistent with the usual periods of substantial workload."

Section 5F is amended to read:

"F EMERGENCY ASSISTANCE

5.11 Standard. Public authorities shall facilitate the arrival and departure of ships engaged in disaster relief work, the combating or prevention of marine pollution, or other emergency operations necessary to ensure maritime safety, the safety of the population or the protection of the marine environment.

5.12 Standard. Public authorities shall, to the greatest extent possible, facilitate the entry and clearance of persons, cargo, material and equipment required to deal with situations described in Standard 5.11."

## 決議第 FAL.2 (19) 號

1990 年 5 月 3 日通過

### 通過對經修正的 1965 年便利國際 海上運輸公約的修正案

便利運輸委員會，

憶及經修正的 1965 年便利國際海上運輸公約（此後稱“公約”）關於修正公約附件的程序的第七 2（1）條，

進一步憶及公約授予便利運輸委員會審議和通過公約修正案的職責，

在其第十九屆會議上審議了按公約第七 2（1）條提出和分發的公約附件修正案，

1. 按照公約第七 2（1）條，通過了對公約附件第一節（二）“一般規定”、標準 3.16.7 和 3.17.1 和推薦做法 2.12、2.12.1、3.9.1、3.11 和 3.11.1 和新推薦做法 1.3、2.7.6.1、3.11.2、3.11.3、3.11.4、3.11.5、5.13 和 5.14 的修正案，其條文載於本決議附件中；
2. 按照公約第七 2（2）條，決定上述修正案應於 1991 年 9 月 1 日起生效，除非在 1991 年 6 月 1 日前至少三分之一締約國政府已書面通知秘書長不接受這修正案；

- 3 要求秘書長依照公約第七 2 ( 1 ) 條將附件中的修正案分發所有締約國政府；
4. 進一步要求秘書長將修正案的通過和生效通知所有簽署國。

## 附件

## 經修正的 1965 年便利國際海上運輸公約

附件的修正案 1990 年 5 月 3 日

由便利運輸委員會通過

將第一節（二）“一般規定”修正為：

“（二）一般規定

本附件的規定連同本公約第五條第 2 款不得妨礙公共當局在懷疑有欺詐行為發生時，或在處理如危害海上運輸安全的非法行為，違法運輸麻醉品和精神病治療藥品等對公共秩序、公共安全或公共衛生構成嚴重危險的特殊問題時，或為防止傳入或傳播有害於動植物的疾病和蟲害時，採取必要的適當措施，包括要求獲得進一步的情況。”

增加新的推薦做法 1.3，條文如下：

“1.3 推薦做法。締約國政府為了治安或麻醉品控制的目的，所採取的措施和程序應當是有效的，如可能，應使用先進技術，包括自動數據處理在內。在實施這些措施和程序時應使船舶和船上的人員或財產只會受到最小的干擾並防止為此造成不必要的延遲。”

增加新的推薦做法 2.7.6.1，條文如下：

“2.7.6.1 推薦做法。當偷渡者沒有適當文件時，公共當局在可行並符合國家立法和安全需要的任何情況下，發佈一份附有偷渡者照片和其他任何重要資料的通知書。這份授權以任何運輸方式把偷渡者遣返

始發港並寫明當局規定的任何其他條件的通知書應交給負責偷渡者離開的船東或經營人。該通知書應附有過境地點和登船始發地的管理當局所要求的資料。

註：這一推薦做法不是為了阻止公共當局為可能的起訴和/或驅逐對偷渡者作進一步的審查。此外，不得將本推薦做法的任何規定解釋為與關於禁止驅逐和遣返難民的 1951 年 7 月 28 日的聯合國難民身份公約的規定相抵觸。”

將推薦做法 2.12 修正為：

“2.12 推薦做法。公共當局應與船東和港口當局合作，採取適當措施使船舶在港時間保持在最低程度，提供良好的港口交通流向安排，經常檢查與船舶的抵離有關的所有程序，包括上、下船、裝卸、維修等等事項的安排在內以及與此有關的治安措施。公共當局還應做出安排，在可行時，使貨船及其貨載在船舶的工作區域報關和結關。”

將推薦做法 2.12.1 修正為：

“2.12.1 推薦做法。公共當局應與船東和港口當局合作，採取適當措施提供良好的港口交通流向安排，以使貨物裝卸和結關程序能順利而簡便地進行。這些安排應包括船舶到碼頭後的卸貨、公共當局結關、入庫以及，如需要，貨物的轉運等所有階段。在貨物倉庫和應設在碼頭附近的公共當局的結關區域間應有方便和直接的通道，如可能，應備有機械傳送裝置。”

將推薦做法 3.9.1 修正為：

“3.9.1 推薦做法。在充分考慮到可能需要使用適當保安措施的同時，只要可能，公共當局均應免除對離境旅客隨身行李的檢查。”

將推薦做法 3.11 修正為：

“3.11 推薦做法。公共當局應與船東和港口當局合作，以便提供良好的交通流向安排，使旅客、船員和行李能快速結關；提供足夠的人員；確保提供足夠的裝置，並特別注意行李的裝卸和傳送安排（包括使用機械系統在內）以及經常發生旅客阻滯的地點。必要時，應在船舶與旅客和船員的檢查地點之間做出遮避通道的安排。這些設施和服務應當是靈活的，在有重大威脅情況下，能被擴充，以滿足經強化的治安措施的需要。”

將推薦做法 3.11.1 修正為：

“3.11.1 推薦做法。公共當局應：

（1）與船東和港口當局合作，做出適當安排，如：

（i）逐個和連續辦理旅客和行李手續的方法；

（ii）一旦行李放到可以提取的地點，能使旅客立即辨認並取得其檢驗過的行李的制度；

（iii）確保配有適合老年和殘疾旅客的需要的設施和服務；

（2）確保港口當局採取一切必要措施，以便：

（i）使旅客及其行李方便和迅速地連接上當地運輸；

（ii）如果要求船員向政府機關的辦公室報告時，這些辦公

室應易於進入，並儘可能彼此靠近。”

增加新的推薦做法 3.11.2、3.11.3、3.11.4 和 3.11.5，條文如下：

“3.11.2 推薦做法。應採取措施確保具有聽覺和視覺障礙的人易於得到一切必要的運輸和安全信息。

3.11.3 推薦做法。對於在候船室等上、下車的老人和殘疾人，供其使用的車站應儘可能靠近主要入口。它們應由適當的符號清晰地標誌出來。出入通道應當是無障礙的。

3.11.4 推薦做法。在使用公共服務受到限制時，應盡一切努力提供可使用、價格合理的公共交通服務，或改變現有的和計劃的交通服務，或向有行動障礙的人提供特別的安排。

3.11.5 推薦做法。應視情在碼頭和船上提供合適的設施，以便老年和殘疾旅客安全地上船和下船。”

標準 3.16.7 修正為：

“3.16.7 標準。除非出於治安目的和判定身份及能否准許入境的目的，一般而言，移民官員不應對旅遊乘客進行人身搜查。”

標準 3.17.1 修正為：

“3.17.1 標準。留在抵境和離境時所乘船舶上的過境旅客，除非出於治安目的，通常不應受到公共當局的例行控制。”

增加新的第五節（七），條文如下：

“（七）國家便運委員會

5.13 推薦做法：每一締約國政府在其認為必要和適當時，應在本附件的便運要求的基礎上制定國家海運便利規劃並確保該便運規劃的宗旨為採用一切可行的措施以促進船舶貨物、船員、旅客、郵件和船上用品的通行，排除不必要的障礙和延誤。

5.14 推薦做法：每一締約國政府應成立國家海運便利委員會或類似的國家協調機構，促進從事或負責國際海上運輸各方面的政府部門、機構和其他組織以及港口、船舶所有人和經營間對便運措施的採用和實施。

註：在成立國家海運便利委員會或類似的國家協調機構時，請締約國政府考慮 FAL.5/Circ.2 中的指南。”

## RESOLUTION FAL.2(19)

adopted on 3 May 1990

ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION  
OF INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as "the Convention", concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its nineteenth session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with article VII(2)(a) of the Convention, amendments to section 1B. General Provisions, Standards 3.16.7 and 3.17.1 and Recommended Practices 2.12, 2.12.1, 3.9.1, 3.11 and 3.11.1 and new Recommended Practices 1.3, 2.7.6.1, 3.11.2, 3.11.3, 3.11.4, 3.11.5, 5.13 and 5.14 of the Annex to the Convention, the texts of which are set out in the Annex to the present resolution;
2. DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 1 September 1991 unless, prior to 1 June 1991 at least one third of Contracting Governments have notified the Secretary-General in writing that they do not accept the amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the Annex to all Contracting Governments;
4. FURTHER REQUESTS the Secretary-General to notify all Signatory Governments of the adoption and entry into force of the amendments.

## ANNEX

AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED, ADOPTED  
BY THE FACILITATION COMMITTEE ON 3 MAY 1990

Amend section 1B. GENERAL PROVISIONS to read:

"B. GENERAL PROVISIONS

In conjunction with paragraph 2 of article V of the Convention, the provisions of this Annex shall not preclude public authorities from taking such appropriate measures, including calling for further information, as may be necessary in cases of suspected fraud, or to deal with special problems constituting a grave danger to public order (ordre public), public security or public health, such as unlawful acts against the safety of maritime traffic and illicit trafficking in narcotic drugs and psychotropic substances, or to prevent the introduction or spread of disease or pests affecting animals or plants."

A new Recommended Practice 1.3 is added to read:

"1.3 Recommended Practice. Measures and procedures imposed by Contracting Governments for purposes of security or narcotics control should be efficient and, where possible, utilize advance techniques, including Automatic Data Processing (ADP). Such measures and procedures should be implemented in such a manner as to cause a minimum of interference with, and to prevent unnecessary delays to, ships and persons or property on board."

A new Recommended Practice 2.7.6.1 is added to read:

"2.7.6.1 Recommended Practice. When a stowaway has inadequate documents, public authorities should, whenever practicable and to an extent compatible with national legislation and security requirements, issue a covering letter with a photograph of the stowaway and any other important information. The letter, authorizing the return of the stowaway to the original port by any means of transportation and specifying any other conditions imposed by the authorities, should be handed over to the shipowner or operator responsible for the removal of the stowaway. This letter will include information required by the authorities at transit points and at the original point of embarkation."

Note: This recommendation is not intended to prevent public authorities from further examination of a stowaway for possible prosecution and/or deportation. Further, nothing in this recommendation is to be construed as contradicting the provisions of the United Nations Convention Relating to the Status of Refugees of 28 July 1951, which concern the prohibition of the expulsion or return of a refugee.

Recommended Practice 2.12 is amended to read:

"2.12 Recommended Practice. Public authorities should, with the co-operation of shipowners and port authorities, take appropriate measures to the end that port time may be kept to a minimum, should provide satisfactory port traffic flow arrangements, and should frequently review all procedures in connection with the arrival and departure of ships, including arrangements for embarkation and disembarkation, loading and unloading, servicing and the like and the security measures associated therewith. They should also make arrangements whereby cargo ships and their loads can be entered and cleared, in so far as may be practicable, at the ship working area."

Recommended practice 2.12.1 is amended to read:

"2.12.1 Recommended Practice. Public authorities should, with the co-operation of shipowners and port authorities, take appropriate measures to the end that satisfactory port traffic flow arrangements are provided so that handling and clearance procedures for cargo will be smooth and uncomplicated. These arrangements should cover all phases from the time the ship arrives at the dock for unloading and public authority clearance and for warehousing and reforwarding of cargo if required. There should be convenient and direct access between the cargo warehouse and the public authority clearance area which should be located close to the dock area, and mechanical conveyance should be available, where possible."

Recommended Practice 3.9.1 is amended to read:

"3.9.1 Recommended Practice. Public authorities should, wherever possible, waive inspections of accompanied baggage of departing passengers, with due regard to the possible need to impose appropriate security measures."

Recommended Practice 3.11 is amended to read:

"3.11 Recommended Practice. Public authorities should, with the co-operation of shipowners and port authorities, take appropriate measures to the end that satisfactory port traffic flow arrangements may be provided so that passengers, crew and baggage can be cleared rapidly, should provide adequate personnel, and should ensure that adequate installations are provided, particular attention being paid to baggage loading, unloading and conveyance arrangements (including the use of mechanized systems) and to points where passenger delays are frequently found to occur. Arrangements should be made, when necessary, for passage under shelter between the ship and the point where the passenger and crew check is to be made. Such arrangements and installations should be flexible and capable of expansion to meet increased security measures during higher threat situations."

Recommended Practice 3.11.1 is amended to read:

"3.11.1 Recommended Practice. Public authorities should:

- (a) in co-operation with shipowners and port authorities introduce suitable arrangements, such as:
  - (i) an individual and continuous method of processing passengers and baggage;
  - (ii) a system which would permit passengers readily to identify and obtain their checked baggage as soon as it is placed in an area where it may be claimed;
  - (iii) ensuring that facilities and services are available to meet the needs of elderly and disabled passengers;
- (b) ensure that port authorities take all necessary measures so that:
  - (i) easy and speedy access for passengers and their baggage, to and from local transport, is provided;
  - (ii) if crews are required to report to premises for governmental purposes, those premises should be readily accessible, and as close to one another as practicable."

New Recommended Practices 3.11.2, 3.11.3, 3.11.4 and 3.11.5 are added to read:

"3.11.2 Recommended Practice. Measures should be taken to ensure that all necessary information on transport and safety is readily available for passengers who have impaired hearing or vision.

3.11.3 Recommended Practice. For elderly and disabled passengers being set down or picked up at a terminal building, reserved points should be located as close as possible to main entrances. These should be clearly marked with appropriate signs. Access routes should be free of obstacles.

3.11.4 Recommended Practice. Where access to public services is limited, every effort should be made to provide accessible and reasonably priced public transportation services, by adapting current and planned services, or by providing special arrangements for passengers who have impaired mobility.

3.11.5 Recommended Practice. Provisions of suitable facilities should be made in terminals and on ships, as appropriate, to allow safe embarkation and disembarkation for elderly and disabled passengers."

Standard 3.16.7 is amended to read:

"3.16.7 Standard. In general, except for security purposes and for the purposes of establishing identity and admissibility, cruise passengers shall not be subject to personal examination by public authorities responsible for immigration control."

Standard 3.17.1 is amended to read:

"3.17.1 Standard. A passenger in transit who remains on board the ship on which he arrived and departs with it shall not normally be subjected to routine control by public authorities except for security purposes."

A new section 5G is added to read:

"G NATIONAL FACILITATION COMMITTEES

- 5.13 Recommended Practice. Each Contracting Government should, where it considers such action necessary and appropriate, establish a national maritime transport facilitation programme based on the facilitation requirements of this Annex and ensure that the objective of its facilitation programme should be to adopt all practical measures to facilitate the movement of ships, cargo, crews, passengers, mail and stores, by removing unnecessary obstacles and delays.
- 5.14 Recommended Practice. Each Contracting Government should establish a national maritime transport facilitation committee or a similar national co-ordinating body, for the encouragement of the adoption and implementation of facilitation measures, between governmental departments, agencies and other organizations concerned with, or responsible for, various aspects of international maritime traffic, as well as with port authorities, shipowners and operators.

Note: In establishing a national maritime transport facilitation committee or a similar national co-ordinating body, Contracting Governments are invited to take into account the Guidelines set out in FAL.5/Circ.2."

## 第 FAL.3 (21) 號決議

1992 年 5 月 1 日通過

### 通過經修正的《1965 年便利國際海上運輸公約》的修正案

便利委員會，

憶及經修正的《1965 年便利國際海上運輸公約》(此後稱為“本公約”)有關修正本公約附件的程序的 VII (2) (a) 條，

還憶及本公約賦予便利委員會審議和通過本公約修正案的職責，

在其第二十一次會議上審議了按本公約第 VII (2) (a) 條提出和分發的本公約附件的修正案，

1. 按照本公約第 VII (2) (a) 條通過本公約的修正案，其文本載於本決議的附件中；
2. 按照本公約第 VII (2) (b) 條決定：這些修正案應在 1993 年 9 月 1 日生效，除非在 1993 年 6 月 1 日前至少有三分之一的締約政府書面通知秘書處不接受這些修正案；
3. 根據本公約第 VII (2) (a) 條要求秘書長將附件中所載的修正案分發給所有締約政府；
4. 還要求秘書長將所述修正案的通過和生效通知所有的簽署政府。

## 附件

### 經修正的《1965 年便利國際海上運輸公約》的

### 附件的修正案

在第 1 節：“定義和一般規定”中，在 A. “定義”下加入：

“治安措施。國際上同意的、為改進船上和港區治安、防止危害船上旅客和船員的非法行為而採取的措施\*。

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\* 參看《1988 年制止危害海上航行安全非法行為公約》和 1986 年 9 月 26 日的第 MSC/Circ.443 號通函：“防止危害船上旅客和船員非法行為的措施”。

“運輸單據。證明船東與發貨人之間的運輸合同的文件，如海上運貨單、提單或聯運單據。”

在第 2 節：“船舶的抵達、停留和駛離”：

將推薦做法 2.3.1 改為：

“2.3.1 推薦做法。公共當局不應要求在貨物申報單中提供多於下述的資料：

(a) 在抵達時：

— 船名和國籍

- 船長姓名
- 上一港口
- 報告地港口
- 標誌和編號；包裝的件數和種類；貨物的數量和說明
- 在該港待卸貨物的運輸單據編號
- 船上剩餘貨物的卸貨港
- 根據聯運單據或通過提貨單運輸的貨物的始發港

(b) 在駛離時：

- 船名和國籍
- 船長姓名
- 目的港
- 在該港所裝貨物；標記和編號；包裝件數和種類；貨物的數量和說明
- 在該港所裝貨物的運輸單據編號。

將推薦做法 2.7.6.1 的註改為：

“註：本建議的目的不是要阻止公共當局進一步檢查偷渡者以便進行可能的起訴和/或遣返。此外，不得將本建議中的任何規定解釋為與 1951 年 7 月 28 日的《聯合國難民地位公約》和 1967 年 1 月 31 日的《聯合國難民地位議定書》有關不准驅逐或遣返難民的規定相左。”

將推薦做法 2.12.6 條升級為標準，改為：

“2.12.6 標準。公共當局應允許根據標準 4.8 進入一國領土的集

裝箱和貨盤在簡化控制程序下，以最小數量的文件離開抵達港的港界，以便對進口貨物進行結關和/或對出口貨物進行裝船。”

增加標準 2.12.7 和 2.12.8 條文如下：

“2.12.7 標準。對於修理根據標準 4.8 的條款入境的集裝箱所需的部件，締約政府應允許其臨時進口而不需支付海關稅及其他稅款和費用。

2.12.8 標準。在符合任何國家禁令、限制規定和任何所需的港口治安或麻醉品控制措施的情況下，公共當局應給予活的動物、易腐品和其他緊急貨運以優先結關。”

在第 3 節：“人員的抵離”中：

將推薦做法 3.2 和 3.3 段升級為標準 3.2 和 3.3，改為：

“3.2 標準。公共當局應作出安排，使船上旅客的護照和被接受的用以代替其護照的正式身份證件只需在抵港和離港時由移民當局各檢查一次。此外，在抵離港口辦理海關和其他手續時，可以要求出示這些護照或正式身份證件以供核證或核對。

3.3 標準。除對旅客進入領土有某種障礙者外，在每次出示護照或被接受用以代替護照的正式身份證件並經檢查後，公共當局應立即交還證件，不得為獲得額外控制而予扣留。”

將標準 3.7 改為：

“3.7 標準。在需要船上旅客出示預防黃熱病的證明時，公共當

局應接受符合《國際衛生規則》規定格式的《國際接種或再接種證書》。”

增加新的推薦做法 3.11.6，條文如下：

“3.11.6 推薦做法。作為確保迅速結關的措施，公共當局應考慮採用雙通道系統\*，供旅客及其行李和私人公路車輛的結關使用。

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\* 參看推薦做法 11 和《京都公約》附件 F3 的附錄 II。”

標準 3.14 改為：

“3.14 標準。公共當局應不加無理拖延地接受船上人員進行入境許可檢查。”

在第 4 節：“公共衛生和檢疫，包括動植物衛生措施。”中：

.1 將推薦做法 4.2 改為：

“4.2 推薦做法。因衛生、地理、社會或經濟條件而具有某些共同利益的締約政府，在特殊安排將有助於實施《國際衛生規則》時，應根據該規則第 85 條達成特殊安排。”

在第 5 節：“雜項規定”中：

.1 將標準 5.9 改為：

“5.9 標準。除船東是進口商或出口商或作為其代表者外，公共當局不應要求船東在運輸單據或其副本上提供特殊資料供其使用。”

在第 5 節：“雜項規定”中增加：

“H. 電子數據處理/電子數據交換（數據處理/數據交換）

5.15 推薦做法。在採用電子數據處理和交換技術促進船舶結關時，締約政府應鼓勵公共當局和有關的私人機構按照國際標準進行電子數據交換。

5.16 標準。公共當局應接受以符合國際標準的電子數據處理或交換技術提供的船舶結關所需的任何文件，只要它們包括所需資料。

5.17 標準。公共當局在採用供船舶結關使用的電子數據處理和交換技術時，應將其要求的資料限制在本附件有關規定中所規定者。

5.18 推薦做法。在規劃、採用或修改供船舶結關使用的電子數據處理或交換技術時，公共當局應努力做到：

- （a）從一開始就向所有有關方提供磋商機會；
- （b）評定現有程序，刪除不必要者；
- （c）確定電子計算機化的程序；
- （d）最大程度地使用《聯合國建議書》和國際標準組織的有關標準；
- （e）將這些技術應用於聯運申請書；和
- （f）採取適當措施最大程度地減少經營人和其他私營部門

實施這些技術的費用。

5.19 標準。公共當局在採用供船舶結關使用的電子數據處理和交換技術時，應鼓勵但不要求海運經營人和其他有關方使用。

I. 私人禮品和貿易樣品

5.20 推薦做法。公共當局應為不超過某一價值或數量的私人禮品包和貿易樣品提供簡化程序，使其迅速結關，而上述價值或數量應儘可能定高。

J. 領事手續和領事手續費

5.21 標準。締約政府不應對船舶結關文件要求領事手續或領事手續費。

K. 提交預先的進口資料

5.22 推薦做法。公共當局應制定在貨物抵達前提交預先資料的程序，以便利結關。

L. 專用設備的結關

5.23 標準。公共當局應對實施治安措施所需的專用設備予以迅速結關。

M. 偽造的證件

5.24 標準。每一締約政府均應確保公共當局沒收了不允許入境者的詐騙、偽造或仿造的旅行證件。此種證件應予沒收不准使用，並在可行時退還有關當局。沒收國應頒發一份說明書代

替被沒收的證件，說明書中附上偽造的旅行證件的影印件（如果有的話）以及任何重要資料。說明書及其附件應交給將不允許入境者帶走的營運人。它將用於向過境地和/或原登船地的當局提供資料。

註：不應將上述標準解釋為超越了締約政府公共當局根據各案確定持有詐騙證件一事本身是否構成拒絕入境或立即離開有關國家領土的根據的權力。不應將該標準中的任何規定解釋為與 1951 年 7 月 28 日的《聯合國難民地位公約》和 1967 年 1 月 31 日的《聯合國難民地位議定書》有關不准驅逐或遣返難民的規定相左。”

重新編排《便運公約》附件的修正案

#### 重新編排節和小節

在第 1 節中加入（c）小節如下：“電子數據處理技術”。

在第 2 節中刪去“E”小節，加上新的“G”小節如下：

“G. 文件中的錯誤及其罰款”。

將小標題的字母“F”和“G”改為“E”和“F”

在第 3 節中，將“B”小節的標題改為：

“B. 旅客、船員和行李的結關便利措施”。

在第 3 節中加入新的（C）小節如下：

“C. 海上運輸老年和殘疾旅客的特別便利措施”；

將小標題的字母“C”、“D”、“E”和“F”改為“D”、“E”、“F”和“G”。

將第 4 節改為：

“第 5 節－公共衛生和檢疫，包括動植物衛生措施”

增加新的第 4 節，條文如下：

“第 4 節－貨物和其他物品的抵達、停留和離開”

在新的第 4 節中，增加帶有標題的一些小節，條文如下：

- “A. 通則
- B. 出口貨物的結關
- C. 進口貨物的結關
- D. 集裝箱和貨盤
- E. 不在預定目的港卸貨的貨物
- F. 船東的責任限額”

第 5 節改為：

“第 6 節－雜項規定”

在新的第 6 節中，刪去 B、D、E、H、I、J、K、L 和 M 小節。

將小標題字母 C、F 和 G 改為 B、C 和 D。

將標準和推薦做法列入各小節中的新佈局

在第 1 節中，B 小節包括：

標準 1.1；和

推薦做法 1.1.1、1.2 和 1.3。

在第 1 節中，C 小節包括：

標準 5.16、5.17 和 5.19；和

推薦做法 5.15 和 5.18。

在第 2 節中，A 小節包括：

標準 2.1 和 5.21。

在第 2 節中，B 小節包括：

標準 2.2、2.2.3、2.3、2.3.2、2.3.3、2.3.4、2.4、2.4.1、2.5、2.5.1、  
2.6、2.6.1、2.6.2、2.6.3、2.7、2.7.5、2.7.6、2.8、和 2.9；和

推薦做法 2.2.1、2.2.2、2.3.1、2.3.4.1、2.3.5、2.5.2、2.6.4、2.7.1、  
2.7.2、2.7.3、2.7.4 和 2.7.6.1。

在第 2 節中，C 小節包括：

標準 2.10。

在第 2 節中，D 小節包括：

標準 2.11、2.11.1 和 2.11.3；和

推薦做法 2.11.2。

在第 2 節中，E 小節包括：

推薦做法 2.13.

在第 2 節中，F 小節包括：

標準 2.15、2.15.1 和 2.16；和

推薦做法 2.14。

在第 2 節中，G 小節包括：

標準 5.2 和 5.3。

在第 2 節中，H 小節包括：

標準 2.17、2.18、2.19、2.20、2.21、2.22、2.23 和 2.24。

在第 3 節中，A 小節包括：

標準 3.1、3.2、3.3、5.24、3.7、3.10、3.10.1 和 3.10.2；和

推薦做法 3.1.1、3.4、3.5、3.6、3.8、3.9、3.9.1、3.9.2 和 3.10.3。

在第 3 節中，B 小節包括：

標準 3.12、3.14、3.15 和 3.15.1；和

推薦做法 3.11、3.11.1、3.11.6、3.13 和 3.15.2。

在第 3 節中，C 小節包括：

推薦做法 3.11.2、3.11.3、3.11.4 和 3.11.5。

在第 3 節中，D 小節包括：

標準 3.16.1、3.16.2、3.16.3、3.16.4、3.16.6、3.16.7、3.16.8、3.16.12、  
3.16.13 和 3.16.15；和

推薦做法 3.16.5、3.16.9、3.16.10、3.16.11、3.16.14 和 3.16.16。

在第 3 節中，E 小節包括：

標準 3.17.1；和

推薦做法 3.17.2、3.17.3、3.17.4、3.17.5、3.17.6 和 3.17.7。

在第 3 節中，F 小節包括：

推薦做法 3.18。

在第 3 節中，G 小節包括：

標準 3.19、3.19.1 和 3.19.3；和

推薦做法 3.19.2 和 3.19.4。

在第 4 節中，A 小節包括：

推薦做法 2.12、2.12.1、2.12.3 和 5.20。

在第 4 節中，C 小節包括：

標準 2.12.8；和

推薦做法 2.12.2 和 5.22。

在第 4 節中，D 小節包括：

標準 2.12.4、2.12.6 和 2.12.7；和

推薦做法 2.12.5。

在第 4 節中，E 小節包括：

標準 5.7 和 5.8。

在第 4 節中，F 小節包括：

標準 5.9 和 5.10。

第 5 節包括：

標準 4.1、4.4.1、4.5、4.7、4.9 和 4.10；和

推薦做法 4.2、4.3、4.4、4.6、4.8 和 4.11。

在第 6 節中，A 小節包括：

推薦做法 5.1。

在第 6 節中，B 小節包括：

標準 5.4.1、5.4.2 和 5.5；和

推薦做法 5.4、5.4.3 和 5.6。

在第 6 節中，C 小節包括：

標準 5.11、5.12 和 5.23。

在第 6 節中，D 小節包括：

推薦做法 5.13 和 5.14。

“標準”和“推薦做法”的重新編號

推薦做法 5.15 改為 1.4

標準 5.16 改為 1.5

標準 5.17 改為 1.6

推薦做法 5.18 改為 1.7

標準 5.19 改為 1.8

標準 5.21 改為 2.1.1

標準 5.2 改為 2.17

標準 5.3 改為 2.18

標準 2.17 改為 2.19

標準 2.18 改為 2.20

標準 2.19 改為 2.21

標準 2.20 改為 2.22

標準 2.21 改為 2.23

標準 2.22 改為 2.24

標準 2.23 改為 2.25

標準 2.24 改為 2.26

標準 5.24 改為 3.3.1

推薦做法 3.11.6 改為 3.11.2

推薦做法 3.11.2 改為 3.16

推薦做法 3.11.3 改為 3.17

推薦做法 3.11.4 改為 3.18

推薦做法 3.11.5 改為 3.19

標準 3.16.1 改為 3.20

- 標準 3.16.2 改為 3.21
- 標準 3.16.3 改為 3.22
- 標準 3.16.4 改為 3.23
- 推薦做法 3.16.5 改為 3.24
- 標準 3.16.6 改為 3.25
- 標準 3.16.7 改為 3.26
- 標準 3.16.8 改為 3.27
- 推薦做法 3.16.9 改為 3.28
- 推薦做法 3.16.10 改為 3.29
- 推薦做法 3.16.11 改為 3.30
- 標準 3.16.12 改為 3.31
- 標準 3.16.13 改為 3.32
- 推薦做法 3.16.14 改為 3.33
- 標準 3.16.15 改為 3.34
- 推薦做法 3.16.16 改為 3.35
- 標準 3.17.1 改為 3.36
- 推薦做法 3.17.2 改為 3.37
- 推薦做法 3.17.3 改為 3.38
- 推薦做法 3.17.4 改為 3.39
- 推薦做法 3.17.5 改為 3.40
- 推薦做法 3.17.6 改為 3.41
- 推薦做法 3.17.7 改為 3.42
- 推薦做法 3.18 改為 3.43

標準 3.19 改為 3.44

標準 3.19.1 改為 3.45

推薦做法 3.19.2 改為 3.46

標準 3.19.3 改為 3.47

推薦做法 3.19.4 改為 3.48

推薦做法 2.12 改為 4.1

推薦做法 2.12.1 改為 4.2

推薦做法 2.12.3 改為 4.3

推薦做法 5.20 改為 4.4

標準 2.12.8 改為 4.5

推薦做法 2.12.2 改為 4.6

推薦做法 5.22 改為 4.7

標準 2.12.4 改為 4.8

推薦做法 2.12.5 改為 4.9

標準 2.12.6 改為 4.10

標準 2.12.7 改為 4.11

標準 5.7 改為 4.12

標準 5.8 改為 4.13

標準 5.9 改為 4.14

標準 5.10 改為 4.15

標準 4.1 改為 5.1

推薦做法 4.2 改為 5.2

推薦做法 4.3 改為 5.3

推薦做法 4.4 改為 5.4

標準 4.4.1 改為 5.4.1

標準 4.5 改為 5.5

推薦做法 4.6 改為 5.6

標準 4.7 改為 5.7

推薦做法 4.8 改為 5.8

標準 4.9 改為 5.9

標準 4.10 改為 5.10

推薦做法 4.11 改為 5.11

推薦做法 5.1 改為 6.1

推薦做法 5.4 改為 6.2

標準 5.4.1 改為 6.3

標準 5.4.2 改為 6.4

推薦做法 5.4.3 改為 6.5

標準 5.5 改為 6.6

推薦做法 5.6 改為 6.7

標準 5.11 改為 6.8

標準 5.12 改為 6.9

標準 5.23 改為 6.10

推薦做法 5.13 改為 6.11

推薦做法 5.14 改為 6.12

RESOLUTION FAJ.3(21)  
adopted on 1 May 1992

ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION  
OF INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as "the Convention", concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its twenty-first session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with Article VII(2)(a) of the Convention, the amendments to the Convention, the text of which is set out in the annex to the present resolution;
2. DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 1 September 1993 unless, prior to 1 June 1993 at least one third of Contracting Governments have notified the Secretary-General in writing that they do not accept the amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the Annex to all Contracting Governments;
4. FURTHER REQUESTS the Secretary-General to notify all Signatory Governments of the adoption and entry into force of the said amendments.

## ANNEX

AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

In Section 1, Definitions and General Provisions, add under

## A. Definitions:

"Security Measures. Internationally agreed measures to improve security on board ships and in port areas to prevent unlawful acts against passengers and crews on board ships\*.

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\* Reference is made to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 1988 and to MSC/Circ.443 of 26 September 1986 on "Measures to prevent unlawful acts against passengers and crews on board ships."

"Transport document. Document evidencing a contract of carriage between a shipowner and a consignor, such as a sea waybill, a bill of lading or a multimodal transport document."

In Section 2, Arrival, Stay and Departure of the Ship:

Recommended Practice 2.3.1 is amended to read:

"2.3.1 Recommended Practice. In the Cargo Declaration, public authorities should not require more than the following information:

## (a) on arrival

- name and nationality of the ship
- name of master
- port arrived from
- port where report is made
- marks and numbers; number and kinds of packages; quantity and description of the goods
- transport document numbers for cargo to be discharged at the port in question
- ports at which cargo remaining on board will be discharged
- original ports of shipment in respect of goods shipped under multimodal transport documents or through bills of lading

## (b) on departure

- name and nationality of the ship

- name of master
- port of destination
- in respect of goods loaded at the port in question; marks and numbers; number and kind of packages; quantity and description of the goods
- transport document numbers for cargo loaded at the port in question."

The Note to Recommended Practice 2.7.6.1 is amended to read:

"Note: This recommendation is not intended to prevent public authorities from further examination of a stowaway for possible prosecution and/or deportation. Further, nothing in this recommendation is to be construed as contradicting the provisions of the United Nations Convention Relating to the Status of Refugees of 28 July 1951 and the United Nations Protocol Relating to the Status of Refugees of 31 January 1967, which concern the prohibition of the expulsion or return of a refugee."

Recommended Practice 2.12.6 is upgraded to Standard 2.12.6 and amended to read:

"2.12.6 Standard. Public authorities shall permit containers and pallets entering the territory of a State under the provisions of Standard 4.8 to depart the limits of port of arrival for clearance of imported cargo and/or loading of export cargo under simplified control procedures and with a minimum of documentation.

Standards 2.12.7 and 2.12.8 are added to read:

2.12.7 Standard. Contracting Governments shall permit the temporary importation of component parts of containers without payment of customs duties and other taxes and charges when these parts are needed for the repair of containers already admitted under the terms of Standard 4.8.

2.12.8 Standard. Public authorities shall, subject to compliance with any national prohibitions or restrictions and any required port security or narcotics control measures, grant priority clearance to live animals, perishable goods and other consignments of urgent nature."

In Section 3, Arrival, and Departure of Persons:

Recommended Practices 3.2 and 3.3 are upgraded to Standards 3.2 and 3.3 and amended to read:

"3.2 Standard. Public authorities shall make arrangements whereby passports, or official documents of identity accepted in their place, from ships' passengers need be inspected by the immigration authorities only once at the time of arrival and once at the time of departure. In addition, these passports or official documents of identity may be required to be produced for the purpose of verification or identification in connection with customs and other formalities on arrival and departure.

3.3 Standard. After individual presentation of passports or official documents of identity accepted in their place, public authorities shall hand back such documents immediately after examination rather than withholding them for the purpose of obtaining additional control, unless there is some obstacle to the admission of a passenger to the territory."

Standard 3.7 is amended to read:

"3.7 Standard. In cases where evidence of protection against yellow fever is required from persons on board a ship, public authorities shall accept the International Certificate of Vaccination or Re-Vaccination in the form provided for in the International Health Regulations."

New Recommended Practice 3.11.6 is added to read:

"3.11.6 Recommended Practice. Public authorities should consider, as a means of ensuring prompt clearance, the introduction of the dual-channel system\* for the clearance of passengers, and their baggage and private road vehicles.

---

\* Reference is made to Recommended Practice 11 and appendix.II of Annex F 3 of the Kyoto Convention."

Standard 3.14 is amended to read:

"3.14 Standard. Public authorities shall, without unreasonable delay, accept persons on board a ship for examination as to their admissibility into the State."

In Section 4, Public Health and Quarantine Including Sanitary Measures for Animals and Plants:

.1 Recommended Practice 4.2 is amended to read:

"4.2 Recommended Practice. Contracting Governments having certain interests in common owing to their health, geographical, social or economic conditions should conclude special arrangements pursuant to Article 85 of the International Health Regulations when such arrangements will facilitate the application of those Regulations."

In Section 5, Miscellaneous Provisions:

.1 Standard 5.9 is amended to read:

"5.9 Standard. Public authorities shall not require a shipowner to place special information for use of such authorities on a transport document or a copy thereof, unless the shipowner is or is acting for, the importer or exporter."

To Section 5, Miscellaneous Provisions, is added:

"H. ELECTRONIC DATA PROCESSING/ELECTRONIC DATA INTERCHANGE (EDP/EDI)

5.15 Recommended Practice. When introducing electronic data processing and interchange techniques to facilitate the clearance of ships, Contracting Governments should encourage public authorities and private parties concerned to exchange data electronically in conformity with international standards.

5.16 Standard. Public authorities shall accept any of the documents required for the clearance of ships, when produced by electronic data processing or interchange techniques that conform with international standards provided they contain the required information.

5.17 Standard. Public authorities, when introducing electronic data processing and interchange techniques for the clearance of ships, shall limit the information they require to that provided for in the pertinent provisions of this annex.

5.18 Recommended Practice. When planning for, introducing, or modifying electronic data processing or interchange techniques for the clearance of ships, public authorities should endeavour to:

- (a) afford all interested parties, from the outset, the opportunity for consultation;
- (b) evaluate existing procedures and eliminate those which are unnecessary;
- (c) determine those procedures which are to be computerized;
- (d) use United Nations (UN) Recommendations and relevant ISO Standards to the maximum extent practicable;
- (e) adapt these techniques for multimodal applications; and
- (f) take appropriate steps to minimize the cost of implementing these techniques to operators and other private parties.

5.19 Standard. Public authorities, when introducing electronic data processing and interchange techniques for the clearance of ships, shall encourage but not require their use by maritime operators and other parties concerned.

I. PRIVATE GIFT PACKAGES AND TRADE SAMPLES

5.20 Recommended Practice. Public authorities should provide simplified procedures for the prompt clearance of private gift packages and trade samples not exceeding a certain value or quality, which should be set at as high a level as possible.

J. CONSULAR FORMALITIES AND FEES

5.21 Standard. Contracting Governments shall not require consular formalities, charges or fees in connection with documents for the clearance of ships.

## K. SUBMISSION OF PRE-IMPORT INFORMATION

5.22 Recommended Practice. Public authorities should develop procedures to allow for the submission of advance information prior to arrival of cargo in order to facilitate customs clearance.

## L. CLEARANCE OF SPECIALIZED EQUIPMENT

5.23 Standard. Public authorities shall grant prompt customs clearance of specialized equipment needed to implement security measures.

## M. FALSIFIED DOCUMENTS

5.24 Standard. Each Contracting Government shall ensure that the public authorities seize fraudulent, falsified or counterfeit travel documents of inadmissible persons. Such documents shall be removed from circulation and returned to the appropriate authorities when practicable. In place of a seized document, a covering letter shall be issued by the removing State and attached to it will be a photocopy of the forged travel documents, if available, as well as any important information. The covering letter and its attachment shall be handed over to the operator effecting the removal of the inadmissible person. It will serve to give information to the authorities at the transit and/or the original point of embarkation.

Note: The above Standard shall not be construed as overriding the right of the public authorities of the Contracting Governments to determine whether or not, depending on the individual case, possession of fraudulent documents in itself constitutes grounds for refusal of admission and prompt removal from the territory of the State concerned. Nothing in this Standard is to be construed as contradicting the provisions of the UN Convention Relating to the Status of Refugees of 28 July 1951 and the UN Protocol Relating to the Status of Refugees of 31 January 1967, which concern the prohibitions of the expulsion or return of a refugee."

## AMENDMENTS AIMING AT THE RESTRUCTURING OF THE ANNEX TO THE FAL CONVENTION

Restructuring of sections and subsections

In Section 1, subsection "C" is added to read: "Electronic Data Processing Techniques".

In Section 2, subsection "E" is deleted and a new subsection G is added to read:

"G. Errors in documentation and penalties therefor".

Sub-heading letters "F" and "G" are amended to read "E" and "F".

In Section 3, the heading of subsection B is amended to read:

"B. Measures to facilitate clearance of passengers, crew and baggage".

In Section 3, subsection "C" is added to read:

"C. Special facilities for marine transport of elderly and disabled passengers";

Sub-heading letters "C", "D", "E" and "F" are amended to read "D", "E", "F" and "G".

Section 4 is amended to read:

"Section 5 - Public health and quarantine including sanitary measures for animals and plants"

A new Section 4 is added to read:

"Section 4 - Arrival, stay and departure of cargo and other articles"

In new Section 4, subsections are added with headings to read:

- A. General
- B. Clearance of export cargo
- C. Clearance of import cargo
- D. Containers and pallets
- E. Cargo not discharged at the port of intended destination
- F. Limitations of shipowners' responsibilities"

Section 5 is amended to read:

"Section 6 - Miscellaneous provisions"

In the new Section 6, subsections B, D, E, H, I, J, K, L and M are deleted.

Sub-heading letters C, F and G are amended to read B, C and D.

Rearrangement of Standards and Recommended Practices into subsections

In Section 1, subsection B is to include:

- Standard 1.1; and
- Recommended Practices 1.1.1, 1.2 and 1.3.

In Section 1, subsection C is to include:

- Standards 5.16, 5.17 and 5.19; and
- Recommended Practices 5.15 and 5.18.

In Section 2, subsection A is to include:

- Standards 2.1 and 5.21.

In Section 2, subsection B is to include:

- Standards 2.2, 2.2.3, 2.3, 2.3.2, 2.3.3, 2.3.4, 2.4, 2.4.1, 2.5, 2.5.1, 2.6, 2.6.1, 2.6.2, 2.6.3, 2.7, 2.7.5, 2.7.6, 2.8 and 2.9; and

Recommended Practices 2.2.1, 2.2.2, 2.3.1, 2.3.4.1, 2.3.5, 2.5.2, 2.6.4, 2.7.1, 2.7.2, 2.7.3, 2.7.4, and 2.7.6.1.

In Section 2, subsection C is to include:

Standard 2.10.

In Section 2, subsection D is to include:

Standards 2.11, 2.11.1 and 2.11.3; and

Recommended Practice 2.11.2.

In Section 2, subsection E is to include:

Recommended Practice 2.13.

In Section 2, subsection F is to include:

Standards 2.15, 2.15.1 and 2.16; and

Recommended Practice 2.14.

In Section 2, subsection G is to include:

Standards 5.2 and 5.3.

In Section 2, subsection H is to include:

Standards 2.17, 2.18, 2.19, 2.20, 2.21, 2.22, 2.23 and 2.24.

In Section 3, subsection A is to include:

Standards 3.1, 3.2, 3.3, 5.24, 3.7, 3.10, 3.10.1 and 3.10.2; and

Recommended Practices 3.1.1, 3.4, 3.5, 3.6, 3.8, 3.9, 3.9.1, 3.9.2 and 3.10.3.

In Section 3, subsection B is to include:

Standards 3.12, 3.14, 3.15 and 3.15.1; and

Recommended Practices 3.11, 3.11.1, 3.11.6, 3.13 and 3.15.2.

In Section 3, subsection C is to include:

Recommended Practices 3.11.2, 3.11.3, 3.11.4 and 3.11.5.

In Section 3, subsection D is to include:

Standards 3.16.1, 3.16.2, 3.16.3, 3.16.4, 3.16.6, 3.16.7, 3.16.8, 3.16.12, 3.16.13, and 3.16.15; and

Recommended Practices 3.16.5, 3.16.9, 3.16.10, 3.16.11, 3.16.14 and 3.16.16.

In Section 3, subsection E is to include:

Standard 3.17.1; and

Recommended Practices 3.17.2, 3.17.3, 3.17.4, 3.17.5, 3.17.6 and 3.17.7.

In Section 3, subsection F is to include:

Recommended Practice 3.18.

In Section 3, subsection G is to include:

Standards 3.19, 3.19.1 and 3.19.3; and

Recommended Practices 3.19.2 and 3.19.4.

In Section 4, subsection A is to include:

Recommended Practices 2.12, 2.12.1, 2.12.3 and 5.20.

In Section 4, subsection C is to include:

Standard 2.12.8; and

Recommended Practices 2.12.2 and 5.22.

In Section 4, subsection D is to include:

Standards 2.12.4, 2.12.6, and 2.12.7; and

Recommended Practice 2.12.5.

In Section 4, subsection E is to include:

Standards 5.7 and 5.8.

In Section 4, subsection F is to include:

Standards 5.9 and 5.10.

Section 5 is to include:

Standards 4.1, 4.4.1, 4.5, 4.7, 4.9 and 4.10; and

Recommended Practices 4.2, 4.3, 4.4, 4.6, 4.8, and 4.11.

In Section 6, subsection A is to include:

Recommended Practice 5.1.

In Section 6, subsection B is to include:

Standards 5.4.1, 5.4.2 and 5.5; and

Recommended Practices 5.4, 5.4.3 and 5.6.

In Section 6, subsection C is to include:

Standards 5.11, 5.12 and 5.23.

In Section 6, subsection D is to include:

Recommended Practices 5.13 and 5.14.

Renumbering of "Standards" and "Recommended Practices"

Recommended Practice 5.15 is amended to read 1.4  
Standard 5.16 is amended to read 1.5  
Standard 5.17 is amended to read 1.6  
Recommended Practice 5.18 is amended to read 1.7  
Standard 5.19 is amended to read 1.8

Standard 5.21 is amended to read 2.1.1  
Standard 5.2 is amended to read 2.17  
Standard 5.3 is amended to read 2.18  
Standard 2.17 is amended to read 2.19  
Standard 2.18 is amended to read 2.20  
Standard 2.19 is amended to read 2.21  
Standard 2.20 is amended to read 2.22  
Standard 2.21 is amended to read 2.23  
Standard 2.22 is amended to read 2.24  
Standard 2.23 is amended to read 2.25  
Standard 2.24 is amended to read 2.26

Standard 5.24 is amended to read 3.3.1  
Recommended Practice 3.11.6 is amended to read 3.11.2  
Recommended Practice 3.11.2 is amended to read 3.16  
Recommended Practice 3.11.3 is amended to read 3.17  
Recommended Practice 3.11.4 is amended to read 3.18  
Recommended Practice 3.11.5 is amended to read 3.19  
Standard 3.16.1 is amended to read 3.20  
Standard 3.16.2 is amended to read 3.21  
Standard 3.16.3 is amended to read 3.22  
Standard 3.16.4 is amended to read 3.23  
Recommended Practice 3.16.5 is amended to read 3.24  
Standard 3.16.6 is amended to read 3.25  
Standard 3.16.7 is amended to read 3.26  
Standard 3.16.8 is amended to read 3.27  
Recommended Practice 3.16.9 is amended to read 3.28  
Recommended Practice 3.16.10 is amended to read 3.29  
Recommended Practice 3.16.11 is amended to read 3.30  
Standard 3.16.12 is amended to read 3.31  
Standard 3.16.13 is amended to read 3.32  
Recommended Practice 3.16.14 is amended to read 3.33  
Standard 3.16.15 is amended to read 3.34  
Recommended Practice 3.16.16 is amended to read 3.35  
Standard 3.17.1 is amended to read 3.36  
Recommended Practice 3.17.2 is amended to read 3.37  
Recommended Practice 3.17.3 is amended to read 3.38  
Recommended Practice 3.17.4 is amended to read 3.39  
Recommended Practice 3.17.5 is amended to read 3.40  
Recommended Practice 3.17.6 is amended to read 3.41  
Recommended Practice 3.17.7 is amended to read 3.42

Recommended Practice 3.18 is amended to read 3.43  
Standard 3.19 is amended to read 3.44  
Standard 3.19.1 is amended to read 3.45  
Recommended Practice 3.19.2 is amended to read 3.46  
Standard 3.19.3 is amended to read 3.47  
Recommended Practice 3.19.4 is amended to read 3.48

Recommended Practice 2.12 is amended to read 4.1  
Recommended Practice 2.12.1 is amended to read 4.2  
Recommended Practice 2.12.3 is amended to read 4.3  
Recommended Practice 5.20 is amended to read 4.4  
Standard 2.12.8 is amended to read 4.5  
Recommended Practice 2.12.2 is amended to read 4.6  
Recommended Practice 5.22 is amended to read 4.7  
Standard 2.12.4 is amended to read 4.8  
Recommended Practice 2.12.5 is amended to read 4.9  
Standard 2.12.6 is amended to read 4.10  
Standard 2.12.7 is amended to read 4.11  
Standard 5.7 is amended to read 4.12  
Standard 5.8 is amended to read 4.13  
Standard 5.9 is amended to read 4.14  
Standard 5.10 is amended to read 4.15

Standard 4.1 is amended to read 5.1  
Recommended Practice 4.2 is amended to read 5.2  
Recommended Practice 4.3 is amended to read 5.3  
Recommended Practice 4.4 is amended to read 5.4  
Standard 4.4.1 is amended to read 5.4.1  
Standard 4.5 is amended to read 5.5  
Recommended Practice 4.6 is amended to read 5.6  
Standard 4.7 is amended to read 5.7  
Recommended Practice 4.8 is amended to read 5.8  
Standard 4.9 is amended to read 5.9  
Standard 4.10 is amended to read 5.10  
Recommended Practice 4.11 is amended to read 5.11

Recommended Practice 5.1 is amended to read 6.1  
Recommended Practice 5.4 is amended to read 6.2  
Standard 5.4.1 is amended to read 6.3  
Standard 5.4.2 is amended to read 6.4  
Recommended Practice 5.4.3 is amended to read 6.5  
Standard 5.5 is amended to read 6.6  
Recommended Practice 5.6 is amended to read 6.7  
Standard 5.11 is amended to read 6.8  
Standard 5.12 is amended to read 6.9  
Standard 5.23 is amended to read 6.10  
Recommended Practice 5.13 is amended to read 6.11  
Recommended Practice 5.14 is amended to read 6.12

## 第 FAL.4 (22) 號決議

1993 年 4 月 29 日通過

### 通過經修正的《1965 年便利國際海上運輸公約》的 修正案

便利委員會，

憶及經修正的《1965 年便利國際海上運輸公約》（此後稱為“本公約”）有關修正本公約附件的程序的第 VII（2）（a）條，

還憶及本公約賦予便利委員會審議和通過本公約修正案的職責，

在其第二十一次會議上審議了按本公約第 VII（2）（a）條提出和分發的本公約附件的修正案，

1. 按照本公約第 VII（2）（a）條通過本公約的修正案，其文本載於本決議的附件中；
2. 按照本公約第 VII（2）（b）條決定：這些修正案應在 1994 年 9 月 1 日生效，除非在 1994 年 6 月 1 日前至少有三分之一的締約政府書面通知秘書處不接受這些修正案；
3. 根據本公約第 VII（2）（a）條，要求秘書長將附件中所載的修正案分發給所有締約政府；
4. 還要求秘書長按照本公約第 VII（4）條，將所述修正案的通過和生效通知所有的簽署政府。

## 附件

### 《便利公約》附件的修正案

#### 1 第 2 節－船舶的抵達、停留和離開

##### .1 將推薦做法 2.3.5 升級為標準 2.3.5 並修正如下：

“2.3.5 標準。艙單上沒有登記的由船長掌握的包裹，只要其細目已分開提供，公共當局應允許在貨物申報單上予以省略。

註：應在分開的表格上提供未列入艙單包裹的細目並應包括通常在貨物申報單上表明的資料的有關部分。可以使用海事組織貨物申報單格式，但標題應予修改，例如改為“未列入艙單的包裹清單”。”

##### .2 推薦做法 2.7.6.1 修正如下：

“2.7.6.1 推薦做法。在偷渡者無適當證件時，公共當局在可行和不違背國家立法和治安要求的情況下，應簽發一份帶有偷渡者照片和其它任何重要資料的說明信。這種授權以任何運輸方式將偷渡者視情遣送回他的原籍國或偷渡者開始其旅途的始發地並闡明所規定的任何其它條件的說明信應交給負責遣送偷渡者的經營人。該說明信應包括過境地和/或離船地當局所要求的資料。

註：本建議的目的不是要阻止公共當局為可能的起訴和（或）

驅逐出境之目的而對偷渡者作進一步的檢查。此外，該建議中沒有任何規定應被解釋為與 1951 年 7 月 28 日的《聯合國難民地位公約》和 1967 年 1 月 31 日《聯合國難民地位議定書》的有關禁止驅逐或送回難民的規定相抵觸。”

## 2 第 4 節 – 貨物和其他物品的抵達、停留和離開

### .1 推薦做法 4.9 修正如下：

“4.9 推薦做法。公共當局應在其 4.8 所述的規定中規定：應接受暫時進口的集裝箱和貨盤將在有關國家確定的時限內重新出口的簡單聲明。”

### .2 標準 4.10 修正如下：

“4.10 標準。公共當局應允許按照標準 4.8 的規定進入一國領土的集裝箱和貨盤離開抵達港的範圍以便按照簡化控制程序和最低限度的文件對進口貨物進行結關和（或）裝載出口貨物。”

RESOLUTION FAL.4(22)  
adopted on 29 April 1993

ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION  
OF INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as "the Convention", concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its twenty-second session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with article VII(2)(a) of the Convention, amendments to the Convention, the text of which is set out in the Annex to the present resolution;
2. DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 1 September 1994 unless, prior to 1 June 1994, at least one third of Contracting Governments have notified the Secretary-General in writing that they do not accept the amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the annex to all Contracting Governments;
4. FURTHER REQUESTS the Secretary-General, in conformity with article VII(4) of the Convention, to notify all signatory Governments of the adoption and entry into force of the said amendments.

## ANNEX

## AMENDMENTS TO THE ANNEX TO THE FAL CONVENTION

## 1 Section 2 - ARRIVAL, STAY AND DEPARTURE OF THE SHIP:

- .1 Recommended Practice 2.3.5 is upgraded to Standard 2.3.5 and amended to read:

"2.3.5 Standard. Public authorities shall allow unmanifested parcels in possession of the master to be omitted from the Cargo Declaration provided that particulars of these parcels are furnished separately.

Note: Particulars of unmanifested parcels should be furnished on a separate form and should include relevant parts of the information normally shown in the Cargo Declaration. The IMO Cargo Declaration form could be used, with the title amended, e.g. to read: "Unmanifested Parcels List"."

- .2 Recommended Practice 2.7.6.1 is amended to read:

"2.7.6.1 Recommended Practice. When a stowaway has inadequate documents, public authorities should, whenever practicable and to an extent compatible with national legislation and security requirements, issue a covering letter with a photograph of the stowaway and any other important information. The letter, authorizing the return of the stowaway either to his country of origin or to the point where the stowaway commenced his journey, as appropriate, by any means of transportation and specifying any other conditions imposed by the authorities, should be handed over to the operator effecting the removal of the stowaway. This letter will include information required by the authorities at transit points and/or the point of disembarkation.

Note: This recommendation is not intended to prevent public authorities from further examination of a stowaway for possible prosecution and/or deportation. Further, nothing in this recommendation is to be construed as contradicting the provisions of the United Nations Convention relating to the Status of Refugees of 28 July 1951 and the United Nations Protocol relating to the Status of Refugees of 31 January 1967 which concern the prohibition of the expulsion or return of a refugee."

2 Section 4 - ARRIVAL, STAY AND DEPARTURE OF CARGO AND OTHER ARTICLES:

.1 Recommended Practice 4.9 is amended to read:

"4.9 Recommended Practice. Public authorities should provide in their regulations, referred to in Standard 4.8, for the acceptance of a simple declaration to the effect that containers and pallets temporarily imported will be re-exported within the time-limit set by the State concerned."

.2 Standard 4.10 is amended to read:

"4.10 Standard. Public authorities shall permit containers and pallets entering the territory of a State under the provisions of Standard 4.8 to depart the limits of the port of arrival for clearance of imported cargo and/or loading of export cargo under simplified control procedures and with a minimum of documentation."

## 第 FAL.5 (24) 號決議

1996 年 1 月 11 日通過

### 通過經修正的《1965 年便利國際海上運輸公約》的 修正案

便利委員會，

憶及經修正的《1965 年便利國際海上運輸公約》（此後稱為“本公約”）有關修正本公約附件的程序的第 VII (2) (a) 條，

進一步憶及本公約賦予便利委員會審議和通過本公約修正案的職責，

在其第二十四次會議上，審議了按本公約第 VII (2) (a) 條提出和分發的本公約附件的修正案，

1. 按本公約第 VII (2) (a) 條通過本公約的修正案，其條文載於本決議的附件中；
2. 按本公約第 VII (2) (b) 條決定，這些修正案應於 1997 年 5 月 1 日生效，除非在 1997 年 2 月 1 日前至少有三分之一的締約政府書面通知秘書長不接受這些修正案；
3. 要求秘書長按本公約第 VII (2) (a) 條將附件中所載的修正案分發給所有的締約政府；
4. 進一步要求秘書長將所述修正案的通過和生效通知所有簽署國政府。

## 附件

### 經修正的《1965 年便利國際海上運輸公約》附件的修正案

#### 1 第 2 節—船舶的抵達、停留和離開：

##### .1 將推薦做法 2.7.4 修正為：

“2.7.4 推薦做法。應接受以船東編製自用的名單表代替旅客名單表，但該名單表應至少載有推薦做法 2.7.3 中所要求的資料並按標準 2.7.5 填寫日期和作出簽字或加以認證。”

##### .2 在標準 2.7.6 中增加如下新的註釋：

“註：偷渡者通知，可通過，舉例而言，在總申報單的‘備註’欄中加註或使用旅客或船員名單表（將其名稱改為‘偷渡者名單表’）作出。”

#### 2 第 6 節—雜項規定

##### 將推薦做法 6.12 修正為：

“6.12 推薦做法。每一締約政府，為鼓勵採用和實施便利措施，應設立國家便利海上運輸委員會或類似國家協調機構，在涉及或負責國際海上運輸各種事項的政府部門、機構和其他組織以及港口當局和船東間進行協調。

註：請締約國政府在設立國家便利海上運輸委員會或類似國家協調機構時，考慮 FAL.5/Circ.2 中所載的指南。”

### 3 第 4 節 – 進口前的資料

將推薦做法 4.7 修正為：

“4.7 推薦做法。公共主管當局應制定可包括電子數據交換 (EDI) 在內的程序，以便在貨物到達前提交預先資料，從而能夠使用包括風險分析在內的選擇技術來便利結關。”

### 4 第 3 節 – 遊覽旅客

將標準 3.32 修正為：

“3.32 標準。通常不要求遊覽旅客提供其個人物品的書面申報單。但是，對於涉及高額的關稅和其他稅務和費務的物品，可要求提供書面申報單和保證金。”

### 5 第 3 節 – 不准入境人員

增加如下新標準：

- .1 “3.3.2 標準。締約政府應接受在其領土上登船、在被查明為不可入境而從下船地點被送回的人員，以供檢查。締約政府應不將此種人員送回其早先被認為不可入境的國家。

註 1：此規定的目的不是不准公共當局為確定被送回的不准入境人員最終能否在該國被接受，或為作出將其轉交、移交或驅逐至該人員為其國民的國家或雖非國民卻可被接受的國家的安排而對此種人員進行進一步的檢查。如果被查明為不可入境的人員丟失或銷毀了其旅行證件，則締約政府將接受由查明該人員為不可入境者的締約政府的公共當局頒發的證明登船和抵達情況的證

件。

註 2：本標準或註 1 中的任何規定均不得被解釋為與 1951 年 7 月 28 日的《聯合國難民地位公約》和 1967 年 1 月 31 日的《聯合國難民地位議定書》有關禁止驅逐或送回難民的規定相左。

.2 “3.3.3 標準。從一國領土運走任何人員的船東義務應在此人員被肯定允許進入該國時終止。”

.3 “3.3.4 標準。在可行時，締約政府和船東應合作確定護照和簽證的有效性和真實性。”

## 6 第 3 節—移民抵達前結關

增加如下新的推薦做法：

“3.49 推薦做法。公共當局應提供抵達前結關系統，以使定期掛靠其港口的船舶的船員獲得臨時上岸休假的預先許可。如船舶無不良移民記錄並在當地有船東代表或信譽良好的船東代理，則公共當局在對其可能要求的此類抵達資料進行了審查並感到滿意後，通常應准許該船直接駛往其泊位並且無須辦理任何其他例行移民手續，但公共當局另有要求者除外。”

**RESOLUTION FAL.5(24)**

adopted on 11 January 1996

**ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED**

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as "the Convention", concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its twenty-fourth session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with article VII(2)(a) of the Convention, the amendments to the Convention, the text of which is set out in the Annex to the present resolution;
2. DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 1 May 1997 unless, prior to 1 February 1997 at least one third of Contracting Governments have notified the Secretary-General in writing that they do not accept the amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the Annex to all Contracting Governments;
4. FURTHER REQUESTS the Secretary-General to notify all signatory Governments of the adoption and entry into force of the said amendments.

## ANNEX

AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION  
OF INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

- 1 Section 2 - ARRIVAL, STAY AND DEPARTURE OF THE SHIP:
  - .1 Recommended Practice 2.7.4 is amended to read:

"2.7.4 **Recommended Practice.** A list compiled by the shipowners for their own use should be accepted in place of the Passenger List, provided it contains at least the information required in accordance with Recommended Practice 2.7.3 and is dated and signed or authenticated in accordance with Standard 2.7.5."
  - .2 A new note is added to Standard 2.7.6, which reads:

"Note: Notification of stowaways can be made, for example, by a notation in the "Remarks" area of the General Declaration or by using a Passenger or a Crew List, with the title amended to "stowaway list"."
- 2 Section 6 - MISCELLANEOUS PROVISIONS:

Recommended practice 6.12 is amended to read:

"6.12 **Recommended Practice.** Each Contracting Government should establish a national maritime transport facilitation committee or a similar national co-ordinating body, for the encouragement of the adoption and implementation of facilitation measures, between governmental departments, agencies and other organizations concerned with, or responsible for, various aspects of international maritime traffic, as well as port authorities and shipowners

Note In establishing a national maritime transport facilitation committee or a similar national co-ordinating body, Contracting Governments are invited to take into account the guidelines set out in FAL.5/Circ.2 "
- 3 Section 4 - PRE-IMPORT INFORMATION  

Recommended Practice 4.7 is amended to read:

"4.7 **Recommended Practice.** Public authorities should develop procedures, which may include electronic data interchange (EDI), to allow for the submission of advance information prior to arrival of cargo to enable selectivity techniques, including risk analysis to be used to facilitate customs clearance "

## 4 Section 3 - CRUISE PASSENGERS

Standard 3.32 is amended to read:

"3.32 **Standard.** "Cruise passengers shall not normally be required to provide a written declaration for their personal effects. However, in the case of articles which involve a high amount of customs duties and other taxes and charges, a written declaration and a security may be required"."

## 5 Section 3 - INADMISSIBLE PERSONS

New Standards are added to read:

- .1 "3.3.2 **Standard.** Contracting Governments shall accept for examination a person being returned from his point of disembarkation after having been found inadmissible if this person had embarked in their territory. Contracting Governments shall not return such a person to the country where he was earlier found to be inadmissible.

Note 1: This provision is not intended to prevent public authorities from further examining a returned inadmissible person to determine his eventual acceptability in the State or make arrangements for his transfer, removal or deportation to a State of which he is a national or where he is otherwise acceptable. Where a person who has been found to be inadmissible has lost or destroyed his travel document, a Contracting Government will accept instead a document attesting to the circumstances of embarkation and arrival issued by the public authorities of the Contracting Government where the person was found to be inadmissible.

Note 2: Nothing in this Standard or in Note 1 is to be construed as contradicting the provisions of the United Nations Convention Relating to the Status of Refugees of 28 July 1951 and the United Nations Protocol Relating to the Status of Refugees of 31 January 1967, which concern the prohibition of the expulsion or return of a refugee "

- .2 "3.3.3 **Standard** The obligation of a shipowner to transport any person away from the territory of a State shall terminate from the moment such a person has been definitely admitted into that State."

- .3 "3.3.4 **Standard** Contracting Governments and shipowners shall co-operate, where practicable, to establish the validity and authenticity of passports and visas."

## 6 Section 3 - IMMIGRATION PRE-ARRIVAL CLEARANCE

A new Recommended Practice is added to read:

"3.49 **Recommended Practice.** Public authorities should provide a system of pre-arrival clearance to allow the crew of ships which call regularly at their ports to obtain advance approval for temporary shore leave. Where a ship has no adverse immigration record and is locally represented by a shipowner or a reputable agent of the shipowner, the public authorities should normally, after satisfactory consideration of such pre-arrival particulars as they may require, permit the ship to proceed directly to its berth and be subject to no further routine immigration formalities, unless otherwise required by the public authorities."

## 第 FAL.6 (27) 號決議

1999 年 9 月 9 日通過

### 通過經修正的《1965 年便利國際海上運輸公約》的 修正案

便利委員會，

憶及經修正的《1965 年便利國際海上運輸公約》(此後稱為“本公約”)有關本公約附件修正程序的第 VII (2) (a) 條，

還憶及本公約賦予便利委員會的審議和通過本公約修正案的職責，

在其第二十七次會議上審議了按本公約第 VII (2) (a) 條提議並分發的本公約附件的修正案，

1. 按本公約第 VII (2) (a) 條通過本公約修正案，其條文載於本決議附件中；
2. 按本公約第 VII (2) (a) 條決定：該批修正案應於 2001 年 1 月 1 日生效，除非在 2000 年 10 月 1 日前至少三分之一的締約政府書面通知秘書長不接受該批修正案，
3. 要求秘書長按本公約第 VII (2) (a) 條將附件中所載修正案分發所有締約政府；
4. 還要求秘書長將所述修正案的通過和生效通知所有簽署政府。

## 附件

### 經修正的《便利公約》的附件修正案

#### 第 1 節 定義和一般規定

##### C. 電子數據處理技術

1 將推薦做法 1.4 升級為標準並將條文修正如下：

“1.4 標準。在採用電子數據處理（電數處理）技術便利結關手續時，各締約政府應鼓勵公共當局和其他有關方（船東、裝卸公司、海港和/或貨物代理人等等）按有關的聯合國標準，包括聯合國行政、商務和運輸電子數據交換（聯合國/行商運電數交換）標準，交換數據。”

2 將現有的標準 1.5 修正如下：

“1.5 標準。公共當局接受數據處理技術在空白紙張上產成的為結關工作所需的任何紙張形式的文件，但這些文件應易懂、符合《便運公約》的文件格式並載有規定信息。”

3 將現有的標準 1.6 修正如下：

“1.6 標準。公共當局在採用電子數據交換（電數交換）技術供結關手續使用時，應將其要求船東和其他有關方提供的信息局限於《便運公約》規定者。”

4 將推薦做法 1.7 的首款修正如下：

“1.7 推薦做法。在規劃、採用或修改供結關手續使用的電子數

據交換（電數交換）技術時，公共當局應：”

5 將現有的標準 1.8 修正如下：

“1.8 標準。公共當局在採用電子數據交換（電數交換）技術幫助結關手續時，應鼓勵海事經營人和其他有關方予以使用，但不應降低向不使用此種技術的經營人提供的服務水平。”

6 增加如下新的第 D 章：非法販毒：

**“D. 非法販毒**

1.9 推薦做法。公共當局應尋求與船東和其他有關方建立合作安排，以改進其打擊毒品走私的能力並提供更大便利。此種安排可依據海關合作理事會\*諒解備忘錄和有關指南。

1.10 標準。如作為合作安排的組成部分。公共當局、船東和其他有關方可以獲得敏感的商業或其他信息，則此種信息應作機密對待。

1.11 推薦做法。公共當局應使用風險分析來改進準確打擊非法毒品運輸的能力，從而便利合法的人員和貨物流通。”

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\* 自 1994 年起稱為“世界海關組織”。

## 第 2 節 – 船舶抵達、逗留和離開

### B. 文書內容和目的

1 推薦做法 2.3.1：在（a）下的第五個黑點和（b）下的第四個黑點

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。

的“標記和號碼”前加上：“適當時，集裝箱識別；”

2 在推薦做法 2.3.1 的條文中增加如下腳註：

“註：就在貨物申報單上充分陳述包裝品的數量和種類而言，船東和其他有關方應確保使用貨物外包裝單元。如果貨物在貨盤上，則應註明貨盤上的包裝品數量和種類。如果貨物在貨盤上但無包裝，則應使用貨盤上貨物數量和陳述。”

3 將推薦做法 2.5.2 修正如下：

“2.5.2 推薦做法。公共當局通常僅應要求提供不能免除關稅或受到禁止或限制的船員個人物品的細節資料。”

4 以下列條文取代便運表格 4 方框 2 中的條文：

“不能免除關稅或受到禁止或限制的個人物品。”

### 第 3 節 — 人員的抵達和離開

#### A. 人員的抵達和離開

1 增加如下新的標準 3.3.3 和新的推薦做法 3.3.6：

“3.3.3 標準。在旅客和船員被接受進行可入境檢查前，船東仍負有監護和照顧他們的責任。

3.3.4 推薦做法。在接受旅客和船員進行檢查後，不論是有條件還是無條件，如果有關人員係在公共當局的有形控制下，則公共當局應對其監護和照顧負責，直到他們被准許入境或被查明不可入境止。”

2 將現有的標準 3.3.3 改為 3.3.5 並增加如下新的標準 3.3.6：

“3.3.6 標準。如查明某一人員為不可入境，則公共當局應無不合理遲延地通報船東並與船東磋商遣送安排。不可入境者的遣送費用由船東負責；在不可入境者被交還船東監護時，船東應負責將其迅速遣送到：

- 登船地國；或
- 該人員被准許入境的任何其他地方。

3 將現有的標準 3.3.4 改為 3.3.7。

#### **B. 便利貨物、旅客、船員和行李結關的措施**

1 以下列條文取代標準 3.15.1：

“3.15.1 標準。公共當局應鼓勵船東在登船地採取預防措施，確保旅客帶有接收或過境國規定的任何控制文件。

2 增加如下新的標準 3.15.2：

“3.15.2 標準。在某一人員被查明不可入境並從該國領土被遣送時，不應禁止船東向此種人員索回因其不可入境而產生的任何費用。”

3 將現有的推薦做法 3.15.2 改為 3.15.3。

#### **第 4 節 – 貨物和其他物品的抵達逗留和離開**

##### **A. 總則**

1 將推薦做法 4.3 修正如下：

“4.3 推薦做法。公共當局應鼓勵船舶貨物碼頭的所有人員和/或經營人視情配備特別貨物（如貴重物品、易壞貨物、人糞便、

發射性或其他危險貨物和活的動物)的貯藏設施；存放一般和特別貨物及郵件的船舶貨物碼頭區域始終應有防止未經授權人員進入的保護。”

2 增加如下新的標準 4.4：

“4.4 標準。對若干類型的貨物繼續要求出口、進口和轉運執照或許可證的締約政府，應制定迅速取得或更換此種執照或許可證的簡單程序。”

3 增加如下新的推薦做法 4.5：

“4.5 推薦做法。如果交運貨物的性質可能引起不同結關機構（如海關和獸醫或衛生檢查）的注意，則締約政府應向海關某一其他機構授以結關權或，在不可行時，採取一切必要步驟確保結關在一個地點以最小遲延同時進行。”

4 將現有的推薦做法 4.4 改為 4.6。

**B. 出口貨物的結關**

1 將標題“B. 出口貨物的結關”和“C. 進口貨物的結關”改為：“B. 貨物結關”。

2 將現有標題“D”、“E”和“F”分別改為“C”、“D”和“E”。

3 以下列條文取代現有的推薦做法 4.7：

“4.7 推薦做法。公共當局應制定使用抵達前信息的程序，以便利海關申報單的處理和能在貨物抵達前結關。”

4 在第 4B 節增加如下新的標準和推薦做法：

“4.8 **推薦做法**。公共當局應根據《國際簡化和統一海關手續公約》(《京都公約》)的有關規定和相關指南提供貨物結關程序。”

4.9 **標準**。公共當局應通過使用風險分析確定要檢查的貨物，將有形干預局限於確保符合法律所需的最低程度。

4.10 **推薦做法**。在資源允許時，公共當局應根據有效請求對貨物進行有形檢查；必要時，此種檢查應在貨物被裝入運輸裝置中的地點，當裝貨在進行時，應在碼頭邊或，就單元化貨物而言，在集裝箱被裝載和密封的地點。

4.11 **標準**。公共當局應確保收集統計資料的要求不會大幅降低海上貿易的效率。

4.12 **推薦做法**。公共當局應使用電子數據交換（電數交換）技術取得信息，以加速和簡化結關手續。”

5 將現有的標準和推薦做法 4.5 至 4.15 作相應更改。

**RESOLUTION FAL.6(27)****Adopted on 9 September 1999****ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED**

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as "the Convention", concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its twenty-seventh session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with article VII(2)(a) of the Convention, the amendments to the Convention, the text of which is set out in the annex to the present resolution;
2. DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 1 January 2001 unless, prior to 1 October 2000 at least one-third of Contracting Governments have notified the Secretary-General in writing that they do not accept the amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the annex to all Contracting Governments;
4. FURTHER REQUESTS the Secretary-General to notify all Signatory Governments of the adoption and entry into force of the said amendments.

## ANNEX

AMENDMENTS TO THE ANNEX TO THE FAL  
CONVENTION, AS AMENDED

## Section 1 - Definitions and general provisions

## C. Electronic data-processing techniques

- 1 Upgrade Recommended Practice 1.4 to a Standard and amend the text as follows:  

"1.4 Standard. When introducing electronic data interchange (EDI) techniques to facilitate clearance processes, Contracting Governments shall encourage public authorities and other parties concerned (shipowners, handling companies, seaports, and/or cargo agents, etc.) to exchange data in conformity with the relevant UN standards, including UN Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT) standards."
- 2 Amend existing Standard 1.5 as follows:  

"1.5 Standard. Public authorities shall accept any of the documents required for clearance processes in paper form, when produced by data processing techniques on plain paper, provided that they are legible, conform to the layout of the documents in the FAL Convention and contain the required information."
- 3 Amend existing Standard 1.6 as follows:  

"1.6 Standard. Public authorities, when introducing electronic data interchange (EDI) techniques for clearance processes, shall limit the information they require from shipowners and other parties concerned to that required by the FAL Convention."
- 4 Amend the opening clause of Recommended Practice 1.7 as follows:  

"1.7 Recommended Practice. When planning for, introducing or modifying electronic data interchange (EDI) techniques for clearance processes, public authorities should:"
- 5 Amend existing Standard 1.8 as follows:  

"1.8 Standard. Public authorities, when introducing electronic data interchange (EDI) techniques to assist clearance processes, shall encourage their use by maritime operators and other parties concerned but shall not reduce levels of service available to operators who do not use such techniques."
- 6 Add a new chapter D. Illicit drug trafficking as follows:

**"D. Illicit drug trafficking**

**1.9 Recommended Practice.** Public authorities should seek to establish co-operation arrangements with shipowners and other parties concerned to improve their ability to combat drug smuggling, while providing enhanced facilitation. Such arrangements could be based on the Customs Co-operation Council\* Memoranda of Understanding and the associated guidelines.

**1.10 Standard.** Where, as part of co-operation arrangements, public authorities, shipowners, and other parties concerned are provided access to sensitive commercial and other information, the information shall be treated confidentially.

**1.11 Recommended Practice.** Public authorities should use risk analysis to improve their ability to target illicit drug movements thereby facilitating the legitimate circulation of persons and goods."

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\* Since 1994 known as the World Customs Organization.

**Section 2 - Arrival, stay and departure of the ship****B. Contents and purpose of documents**

- 1 In Recommended practice 2.3.1 insert the words "container identification, where appropriate;" before the words "marks and numbers" at the fifth bullet point under (a) and the fourth bullet point under (b).
- 2 Add the following note to the text of Recommended Practice 2.3.1:  
  
"Note: For the purposes of adequately describing the number and kind of packages on the cargo declaration, shipowners and other concerned parties should ensure that the external packaging unit of the goods will be used. If the goods are on pallets, the number and kind of packages on the pallet(s) should be stated. If the goods on the pallet are not packaged, the quantity and description of goods on the pallet should be used."
- 3 Amend Recommended Practice 2.5.2 as follows:  
  
"2.5.2 Recommended Practice. Public authorities should normally require particulars of only those crew's effects which would not qualify for relief from Customs duties and taxes or which are subject to prohibitions or restrictions."
- 4 Replace the text in Box 2 of FAL Form 4 by the following:  
  
"Effects ineligible for relief from Customs duties and taxes or subject to prohibitions and restrictions."

**Section 3 - Arrival and departure of persons****A. Arrival and departure of persons**

- 1 Add a new Standard 3.3.3 and a new Recommended Practice 3.3.4 as follows:

**3.3.3 Standard.** Before passengers and crew are accepted for examination as to their admissibility into the State, responsibility for their custody and care shall remain with the shipowner.

**3.3.4 Recommended Practice.** After acceptance of passengers and crew for examination, whether conditional or unconditional and if the persons concerned are under the physical control of the public authorities, the public authorities should be responsible for their custody and care until they are admitted for entry or are found to be inadmissible."

- 2 Renumber existing Standard 3.3.3 as 3.3.5 and add a new Standard 3.3.6 as follows:

**3.3.6 Standard.** Where a person is found to be inadmissible, the public authorities shall, without unreasonable delay, inform the shipowner and consult the shipowner regarding the arrangements for removal. The shipowner is responsible for the costs of removal of an inadmissible person and, in the case where the person is transferred back to the custody of the shipowner, the shipowner shall be responsible for effecting his/her prompt removal to:

- the country of embarkation; or
- to any other place where the person is admissible."

- 3 Renumber existing Standard 3.3.4 as 3.3.7.

**B. Measures to facilitate clearance of cargo, passengers, crew and baggage**

- 1 Replace Standard 3.15.1 by the following:

**3.15.1 Standard.** Public authorities shall encourage shipowners to take precautions at the point of embarkation with a view to ensuring that passengers are in possession of any control documents prescribed by the receiving or transit States."

- 2 Insert a new Standard 3.15.2 as follows:

**3.15.2 Standard.** When a person is found to be inadmissible and is removed from the territory of the State, the shipowner shall not be precluded from recovering, from such a person, any costs arising from his inadmissibility."

- 3 Renumber existing Recommended Practice 3.15.2 as 3.15.3.

**Section 4 - Arrival, stay and departure of cargo and other articles****A. General**

- 1 Amend Recommended Practice 4.3 as follows:

"4.3 **Recommended Practice.** Public authorities should encourage owners and/or operators of marine cargo terminals to equip them with storage facilities for special cargo (e.g. valuable goods, perishable shipments, human remains, radioactive and other dangerous goods, as well as live animals), as appropriate; those areas of marine cargo terminals in which general and special cargo and mail are stored prior to shipment by sea should be protected against access by unauthorized persons at all times."

- 2 Insert a new Standard 4.4 to read as follows:

"4.4 **Standard.** A Contracting Government which continues to require export, import and transshipment licences or permits for certain types of goods shall establish simple procedures whereby such licences or permits can be obtained and renewed rapidly."

- 3 Insert a new Recommended Practice 4.5 to read as follows:

"4.5 **Recommended Practice.** When the nature of a consignment could attract the attention of different clearance agencies, e.g. Customs and veterinary or sanitary controllers, Contracting Governments should delegate authority for clearance to Customs or one of the other agencies or, where not feasible, take all necessary steps to ensure that clearance is carried out simultaneously at one place and with a minimum of delay."

- 4 Renumber existing Recommended Practice 4.4 as 4.6.

**B. Clearance of export cargo**

- 1 Replace the titles "B. Clearance of export cargo" and "C. Clearance of import cargo" with: "B. Clearance of cargo".

- 2 Renumber the existing titles "D", "E" and "F" as "C", "D" and "E" respectively.

- 3 Replace existing Recommended Practice 4.7 by the following:

"4.7 **Recommended Practice.** Public authorities should develop procedures to use pre-arrival information in order to facilitate the processing of customs declarations and to permit clearance prior to the arrival of cargo."

- 4 Add the following new Standards and Recommended Practices to Section 4B:

"4.8 **Recommended Practice.** Public Authorities should provide procedures for the clearance of cargo based on the relevant provisions of and associated guidelines to the International Convention on the simplification and harmonization of Customs procedures - the Kyoto Convention.

4.9 **Standard.** Public authorities shall limit physical interventions to the minimum necessary to ensure compliance with the law by using risk assessment to target cargo for examination.

**4.10 Recommended Practice.** In so far as resources allow, public authorities should, on the basis of a valid request, conduct physical examinations of cargo, where necessary, at the point where it is loaded into its means of transport and while loading is in progress, either at the dockside or, in the case of unitized cargo, at the place where the container is loaded and sealed.

**4.11 Standard.** Public authorities shall ensure that requirements for collection of statistics do not significantly reduce the efficiency of maritime trade.

**4.12 Recommended Practice.** Public authorities should use electronic data interchange (EDI) techniques for the purposes of obtaining information in order to accelerate and simplify clearance processes."

- 5 Renumber existing Standards and Recommended Practices 4.5 to 4.15 accordingly.

**RESOLUTION FAL.7(29)****Adopted on 10 January 2002****ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED**

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as "the Convention", concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its twenty-ninth session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with article VII(2)(a) of the Convention, the amendments to the Convention, the text of which is set out in the annex to the present resolution;
2. DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 1 May 2003 unless, prior to 1 February 2003 at least one-third of Contracting Governments have notified the Secretary-General in writing that they do not accept the amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the Annex to all Contracting Governments;
4. FURTHER REQUESTS the Secretary-General to notify all Signatory Governments of the adoption and entry into force of the said amendments.

## ANNEX

AMENDMENTS TO THE ANNEX TO THE FAL  
CONVENTION, AS AMENDED**Section 1 - Definitions and general provisions****A. Definitions**

1 Add the following definitions:

*"Attempted stowaway.* A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board the ship before it has departed from the port."

*"Port.* Any port, terminal, offshore terminal, ship and repair yard or roadstead which is normally used for the loading, unloading, repair and anchoring of ships, or any other place at which a ship can call."

*"Stowaway.* A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities."

**Section 2 - Arrival, stay and departure of the ship**

2 In 2.1 **Standard**, a note should be added as follows:

"Note:

The following FAL forms have been developed, as presented in Appendix 1:

- General declaration - FAL Form 1
- Cargo Declaration - FAL Form 2
- Ship's Stores Declaration - FAL Form 3
- Crew's Effects Declaration - FAL Form 4
- Crew List - FAL Form 5
- Passenger List - FAL Form 6
- Dangerous Goods Manifest - FAL Form 7."

3 Add two renumbered new paragraphs after the existing paragraph 2.7.5 as follows:

"2.8 The Dangerous Goods Manifest shall be the basic document providing public authorities with the information regarding dangerous goods.

2.8.1 In the Dangerous Goods Manifest public authorities shall not require more than the following information:

- Name of ship
- IMO number
- Nationality of ship
- Master's name
- Voyage reference
- Port of loading
- Port of discharge
- Shipping agent
- Booking/reference number
- Marks and numbers:
  - container ID. No(s).
  - vehicle Reg. No(s).
- Number and kind of packages
- Proper shipping name
- Class
- UN Number
- Packing group
- Subsidiary risk(s)
- Flashpoint (in °C, c.c.)
- Marine Pollutant
- Mass (kg) – gross/net
- EmS
- Stowage position on board"

4 Renumber existing paragraphs 2.8 to 2.26 accordingly from 2.9 to 2.27 and amend the associated footnote under paragraph 2.13.

5 Delete paragraphs 2.7.6 and 2.7.6.1 and associated notes.

6 In renumbered paragraph 2.11 **Standard**, insert a new bullet as follows:

- "• 1 copy of the Dangerous Goods Manifest"

7 In renumbered paragraph 2.12 **Standard**, insert a new bullet as follows:

- "• 1 copy of the Dangerous Goods Manifest"

8 In the footnote under paragraph 3.3.1 replace “appendix 4” by “appendix 2”.

9 New Section 4 should be added as follows:

## "Section 4 – Stowaways

### A. General Principles

**4.1 *Standard.*** The provisions in this section shall be applied in accordance with international protection principles as set out in international instruments, such as the UN Convention relating to the Status of Refugees of 28 July 1951 and the UN Protocol relating to the Status of Refugees of 31 January 1967, and relevant national legislation.\*

**4.2 *Standard.*** Public authorities, port authorities, shipowners and their representatives and shipmasters shall co-operate to the fullest extent possible in order to prevent stowaway incidents and to resolve stowaway cases expeditiously and secure that an early return or repatriation of the stowaway will take place. All appropriate measures shall be taken in order to avoid situations where stowaways must stay on board ships indefinitely.

### B. Preventive measures

#### 4.3. *Ship/Port preventive measures*

##### 4.3.1 *Port/terminal authorities*

**4.3.1.1 *Standard.*** Contracting Governments shall ensure that the necessary infrastructure, and operational and security arrangements for the purpose of preventing persons attempting to stow away on board ships from gaining access to port installations and to ships, are established in all their ports, taking into consideration when developing these arrangements the size of the port, and what type of cargo is shipped from the port. This should be done in close co-operation with relevant public authorities, shipowners and shore-side entities, with the aim of preventing stowaway occurrences in the individual port.

**4.3.1.2 *Recommended Practice.*** Operational arrangements and/or security plans should, *inter alia*, address the following issues where appropriate:

- a) regular patrolling of port areas;
- b) establishment of special storage facilities for cargo subject to high risk of access of stowaways, and continuous monitoring of both persons and cargo entering these areas;
- c) inspections of warehouses and cargo storage areas;
- d) search of cargo itself, when presence of stowaways is clearly indicated;
- e) co-operation between public authorities, shipowners, masters and relevant shore-side entities in developing operational arrangements;

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\* In addition, public authorities may wish to consider the non-binding conclusion of the UNHCR Executive Committee on Stowaway Asylum-Seekers (1988, No. 53 (XXXIX))

- f) co-operation between port authorities and other relevant authorities (e.g. police, customs, immigration) in order to prevent smuggling of humans;
- g) developing and implementing agreements with stevedores and other shoreside entities operating in national ports to ensure that only personnel authorized by these entities participate in the stowing/unstowing or loading/unloading of ships or other functions related to the ships stay in port;
- h) developing and implementing agreements with stevedores and other shoreside entities to ensure that their personnel having access to the ship is easily identifiable, and a list of names of persons likely to need to board the ship in the course of their duties is provided; and
- i) encouragement of stevedores and other persons working in the port area to report to the port authorities, the presence of any persons apparently not authorised to be in the port area.

#### 4.3.2 *Shipowner/Shipmaster*

**4.3.2.1 *Standard.*** Contracting Governments shall require that shipowners and their representatives in the port, the masters as well as other responsible persons have security arrangements in place which, as far as practicable, will prevent intending stowaways from getting aboard the ship, and, if this fails, as far as practicable, will detect them before the ship leaves port.

**4.3.2.2 *Recommended Practice.*** When calling at ports and during stay in ports, where there is risk of stowaway embarkation, security arrangements should at least contain the following preventive measures:

- all doors, hatches and means of access to holds or stores, which are not used during the ships stay in port should be locked;
- access points to the ship should be kept to a minimum and be adequately secured;
- areas seaward of the ship should be adequately secured;
- adequate deck watch should be kept;
- boardings and disembarkations should, where possible, be tallied by the ships crew or, after agreement with the shipmaster, by others;
- adequate means of communication should be maintained; and
- at night, adequate lighting should be maintained both inside and along the hull.

**4.3.2.3 *Standard.*** Contracting Governments shall require that ships entitled to fly their flag, except passenger ships, when departing from a port, where there is risk of stowaway embarkation, have undergone a thorough search in accordance with a specific plan or schedule, and with priorities given to places where stowaways might hide. Search methods, which are likely to harm secreted stowaways shall not be used.

**4.3.2.4 Standard.** Contracting Governments shall require that fumigation or sealing of ships entitled to fly their flag may not be carried out until a search which is as thorough as possible of the areas to be fumigated or sealed has taken place in order to ensure that no stowaways are present in those areas.

#### **4.3.3 National Sanctions**

**4.3.3.1 Standard.** Where appropriate, contracting Governments shall, according to their national legislation, prosecute stowaways, attempted stowaways and persons aiding stowaways in gaining access to ships.

### **C. Treatment of the stowaway while on board**

#### **4.4 General principles – Humane treatment**

**4.4.1 Standard.** Stowaway incidents shall be dealt with consistent with humanitarian principles, including those mentioned in Standard 4 .1. Due consideration must always be given to the operational safety of the ship and the safety and well being of the stowaway.

**4.4.2 Standard.** Contracting Governments shall require that shipmasters operating ships entitled to fly their flag, take appropriate measures to ensure the security, general health, welfare and safety of the stowaway while he/she is on board, including providing him/her with adequate provisioning, accommodation, proper medical attention and sanitary facilities.

#### **4.5 Work on board**

**4.5.1 Standard.** Stowaways shall not be required to work on board the ship, except in emergency situations or in relation to the stowaway's accommodation on board.

#### **4.6 Questioning and notification by the shipmaster**

**4.6.1 Standard.** Contracting Governments shall require shipmasters to make every effort to establish the identity, including nationality/citizenship of the stowaway and the port of embarkation of the stowaway, and to notify the existence of the stowaway along with relevant details to the public authorities of the first planned port of call. This information shall also be provided to the shipowner, public authorities at the port of embarkation, the flag State and any subsequent ports of call if relevant.

**4.6.2 Recommended Practice.** When gathering relevant details for notification the shipmaster should use the form as specified in appendix 3.

**4.6.3 Standard.** Contracting Governments shall instruct shipmasters operating ships entitled to fly their flag that when a stowaway declares himself/herself to be a refugee, this information shall be treated as confidential to the extent necessary for the security of the stowaway.

#### **4.7 Notification of the International Maritime Organization**

**4.7.1 Recommended Practice.** Public authorities should report all stowaway incidents to the Secretary General of the International Maritime Organization.

#### **D. Deviation from the planned route**

**4.8 Standard.** Public authorities shall urge all shipowners operating ships entitled to fly their flag to instruct their masters not to deviate from the planned voyage to seek the disembarkation of stowaways discovered on board the ship after it has left the territorial waters of the country where the stowaways embarked, unless:

- permission to disembark the stowaway has been granted by the public authorities of the State to whose port the ship deviates; or
- repatriation has been arranged elsewhere with sufficient documentation and permission for disembarkation; or
- there are extenuating security, health or compassionate reasons.

#### **E. Disembarkation and return of a stowaway**

##### **4.9 The State of the first port of call according to the voyage plan**

**4.9.1 Standard.** Public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall decide in accordance with national legislation whether the stowaway is admissible to that State.

**4.9.2 Standard.** Public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall allow disembarkation of the stowaway, when the stowaway is in possession of valid travel documents for return, and the public authorities are satisfied that timely arrangements have been or will be made for repatriation and all the requisites for transit fulfilled.

**4.9.3 Standard.** Where appropriate and in accordance with national legislation, public authorities in the country of the ship's first scheduled port of call after discovery of a stowaway shall allow disembarkation of the stowaway when the public authorities are satisfied that they or the shipowner will obtain valid travel documents, make timely arrangements for repatriation of the stowaway, and fulfill all the requisites for transit. Public authorities shall, further, favourably consider allowing disembarkation of the stowaway, when it is impracticable to remove the stowaway on the ship of arrival or other factors exist which would preclude removal on the ship. Such factors may include, but are not limited to when:

- a case is unresolved at the time of sailing of the ship; or
- the presence on board of the stowaway would endanger the safe operation of the ship, the health of the crew or the stowaway.

##### **4.10 Subsequent ports of call**

**4.10.1 Standard.** When disembarkation of a stowaway has failed in the first scheduled port of call after discovery of the stowaway, public authorities of the subsequent ports of call shall examine the stowaway as for disembarkation in accordance with Standards 4.9.1, 4.9.2 and 4.9.3.

#### **4.11 State of Nationality or Right of Residence**

**4.11.1 Standard.** Public authorities shall in accordance with international law accept the return of stowaways with full nationality/citizenship status or accept the return of stowaways who in accordance with their national legislation have a right of residence in their State.

**4.11.2 Standard.** Public authorities shall, when possible, assist in determining the identity and nationality/citizenship of stowaways claiming to be a national or having a right of residence in their State.

#### **4.12 State of Embarkation**

**4.12.1 Standard.** When it has been established to their satisfaction that stowaways have embarked a ship in a port in their State, public authorities shall accept for examination such stowaways being returned from their point of disembarkation after having been found inadmissible there. The public authorities of the State of embarkation shall not return such stowaways to the country where they were earlier found to be inadmissible.

**4.12.2 Standard.** When it has been established to their satisfaction that attempted stowaways have embarked a ship in a port in their State, public authorities shall accept disembarkation of attempted stowaways, and of stowaways found on board the ship while it is still in the territorial waters or if applicable according to the national legislation of that State in the area of immigration jurisdiction of that State. No penalty or charge in respect of detention or removal costs shall be imposed on the shipowner.

**4.12.3 Standard.** When an attempted stowaway has not been disembarked at the port of embarkation he/she is to be treated as a stowaway in accordance with the regulation of this section.

#### **4.13 The flag State**

**4.13.1 Standard.** The public authorities of the flag State of the ship shall assist and co-operate with the master/shipowner or the appropriate public authority at ports of call in:

- identifying the stowaway and determining his/her nationality ;
- making representations to the relevant public authority to assist in the removal of the stowaway from the ship at the first available opportunity ;and
- making arrangements for the removal or repatriation of the stowaway.

#### **4.14 Return of stowaways**

**4.14.1 Recommended Practice.** When a stowaway has inadequate documents, public authorities should, whenever practicable and to an extent compatible with national legislation and security requirements, issue a covering letter with a photograph of the stowaway and any other important information. The letter, authorising the return of the stowaway either to his/her country of origin or to the point where the stowaway commenced his/her journey, as appropriate, by any means of transportation and specifying any other conditions imposed by the authorities, should be handed over to the operator affecting the removal of the stowaway. This letter will include information required by the authorities at transit points and/or the point of disembarkation.

**4.14.2 Recommended Practice** . Public authorities in the State where the stowaway has disembarked should contact the relevant public authorities at transit points during the return of a stowaway, in order to inform them of the status of the stowaway. In addition public authorities in countries of transit during the return of any stowaway should allow, subject to normal visa requirements and national security concerns, the transit through their ports and airports of stowaways travelling under the removal instructions or directions of public authorities of the country of the port of disembarkation.

**4.14.3 Recommended Practice.** When a port State has refused disembarkation of a stowaway that State should, without undue delay, notify the Flag State of the ship carrying the stowaway of the reasons for refusing disembarkation.

#### **4.15 Cost of return and maintenance of stowaways**

**4.15.1 Recommended practice.** The public authorities of the State where a stowaway has been disembarked should generally inform the shipowner, on whose ship the stowaway was found, or his representative, as far as practicable, of the level of cost of detention and return of the stowaway, if the shipowner is to cover these costs. In addition, public authorities should keep such costs to a minimum, as far as practicable and according to national legislation, if they are to be covered by the shipowner.

**4.15.2 Recommended Practice.** The period during which shipowners are held liable to defray costs of maintenance of a stowaway by public authorities in the State where the stowaway has been disembarked should be kept to a minimum.

**4.15.3 Standard.** Public authorities shall, according to national legislation, consider mitigation of penalties against ships where the master of the ship has properly declared the existence of a stowaway to the appropriate authorities in the port of arrival, and has shown that all reasonable preventive measures had been taken to prevent stowaways gaining access to the ship.

**4.15.4 Recommended practice.** Public authorities should, according to national legislation, consider mitigation of other charges that might otherwise be applicable, when shipowners have co-operated with the control authorities to the satisfaction of those authorities in measures designed to prevent the transportation of stowaways."

10 Sections 4, 5 and 6, and corresponding paragraphs should be renumbered as sections 5, 6 and 7.

11 In renumbered paragraphs 5.16, 5.17 and 5.18 replace "Standard 4.8" by "Standard 5.15".

12 In renumbered paragraph 7.5 replace "Standard 6.2" by "Standard 7.2".

13 In renumbered paragraph 7.9 replace "Standard 6.2" by "Standard 7.8".

- 14 Appendices should be renumbered as follows:
  - .1 Appendix 1 to be kept as Appendix 1;
  - .2 Appendix 2 to become Appendix 6;
  - .3 Appendix 3 to become Appendix 4;
  - .4 Appendix 4 to become Appendix 2;
  - .5 Appendix 5 to be kept as Appendix 5; and
  - .6 Appendix 6 to become Appendix 7.
  
- 15 Add the following new Appendix 3 – *Form referred to in Recommended Practice 4.6.2*:



<i>Date of birth:</i>	<i>First language:</i>
<i>Place of birth:</i>	<i>Spoken:</i>
<i>Claimed nationality:</i>	<i>Read:</i>
<i>Home address:</i>	<i>Written:</i>
	<i>Other languages:</i>
	<i>Spoken:</i>
<i>Country of domicile:</i>	<i>Read:</i>
	<i>Written:</i>

***Other details:***

- 1) *Method of boarding, including other persons involved (e.g. crew, port workers, etc.), and whether the Stowaway was secreted in cargo/container or hidden in the ship:*
  
- 2) *Inventory of the Stowaway's possessions:*
  
- 3) *Statement made by the Stowaway:*
  
- 4) *Statement made by the Master (including any observations on the credibility of the information provided by the Stowaway).*

*Date(s) of Interview(s):*

*Stowaway's signature:*

*Master's signature:*

*Date:*

*Date:”*

17 At the end of Form 6 in Appendix 1 delete the entire text starting with “Example of a form...”.

## 第 FAL.8 (32) 號決議

2005 年 7 月 7 日通過

### 通過經修正的《1965 年便利國際海上運輸公約》的 修正案

#### 便利委員會

憶及經修正的《1965 年便利國際海上運輸公約》(以下稱“本公約”), 有關修正本公約附件的程序的第七(2)(a)條,

進一步憶及本公約授予便利委員會審議和通過本公約修正案的職責,

在其第三十二次會議上審議了按照本公約第七(2)(a)條提議和通知的其附件的修正案,

1. 按照本公約第七(2)(a)條, 通過了本公約的修正案, 其條文載於本決議的附件中;
2. 按照本公約第七(2)(b)條, 決定修正案應於 2006 年 11 月 1 日生效, 除非在 2006 年 8 月 1 日之前, 至少有三分之一的締約國政府書面通知秘書長它們不接受該修正案;
3. 要求秘書長依照本公約第七(2)(a)條將附件中所載的修正案通知所有締約國政府;
4. 進一步要求秘書長將所述修正案的通過和生效通知所有簽字國政府。

## 附件

### 經修正的《1965年便利國際海上運輸公約》

#### 附件的修正案

##### 第一節 – 定義和一般規定

###### 一. 定義

1 在現有“旅遊船”之後增加下述新的定義“結關”和“海關放行”：

“結關：係指允許貨物進入國內使用、出口或置於另外的海關程序所需海關手續完成。

海關放行：係指海關當局採取的允許處於結關的貨物置於有關人員自行處理的行動。”

2 刪除現有定義“信息載體”。

3 在現有定義“文書”中，以下述新條文代替現有條文：

“文書：係指以電子方式或非電子方式顯現數據的信息。”

4 在定義“文書”之後增加下述新定義“預計抵達時間”：

“預計抵達時間（ETA）：係指船舶預計將抵達服務於某一港口的引航站或其預期進入港區某一特定位置的時間，視港章適用而定。”

5 刪除現有定義“郵件”。

- 6 在新定義“預計抵達時間（ETA）之後增加下述新定義“艙單”：

“*艙單*：係指簡要重複提單上和為船上運輸貨物所發的其他運輸文書中的各種數據的文書。”

- 7 在現有定義“旅客攜帶行李”中，在“運輸合同”兩詞之前增加“貨物”一詞。

- 8 在現有定義“港口”之後增加下述新定義“郵件”：

“*郵件*：係指由郵政主管機關交予船舶運輸並旨在運送給船舶掛靠港口中的郵政主管機關的函件和其他物品。”

- 9 在現有定義“保安措施”中，以下述新條文代替現有條文：

“*保安措施*：係指按照國際協定制定和實施的為改進船上、港區、設施和國際供應鏈中運輸的貨物的安全保障而探測和防止非法行為的措施\*。”

- 10 在現有定義“船東”之後增加下述新定義“船舶文書”：

“*船舶文書*：係指須供船長現成可用以便顯示船舶符合國際或國家規則的證書和其他文書。”

- 11 在現有定義“偷渡者”之後增加下述新定義“暫時准入”：

“*暫時准入*：係指根據其規定可有條件地將某些貨物運入某一海關轄地，全部或部分免付進口和國內稅並且不必適用於禁止或限制經濟性進口的海關程序；此類貨物必須是為某一特定目的而進

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\* 參閱《1988年制止危及海上航行安全非法行為公約》（SUA公約）、《國際船舶和港口設施保安規則》（ISPS規則）和《1974年國際海上人命安全公約》（SOLAS）第十一—2章。

口，並必須擬在某一特定時期內重新出口且無需經歷任何變更，除非因對其進行了使用而正常折舊。

12 在現有定義“運輸文書”中，題目之後的“文書”一詞以“信息”一詞代替。

## 二. 一般規定

13 在 1.1 標準中，刪除下述一句：

“如本附件列出細項目清單，則公共管理當局不應要求提供認為並非必需的那些資料細節。”

14 在現有 1.1.1 推薦作法中，以“電子信息交換系統”諸詞代替“自動信息處理和輸送技術”諸詞。

15 現有 1.3 推薦做法修正為如下：

“1.3 推薦做法。締約國政府為保安或防止麻醉品販運的目的而施行的措施和程序應是有效的；如可能時，應使用信息技術。此類措施和程序（例如風險管理和信息交叉檢查）的實施應以對船舶和船上人員或財產造成最少的干預和防止不必要的延誤的方式進行。”

## 三. 電子數據處理技術

16 以“電子信息交換系統”代替現有標題“三. 電子數據處理技術”。

17 在現有 1.4 標準中，以“公共管理當局要求的用於船舶、人員和貨物抵達、逗留和離開的電子信息交換系統”諸詞代替“電子數據交換（EDI）技術”諸詞。

18 在現有 1.6 標準中，以“電子信息交換系統”諸詞代替“電子數據交換（EDI）技術”諸詞。

19 在現有 1.7 標準中，以“電子信息交換系統”諸詞代替“電子數據交換（EDI）技術”諸詞。

20 在現有 1.7（e）和（f）推薦做法中，以“系統”一詞代替“技術”一詞。

21 在現有 1.7 和 1.8 推薦做法之後，分別增加下述新的 1.7.1 和 1.8.1 推薦做法：

“1.7.1 推薦做法。締約國政府應鼓勵公共管理當局和其他有關各方使用國際同意的標準在電子系統研發中進行合作或直接參與，以便增進與船舶、人員和貨物抵達、逗留和離開相關的信息交換，並確保公共管理當局系統和其他有關各方之間的交替使用性。

1.8.1 推薦做法。締約國政府應鼓勵公共管理當局採用能使貿易和運輸經營人包括船舶避免重複，僅向一個進入點提交公共管理當局要求的與船舶抵達、逗留和離開相關的所有信息的安排。”

22 在現有 1.8 標準中，以“電子信息交換系統”諸詞代替“電子數據交換（EDI）技術”諸詞和以“系統”一詞代替“技術”一詞。

#### **四. 非法毒品販運**

23 刪除現有 1.11 推薦做法。

24 在現有“四. 非法毒品販運”一節之後增下述新的“五. 控制技術”一節：

## “五. 控制技術

1.1.1 標準。公共管理當局應使用風險管理增進其與下述各項相關的邊境控制程序：

- 貨物放行/結關；
- 保安要求；
- 針對其走私活動的能力，

從而便利人員和貨物的合法流通。”

### 第二節－船舶抵達、逗留和離開

#### 一. 總則

25 在現有 2.1 標準中，在現有文件“旅客名單”之後增加新的文件“危險貨物艙單”。

26 在現有 2.1.1 標準之後，增加新的 2.1.2、2.1.3、2.1.4 和 2.1.5 推薦做法：

“2.1.2 推薦做法。公共管理當局應制定使用抵達前和離開前信息的程序，以便利公共管理當局要求的信息的處理，加速後續的貨物和人員放行/結關。

2.1.3 推薦做法。國家立法應規定提交抵達前和離開前信息的條件。關於抵達前信息的傳輸時間點，通常不應實質性地設定於船舶離開離港國之前的時刻。然而，如果航程所需時間短於基本規定，則國家立法亦可在除基本規定之外規定例外情況。

2.1.4 推薦做法。如果在抵達前信息中載有相關的資料要素，則

公共管理當局不應要求提交單獨的總申報單、貨物申報單、船員清單和旅客清單。

2.1.5 推薦做法。公共管理當局應：

(a) 研發用於提交抵達前和離開前信息的電子數據傳輸系統；

(b) 考慮在後續程序中重複使用或後續使用抵達前和離開前信息，作為旅客和貨物放行/結關所需全部信息的一個部分。”

## 二. 文書內容和目的

27 在現有 2.2 標準中，以“數據”(data)一詞代替“情況”(information)一詞。

28 在現有 2.2.1 推薦做法中，以定冠詞“the”代替“離開”(the departure of)之後的不定冠詞“a”(中文不必修改)。

29 在現有 2.2.2 推薦做法中，以“資料”(data)一詞代替“信息”(information，原譯“資料”，故中文版不必修改)一詞，並在現有圓球“• 船舶在港的位置”之後增加一個新圓球“• 船舶在廢棄物和殘餘物接收設備方面的要求”。以“船名、類別和 IMO 編號”諸詞代替第一個圓球。以“船旗國”兩詞代替第二個圓球中的“船舶國籍”兩詞。在第六個圓球中，以“聯絡細節”兩詞代替“地址”一詞。在第一個圓球之後增加如下一個新圓球：“• 呼號”。在最後一個圓球之後增加如下一個新圓球：“• 上一個停靠港/下一個停靠港”。

30 在 2.2.3 標準中，以“that the”兩詞代替“應接受”(shall accept)

兩詞後的“a”字（一份），並在“General Declaration”兩詞後增加“is”（中文則只需刪除原譯文中的“一份”兩字即可）。

31 在現有 2.3 標準中，以“資料”（data）一詞代替“信息”（information，原譯“資料”，故中文不必修改）。

32 在現有 2.3.1 推薦做法中，在“下列”一詞之後增加“資料”（data）一詞，並在圓球“• 集裝箱識別號”末尾增加“或者，如現成可用，HS 編碼\*”諸詞，視情而定；包裝標誌、件數和種類；貨物數量和貨物分類；在現有註釋之後增加如下新的“註”：

“註：為便利公共管理當局要求的信息的處理，所有有關各方均應使用適當的貨物分類，避免使用統稱術語，諸如‘雜貨’、‘部件’等。”

2.3.1 (a)和(b)中的第一個圓球以“船名和 IMO 編號”諸詞代替。在(a)和(b)的第一個圓球之後，增加如下新的圓球：“• 船旗國”。在現有第三個圓球中，以“裝貨港”兩詞代替“從何港來”。在(b)的第三個圓球中，以“卸貨”一詞代替“目的”一詞。在(a)和(b)的第三個圓球之後，增加下述新的圓球“• 呼號”。

33 在現有 2.3.3 標準中，以“that the”兩詞代替“應接受”（shall accept）兩詞後的“a”字（一份），並在“General Declaration”兩詞後增加“is”（中文則只需刪除原譯中的“一份”兩字即可）。

34 在現有 2.3.4.1 推薦做法中，以“要求和確定的資料”（data required and identified）諸詞代替“信息”（information）一詞。

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\* 商品名稱及編碼協調制度公約：亦稱“協調制度”（HS）。該國際公約於 1988 年 1 月 1 日生效；其目標是為海關主管機關確定一個在設定關稅和收集統計而劃定各種商品或商品組時使用的分類和編碼制度。

35 在現有 2.4.1 標準中，以“that the”兩詞代替“應接受”（shall accept）兩詞後的“a”字（一份），並在“Stores Declaration”兩詞後增加“is”（中文則只需除原譯文中的“一份”兩字即可）。

36 在現有 2.5.1 標準中，以“that the”兩詞代替“應接受”（shall accept）兩詞後的“a”字（一份），並在“Crew’s Effect Declaration”諸詞後增加“is”（中文則只需刪除原譯文中的“一份”兩字即可）。

37 在現有 2.6 標準中，以“要求的”（required by）代替“向...提供”（providing），以“載有...資料”（containing data）代替“情況”（with information）。

38 在現有 2.6.1 標準中，在“下列”一詞之後增加“資料”（data）一詞和以圓球“• 上一個停靠港”代替“• 從何港來”。以“船名和 IMO 編號”諸詞代替第一個圓球。在第一個圓球之後，增加如下一個新圓球：“• 船旗國”。在第一個圓球之後，增加如下一個新圓球：“• 呼號”。

39 在現有 2.6.2 標準中，以“that the”兩詞代替“應接受”（shall accept）兩詞後的“a”字（一份），並在“Crew List”兩詞後增加“is”（中文則只需將原譯文中的“一份”兩個字刪除即可）。

40 在現有 2.7 標準中，以“要求的”代替“向...提供”，以“載有...資料”代替“情況”。

41 在現有 2.7.3 推薦做法中，以“資料”（data）一詞代替第一句中的“信息”（information，原譯“資料”，故中文不必修改）。在現有圓球“• 出生地點”之後，增加新圓球“• 旅客提供的身份證件類

型”和“• 身份證件序號”；並在現有圓球“• 船舶抵達港口及日期”之後增加一個新圓球“• 是否中轉旅客”。第一個圓球以“船名和IMO編號”代替。在第一個圓球之後，增加如下一個新圓球：“• 船旗國”。在第一個圓球之後，增加如下一個新圓球：“• 呼號”。

42 在現有 2.7.5 標準中，以“that the”兩詞代替“應接受”（shall accept）兩詞後的“a”字（一份），並在“Passenger List”兩詞後增加“is”（中文則只需刪除原譯文中的“一份”兩個即可）。

43 在現有 2.8.1 標準中，以“船旗國”兩詞代替第三個圓球中的“國籍”一詞。在第一個圓球之後增加一個新圓球：“• 呼號”。

44 現有 2.9 標準修正為如下：

“2.9 標準。船舶抵達和離開時如已實際出示《萬國郵政公約》規定的關於郵件的書面申報單，則公共管理當局不應要求公約規定之外的任何此類申報單。如無此類文書，則郵件（編號和重量）必須出現於貨物申報單中。”

45 在現有 2.10 標準中，以“載有...資料”（containing data）代替“提供...狀況”（providing information）兩詞。

#### 四. 離港時的文書

46 在 2.12.2 推薦做法中，在“在該港”（in that port）之後增加“為此目的”（for the purpose）諸詞。

47 現有 2.12.3 標準修正為如下：

“2.12.3 標準。如果公共管理當局在船舶離港時要求提供船員的相關信息，則在離開時應接受船舶抵港時提交的船員名單副本

之一，但其需由船長或其正式授權的高級船員重新簽字並註明船舶離開時船員人數或組成情況的任何變化，或者註明船舶在港逗留期間沒有此種變化。”

## 六. 辦理文書

48 在現有 2.15 推薦做法中，以“資料”(data)一詞代替“信息”(information)(原譯中文將“information”譯為“信息資料”，故現只需刪除其中“信息”兩字即可。

49 在現有 2.16 標準中，以“文書”(documents)一詞代替“信息”(information)，並以“使用信息技術”(the use of information technology)諸詞代替“自動數據處理技術”(automatic data processing techniques)。

## 七. 文書中的差錯及其處罰

50 在現有 2.19 標準中，在“違犯”(violate)和“法律”(laws)兩詞之間增加定冠詞“the”(中文不必譯出)，並在“法律”一詞之前增加“該港口國的”諸詞。

## 八. 為了將生病或受傷船員、旅客或其他人員送上岸進行急救治療而對靠港船舶採取的特別方便措施

51 在第八分節增加“海上獲救人員”，讀作：

“八. 為了將生病或受傷船員、旅客、海上獲救人員或其他人員送上岸進行急救治療而對港船舶採取的特別方便措施。”

52 在 2.20 標準中增加“海上獲救人員”並刪除“和地位”諸詞，讀作：

“2.20 標準。當船舶靠港的唯一目的是為了將生病或受傷船員、旅客、海上獲救人員或其他人員送上岸進行急救治療時，公共管理當局必須尋求同船東合作，確保船長儘量將其意圖通知公共管理當局，包括盡可能詳細的病情或傷情以及所涉人員的身份。

53 在現有 2.24 標準中，以“資料”（data）一詞代替“情況”（information）一詞，並以“those”一詞代替“that”一詞（中文可不譯出）。

### 第五節－貨物和其他物品的抵達、逗留和離開

54 在 5.3 推薦做法中，以 postal items 兩詞代替“mail”一詞（中文均為郵件，故不修改），並在“海洋”（sea）和“應該”（should）兩詞之間增加“或進口”（or importation）。

55 現有 5.5 推薦做法修正為如下：

“5.5 推薦做法。當託運貨物的性質可能引起受權進行檢查的不同機構諸如海關和獸醫或衛生管理部門的注意時，締約國政府應授權海關或該另兩機構之一進行所要求程序，或者如果這樣做不可行時，採取所有必要步驟確保此種結關手續同時在一地進行並且儘少延誤。”

## 二. 貨物結關

56 現有 5.7 標準修正為如下：

“5.7 標準。公共管理當局在遵守國家的禁止或限制規定和對港口保安或防止麻醉品販運所要求的措施的情況下，應對鮮活動物、易腐貨物和其他緊急性質的託運貨物給予優先結關。”

57 在現有 5.7 標準之後增加下述新的 5.7.1 推薦做法：

“5.7.1 推薦做法。為了保護等候結關貨物的質量，公共管理當局應與所有各方合作，採取所有必要措施允許在港內對貨物進行實用、安全和可靠的儲藏。”

58 刪除現有 5.9 推薦做法。

59 在現有 5.10 推薦做法中，在“京都公約”兩詞之前增加“經修訂的”等字。

60 在現有 5.10 推薦做法之後增加下述新的 5.10.1 推薦做法：

“5.10.1 推薦做法。公共管理當局應考慮為對經授權人員採用簡化程序，允許：

- (a) 在提供了確認貨物、準確確定和評估與健康、安全和保安關切有關風險以及准許隨後完成最後的貨物申報所需的最低限度信息的情況下，對貨物放行；
- (b) 在相關公共管理當局授權的申報人經營場址或其他地方對貨物結關；
- (c) 如貨物係由相同人員經常進出口，提交在某一時期內所有進口或出口的單一貨物申報單。”

61 在現有 5.11 標準中，刪除“使用風險評估確定需檢查的貨物”諸詞。

62 在現有 5.14 推薦做法中，以“電子信息交換系統”諸詞代替“電子數據交換（EDI）技術”。

63 在現有 5.14 推薦做法之後，增加下述新的 5.14.1 推薦做法：

“5.14.1 推薦做法。公共管理當局應儘力快速完成來自另一國家的等候裝載貨物的中轉程序。”

### 三. 集裝箱和貨盤

64 在現有 5.5 標準中，以“准入”（admission）一詞代替“進口”（import）一詞。

65 在現有 5.18 標準中，以“准入”（admission）一詞代替“進口”（importation）一詞。

## 第七節－雜項規定

### 三. 應急援助

66 現有 7.8 標準修正為如下：

“7.8 標準。公共管理當局應便利從事下述活動的船舶的抵離：

- 救災工作；
- 海上遇險人員的救助，以便為此類人員提供安全的地方；
- 抗禦或防止海洋污染；或
- 旨在增進海上安全、海上人命安全、生物種群安全或海洋環境保護的其他應急活動。”

## 附錄 1－IMO FAL 表格

67 IMO FAL 表格 1 至 17 修正為如下：

## “IMO 總申報單

		抵達	離開
1.1 船名和類型 1.2 IMO 編號 1.3 呼號		2. 抵達/離開港口	3. 抵達/離開日期-時間
4. 船旗國	5. 船長姓名	6. 上一個停靠港/下一個停靠港	
7. 登記證書（港口；日期；編號）		8. 船舶代理名稱和聯絡細節	
9. 總噸位	10. 淨噸位		
11. 船舶在港位置（泊位或停泊站）			
12. 航程簡要細節（先前和後續的停靠港；強調在哪裏卸剩餘貨物）			
13. 貨物簡況			
14. 船員人數（包括船長）	15. 旅客人數	16. 備註	
所附文件 （說明份數）			
17. 貨物申報	18. 船舶物料申報		
19. 船員名單	20. 旅客名單	21. 船舶對廢物和殘餘物接收設施的要求	
22. 船員個人物品申報*	23. 海上衛生申報*		

24. 日期和船長、經授權代理或高級船員簽字

官方使用

IMO FAL

表格 1

\*僅抵達時。

### IMO 貨物申報單

		抵達	離開	頁碼	
B/L 編號*	1.1 船名 1.2 IMO 編號 1.3 呼號		2. 提交報告港口		
	3. 船旗國	4. 船長姓名	5. 裝貨港/卸貨港		
	6. 標誌和序號	7. 包裝件數和種類；貨物種類，或者，如現成可用，HS 編碼	8. 總重量	9. 尺碼	
	IMO FAL				

便利國際海上運輸公約

表格 2

10.日期和船長、經授權代理或高級船員簽字

\*運輸文件編號

亦說明多式聯運文書上的或通過提單運輸的貨物的原始託運港口。









危險貨物艙單 頁碼 (例如 7 之 5)

(根據《SOLAS 74》第 VII 章第 4.5 和 7-2.2 條,《MARPOL 73/78》附件 III 第 4 (3) 條和《IMDG 規則》第 5.4 章第 5.4.3.1 條要求)

船名	IMO 編號	船旗國	船長姓名
航程參查號	裝載港口	卸載港口	船舶代理
呼號			

預訂/ 參查號	標誌和序號 集裝箱識別號 車輛登記號	包裝件數 和種類	適當的海運名稱	類別	UN 編號	包裝 組別	次要 風險	閃點 (IN°C, c.c)	海洋污 染物	質量 (kg) 總淨	應急 程序	船上存放位置

代理簽字 \_\_\_\_\_ 船長簽字 \_\_\_\_\_

地點和日期 \_\_\_\_\_ 地點和日期 \_\_\_\_\_

IMO FAL 表格 7”

**RESOLUTION FAL.8 (32)****Adopted on 7 July 2005****ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED**

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, hereinafter referred to as “the Convention”, concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its thirty-second session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with article VII(2)(a) of the Convention, the amendments to the Convention, the text of which is set out in the Annex to the present resolution;
2. DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 1 November 2006 unless, prior to 1 August 2006, at least one-third of Contracting Governments have notified the Secretary-General in writing that they do not accept the amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the Annex to all Contracting Governments;
4. FURTHER REQUESTS the Secretary-General to notify all signatory Governments of the adoption and entry into force of the said amendments.

## ANNEX

AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED

## Section 1 - Definitions and general provisions

## A. Definitions

1 The following new definitions “Customs clearance” and “Customs release” are added after the existing definition “Cruise ship”:

*“Customs clearance.* Accomplishment of the customs formalities necessary to permit goods to enter home use, to be exported or to be placed under another Customs procedure.

*Customs release.* Action taken by Customs authorities to permit goods undergoing clearance to be placed at the disposal of the persons concerned.”

2 The existing definition “Data carrier” is deleted.

3 In the existing definition “Document”, the existing text is replaced by the following new text:

*“Document.* Information presenting data by electronic means or by non-electronic means.”

4 The following new definition “Estimated time of arrival” is added after the definition “Document”:

*“Estimated time of arrival (ETA).* Time when a ship estimates it will arrive at the pilot station serving a port or, when it expects to enter a specific location in the port area, where port regulations apply.”

5 The existing definition “Mail” is deleted.

6 The following new definition “Manifest” is added after the new definition “Estimated time of arrival (ETA)”:

*“Manifest.* Document recapitulating the various data from bills of lading and other transport documents issued for the carriage of goods on board ships.”

7 In the existing definition “Passengers’ accompanied baggage”, the words “of goods” are added after the words “contract of carriage”.

8 The following new definition “Postal items” is added after the existing definition “Port”:

*“Postal items.* Correspondence and other objects tendered to be carried by a ship for carriage by postal administrations and intended for delivery to postal administrations in the ship’s ports of call.”

9 In the existing definition “Security measures”, the existing text is replaced by the following new text:

“*Security measures.* Measures developed and implemented in accordance with international agreements to improve security on board ships, in port areas, facilities and of goods moving in the international supply chain to detect and prevent unlawful acts\*.”

10 The following new definition “Ship's documents” is added after the existing definition “Shipowner”:

“*Ship's documents.* Certificates and other documents which must be made available by a ship's master in order to demonstrate the vessel's compliance with international or national regulations.”

11 The following new definition “Temporary admission” is added after the existing definition “Stowaway”:

“*Temporary admission.* The Customs procedure under which certain goods can be brought into a Customs territory conditionally relieved, totally or partially, from payment of import duties and taxes and without application of import prohibitions or restrictions of economic character; such goods must be imported for a specific purpose and must be intended for re-exportation within a specified period and without having undergone any change except normal depreciation due to the use made of them.”

12 In the existing definition “Transport document”, the word “Document” after the title is replaced by the word “Information”.

## **B. General provisions**

13 In the existing Standard 1.1, the following sentence is deleted:

“Where a specific list of particulars is set out in this annex, public authorities shall not require to be furnished such of those particulars as they consider not essential.”

14 In the existing Recommended Practice 1.1.1, the words “automatic data-processing and -transmission techniques” are replaced by the words “systems for the electronic exchange of information”.

15 The existing Recommended Practice 1.3 is amended to read as follows:

“**1.3 Recommended Practice.** Measures and procedures imposed by Contracting Governments for the purposes of security or preventing the trafficking of narcotics should be efficient and, where possible, use information technology. Such measures and procedures (e.g. risk management and cross-checking of information) should be implemented in such a manner as to cause a minimum of interference with, and to prevent unnecessary delays to, ships and persons or property on board.”

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\* Reference is made to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 (SUA Convention), the International Ship & Port Facility Security Code (ISPS Code) and the International Convention for the Safety of Life at Sea, 1974 (SOLAS), chapter XI-2.

### **C. *Electronic data-processing techniques***

16 The existing title “C. Electronic data-processing techniques” is replaced by “Systems for the electronic exchange of information”.

17 In the existing Standard 1.4, the words “electronic data interchange (EDI) techniques” are replaced by the words “systems for the electronic exchange of information required by public authorities for the arrival, stay and departure of the ship, persons and cargo”.

18 In the existing Standard 1.6, the words “electronic data interchange (EDI) techniques” are replaced by the words “systems for the electronic exchange of information”.

19 In the existing Recommended Practice 1.7, the words “electronic data interchange (EDI) techniques” are replaced by “systems for the electronic exchange of information”.

20 In the existing Recommended Practice 1.7(e) and (f), the word “techniques” is replaced by the word “systems”.

21 The following new Recommended Practices 1.7.1 and 1.8.1 are added after the existing Recommended Practices 1.7 and 1.8 respectively:

**1.7.1 Recommended Practice.** Contracting Governments should encourage public authorities and other parties concerned to co-operate or participate directly in the development of electronic systems using internationally agreed standards with a view to enhancing the exchange of information relating to the arrival, stay and departure of ships, persons and cargo and assuring inter-operability between the systems of public authorities and other parties concerned.

**1.8.1 Recommended Practice.** Contracting Governments should encourage public authorities to introduce arrangements to enable trade and transport operators including ships to submit all the information required by public authorities in connection with the arrival, stay and departure of ships, persons and cargo, avoiding duplication, to a single entry point.”

22 In the existing Standard 1.8, the words “electronic data interchange (EDI) techniques” are replaced by the words “systems for the electronic exchange of information” and the word “techniques” is replaced by the word “systems”.

### **D. *Illicit drug trafficking***

23 The existing Recommended Practice 1.11 is deleted:

24 The following new section “E - Control techniques” is added after the existing section “D – Illicit drug trafficking”:

#### **“E. *Control techniques***

1.11 **Standard.** Public authorities shall use risk management to enhance their border control procedures related to:

- the release/clearance of cargo;
- security requirements;
- their ability to target smuggling,

thereby facilitating the legitimate circulation of persons and goods.”

## Section 2 – Arrival, stay and departure of the ship

### A. *General*

25 In the existing Standard 2.1, the new document “Dangerous Goods Manifest” is added after the existing document “Passenger List”.

26 The following new Recommended Practices 2.1.2, 2.1.3, 2.1.4 and 2.1.5 are added after the existing Standard 2.1.1:

“2.1.2 **Recommended Practice.** Public authorities should develop procedures to use pre-arrival and pre-departure information in order to facilitate the processing of information required by public authorities for the expedited subsequent release/clearance of cargo and persons.

2.1.3 **Recommended Practice.** National legislation should specify the conditions for the lodgment of pre-arrival and pre departure information. With regard to the point in time of transmission of the pre-arrival information, it should not normally be set substantially before the moment the ship has left the country of departure. However, national legislation could, in addition to the basic rule, also specify the exceptions if the time required for the voyage is shorter than the basic rule.

2.1.4 **Recommended Practice.** Public authorities should not require the lodgment of a separate General Declaration, Cargo Declaration, Crew List and Passenger List if the data elements contained in these documents are included in the pre-arrival information.

2.1.5 **Recommended Practice.** Public authorities should:

- (a) develop systems for the electronic transmission of data for the lodgment of pre-arrival and pre-departure information; and
- (b) consider the re-use or subsequent use of the pre-arrival and pre-departure information in subsequent procedures as part of all the information required for the release/clearance of passengers and cargo.”

### B. *Contents and purpose of documents*

27 In the existing Standard 2.2, the word “information” is replaced by the word “data”.

28 In the existing Recommended Practice 2.2.1, the word “a” after the words “the departure of” is replaced by the word “the”.

29 In the existing Recommended Practice 2.2.2, the word “information” is replaced by the word “data” and a new bullet “• the ship's requirements in terms of waste and residue reception facilities” is added after the existing bullet “• position of the ship in the port”. The first bullet is replaced by the words “Name, type and IMO number of ship”. In the second bullet, the word “nationality” is replaced by the words “flag State”. In the sixth bullet, the word “address” is replaced by the words “contact details”. A new bullet is added after the first one as follows: “• call sign”. A new bullet is added after the last one as follows: “• last port of call/next port of call”.

30 In the existing Standard 2.2.3, the word “a” after the words “shall accept” is replaced by the words “that the” and the word “is” is added after the words “General Declaration”.

31 In the existing Standard 2.3, the word “information” is replaced by the word “data”.

32 In the existing Recommended Practice 2.3.1, the word “data” is added after the word “following” and the words “or, if available, the HS code <sup>\*</sup>” are added at the end of the bullet “• container identification”, where appropriate; marks and numbers and kind of packages; quantity and description of the goods. A new “Note” is added after the existing “Note” as follows:

*“Note: To facilitate the processing of information required by public authorities, all parties involved should use an appropriate description of the goods and refrain from using generic terms, such as “general cargo”, “parts”, etc.”*

The first bullet in 2.3.1(a) and (b) is replaced by the words “Name and IMO number of ship”. A new bullet is added in (a) and (b), after the first one as follows: “• flag State of ship”. In the existing third bullet, the words “port arrived from” are replaced by the words “port of loading”. In the third bullet in (b), the word “destination” is replaced by the word “discharge”. A new bullet is added in (a) and (b), after the third one as follows: “• call sign”.

33 In the existing Standard 2.3.3, the word “a” after “shall accept” is replaced by the words “that the” and the word “is” is added after the words “Cargo Declaration”.

34 In the existing Recommended Practice 2.3.4.1, the word “information” is replaced by the words “data required and identified”.

35 In the existing Standard 2.4.1, the word “a” after “shall accept” is replaced by the words “that the”, and the word “is” added after the words “Stores Declaration”.

36 In the existing Standard 2.5.1, the word “a” after “shall accept” is replaced by the words “that the”, and the word “is” added after the words “Crew's Effect Declaration”.

37 In the existing Standard 2.6, the word “providing” is replaced by the words “required by” and the words “with information” are replaced by the words “containing data”.

38 In the existing Standard 2.6.1, the word “data” is added after the word “following” and the bullet “• arriving from port” is replaced with a bullet “• last port of call”. The first bullet is replaced by the words “Name and IMO number of ship”. A new bullet is added after the first one as follows: “• flag State of ship”. A new bullet is added after the first one as follows: “• call sign”.

39 In the existing Standard 2.6.2, the word “a” after “shall accept” is replaced by the words “that the” and the word “is” is added after the words “Crew List”.

40 In the existing Standard 2.7, the word “providing” is replaced by the words “required by” and the words “with information” are replaced by the words “containing the data”.

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\* Convention on the Harmonized Commodity Description and Coding System: also known as the “Harmonized System” (HS). This international convention came into force on 1 January 1988; its objective is to establish a description and coding system for use by Customs administrations when designating commodities or commodity groups for the purposes of setting Customs tariffs and collecting statistics.

41 In the existing Recommended Practice 2.7.3, the word “information” in the first sentence is replaced by the word “data”: New bullets “• type of identity document supplied by the passenger” and “• serial number of identity document” are added after the existing bullet “• place of birth”; and a new bullet “• transit passenger or not” is added after the existing bullet “• port and date of arrival of the ship”. The first bullet is replaced by the words “Name and IMO number of ship”. A new bullet is added after the first one as follows: “• flag State of ship”. A new bullet is added after the first one as follows: “• call sign”.

42 In the existing Standard 2.7.5, the word “a” after “shall accept” is replaced by the words “that the”, and the word “is” added after the words “Passenger List”.

43 In the existing Standard 2.8.1, in the third bullet the word “Nationality” is replaced by the words “Flag State”. A new bullet is added after the first one as follows: “• Call sign”.

44 The existing Standard 2.9 is amended to read as follows:

“2.9 **Standard.** Public authorities shall not require on arrival or departure of the ship any written declaration in respect of postal items other than that prescribed in the Universal Postal Convention, provided the latter is actually produced. In the absence of such a document, the postal objects (number and weight) must be shown in the Cargo Declaration.”

45 In the existing Standard 2.10, the words “providing information” are replaced by the words “containing the data”.

#### ***D. Documents on departure***

46 In the existing Recommended Practice 2.12.2, the words “for the purpose” are added before the words “in that port”.

47 The existing Standard 2.12.3 is amended to read as follows:

“2.12.3 **Standard.** Where public authorities require information about the crew of a ship on its departure from the port, one of the copies of the Crew List presented on arrival at the port shall be accepted on departure, provided it is signed again by the master or an officer duly authorized by him, and endorsed to indicate any change in the number or composition of the crew at the time of the ship’s departure or to indicate that no such change has occurred during the ship’s stay in the port.”

#### ***F. Completion of documents***

48 In the existing Recommended Practice 2.15, the word “information” is replaced by the word “data”.

49 In the existing Standard 2.16, the word “information” is replaced by the word “documents” and the words “automatic data processing techniques” are replaced by the words “the use of information technology”.

#### ***G. Errors in documentation and penalties therefore***

50 In the existing Standard 2.19, the word “the” is added between the words “violate” and “laws” and the words “of the port State” are added at the end of the paragraph.

**H. *Special measures of facilitation for ships calling at ports in order to put ashore sick or injured crew members, passengers or other persons for emergency medical treatment***

51 The words “persons rescued at sea” are added to subsection H to read as follows:

“H. *Special measures of facilitation for ships calling at ports in order to put ashore sick or injured crew members, passengers, persons rescued at sea or other persons for emergency medical treatment.*”

52 The words “persons rescued at sea” are added to and the words “and status” are deleted from, Standard 2.20 to read as follows:

“2.20 **Standard.** Public authorities shall seek the co-operation of shipowners to ensure that, when ships intend to call at ports for the sole purpose of putting ashore sick or injured crew members, passengers, persons rescued at sea, or other persons for emergency medical treatment, the master shall give the public authorities as much notice as possible of that intention, with the fullest possible details of the sickness or injury and of the identity of the persons.”

53 In the existing Standard 2.24, the word “information” is replaced by the word “data” and the word “that” is replaced by the word “those”.

**Section 5 - Arrival, stay and departure of cargo and other articles**

54 In the existing Recommended Practice 5.3, the word “mail” is replaced by the words “postal items” and the words “or importation” are added between the words “sea” and “should”.

55 The existing Recommended Practice 5.5 is amended to read as follows:

“5.5 **Recommended Practice.** When the nature of a consignment could attract the attention of different agencies authorized to carry out inspections, such as Customs and veterinary or sanitary controllers, Contracting Governments should authorize either Customs or one of the other agencies to carry out the required procedures or, where that is not feasible, take all necessary steps to ensure that such clearance is carried out simultaneously at one place and with a minimum of delay.”

**B. *Clearance of cargo***

56 The existing Standard 5.7 is amended to read as follows:

“5.7 **Standard.** Public authorities shall, subject to compliance with any national prohibitions or restrictions and any measures required for port security or the prevention of trafficking of narcotics, grant priority clearance to live animals, perishable goods and other consignments of an urgent nature.”

57 The following new Recommended Practice 5.7.1 is added after the existing Standard 5.7:

“5.7.1 **Recommended Practice.** In order to protect the quality of goods awaiting clearance, public authorities should, in collaboration with all the concerned parties, take all measures to permit practical, safe and reliable storage of goods at the port.”

- 58 The existing Recommended Practice 5.9 is deleted.
- 59 In the existing Recommended Practice 5.10, the words “the revised” are added to the words “Kyoto Convention”.
- 60 The following new Recommended Practice 5.10.1 is added after the existing Recommended Practice 5.10:

“5.10.1 **Recommended Practice.** Public authorities should consider the introduction of simplified procedures for authorized persons allowing:

- (a) release of the goods on the provision of the minimum information necessary to identify the goods, to accurately identify and assess risk as it relates to concerns such as health, safety and security, and permit the subsequent completion of the final goods declaration;
- (b) clearance of the goods at the declarants premises or another place authorized by the relevant public authority; and
- (c) submission of a single goods declaration for all imports or exports in a given period where goods are imported or exported frequently by the same person.”

61 In the existing Standard 5.11, the words “by using risk assessment to target cargo for examination” are deleted at the end of the paragraph.

62 In the existing Recommended practice 5.14, the words “electronic data interchange (EDI) techniques” are replaced by the words “systems for the electronic exchange of information”.

63 The following new Recommended Practice 5.14.1 is added after the existing Recommended Practice 5.14:

“5.14.1 **Recommended Practice.** Public authorities should endeavour to quickly clear the transit procedure covering goods from another State awaiting loading.”

## C. Containers and pallets

64 In the existing Standard 5.15, the word “import” is replaced by the word “admission”.

65 In the existing Standard 5.18, the word “importation” is replaced by the word “admission”.

## Section 7 – Miscellaneous provisions

### C. *Emergency assistance*

66 The existing Standard 7.8 is amended to read as follows:

“7.8 **Standard.** Public authorities shall facilitate the arrival and departure of ships engaged in:

- disaster relief work;

- the rescue of persons in distress at sea in order to provide a place of safety for such persons;
- the combating or prevention of marine pollution; or
- other emergency operations designated to enhance maritime safety, the safety of life at sea, the safety of the population or the protection of the marine environment.”

#### **Appendix 1 - IMO FAL Forms**

67 The IMO FAL Forms 1 to 7 are amended as follows:

**“IMO GENERAL DECLARATION**

		<input type="checkbox"/> Arrival	<input type="checkbox"/> Departure
1.1 Name and type of ship 1.2 IMO number 1.3 Call sign		2. Port of arrival/departure	3. Date - time of arrival/departure
4. Flag State of ship	5. Name of master	6. Last port of call/Next port of call	
7. Certificate of registry (Port; date; number)		8. Name and contact details of ship's agent	
9. Gross tonnage	10. Net tonnage		
11. Position of the ship in the port (berth or station)			
12. Brief particulars of voyage (previous and subsequent ports of call; underline where remaining cargo will be discharged)			
13. Brief description of the cargo			
14. Number of crew (incl. master)	15. Number of passengers	16. Remarks	
Attached documents (indicate number of copies)			
17. Cargo Declaration	18. Ship's Stores Declaration		
19. Crew List	20. Passenger List	21. The ship's requirements in terms of waste and residue reception facilities	
22. Crew's Effects Declaration*	23. Maritime Declaration of Health*		
24. Date and signature by master, authorized agent or officer			

For official use

IMO FAL  
Form 1

\* Only on arrival.











PAGE NUMBER (e.g. 5 of 7)

**DANGEROUS GOODS MANIFEST**

(As required by SOLAS 74, chapter VII, regulations 4.5 and 7-2.2, MARPOL 73/78, Annex III, regulation 4(3) and chapter 5.4, paragraph 5.4.3.1 of the IMDG Code)

NAME OF SHIP VOYAGE REFERENCE CALL SIGN  
 IMO NUMBER PORT OF LOADING  
 FLAG STATE OF SHIP PORT OF DISCHARGE  
 MASTER'S NAME SHIPPING AGENT

BOOKING/ REFERENCE NUMBER	MARKS & NUMBERS CONTAINER ID. NO(S). VEHICLE REG. NO(S).	NUMBER AND KIND OF PACKAGES	PROPER SHIPPING NAME	CLASS	UN NUMBER	PACKING GROUP	SUBSIDIARY RISK(S)	FLASH - POINT (IN °C,c.c.)	MARINE POLLUTANT	MASS (kg) GROSS/NET	EmS	STOWAGE POSITION ON BOARD

AGENT'S SIGNATURE \_\_\_\_\_

MASTER'S SIGNATURE \_\_\_\_\_

PLACE AND DATE \_\_\_\_\_

PLACE AND DATE \_\_\_\_\_

IMO FAL FORM 7

## 第 FAL.10 (35) 號決議

(2009 年 1 月 16 日通過)

### 通過《1965 年便利國際海上運輸公約》的修正案

便利委員會，

憶及經修正的《1965 年便利國際海上運輸公約》(下文稱“公約”)有關公約附件修正程序的第七條第 2 (1) 款，

進一步憶及本公約賦予便利委員會審議和通過該公約修正案的職責，

在其第三十五屆會議上，審議了按照公約第七條第 2 (1) 款提議並散發的其附件的修正案，

1. 根據公約第七條第 2 (1) 款，通過公約的修正案，其文本載於本決議的附件中；
2. 根據公約第七條第 2 (2) 款，決定該修正案將於 2010 年 5 月 15 日生效，除非在 2010 年 2 月 15 日之前，至少有三分之一的公約締約國政府書面通知秘書長他們不接受該修正案；
3. 要求秘書長依照公約第七條第 2 (1) 款將附件中所載的修正案送交所有締約國政府；
4. 進一步要求秘書長將所述修正案的通過和生效通知所有簽字國政府。

## 附件

## 《1965 年便利國際海上運輸公約》附件的修正案

## 第 2 節 – 船舶的抵達、停留和離開

## (二) 文書的內容和目的

1 在 2.2.2 推薦做法中，在“• 船旗國”後加入以下新文字：

“• 航次號”。

2 在 2.3.1 (1) 推薦做法中，在“• 呼號”後加入以下新文字：

“• 航次號”。

3 在 2.3.1 (2) 推薦做法中，在“• 呼號”後加入以下新文字：

“• 航次號”。

4 在 2.6.1 標準中，在“• 呼號”後加入以下新文字：

“• 航次號”。

5 刪除現有的 2.6.3 標準並由以下新文字取而代之：

“2.6.3 不使用”

6 刪除現有的 2.7.1 推薦做法並由以下文字取而代之：

“2.7.1 不使用。”

7 在 2.7.3 推薦做法中，在“• 船旗國”後加入以下新文字：

“ · 航次號” 。

8 在 2.7.3 推薦做法中，刪除以下文字：

“ · 旅客提供的身份證件類型  
· 身份證件系列號”

並由以下新的文字取而代之：

“ · 旅客提供的身份證件或旅行證件的類型  
· 身份或旅行證件的系列號” 。

9 在 2.8.1 標準中，將 “ · 航次參考號” 改為 “ · 航次號” 。

10 在 2.8.1 標準結尾處，在 “ · 船上存放位置” 後增加以下新文字：

“ · 補充信息” 。

### 第 3 節 — 人員的抵達和離開

#### (一) 抵達和離開的要求和程序

11 在 3.3.6 標準第二句 “遣送費用” 之前加上 “停留和” 。

12 刪除現有的 3.10 標準，由以下新的文字取而代之：

“3.10 標準。 一本護照或根據國際勞工組織的有關公約簽發的身份證件或其他有效並得到正式承認的海員身份證件須作為船舶到達或離開時向公共當局提供船員個人信息的基本證件” 。

#### (二) 便利旅客、船員和行李結關的措施

13 在 3.14 標準中，在 “公共管理當局必須對” 等字後加上 “在場

的”。

14 刪除現有的 3.15 標準並由以下新的條文取而代之：

“3.15 推薦做法。如果公共當局發現旅客持有的任何受查證件不滿足要求或者因此發現不能准許該旅客進入該國，公共當局不應對船東處以不合理或過分的罰款。”

#### **(四) 便利遊船和遊船乘客**

15 刪除現有的 3.21 標準並由以下新的條文取而代之：

“3.21 推薦做法。對於遊船，如果航行情況沒有發生變化，在一個國家內應只在第一個抵達港和最後一個離開港要求總申報單、旅客名單和船員名單。”

16 刪除現有的 3.35 推薦做法並由以下文字取而代之：

“3.35 不使用”。

#### **附錄 1 – 國際海事組織便運表格**

17 刪除現有的國際海事組織便運表格並用下列表格取而代之：

## “國際海事組織總申報單

（國際海事組織便運表格 1）

		抵達	離開
1.1 船名和船舶類型		1.2 海事組織編號	
1.3 呼號		1.4 航次號	
2. 抵達/離開的港口		3. 抵達/離開的日期和時間	
4. 船旗國	5. 船長姓名	6. 上一停靠港/下一停靠港	
7. 登記證書（港口；日期；編號）		8. 船舶代理的名稱和聯絡細節	
9. 總噸位	10. 淨噸位		
11. 船舶在港口位置（泊位或停泊站）			
12. 航程簡要細節（先前和隨後的停靠港；強調剩餘貨物的卸貨地點）			
13. 貨物簡況			
14. 船員人數	15. 旅客人數	16. 備註	
所附文書 （說明份數）			
17. 貨物申報單	18. 船舶物料申報單		
19. 船員名單	20. 旅客名單	21. 船舶對廢物和殘餘物接收設施的要求	
22. 船員個人物品申報單 （僅在抵達時）	23. 海上健康申報單 （僅在抵達時）		
24. 日期和船長、經授權的代理或官員的簽字			

官方使用

## 國際海事組織貨物申報單

（國際海事組織便運表格 2）

	抵達	離開	頁碼
1.1 船名	1.2 海事組織編號		
1.3 呼號	1.4 航次號		
2. 提交報告的港口	3. 船旗國		
4. 船長姓名	5. 裝貨港/卸貨港		
6. 標誌和序號	7. 包裝件數和種類；貨物說明，或 海關商品編碼（如有）	8. 總重	9. 尺寸
提 單 編 號  *			
	10. 日期和船長、經授權的代理或官員的簽字		

\* 運輸單證編號。對於根據聯運單證或通過提單運輸的貨物還應說明原始發貨港。

## 國際海事組織船舶物料申報單

(國際海事組織便運表格 3)

		抵達	離開	頁碼
1.1 船名		1.2 海事組織編號		
1.3 呼號		1.4 航次號		
2. 抵達/離開的港口		3. 抵達/離開的日期		
4. 船旗國		5. 上一停靠港/下一停靠港		
6. 船上人數		7. 逗留時間		
8. 物品名稱	9. 數量	10. 在船上的位置	11. 官方使用	
12. 日期和船長、經授權的代理或官員的簽字				









**RESOLUTION FAL.10(35)**  
**(adopted on 16 January 2009)**

**ADOPTION OF AMENDMENTS TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965**

THE FACILITATION COMMITTEE,

RECALLING article VII(2)(a) of the Convention on Facilitation of International Maritime Traffic, 1965, as amended (hereinafter referred to as “the Convention”) concerning the procedure for amending the Annex to the Convention,

RECALLING FURTHER the functions which the Convention confers upon the Facilitation Committee for the consideration and adoption of amendments to the Convention,

HAVING CONSIDERED, at its thirty-fifth session, amendments to the Annex to the Convention proposed and circulated in accordance with article VII(2)(a) thereof,

1. ADOPTS, in accordance with article VII(2)(a) of the Convention, the amendments to the Convention, the text of which is set out in the Annex to the present resolution;
2. DETERMINES, in accordance with article VII(2)(b) of the Convention, that the amendments shall enter into force on 15 May 2010 unless, prior to 15 February 2010 at least one-third of Contracting Governments to the Convention have notified the Secretary-General in writing that they do not accept the amendments;
3. REQUESTS the Secretary-General, in conformity with article VII(2)(a) of the Convention, to communicate the amendments contained in the Annex to all Contracting Governments;
4. FURTHER REQUESTS the Secretary-General to notify all Signatory Governments of the adoption and entry into force of the said amendments.

## ANNEX

AMENDMENTS TO THE ANNEX TO THE CONVENTION ON FACILITATION OF  
INTERNATIONAL MARITIME TRAFFIC, 1965

## Section 2 – Arrival, stay and departure of the ship

*B. Contents and purpose of documents*

- 1 In Recommended Practice 2.2.2 after “● flag State of ship” the following new text is inserted:  
“● voyage number”.
- 2 In Recommended Practice 2.3.1(a) after “● call sign” the following new text is inserted:  
“● voyage number”.
- 3 In Recommended Practice 2.3.1(b) after “● call sign” the following new text is inserted:  
“● voyage number”.
- 4 In Standard 2.6.1 after “● call sign” the following new text is inserted:  
“● voyage number”.
- 5 The existing Standard 2.6.3 is deleted and is replaced by:  
“2.6.3 *Not in use*”.
- 6 The existing Recommended Practice 2.7.1 is deleted and is replaced by:  
“2.7.1 *Not in use*”.
- 7 In Recommended Practice 2.7.3 after “● flag State of ship” the following new text is inserted:  
“● voyage number”.
- 8 In Recommended Practice 2.7.3 the following text is deleted:  
“● type of identity document supplied by the passenger  
● serial number of identity document”

and replaced by the following new text:

- “● type of identity or travel document supplied by the passenger
- serial number of identity or travel document”.

9 In Standard 2.8.1 the text reading “● Voyage reference” is amended to read “● Voyage number”.

10 In Standard 2.8.1 at the end, after “● Stowage position on board”, the following new text is inserted:

- “● Additional information”.

### Section 3 – Arrival and departure of persons

#### A. *Arrival and departure requirements and procedures*

11 In the second sentence in Standard 3.3.6 after the words “responsible for the costs of” insert “stay and”.

12 The existing Standard 3.10 is deleted and replaced by the following new text:

“3.10 **Standard.** A passport or an identity document issued in accordance with relevant ILO conventions, or else a valid and duly recognized seafarer’s identity document, shall be the basic document providing public authorities with information relating to the individual member of the crew on arrival or departure of a ship.”

#### B. *Measures to facilitate clearance of passengers, crew and baggage*

13 In Standard 3.14 after the words “accept persons” insert “present”.

14 The existing Standard 3.15 is deleted and replaced by the following new text:

“3.15 **Recommended Practice.** Public authorities should not impose unreasonable or disproportionate fines upon shipowners, in the event that any control document in possession of a passenger is found by public authorities to be inadequate, or if, for that reason, the passenger is found to be inadmissible to the State.”

#### D. *Facilitation for ships engaged on cruises and for cruise passengers*

15 The existing Standard 3.21 is deleted and replaced by the following new text:

“3.21 **Recommended Practice.** For cruise ships, the General Declaration, the Passenger List and the Crew List should be required only at the first port of arrival and final port of departure in a country, provided that there has been no change in the circumstances of the voyage.”

16 The existing Recommended Practice 3.35 is deleted and is replaced by:

“3.35 *Not in use*”.

**Appendix 1 – IMO FAL Forms**

17 The existing IMO FAL Forms are deleted and replaced by the following ones:

**“IMO GENERAL DECLARATION**  
(IMO FAL Form 1)

		<input type="checkbox"/> Arrival <input type="checkbox"/> Departure
1.1 Name and type of ship		1.2 IMO number
1.3 Call sign		1.4 Voyage number
2. Port of arrival/departure		3. Date and time of arrival/departure
4. Flag State of ship	5. Name of master	6. Last port of call/Next port of call
7. Certificate of registry (Port; date; number)		8. Name and contact details of ship's agent
9. Gross tonnage	10. Net tonnage	
11. Position of the ship in the port (berth or station)		
12. Brief particulars of voyage (previous and subsequent ports of call; underline where remaining cargo will be discharged)		
13. Brief description of the cargo		
14. Number of crew	15. Number of passengers	16. Remarks
Attached documents (indicate number of copies)		
17. Cargo Declaration	18. Ship's Stores Declaration	
19. Crew List	20. Passenger List	21. The ship's requirements in terms of waste and residue reception facilities
22. Crew's Effects Declaration (only on arrival)	23. Maritime Declaration of Health (only on arrival)	
24. Date and signature by master, authorized agent or officer		

For official use

**IMO CARGO DECLARATION**  
(IMO FAL Form 2)

		Arrival	Departure	Page Number
1.1 Name of ship		1.2 IMO number		
1.3 Call sign		1.4 Voyage number		
2. Port where report is made		3. Flag State of ship		
4. Name of master		5. Port of loading/Port of discharge		
B/L No.*	6. Marks and Numbers	7. Number and kind of packages; description of goods, or, if available, the HS Code	8. Gross weight	9. Measurement
10. Date and signature by master, authorized agent or officer				

\* Transport document number. Also state original ports of shipment in respect to goods shipped on multimodal transport document or through bills of lading.









**IMO DANGEROUS GOODS MANIFEST**  
(IMO FAL Form 7)  
(As required by SOLAS 74, chapter VII, regulations 4.5 and 7-2.2, MARPOL 73/78, Annex III, regulation 4.3 and chapter 5.4, paragraph 5.4.3.1 of the IMDG Code)

														Page Number	
1.1 Name of ship		1.2 IMO number										1.3 Call sign			
1.4 Voyage number		2. Flag State of ship										3. Port of loading		4. Port of discharge	
5. Booking/ Reference Number	6. Marks & Numbers Container Id. No(s). Vehicle Reg. No(s).	7. Number and kind of packages	8. Proper Shipping Name	9. Class	10. UN No.	11. Packing Group	12. Subsidiary Risk(s)	13. Flashpoint (in °C,c.c.)	14. Marine Pollutant	15. Mass (kg) Gross/Net	16. EmS	17. Stowage position on board			
Additional information															
18.1 Name of master		19.1 Shipping Agent													
18.2 Place and date		19.2 Place and date													
Signature of master		Signature of Agent													

# 便利公約

經修正的 1965 年便利國際海上運輸公約

2011 年版

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## 序言

《便利海上運輸公約》（《便利公約》）係由國際便利海上旅行和運輸會議於 1965 年 4 月 9 日通過。它於 1967 年 3 月 5 日生效。

本公約旨在通過簡化和儘量減少從事國際航行的船舶抵達、逗留和離開的手續、文書要求和程序來便利海上運輸。制定公約的初衷是要解決對商船要求過多文書一事的日益增長的國際關切。在傳統上，海關、移民、衛生及與船舶、船員和旅客、行李、貨物和郵件有關的其他公共當局要求大量的文書。大多數行業中，不必要的文書工作是個問題，但鑑於其國際性質和傳統上對手續和程序的接受，航運業的繁文縟節可能要超過其他行業。

本公約強調便利海上運輸的重要性，證明為何對文書感到關切的主管當局和經營人應採用海事組織制定的及其大會建議廣泛使用的標準化文書系統。本公約的締約國承諾為便利國際海上運輸而盡力實現一致和簡化。

本公約的附則載有簡化船舶抵達、逗留和離開的手續、文書要求和程序的各項規則，特別是將公共當局可要求的申報單減少到九份。它們分別為：一般申報單、貨物申報單、船舶物料申報單、船員物品申報單、船員名單、危險品清單和旅客名單，以及《萬國郵政公約》和《國際衛生條例》要求的兩份文書。海事組織為前七份文件制定了標準格式。

為了進一步有助於履行公約，本公約的附則中就船舶、其船員、旅客、行李和貨物在抵達、逗留和離開時應適用的手續、文書要求和程序列出了“標準”和“推薦做法”。

### 公約的修正案

雖然人們認識到公約對消除貿易障礙已做出了重要貢獻，但由於一個重要缺點—修正程序，其價值多年來是有限的。它要求修正案得到三分之二的締約國的明示接受，實際上它需要太長時間，因此是行不通的。一個稱為“默示接受”的新程序（即除非三分之一的締約國明確拒絕，否則修正案應在預定的日期自動生效）於 1984 年生效（第 VII 條）。1986 年年初使用了新的接受程序通過了主要為了允許使用自動數據處理和其他技術而制定的新的修正案。這些修正案於同年 10 月生效。

1990 年修正案於 1991 年 9 月 1 日生效，旨在便利包括老人和殘疾人在內的旅客的結關。它還涉及防止危及海上安全的非法行為和控制非法販運毒品。

1992 年修正案於 1993 年 9 月 1 日生效，係關於有關下列內容的章節：貨物、旅客、船員和行李的結關；船舶抵達和離開的要求和程序；公共衛生和檢疫，包括對動植物的檢疫措施，和船東的責任限制。該套修正案引入了新的保安措施和運輸文書的定義以及有關電子數據處理技術、私人禮品包和貿易樣品、領事手續和費用、進口前信息的提交、專用設備的結關和偽造文件的新的章節。此外，這套修正案還調整了公約附則的結構。

1996 年修正案於 1997 年 5 月 1 日生效，係關於有關下列內容的章節：文書的內容和目的；抵達和離開的要求和程序；便利遊船和遊客；便利從事國際航行船舶的船員的新措施-登岸假；進口貨物的結關；國際便利委員會。該套修正案引入了有關不准入境者的新標準和移民抵達前結關的新的推薦做法。

1999 年修正案於 2001 年 1 月 1 日生效，係關於有關下列內容的章節：電子數據處理技術；非法販運毒品；船舶抵達、逗留和離開文件的內容和目的；人員的抵達和離開；便利貨物、旅客、船員和行李結關的措施；貨物和其他物品的抵達、逗留和離開；和出口貨物的結關。該修正案引入了一個關於非法販運毒品的新章節並介紹了使用風險評估確定貨物檢查的目標，以最大程度地限制實際介入。

2002 年修正案於 2003 年 5 月 1 日生效，係關於新的定義；和船舶的抵達、逗留和離開；該修正案引入了一個關於偷渡的新章節。

2005 年修正案於 2006 年 11 月 1 日生效，係關於新的定義；總則、電子數據處理技術；非法販運毒品；控制技術；關於船舶抵達、逗留和離開的第 2 節的總則；文件的內容和目的；離開文件；文件的完成；文件中的錯誤和相關處罰；貨物和其他物品的抵達、逗留和離開；貨物結關；集裝箱和托盤；和緊急援助。該修正案引入了關於海關結關、海關放行、預計抵達時間、艙單、郵件、船舶文件和臨時准許的新的定義；該修正案新建了一個關於控制技術的章節，並在專門針對便利船舶為讓生病或受傷船員、乘客或其他人員接受緊急治療而掛靠港口的章節中引入了“海上獲救人員”的術語；最後，批准了新的國際海

事組織便利格式。

2009 年修正案於 2010 年 5 月 15 日生效，係關於有關下列內容的章節：文件的內容與目的；抵達、逗留和離開要求和程序；便利旅客、船員和行李結關的措施；和便利遊船和遊船旅客。該修正案引入了“航次編號”的案文，及批准了新的國際海事組織便利格式。

公約的綜合文本還包括了經修正的《1965 年便利國際海上運輸公約》的解釋手冊（見第 FAL.3/Circ.202 通函）。該手冊應有助於對可能是複雜並有時難於理解的公約條款法律條文的解釋並應對特別是目前尚非公約締約國政府的會員國更好地理解公約做好準備。

## 便利國際海上運輸公約條款

各締約國政府：

希望儘量簡化和減少從事國際航行船舶的抵達、逗留和離開的手續、文書要求和程序以便利海上運輸；

達成協議如下：

### 第一條

締約國政府承諾，按照本公約及其附則的規定，採取一切適當措施，以便利和加快國際海上運輸，防止對船舶和船上人員和財產造成不必要的延誤。

### 第二條

1. 締約國政府承諾，按照本公約的規定，在制定和實施便利船舶抵達、逗留和離開措施時進行合作。此種措施，其便利在最大的可行的程度上，應不亞於其他國際運輸模式所採用的措施；但可根據個別要求有所不同。

2. 根據本公約及其附則所規定的便利國際海上運輸的措施，對於締結本公約的沿海國和非沿海國的船舶同樣適用。

3. 本公約的規定不適用於軍艦和遊艇。

### 第三條

締約國政府保證在儘可能達到所有問題的手續、文書要求和程序的最高程度的統一方面進行合作，而這些問題的統一將便利和改進國際海上運輸，並能將為適應國內特殊要求而在手續、文書要求和程序上採取的必要的替換辦法保持到最低限度。

#### 第四條

為達到本公約上述各條所提出的目的，締約國政府保證在涉及手續、文書要求和程序的事務方面及其在國際海上運輸的應用中相互合作，或通過政府間海事協商組織\*（以下簡稱“本組織”）進行合作。

#### 第五條

1. 本公約或其附則的內容不得解釋為阻礙某一締約國政府按照其國家法律或任何其他國際協定的規定，在國際海上運輸方面提供或可能在將來提供任何更為廣泛的便利。

2. 本公約或其附則不得解釋為妨礙某一締約國政府為維護公共道德、秩序和安全或為防止傳入或散佈影響公共衛生及動植物的疾病或蟲害而實施其認為必要的臨時措施。

3. 本公約未明確規定的事項仍按締約國政府的法規執行。

#### 第六條

就本公約及其附則而言：

1. **標準** 係指各締約國政府為便利國際海上運輸，需要根據本

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\* 由於《國際海事組織公約》修正案於 1982 年 5 月 22 日生效，所以本組織的名稱遂改為“國際海事組織”。

公約統一實行的切實措施。

2. *推薦做法* 係指締約國政府為便利國際海上運輸而實施的理想措施。

## 第七條

1. 本公約的附則可由締約國政府根據某一締約國政府的提議，或在為修訂目的而召開的會議上，進行修訂。

2. 任何締約國政府均可向本組織秘書長（以下稱“秘書長”）遞交修正草案對附則提出修正建議：

- （1）任何根據本款規定所建議的修正案，只要在便利運輸委員會開會前至少三個月已予分發，須由委員會進行審議。修正案如果經委員會出席和投票的三分之二締約國政府通過，則須由秘書長通知所有締約國政府。
- （2）任何根據本款規定對本附則的修正案將在秘書長將提議通知所有締約國政府十五個月後生效，除非在發出通知後十二個月內，至少有三分之一締約國政府書面通知秘書長他們不接受該提議。
- （3）秘書長須將按（2）項規定收到的任何通知書以及生效日期通知所有締約國政府。
- （4）凡不接受某項修正案的締約國政府不受該修正案的約束，但須執行本公約第八條所規定的程序。

3. 秘書長在接到至少三分之一締約國政府的要求後須召開締約國政府會議以審議附則的修正案。由到會並投票的三分之二締約國政府多數通過的每一項修正案，須在秘書長將通過的修正案通知各締約國政府之日起六個月後生效。

4. 秘書長須立即將按本條規定通過和生效的修正案通知所有簽字國政府。

## 第八條

1. 任何締約國政府，如發現本國的手續、文書要求或程序實際上不能完全與本公約中的標準相一致，或者認為，由於特殊原因，有必要採用不同於本公約標準中的手續、文書要求或程序，則須將此情況通知秘書長並告訴他本國做法與這些標準的差異。在本公約對有關政府生效之後，或在此類不同的手續、文書要求或程序採用之後，須儘快通知秘書長。

2. 就標準的修正案或新通過的標準來說，締約國政府須在這些經修正的或新採用的標準生效之後，或在採用此類不同的手續、文書要求或程序之後，儘快將任何此類差異通知秘書長。在通知中可指出為了使手續、文書要求或程序完全與經修正的和新採用的標準相一致而擬採取的行動。

3. 籲請締約國政府儘可能使其手續、文書要求和程序同推薦做法相符。任一締約國政府在使其手續、文書要求和程序同推薦做法相符時，須立即通知秘書長。

4. 秘書長在接到按本條上述各款規定給他的通知後，須將該通知告訴各締約國政府。

## 第九條

在不少於三分之一締約國政府的要求下，秘書長須召開締約國政府會議，對本公約進行修訂或修正。任何修訂或修正均需經會議的三分之二多數表決通過，然後由秘書長簽名證明並通知所有締約國政府以供接受。在修訂或修正獲得三分之二締約國政府接受一年之後，各項修訂或修正對所有締約國政府生效。但在其生效之前聲明不接受此項修訂或修正的締約國政府除外。會議在通過時，可根據三分之二多數表決決定，某項修訂或修正案具有這樣的一種性質，即發表這種聲明並在該修訂或修正案生效後一年的時間內不接受該修訂或修正案的任何締約國政府，在此期滿時，須終止公約的締約國資格。

## 第十條

1. 本公約自即日起六個月內繼續開放以供簽字，並在此後繼續開放以供加入。

2. 聯合國或其任一專門機構或國際原子能機構的會員國政府，或國際法院規約的締約國，可以下列方式成為本公約的締約國：

- (1) 簽字並對接受無保留；
- (2) 簽字並對接受作出保留，隨後予以接受；或
- (3) 加入。

接受或加入須向秘書長交存一份文書，方為有效。

3. 不能根據本條第 2 款規定成為本公約締約國的政府可通過秘書長申請成為締約國，如其申請獲得除聯繫會員以外的本組織三分之二的會員同意，便可按照第 2 款規定成為締約國。

### 第十一條

本公約須在至少十國政府簽字並對接受無保留，或交存接受或加入文件之日起六十天後生效。對於此後接受或加入的某一政府，本公約須於該政府的接受或加入文件交存之日起六十天後生效。

### 第十二條

本公約對某一締約國政府生效滿三年後，該政府可以書面通知秘書長退出本公約。秘書長須將通知的內容及收到的日期告訴所有締約國政府。退出本公約須在秘書長收到通知一年後或通知中指定的較此為長的期限屆滿後生效。

### 第十三條

1. (1) 聯合國，如果是某一領土的管理當局，或對某一領土的國際關係負有責任的任一締約國政府，須儘快與該領土協商，努力使本公約的適用擴大到該領土，並可隨時書面通知秘書長，宣佈本公約擴大到該領土。
- (2) 本公約的適用須從收到通知之日或通知中指定的其他日期起擴大到通知中所指領土。

(3) 本公約第八條的規定須適用於按本條規定本公約所擴大到的任一領土；為此，“其本國的手續、文書要求或程序”一語須包括該領土上現行的手續、文書要求或程序。

(4) 本公約須在秘書長收到終止擴大適用的通知一年以後，或在通知中可能指定的較此為晚的日期，終止擴大到某一領土。

2. 秘書長須根據本條第 1 款規定將本公約擴大到某一領土的事項通知所有締約國政府，並每次說明本公約擴大到某一領土的日期。

#### 第十四條

秘書長須將下列內容通知所有簽字國政府和締約國政府以及本組織的所有會員國：

- (1) 在本公約上的簽字及其日期；
- (2) 接受和加入文件的交存及其交存日期；
- (3) 根據第十一條的規定本公約生效的日期；
- (4) 根據第十二條和第十三條的規定收到的任何通知書及其日期；
- (5) 按照第七條或第九條的規定召開的任何會議。

#### 第十五條

本公約及其附則須交秘書長保存。秘書長須將其核對無誤的副本

分發給簽字國政府和加入國政府。本公約一經生效，秘書長須立即根據聯合國憲章第一百零二條的規定予以登記。

### 第十六條

本公約及其附則用英文和法文寫成，兩種文本具有同等效力。須備有俄文和西班牙文的正式譯本，並同經簽署的正本一起保存。

以下具名的經各國政府正式授權的代表特簽署本公約，以昭信守。

\*

1965 年 4 月 9 日訂於倫敦。

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\* 簽字從略。

## 附則

### 第一節 定義和一般規定

#### (一) 定義

就本附則的規定而言，下列術語的意義分別定為：

*偷渡未遂者*：未經船東、船長或任何其他負責人的同意而躲藏在船上或隨後裝到船上的貨物中並在船舶離開港口前在船上被發現的人。

*貨物*：係指除郵件、船用物料、船用備件、船舶設備、船員物品和旅客隨身行李以外的船上運輸的任何貨物、製品、商品以及任何種類的物品。

*船員物品*：係指屬於船員並攜帶在船的衣服、日常用品及可包括貨幣在內的其他物品。

*船員*：係指某一航次期間在船上為船舶的工作或服務盡職的、在船員名冊上列有其名字的任何實際僱用的人員。

*遊船*：係指在國際航行中運載為了在一個或幾個不同港口作預定的短期遊覽而參加團體活動並在船上住宿的旅客的船舶，並在航行中一般：

(1) 不上下任何其他旅客；

(2) 不裝卸任何貨物。

*結關*：係指完成允許貨物進入國內使用、出口或置於另一海關程

序下所需的海關手續。

*海關放行*：係指海關當局採取的允許結關的貨物由有關人員自行處理的行動。

*文書*：係指以電子或非電子方式提供數據的信息。

*預計抵達時間*：係指船舶預計它將抵達服務於某一港口的引航站的時間或預期進入港區某一特定位置的時間，視港口規則而定。

*艙單*：係指重述提單中和為船載貨物所發的其他運輸文書中的各種數據的文書。

*過境旅客*：從外國乘船抵達，要乘船或其他交通工具繼續旅行去外國的旅客。

*旅客隨身行李*：係指旅客攜帶在同一條船上的、可能包括貨幣在內的財產，不論此財產是否為本人所持有，只要不是按照某一運輸合同或其他類似協議所運載的物品。

*港口*：通常用於船舶的裝載、卸載、修理和錨泊的任何港口、碼頭、離岸碼頭、船舶和修理廠或錨地，或船舶能夠停靠的任何其他地方。

*郵件*：係指由郵政主管機關交予船舶運輸、交付給船舶停靠港口中的郵政主管機關的函件和其他物品。

*公共當局*：係指某一國家負責實施和執行該國與本附則中的“標準”和“推薦做法”的任何方面有關的法律和規則的機構或官員。

*保安措施*：係指按照國際協定制定和實施的為改進船上、港區、設施和國際供應鏈中運輸的貨物的保安而察覺和防止非法行為的措施。\*

*船東*：係指擁有或經營船舶者，不論其是一個人、一個公司或其他法律實體，以及代表船東或經營者的任何人。

*船舶文書*：係指船長必須提供的、證明該船符合國際或國家規則的證書和其他文書。

*船舶設備*：係指除船用備件以外的任何用於船上的可移動但並非消耗性質的物品，包括諸如救生艇、救生器材、家具、船具及其他類似物品等附屬物。

*船用備件*：係指船上所帶的供船舶用於修理或替換的物品。

*船用物料*：係指船上使用的物品，包括消耗品、載於船上供售予旅客、船員的物品，燃料和潤滑油，但不包括船舶設備和備件。

*登岸假*：係指船舶在港停留期間，在可由公共當局決定的地理或時間許可範圍內（如有），的船員登岸許可。

*偷渡者*：未經船東、船長或任何其他負責人同意而躲藏在船上或隨後裝到船上的貨物中、在船舶離開港口後在船上被發現或在抵達港口卸貨時在貨物中被發現、船長將其作為偷渡者報告有關當局的人。

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\* 參考《1988年制止危及海上航行安全非法行為公約》（《制止非法行為公約》）、《國際船舶和港口設施保安規則》（《船港保安規則》）和《1974年國際海上人命安全公約》（《安全公約》）第 XI-2 章。

**暫時准入：**係指可有條件地將某些貨物運入某一海關轄地，全部或部分免付進口稅、不使用進口禁令或經濟限制措施的海關程序；此類貨物必須是為某一特定目的進口、要在某一特定時期內重新出口、除因使用而產生正常折舊外沒有任何變化。

**抵達時間：**係指船舶首次在港口錨泊或停靠碼頭的時間。

**運輸文書：**係指證明船東與發貨人的載運合同的信息，如海上運貨單、提單或聯運單。

## (二) 一般規定

本附件連同本公約第五條第 2 款的規定，不得妨礙公共當局採取有關相應措施，包括：當懷疑有詐騙發生時，或者在處理諸如危及海上運輸安全的非法行為和非法販運毒品及精神藥物等對公共秩序、公共安全或公共衛生造成重大危險的特殊問題時，或者為防止傳入或傳播有害於動植物的疾病和蟲害時，要求進一步提供所需的情況。

**1.1 標準。**公共當局在各種情況下須僅要求提供必要信息，並保持最少數量的項目。

**1.1.1 推薦做法。**公共當局應考慮到採用電子信息交換系統可能對便利的影響，並應與船東及其他關係方合作對此進行審議。

現有的資料要求和控制程序應予以簡化並應注意獲得與其他有關資料系統兼容的需要。

**1.2 推薦做法。**儘管本附則中對某些用途的文書可能作出各別的規定和要求，但公共當局，考慮到被要求完備這些文書者的利益和這

些文書的用途，在任何切實可行並能獲得顯著便利的情況下，應規定將兩個或更多的這種文書合併為一個。

**1.3 推薦做法。**締約國政府為保安或防止麻醉品販運的目的而施行的措施和程序應是有效的並在可能時，使用信息技術。此類措施和程序（例如風險管理和信息交叉檢查）的實施應以對船舶和船上人員或財產造成最少的干預和防止不必要的延誤的方式進行。

### (三) 電子信息交換系統

**1.4 標準。**在採用電子信息交換系統傳輸公共當局所要求的船舶、人員和貨物的抵達、逗留和離開信息時，各締約國政府須鼓勵公共當局和其他有關方（船東、裝卸公司、海港和（或）貨物代理人等）按有關的聯合國標準，包括聯合國行政、商務和運輸電子數據交換（UN/EDIFACT\*）標準，交換信息。

**1.5 標準。**公共當局須接受數據處理技術在普通紙張上印出的結關工作所需的任何紙質文件，但這些文件應清晰易讀、符合《便利公約》的文件格式並載有規定信息。

**1.6 標準。**公約管理當局在結關工作中採用電子信息交換系統時，須將其要求船東和其他有關方提供的信息局限於《便利公約》所規定者。

**1.7 推薦做法。**在規劃、採用或修改供結關工作使用的電子信息交換系統時，公共當局應：

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\* 現稱為聯合國貿易便利和電子商務中心（UN/CEFACT）。

- (1) 從一開始就向所有有關方提供磋商機會；
- (2) 評估現有程序並廢除不必要的程序；
- (3) 確定要電腦化的程序；
- (4) 儘量使用聯合國（UN）建議和有關的國際標準化組織（ISO）標準；
- (5) 使這些系統適用於多式聯運；和
- (6) 採取適當步驟使實施這些系統對經營人和其他私營單位產生的成本最小化。

**1.7.1 推薦做法。** 締約國政府應鼓勵公共當局和其他有關各方合作或直接參與使用國際同意的標準的電子系統研發，以改進有關船舶、人員和貨物抵達、逗留和離開信息的交換，並確保公共當局和其他有關各方系統之間的互用性。

**1.8 標準。** 公共當局在採用電子信息交換系統幫助結關工作時，須鼓勵海事經營人和其他有關方予以使用，但不得降低向不使用此種系統的經營人提供的服務水平。

**1.8.1 推薦做法。** 締約國政府應鼓勵公共當局採用能使貿易和運輸經營人包括船舶，避免重複僅向一個進入點提交公共當局要求的與船舶抵達、逗留和離開相關的所有信息的安排。

#### (四) 非法販毒

**1.9 推薦做法。** 公共當局應尋求與船東和其他有關方建立合作安

排，以提高其打擊毒品走私能力並提供更大便利。此種安排可依據海關合作理事會\*諒解備忘錄和有關指南。

**1.10 標準。**如作為合作安排的組成部分，公共當局、船東和其他有關方可以獲得敏感的商業或其他信息，則此種信息須按機密處理。

### (五) 控制技術

**1.11 標準。**公共當局須使用風險管理加強其與下述各項相關的邊境控制程序：

- 貨物放行/結關；
- 保安要求；及
- 其打擊走私的能力，

從而便利人員和貨物的合法流通。

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\* 1994 年後稱作“世界海關組織”。

## 第二節 船舶抵達、逗留和離開

本節內容是有關船舶抵達、逗留和離開時公共當局要求船東辦理手續的規定，不得將其解釋為可以阻止有關當局為檢查而要求出示證書和船上攜帶的關於登記、噸位丈量、安全、船員配備及其他有關事項的文件。\*

### (一) 總則

**2.1 標準。**在本公約所適用的船舶抵達、逗留或離開時，除本節所包括的文書外，公共當局不得要求任何其他文書。

本節所包括的文書是：

- 一般申報單
- 貨物申報單
- 船用物料申報單
- 船員物品申報單
- 船員名單
- 旅客名單
- 危險貨物艙單
- 《萬國郵政公約》對郵件要求的文書
- 海事健康申報單

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\* 見第 FAL.2/Circ.123-MEPC.1/Circ.769-MSC.1/Circ.1409 號通函。

**2.1.1 標準。**締約國政府對船舶結關文書不得要求領事手續或收費。

**2.1.2 推薦做法。**公共當局應制定使用抵達前和離開前信息的程序，以便利公共當局要求的信息的處理，加速後續的貨物和人員放行/結關。

**2.1.3 推薦做法。**國家立法應規定提交抵達前和離開前信息的條件。關於抵達前信息的傳輸時間點，通常不應設定於船舶實際離開出發國之前的時刻。然而，如果航程所需時間短於基本規定，則國家立法亦可在除基本規定之外規定例外情況。

**2.1.4 推薦做法。**如果在抵達前信息中載有相關的資料要素，則公共當局不應要求另外提交一般申報單、貨物申報單、船員名單和旅客名單。

**2.1.5 推薦做法。**公共當局應：

(1) 研發用於提交抵達前和離開前信息的電子數據傳輸系統；

(2) 考慮在後續程序中重複使用或後續使用抵達前和離開前信息，作為旅客和貨物放行/結關所需全部信息的一部分。

## (二) 文書內容和目的

**2.2 標準。**一般申報單須是船舶抵達和離開時應公共當局的要求提供的有關船舶情況的基本文書。

2.2.1 推薦做法。對船舶抵達和離開，應可接受同一份一般申報單。

2.2.2 推薦做法。一般申報單中公共當局所要求的資料，不應多於下列各項：

- 船舶名稱、類別和海事組織編號
- 呼號
- 船旗國
- 航次編號
- 船舶登記細目
- 船舶噸位細目
- 船長姓名
- 船舶代理人姓名和聯絡細節
- 貨物簡況
- 船員人數
- 旅客人數
- 航行簡要細目
- 抵達日期和時間，或離開日期
- 抵達或離開的港口
- 船舶在港內的位置

- 船舶對廢物和殘餘物接收設施的要求
- 上一掛靠港/下一掛靠港

**2.2.3 標準。**公共當局須接受由船長、船舶代理人或船長正式授權的其他人簽名並註明日期的一般申報單，或經有關公共當局可接受的方式認證過的一般申報單。

**2.3 標準。**貨物申報單須為船舶抵達和離開時按公共當局要求提供有關貨物情況的基本文書。但也可要求另外提供任何危險貨物的細目。

**2.3.1 推薦做法。**在貨物申報單中，公共當局所要求的資料不應多於以下所列：

(1) 抵達時

- 船舶名稱和海事組織編號
- 船旗國
- 船長姓名
- 呼號
- 航次編號
- 裝貨港口
- 作出報告的港口
- 適當時，集裝箱識別標誌；標記和編號；包裝編號和

種類；貨物數量和名稱或，如果有的話，協調制度編碼\*

- 在本港所卸貨物的運輸單證號碼
- 船上所剩貨物的卸貨港
- 聯運文書或提單上貨物的發貨港

## (2) 離開時

- 船舶名稱和海事組織編號
- 船旗國
- 船長姓名
- 呼號
- 航次編號
- 卸貨港
- 在本港所裝貨物：適當時，集裝箱識別標誌；標記和編號；包裝編號和種類；貨物數量和名稱
- 在本港所裝貨物的運輸單證號碼。

### 2.3.2 標準。對船上的剩餘貨物，公共當局須僅要求提供最低限度

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\* 《商品名稱及編碼協調制度國際公約》：也稱為“協調制度”（HS）。該國際公約於 1988 年 1 月 1 日生效；其目標是確立一種名稱和編碼系統供海關當局在為確定關稅和收集數據而指定商品或商品組別時使用。

的必需項目的簡要細節情況。

**2.3.3 標準。**公共當局須接受由船長、船舶代理人或船長正式授權的其他人簽名並註明日期的貨物申報單，或經有關公共當局可接受的方式認證過的貨物申報單。

**2.3.4 標準。**如艙單按照推薦做法 2.3.1 和標準 2.3.2 包括了所要求的信息並按照標準 2.3.3 簽名和註明日期，公共當局須接受該艙單代替貨物申報單。

**2.3.4.1 推薦做法。**作為標準 2.3.4 的替代，如果貨物性質和數量使之可行，公共當局可以接受按照標準 2.3.3 簽署或證明的運輸文書副本或其核證無誤副本，但推薦做法 2.3.1 和標準 2.3.2 要求和指明的資料，如未在此類文書中載明，亦已在他處提供並經正式認證。

**2.3.5 標準。**船長所持未申報包裹，只要其詳情已另行提供，公共當局須允許在貨物申報單上予以省略。

**2.4 標準。**船用物料申報單須是船舶抵達和離開時，按公共當局要求提供有關船舶物料情況的基本文書。

**2.4.1 標準。**公共當局須接受由船長或船長正式授權的、了解有關船舶物料情況的其他駕駛員簽名並註明日期的船用物料申報單，或以有關公共當局所接受的方式認證的船用物料申報單。

**2.5 標準。**船員物品申報單須是按公共當局要求提供有關船員物品情況的基本文書。離開時不得再要求提交此申報單。

**2.5.1 標準。**公共當局須接受由船長或船長正式授權的其他駕駛人

員簽名並註明日期的船員物品申報單，或以有關公共當局所接受的方式認證的船員物品申報單。公共當局還可要求每位船員在申報單的本人的物品欄內簽字；不會簽字的船員可以畫押。

**2.5.2 推薦做法。**公共當局通常應只要求提供不能免稅或受禁止或受限制的船員物品的詳細情況。

**2.6 標準。**船員名單須為公共當局要求的載有在船舶抵達和離開時船員人數和構成資料的基本文書。

**2.6.1 標準。**在船員名單中，公共當局所要求的資料，不應多於下列各項：

- 船舶名稱和海事組織編號
- 船旗國
- 呼號
- 航次編號
- 姓
- 名
- 國籍
- 職位或等級
- 出生日期和地點
- 身份證明的性質和號碼

- 抵達港和日期
- 上個停靠港。

**2.6.2 標準。**公共當局須接受由船長或船長正式授權的其他駕駛人員簽名並註明日期的船員名單，或以有關公共當局所接受的方式認證的船員名單。

**2.6.3 未使用。**

**2.6.4 推薦做法。**按時間表運營的船舶在十四天內在同一港口至少再停靠一次且船員變動很小的情況下，公共當局一般不應要求提交新的完整船員名單，而應接受標明變動的原有船員名單。

**2.7 標準。**旅客名單須為船舶抵達和離開時公共當局要求的載有旅客資料的基本文書。

**2.7.1 未使用。**

**2.7.2 推薦做法。**對那些旅客名單上已有名字的旅客，除旅客名單之外，公共當局不應再要求上船卡或下船卡。但是，在遇有對公共衛生構成重大危險的特殊問題時，公共當局可以要求國際旅行者在抵達時書面提供其目的地住址。

**2.7.3 推薦做法。**在旅客名單中，公共當局所要求的資料不應多於下列各項：

- 船舶名稱和海事組織編號
- 呼號

- 船旗國
- 航次編號
- 姓
- 名
- 國籍
- 出生日期
- 出生地點
- 旅客提供的身份證明或旅行文件的類型
- 身份證明或旅行文件的系列編號
- 上船港
- 下船港
- 船舶抵達港及其日期
- 是否為中轉旅客

**2.7.4 推薦做法。**船東編製的自用名單只要至少包含符合推薦做法 2.7.3 所要求的信息，並按照標準 2.7.5 簽名和註明日期或以有關公共當局所接受的方式認證，應予以接受，以代替旅客名單。

**2.7.5 標準。**公共當局須接受由船長、船舶代理人或船長正式授權的其他人簽名並註明日期的旅客名單，或以有關公共當局所接受的方式認證的旅客名單。

**2.8** 標準。危險貨物艙單須為向公共當局提供有關危險貨物信息的基本文書。

**2.8.1** 標準。在危險貨物艙單中，公共當局要求的信息不得超過下列各項：

- 船名
- 呼號
- 海事組織編號
- 船旗國
- 船長姓名
- 航次編號
- 裝貨港
- 卸貨港
- 航運代理人
- 預定/查閱號
- 標誌和編號
  - 集裝箱識別號
  - 車輛登記號
- 包裝品的數量和種類

- 正確的船運名稱
- 類別
- 聯合國編號
- 包裝組
- 副危險
- 閃點 (°C,c.c.)
- 海洋污染物
- 質量 (kg) – 毛重/淨重
- 應急佈置表
- 船上存放位置
- 補充信息。

**2.9 標準。**船舶抵達和離開時如已實際出示《萬國郵政公約》規定的關於郵件的書面申報單，則公共當局不得要求公約規定之外的任何此類申報單。如無此類文書，則郵件（編號和重量）必須顯示於貨物申報單中。

**2.10 標準。**海事健康申報單須為載有港口衛生當局要求的有關該次航行中和抵達時船上健康狀況的基本文書。

### (三) 抵港時的文書

**2.11 標準。**船舶抵港時，公共當局所要求的資料，不得多於：

- 5 份一般申報單
- 4 份貨物申報單
- 4 份船用物料申報單
- 2 份船員物品申報單
- 4 份船員名單
- 4 份旅客名單
- 1 份危險貨物艙單
- 1 份海事健康申報單。

#### (四) 離港時的文書

**2.12 標準。**船舶離開時公共當局所要求的資料，不得多於：

- 5 份一般申報單
- 4 份貨物申報單
- 3 份船用物料申報單
- 2 份船員名單
- 2 份旅客名單
- 1 份危險貨物艙單。

**2.12.1 標準。**對於抵達時已列入申報單並留在船上的貨物，在離開時不得再要求新的貨物申報單。

**2.12.2 推薦做法。**對於抵達時已申報的船用物料和在本港裝船並已列入在該港提交的其他海關文書中的船用物料，在離開時不應另行要求船用物料申報單。

**2.12.3 標準。**公共當局如果在船舶離開港口時要求提供船員的相關信息，則在離開時須接受船舶抵達時所提交的一份船員名單，但要由船長或其正式授權的高級船員再次簽字並註明船舶離開時船員人數或構成情況的變化，或註明船舶在港停留期間沒有此種變化。

## **2.13 \***

### **(五) 在同一個國家內連續停靠兩個或更多的港口**

**2.14 推薦做法。**考慮到一艘船舶在抵達一個國家領土內的第一個停靠港時所履行的程序，如果該船未在中間停靠其他國家的港口，則在該國任何之後掛靠的港口，公共當局所要求的手續和文書應保持在最低限度。

### **(六) 辦理文書**

**2.15 推薦做法。**本附則中所規定的文書（標準 3.7 除外），無論所要求的資料用何種語言寫成，公共當局應儘可能接受，但是他們認為有必要時，可以要求書面或口頭翻譯成他們國家的一種官方語言或者本組織的一種正式語言。

**2.16 標準。**公共當局須接受以任何易讀易懂媒介所傳送的文書，包括用墨水或用筆跡難以擦掉的鉛筆書寫的或由信息處理技術所產

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\* 2.13 系列中的編號留供今後使用。

生的文書。

**2.16.1 標準。**公共當局，當要求時，須接受手寫、複印、打孔、蓋章、符號形式或其他任何機械或電子手段的簽名；只要該接受不違反國家法律。對於使用非紙張媒介的資料，須以有關公共當局可接受方式認證。

**2.17 標準。**船舶預定抵達、卸貨或過境的港口國家的公共當局不得要求本節提到的有關船舶、貨物、物料、旅客或船員的任何文書必須經其國外代表的認可、核實、認證或預先辦理。這不得視為阻止為簽證或類似目的而要求旅客或船員提交護照或其他身份證件。

#### **(七) 文書中的差錯及其處罰**

**2.18 標準。**對於本附則中規定的文書中的差錯，如公共當局認為它們是偶然的、不嚴重的，並非由於一再的粗心大意所致，並非有意違犯法律或規則，則只要這些差錯是在完成文書檢查前被發現並可及時糾正，須在不延誤船舶的情況下允許糾正這些差錯。

**2.19 標準。**如果發現本附則規定的、已由船東或船長或他們的代表簽署的或以其他方式認證的文件有差錯，在給予機會向公共當局證實這些差錯是偶然的、不嚴重的、並非由於一再的粗心大意所致，並非有意違犯該港口國的法律或規則之前，不得作出處罰。

#### **(八) 對為將生病或受傷船員、旅客或其他人員 送上岸進行急救治療而靠港的船舶所採取的特別便利措施**

**2.20 標準。**公共當局須尋求船東的合作，以確保當船舶靠港的唯

一目的是為了將生病或受傷船員、旅客、海上獲救人員或其他人員送上岸進行急救治療時，船長將儘量將此意圖通知公共當局，包括儘可能充分的病情或傷情細節以及所涉人員的身份。

**2.21 標準。**公共當局須在船舶抵達前，只要有可能使用無線電，但在任何情況下要用最快的可用渠道，將急送生病或受傷人員上岸和船舶及時結關所需的文書和程序通知船長。

**2.22 標準。**對於為此目的而停靠港口並預定立即離開的船舶，假如病人狀況或海況不允許在途中或港口入口處安全下船，公共當局須優先安排靠泊。

**2.23 標準。**對於為此目的而停靠港口並預定立即離開的船舶，公共當局一般不得要求標準 2.1 所規定的文書，但海事健康申報單和一般申報單（如它是必不可少的話）除外。

**2.24 標準。**如果公共當局要求一般申報單，則該文書無需載有比推薦做法 2.2.2 所述者更多的資料，而且如可能，以少為宜。

**2.25 標準。**如果公共當局在將生病或受傷人員送上岸之前實施有關抵達船舶的控制措施，採取醫療急救和保護公共健康的措施須優先於此類控制措施。

**2.26 標準。**假如對有關人員的治療或最終遷移或遣返的費用需要保證或擔保，在獲得此類保證或擔保的過程中，不得不給予或耽擱醫療急救。

**2.27 標準。**醫療急救和保護公共健康的措施須優先於公共當局對需送上岸的生病或受傷人員所實施的任何控制措施。

### 第三節 人員的抵達和離開

本節內容為公共當局在船舶抵達和離開時要求船員和旅客辦理手續的有關規定。

#### (一) 抵達和離開的要求和程序

**3.1 標準。**一本有效的護照是在船舶抵達和離開時向公共當局提供一名旅客情況的基本文書。

**3.1.1 推薦做法。**締約國政府應根據雙邊或多邊協定儘可能同意接受代替護照的正式身份證件。

**3.2 標準。**公共當局須做出安排，使船上旅客的護照或所接受的代替護照的正式身份證件只需在抵達和離開時由移民當局各檢查一次。此外，為了進行有關海關和其他抵離手續方面的核實和檢驗可以要求提交這些護照或正式身份證件。

**3.3 標準。**對逐個提交的護照或代替護照的正式身份證件，公共當局在檢驗之後，除非旅客入境受阻，須立即退還這些文書，不要為實施額外的控制而加以扣留。

**3.3.1 標準。**每一締約國政府須確保公共當局沒收不准入境者的欺詐、偽造或假冒的旅行證件。可行時須沒收此種證件使其無法流通並將其交還給有關當局。沒收國須發一封附信\*，並附上（如果有的話）偽造的旅行證件的影印件和任何重要信息來取代被沒收的證件。該附信及附件須交給負責帶走不准入境者的營運人。它的用途是向過境和

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\* 附信可用的格式見附錄 2。

(或) 原上船地的當局提供信息。

**3.3.2 標準。** 如果在其領土內上船的人員在下船地被發現是不准入境者，則締約國政府須接受從下船地被遣返的人員以作審查。締約國政府不得將此種人員送回他早先被發現是不准入境者的國家。

**3.3.3 標準。** 在旅客和船員被接受進行可入境審查前，船東仍負有監護和照顧他們的責任。

**3.3.4 推薦做法。** 在無論有條件與否接受旅客和船員進行審查後，如果有關人員係在公共當局的有形控制下，則公共當局應對其監護和照顧負責，直到他們被准許入境或被查明不可入境為止。

**3.3.5 標準。** 船東將任何人員從一國領土帶走的義務須在此種人員在肯定被允許進入該國時終止。

**3.3.6 標準。** 如查明某一人員為不准入境者，則公共當局須通報船東並與船東磋商遣送安排，不得有不合理延遲。不准入境者的遣送費用由船東負責；在不准入境者被送回船東監護時，船東須負責將其迅速遣送到：

- 上船地國；或
- 該人員被准許入境的任何其他地方。

**3.3.7 標準。** 締約國政府和船東在可行時須合作確定護照和簽證的有效性和真實性。

**3.4 推薦做法。** 除為辦理本附則規定的文書所需要者外，公共當

局不應要求上船或下船的旅客或者代表他們的船東書面提供補充或重複其護照或正式身份證件內已提供的情況。

**3.5 推薦做法。**除為辦理本附則規定的文書所需要者外仍要求上船和下船的旅客提供書面補充情況的公共當局應將其對旅客的進一步身份要求限於推薦做法 3.6（上船/下船卡）中所述的項目。當旅客辦理了上船/下船卡時，公共當局應予以認可而不應再要求船東辦理或核對。除格式中要求印刷字體外，字跡清楚的手寫體應予以認可。對每名旅客只應要求一份上船/下船卡，該卡片可以包括一份或多份同時完成的複寫副本。

**3.6 推薦做法。**在上船/下船卡中，公共當局所要求的資料不應多於下列各項：

- 姓
- 名
- 國籍
- 護照或其他正式身份證件的號碼
- 出生日期
- 出生地點
- 職業
- 上船/下船港
- 性別

- 目的地地址
- 簽名

**3.7 標準。**如要求船上人員有預防黃熱病的證明時，公共當局必須接受《國際衛生條例》規定格式的國際疫苗接種或再接種證書。

**3.8 推薦做法。**對船上人員或下船人員的體格檢查通常應只限於來自某種檢疫疾病流行區域的那些在有關疾病潛伏期內的人（如《國際衛生條例》所述）。但是，可以根據《國際衛生條例》的規定要求附加體格檢查。

**3.9 推薦做法。**公共當局在通常情況下對入境旅客隨身行李的海關檢查應採用取樣或抽查的辦法。應儘可能免除旅客隨身行李的書面申報單。

**3.9.1 推薦做法。**可能時，公共當局應免除對離境旅客隨身行李的檢查，但應充分計及採取適當保安措施的可能必要性。

**3.9.2 推薦做法。**在對離境旅客隨身行李不能完全免除檢查時，此種檢查的方式通常應為抽樣或抽查。

**3.10 標準。**按照有關國際勞工組織公約簽發的護照或身份證件，或其他有效並經正式認可的海員身份證件須為船舶抵離港口時向公共當局提供的有關各船員信息的基本文書。

**3.10.1 標準。**對於海員身份證，公共當局所要求的信息，不得多於下列各項：

- 姓
- 名
- 出生日期和地點
- 國籍
- 身體特徵
- 照片（經鑑定）
- 簽字
- 有效期（如有）
- 簽發當局

**3.10.2 標準。**當一名海員為了下述目的需要作為旅客以任何交通工具進入或離開一個國家時：

- （1）登船或調往它船，
- （2）為去另一個國家登船，或歸國，或為有關國家當局批准的其他目的而過境，

公共當局須接受該海員代替護照的有效海員身份證件，只要此證件確保持證人能再次進入發證國家。

**3.10.3 推薦做法。**公共當局通常不應要求船員提交個人身份證件或提供船員名單以外的關於海員身份證的補充信息。

## （二） 便利貨物、旅客、船員和行李結關的措施

**3.11 推薦做法。**公共當局應與船東和港口當局合作，採取適當措施，提供良好的港內交通流向安排，以便旅客、船員和行李能夠迅速結關，並應提供足夠人員，保證有足夠的設備，應特別注意行李的裝卸及傳送裝置（包括使用機械化系統）和經常發生乘客阻滯的地點。必要時，船舶同檢驗旅客和船員的地點之間的通道應設有遮蔽。此種安排和裝置應是靈活的並能擴大，以在有更高威脅的情況下採取進一步的保安措施。

**3.11.1 推薦做法。**公共當局應：

（1）與船東和港口當局合作，做出適當安排，如：

- ① 對旅客和行李單個地和連續地辦理手續的辦法；
- ② 一旦行李放到可以提取的地方後，旅客可以立即辨認並取得已查行李的制度；
- ③ 確保有各種設施和服務來滿足老年和殘疾旅客的需要；

（2）確保港口當局採取一切必要的措施，以便：

- ① 為旅客及其行李提供至當地交通的便捷通道；
- ② 如果要求船員向政府機關辦公室報告，這些辦公室應容易進入，並儘可能彼此靠近。

**3.11.2 推薦做法。**公共當局為確保迅速結關，應考慮為旅客及其行

李和私人車輛採用雙通道結關系統\*。

**3.12 標準。**公共當局須要求船東確保船上人員採取有助於加快旅客和船員抵達程序的一切適當措施。這些措施可包括：

- (1) 向有關公共當局預先提供信息，給出最準確的預抵時間，隨後再通知時間上的任何變更，在航次行程可能影響檢查要求時，應闡明其行程；
- (2) 準備好船舶文書，以便於迅速審查；
- (3) 船舶駛往泊位或錨地的途中，準備好舷梯或其他登船屬具；及
- (4) 迅速而有秩序地集合和引見船上人員，攜帶必要的文書以供檢查；並為此目的，注意為替換機倉和其他重要崗位上的船員做好安排。

**3.13 推薦做法。**在旅客和船員證件上登記姓名時應先登記姓氏。當父姓和母姓並用時，應父姓在前。已婚婦女若丈夫的和妻子的父姓並用，應丈夫的父姓在前。

**3.14 標準。**公共當局接受船上人員進行入境審查不得有不當延遲。

**3.15 推薦做法。**當公共當局發現旅客的任何管制證件不適當或因此該旅客不能獲准入境時，公共當局不應對船東課以不合理或不成比例的罰款。

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\* 參閱經修訂的（1999年）《京都公約》第1章專用附則J的推薦做法6及其導則。

**3.15.1 標準。**公共當局須鼓勵船東在上船地點採取預防措施確保旅客隨身攜帶接收國或中轉國規定的任何管制證件。

**3.15.2 標準。**在發現某一人員為不准入境者並將其從該國領土送走時，不得阻止船東向此種人員收取因不准入境引起的任何費用。

**3.15.3 推薦做法。**為了便利和加速國際海上運輸，公共當局應在海運碼頭和船上實施，或當不在其管轄範圍內時，建議該國家負責部門實施由本組織同其他適當的國際組織合作制定或接受的標準化的國際標記和符號。它們應儘可能地適用於所有運輸方式。

### **(三) 海上運輸老年和殘疾旅客的特別便利措施**

**3.16 推薦做法。**應採取措施確保有聽力和視力障礙的旅客易於得到有關運輸和安全的所有必要信息。

**3.17 推薦做法。**為了老年和殘疾旅客在候船樓上、下車，其預留位置應儘量靠近主入口。應以適當標誌清楚註明這些位置。通道應沒有障礙物。

**3.18 推薦做法。**在使用公共服務受到限制時，應作出一切努力，通過調整現有和計劃的服務或通過提供特別安排為行動不便的旅客提供容易使用並價格合理的公共運輸服務。

**3.19 推薦做法。**應視情在碼頭和船上準備適當設施使老年和殘疾旅客能夠安全地上、下船。

### **(四) 便利遊船和遊客**

- 3.20 標準。**根據所收到的船舶到達前報告，如遊船預定抵達港口的衛生當局認為該船的到達不會傳入或傳播檢疫疾病，公共當局須授權通過無線電批准該船的人港許可。
- 3.21 推薦做法。**對於遊船，只要航程情況無變化，在同一國家中，只應要求在其最初到達和最後離開的港口提交一般申報單、旅客名單和船員名單。
- 3.22 標準。**對於遊船，只須在其最初到達的某一國家的港口提交船用物料申報單和船員物品申報單。
- 3.23 標準。**護照或其他正式身份證件無論何時都必須留在遊客手中。
- 3.24 推薦做法。**如果遊船停靠某一港口不超過七十二小時，除有關公共當局確定的特殊情況外，遊客不需要簽證。
- 3.25 標準。**公共當局不得因實行管理措施使遊客受到不適當的延誤。
- 3.26 標準。**一般情況下，除保安和為證實身份和准許入境外，遊客不得受移民官員的人身檢查。
- 3.27 標準。**如果一艘遊船在同一國家的一個以上港口連續停靠，公共當局一般只須在最初到達和最後離開的港口對旅客進行檢查。
- 3.28 推薦做法。**為方便遊客迅速上岸，對旅客的入境管理應儘可能於抵達上岸地點之前在船上進行。

**3.29 推薦做法。**在同一國家中，在一個港口下船而在另一港口重返原船的旅客，應與在同一港口下船和重返遊船的旅客享受同等的便利。

**3.30 推薦做法。**海事健康申報單應為對遊客的唯一健康管制。

**3.31 標準。**在船舶逗留港口期間，須准許免稅船用物料上船，以供遊客所用。

**3.32 標準。**通常不得要求遊客提交個人物品書面申報單。但對於涉及高額關稅和其他稅費的物品，可要求書面申報和擔保。

**3.33 推薦做法。**對遊客不應有任何貨幣管制。

**3.34 標準。**遊客不需要上船/下船卡。

**3.35 未使用。**

#### (五) 便利過境放客的特別措施

**3.36 標準。**留在其抵達時所乘船舶並隨船離開的過境旅客，除為保安目的外，通常無須接受公共當局的例行檢查。

**3.37 推薦做法。**應允許過境旅客保留其護照或其他身份證件。

**3.38 推薦做法。**不應要求過境旅客填寫下船/上船卡。

**3.39 推薦做法。**從同一港口乘同一船舶繼續其旅程的過境旅客，在船舶在港逗留期間，如果願意，一般應獲得臨時上岸許可。

**3.40 推薦做法。**除有關公共當局確定的特殊情況外，不應要求從

同一港口乘同一船舶繼續其旅程的過境旅客持有簽證。

**3.41 推薦做法。**一般不應要求從同一港口乘同一船舶繼續其旅程的過境旅客提交書面海關申報單。

**3.42 推薦做法。**在某一港口下船而在同一國家的另一港口返回原船的過境旅客應與在同一船舶上抵達和離開同一港口的旅客享有同等的便利。

#### **(六) 對從事科研業務的船舶的便利措施**

**3.43 推薦做法。**如果驗明某一艘從事科研業務的船舶所載的人員為該航次科研目的所需要的船上人員，則此類人員應獲得至少同該船船員同樣的便利。

#### **(七) 對國際航行船舶的外國船員的進一步便利措施 – 登岸假**

**3.44 標準。**如果船舶的抵達手續已經完成而且公共當局在公共健康、公共安全或秩序方面無拒絕上岸的理由，則船舶在港期間，須允許船上外國船員上岸。

**3.45 標準。**不得要求登岸的船員持有簽證。

**3.46 推薦做法。**登岸或返船的船員一般不應接受人身檢查。

**3.47 標準。**不得要求船員為登岸假持有特別許可證，例如，登岸假通行證。

**3.48 推薦做法。**如要求船員在登岸度假期間隨身攜帶身份證件，則這些證件應限於標準 3.10 中所規定者。

**3.49 推薦做法。**公共當局應提供抵達前結關的系統，使定期停靠其港口的船舶的船員能事先得到臨時登岸假的許可。在船舶沒有不良移民記錄並在當地有船東的代表或有聲望的船東代理人時，公共當局在對所要求的抵達前結關細節作出滿意的考慮後，除非公共當局另有規定，一般應允許船舶直接開往其泊位，不需任何進一步的例行移民手續。

## 第四節 偷渡者

### (一) 一般原則

**4.1 標準。**須按照 1951 年 7 月 28 日的《聯合國難民地位公約》和 1967 年 1 月 31 日的《聯合國難民地位議定書》之類的國際文書和有關國家立法規定的國際保護原則適用本節的規定。\*

**4.2 標準。**公共當局、港口當局、船東及其代表和船長須盡力合作，防止偷渡事件和迅速解決偷渡案件，確保偷渡者的早日送回或遣返。須採取一切適當措施避免偷渡者必須無限期留在船上的情況。

### (二) 預防措施

#### 4.3 船/港預防措施

##### 4.3.1 港口/碼頭當局

**4.3.1.1 標準。**締約國政府須確保在其所有港口建立必要的基礎設施和防止企圖在船上偷渡的人進入港口設施和船舶的營運和保安安排；在制定這些安排時，應計及港口的大小和從港口運出的貨物類型。在進行這項工作時，與有關公共當局、船東和岸上實體密切合作，以便在各港口中防止偷渡事件。

**4.3.1.2 推薦做法。**除其他事項外，營運安排和（或）保安計劃應酌情針對以下事項：

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\* 此外，公共當局可考慮，聯合國難民高專署執行委員會有關偷渡的尋求政治避難者的無約束力的結論（1988 年，No.53 (XXXIX)）。

- (1) 港區的定期巡邏；
- (2) 為具有偷渡者進入的高風險的貨物設立特定存放設施並對進入這些區域的人員和貨物進行連續監視；
- (3) 對倉庫和貨物存放區域的檢查；
- (4) 在明確有偷渡者時，對貨物本身的搜查；
- (5) 在制定營運安排時，公共當局、船東、船長和有關岸上實體間的合作；
- (6) 港口當局與其他（如警察、海關、移民等）有關當局為防止人口走私的合作；
- (7) 制定和實施與國內港口的裝卸人員和其他實體簽訂的協議，確保只有經這些實體批准的人員才能從事船舶的積載/去積載或裝貨/卸貨或與港口停留船舶有關的其他工作；
- (8) 制定和實施與裝卸人員和其他岸上實體簽訂的協議，確保進入船舶的人員是易於識別的，並提供在執行任務時可能需要上船的人員的名單；和
- (9) 鼓勵裝卸人員和在港區工作的其他人員向港口當局報告顯然未經批准的人在港區的出現。

#### 4.3.2 船東/船長

4.3.2.1 標準。締約國政府須要求船東及其港口代表、船長和其他負

責人員制定保安安排；此種安排在可行的範圍內將防止企圖偷渡者上船，在未能防止時，在可行的範圍內會在船舶離開之前發現他們。

**4.3.2.2 推薦做法。**在港口停靠和停留期間，如有偷渡者上船的風險，則保安安排應至少包括以下預防措施：

- 船舶在港停留期間不使用的所有門、艙口和船艙或物料間的進入通道均應鎖閉；
- 船舶的進入點應保持在最小數目並有適當防護；
- 船舶的面海區域應有適當防護；
- 應保持適當的甲板值班；
- 可能時，船員或，在船長同意後，其他人員應對上船和下船人數進行核查；
- 應保持適當的通信措施；和
- 夜間應在船體內外保持適當照明。

**4.3.2.3 標準。**締約國政府須要求在有偷渡者上船的風險時，有權懸掛其國旗的船舶（客船除外）在離開港口時按具體的計劃或程序進行徹底搜查，重點是偷渡者可能躲藏的地方。不得使用可能傷害偷渡者的搜查方法。

**4.3.2.4 標準。**締約國政府須要求，有權懸掛其國旗的船舶在對行將熏艙或封艙的區域作出儘可能徹底的搜查以確保在這些區域中沒有偷渡者之前，不得進行熏艙或封艙。

### 4.3.3 國家制裁

4.3.3.1 標準。適當時，締約國政府須按其國家立法起訴偷渡者、偷渡未遂者和幫助偷渡者上船者。

## (三) 偷渡者在船上時的待遇

### 4.4 一般原則—人道待遇

4.4.1 標準。偷渡事件須按人道主義原則處理，包括標準 4.1 中所述者。船舶的營運安全和偷渡者的安全和福利須始終得到充分考慮。

4.4.2 標準。締約國政府須要求有權懸掛其國旗的船舶的船長採取適當措施確保偷渡者在船上期間的保安、一般衛生、福利和安全，包括向其提供適當的食品、住處、適當的醫療和衛生設施。

### 4.5 船上工作

4.5.1 標準。除緊急情況或與偷渡者的船上住宿有關外，不得要求偷渡者在船上工作。

### 4.6 船長的詢問和通報

4.6.1 標準。締約國政府須要求船長盡力查明偷渡者的身份，包括國籍/國民和偷渡者的登船港並將偷渡者的存在及相關細節通報給第一計劃停靠港的公共當局。該信息還須提供給船東、登船港的公共當局、船旗國和，相關時，任何隨後的停靠港。

4.6.2 推薦做法。在收集供通報用的有關詳情時，船長應使用附錄 3 中規定的表格。

**4.6.3 標準。**締約國政府應指示有權懸掛其國旗的船舶的船長，在偷渡者自稱為難民時，對該信息須在偷渡者保安所需範圍內予以保密。

#### **4.7 向國際海事組織通報**

**4.7.1 推薦做法。**公共當局應將所有偷渡事件報告國際海事組織秘書長。

### **(四) 偏離計劃航線**

**4.8 標準。**公共當局須敦促有權懸掛其國旗的船舶的所有船東指示其船長在船舶離開偷渡者上船國的領水後，不得為了讓在船上發現的偷渡者下船而偏離計劃航線，除非：

- 偏航駛往的港口的國家公共當局已允許偷渡者下船；或
- 在其他地方安排了遣返並有足夠的證件和下船許可；或
- 有情可原的保安、健康或憐憫理由。

### **(五) 偷渡者的下船和返回**

#### **4.9 航行計劃的第一掛靠港口的國家**

**4.9.1 標準。**發現偷渡者後的船舶第一預定掛靠港的國家公共當局須按國家立法決定是否允許該偷渡者進入該國。

**4.9.2 標準。**當偷渡者持有有效的返回旅行證件並且公共當局確信已經或將會作出及時的遣返安排並符合所有過境條件時，發現偷渡者後的船舶第一預定掛靠港的國家公共當局須允許該偷渡者下船。

**4.9.3 標準。**在適當時，按照國家立法，發現偷渡者後的船舶第一預定掛靠港的公共當局如確信他們或船東將獲得有效的旅行證件，會作出遣返偷渡者的及時安排並符合所有的過境要求，則須允許偷渡者下船。在由抵達船舶帶走偷渡者為不可行或有其他因素使由船舶帶走為不可行時，公共當局還應積極考慮允許偷渡者下船。此種因素包括但不限於：

- 船舶啟航時案件未得到解決；或
- 偷渡者在船上會危及船舶的安全營運、船員或偷渡者的健康。

#### **4.10 以後的掛靠港**

**4.10.1 標準。**在偷渡者未在其被發現後的第一計劃掛靠港下船時，以後掛靠港的公共當局須按標準 4.9.1、4.9.2 和 4.9.3 對偷渡者進行下船審查。

#### **4.11 國籍國或居住權國**

**4.11.1 標準。**公共當局須按國際法接受具有完全國籍/國民身份的偷渡者的返回，或接受按其國家立法在其國內具有居住權的偷渡者的返回。

**4.11.2 標準。**在可能時，公共當局須協助確定自稱是其國民或在其國內具有居住權的偷渡者的身份和國籍/國民。

#### **4.12 上船地國**

**4.12.1 標準。**在滿意地查明偷渡者係在其國家的某一港口中上船後，公共當局須接受下船地點確定為不准入境者後從該處送回的此種偷渡者，以進行審查。上船地國的公共當局不得將此種偷渡者送回早先被確定為不准入境者的國家。

**4.12.2 標準。**在滿意地查明偷渡未遂者是在其國內港口上船後，公共當局須接受偷渡未遂者、及當船舶仍在其領水或，如適用，按其國家立法仍在該國的移民管轄區域內時在船上發現的偷渡者下船。不得就拘留或帶走的費用向船東罰款或收費。

**4.12.3 標準。**偷渡未遂者如未在上船港下船時，則按本節規定作為偷渡者對待。

#### **4.13 船旗國**

**4.13.1 標準。**船舶的船旗國公共當局須協助和與船長/船東或掛靠港的適當公共當局合作：

- 識別偷渡者和確定其國籍；
- 與有關公共當局交涉，幫助儘早從船上帶走偷渡者；和
- 作出帶走或遣返偷渡者的安排。

#### **4.14 偷渡者的返回**

**4.14.1 推薦做法。**當偷渡者無適當證件時，在可行並符合國家立法和保安要求時，公共當局應簽發一份帶有偷渡者照片和任何其他重要信息的附信。該授權視情將偷渡者送回其原籍國或其旅行始發地點和

陳述當局規定的任何其他條件的附信應交給將偷渡者帶走的經辦人。  
該附信應包括過境地和/或下船地當局要求的信息。

**4.14.2 推薦做法。**偷渡者下船地的國家公共當局應與偷渡者返回期間的過境地的有關公共當局聯繫，向其通報偷渡者的情況。此外，任何偷渡者返回期間的過境國的公共當局，在符合正常的簽證要求和保安規定的前提下，應允許根據下船港國家公共當局的轉移指令或指示旅行的偷渡者通過其港口或飛機場過境。

**4.14.3 推薦做法。**在港口國拒絕偷渡者下船後，該國應及時將拒絕下船的理由通知運載偷渡者的船舶的船旗國。

#### **4.15 偷渡者的返回和生活費用**

**4.15.1 推薦做法。**偷渡者下船地的國家公共當局，在船東應支付費用時，通常應儘實際可行地將拘留和送返偷渡者的費用水平通知在其船上發現偷渡者的船東或其代表。此外，公共當局應儘實際可行地按國家立法將由船東支付的此種費用保持在最低水平。

**4.15.2 推薦做法。**應儘量縮短由船東負責支付偷渡者下船地的國家公共當局維持偷渡者生計費用的時間。

**4.15.3 標準。**當船長已就偷渡者的存在向抵達港的公共當局作出適當報告並證明已對防止偷渡者進入船舶採取了一切合理預防措施時，公共當局須按國家立法考慮減少對船舶的處罰。

**4.15.4 推薦做法。**當船東在防止運輸偷渡者的措施上與管理當局進行了令其滿意的合作時，公共當局應按國家立法考慮減少本應適用的其他費用。

## 第五節 貨物和其他物品的抵達、逗留和離開

本節內容為關於公共當局要求船東、其代理或船長辦理的手續的規定。

### (一) 通則

**5.1 推薦做法。**公共當局應與船東和港口當局合作，採取適當措施以使逗留港口的時間縮至最短，並提供良好的港內交通流向安排，經常檢查有關船舶抵離的所有程序，包括上下旅客、裝卸貨物、服務工作等類事項以及相關保安措施的安排。還應在實際可行的範圍內，在船舶工作區域作出安排，以使貨船及其貨載進入和結關。

**5.2 推薦做法。**公共當局應與船東和港口當局合作，採取適當措施，以提供良好的港內交通流向安排，使貨物作業和結關程序能順利和簡便地進行。這些安排應包括船舶到碼頭後進行卸貨、結關、入庫和需要時貨物轉運等各個階段。在貨物倉庫和公共當局結關區域之間應有方便的直接通路，二者均應靠近碼頭區域，如可能，應備有機械傳送系統。

**5.3 推薦做法。**公共當局應鼓勵海運貨物碼頭的所有人和（或）經營人視情配備特別貨物（如貴重物品、易壞貨物、人遺體、放射性或其他危險貨物和活的動物）的儲藏設施；海運貨物碼頭中一般和特別貨物及郵件的裝船前存放區域應始終有防止未經授權人員進入的保護。

**5.4 標準。**對若干類型的貨物繼續要求出口、進口和轉運執照或

許可證的締約國政府須制定迅速取得或更新此種執照或許可證的簡單程序。

**5.5 推薦做法。**當一票貨物的性質可能引起經授權進行檢查的不同機構諸如海關和獸醫或衛生管理部門的注意時，締約國政府應授權海關或其他機構之一執行所要求的程序，或者如果這樣做不可行，採取一切必要步驟確保此種結關手續在一處同時進行並且儘少延誤。

**5.6 推薦做法。**公共當局應為不超過某一儘可能大的設定價值或數量的私人禮品和貿易樣品的迅速結關提供簡化程序。

## (二) 貨物結關

**5.7 標準。**公共當局在遵守國家的禁止或限制規定和對港口保安或防止麻醉品販運所要求的任何措施的情況下，須對鮮活動物、易腐貨物和其他緊急性質的托運貨物給予優先結關。

**5.7.1 推薦做法。**為了保護等候結關貨物的質量，公共當局應與所有各方合作，採取一切必要措施允許在港內對貨物進行實用、安全和可靠的儲藏。

**5.8 推薦做法。**締約國政府應便利船舶運來的、為裝卸和搬運貨物而在停靠港岸上使用的專用貨物裝卸設備臨時入境。

**5.9 備用。**

**5.10 推薦做法。**公共當局應根據《關於簡化和協調海關業務制度的國際公約》(經修訂的《京都公約》)的有關規定和相關指南提供貨物結關程序。

**5.10.1 推薦做法。**公共當局應考慮為經授權人員採用簡化程序，以允許：

- (1) 在提供了確認貨物、準確確定和評估與健康、安全和保安關切有關的風險以及准許隨後完成最後的貨物申報所需的最低限度信息的情況下，對貨物放行；
- (2) 在申報人經營場址或其他相關公共當局授權的地方對貨物結關；
- (3) 如貨物係由相同人員經常進出口，提交在某一時期內所有進口或出口的單一貨物申報單。

**5.11 標準。**公共當局須將有形干預局限於確保符合法律所需的最低程度。

**5.12 推薦做法。**在資源允許時，公共當局應根據合理請求，在貨物裝入運輸裝置之處並在裝貨時在碼頭旁或，對於單元化貨物，在集裝箱裝箱和密封之處，對貨物進行必要的有形檢查。

**5.13 標準。**公共當局須確保收集統計資料的要求不會大幅降低海上貿易的效率。

**5.14 推薦做法。**公共當局應使用電子信息交換系統取得信息，以加速和簡化結關手續。

**5.14.1 推薦做法。**公共當局應盡力快速完成來自另一國家的等候裝載貨物的中轉程序。

### (三) 集裝箱和貨盤

**5.15 標準。**公共當局須在符合其各自規則的前提下允許集裝箱和貨盤臨時入境而不支付關稅和其他稅費，並須便利其在海上運輸中的使用。

**5.16 推薦做法。**公共當局應在其標準 5.15 所述的規章中規定接受一份簡單聲明：臨時入口的集裝箱和貨盤將在有關國家規定的時限內重新出口。

**5.17 標準。**公共當局須允許根據標準 5.15 的規定進入一國領土的集裝箱和貨盤根據簡化的控制程序，以最少的文書，離開抵達港的範圍進行入口貨物的結關和（或）出口貨物的裝載。

**5.18 標準。**締約國政府須允許修理根據標準 5.15 的條款已入境的集裝箱所必需的部件臨時入境而不支付關稅或其他稅費。

### (四) 未在預定目的港卸下的貨物

**5.19 標準。**當貨物申報單中所列的任何貨物未在預定目的港卸下時，如果公共當局確信貨物實際上未裝船或若曾裝船，已在其他港口卸下，則必須准許修改貨物申報單而且不得給予處罰。

**5.20 標準。**如果由於差錯或其他正當的理由，貨物在非預定的目的港卸下，公共當局須為轉送該貨物至其自的港提供便利。此規定不適用於危險的、違禁的或受限制的貨物。

### (五) 船東責任的限制

**5.21** 標準。公共當局不得要求船東在運輸單證或其副本上填寫供當局使用的特別信息，除非船東是進口商或出口商，或進出口商的代表。

**5.22** 標準。公共當局不得讓船東為要求進出口商在貨物結關時提交的文書的表述或準確性負責，除非船東是進口商或出口商或其代表。

## 第六節 公共衛生和檢疫，包括動植物檢疫措施

- 6.1 標準。**非《國際衛生條例》締約國的公共當局須對國際航行的船舶儘量採用該規則的有關規定。
- 6.2 推薦做法。**由於衛生、地理、社會和經濟條件的原因而有一定的共同利益的締約國政府，在簽訂一項特別協議將有助於《國際衛生條例》的實施時，應根據《國際衛生條例》第八十五條簽訂這種協議。
- 6.3 推薦做法。**當載運某些動物、植物或其製品需要有衛生證書或類似文書時，此類證書和文書應簡單並廣而告之。締約國政府應進行合作，使這些要求標準化。
- 6.4 推薦做法。**當船舶預定到達港口的衛生當局根據船舶到達之前提供的情況，認為該船抵達不會傳入或傳播疫病時，如有可能，公共當局應准予用無線電將無疫通行證發給船舶，並應儘可能准許衛生當局在船舶進港前上船。
- 6.4.1 標準。**公共當局須尋求船東的合作以確保根據要求將船上病情及時用無線電報告船舶目的港的衛生當局，以便利船舶到達時提供專門醫務人員及辦理衛生手續所需的設備。
- 6.5 標準。**公共當局須作出安排，使所有旅行機構和其他有關機構能讓旅客在出發之前有足夠時間得到有關國家公共當局所要求的疫苗接種清單，以及符合《國際衛生條例》的疫苗接種證書的表格。公共當局須採取一切可能的措施，使疫苗接種人員使用國際疫苗接種和再接種證書以確保獲得普遍接受。

- 6.6** 推薦做法。公共當局應在儘可能多的港口提供辦理國際疫苗接種和再接種證書的便利以及疫苗接種的便利。
- 6.7** 標準。公共當局須確保即刻開始檢疫措施和辦理衛生手續，並迅速完成及在進行中無歧視。
- 6.8** 推薦做法。公共當局應在儘可能多的港口為實施公共衛生和動植物檢疫措施保持適當設施。
- 6.9** 標準。各國須在儘可能多的港口為船員和旅客的隨時急診維持合理和切實可行的醫療設施。
- 6.10** 標準。除對公共衛生構成嚴重危險的緊急情況之外，對於未受檢疫疾病感染或無檢疫疾病感染嫌疑的船舶，港口衛生當局不得因任何其他流行疾病而阻止船舶裝卸貨物或物料，或者裝載燃料或淡水。
- 6.11** 推薦做法。如具備有關國家同意的格式的檢疫證書，在特定情況下，應允許動物、動物原料、未加工的動物製品、動物食品 and 要檢疫的植物產品等的運輸。

## 第七節 雜項規定

### (一) 保證書和其他擔保形式

**7.1 推薦做法。**如果公共當局要求船東出具保證書或其他形式的擔保，以承擔根據海關、移民、公共衛生、農業檢疫或其他類似國家法規所規定的責任，則凡有可能，應允許使用單一的綜合性保證書或其他擔保形式。

### (二) 港口服務

**7.2 推薦做法。**港口公共當局在正常的工作時間內應免費提供通常的服務。公共當局應盡力制訂正常的港口服務時間，該時間要與平時工作量大的時間相一致。

**7.3 標準。**締約國政府須採取一切可行措施，組織港口公共當局的通常服務以避免船舶抵達後或準備離開時發生不必要的延誤，要儘量減少辦理手續的時間，但預計抵達和離開時間須及時通知公共當局。

**7.4 標準。**如果為了確定被檢人員的健康而需要體格檢查，無論白天或夜晚所進行的無論是細菌學或其他的任何體格檢查或任何附加檢查，衛生當局均不得收費；除為簽發除鼠證書或免予除鼠證書而進行的船舶檢查以外，為檢疫目的登輪和檢查時，衛生當局也不得收費；為隨船人員進行任何疫苗接種並發給相應的證書也不得收費。如果需要對船舶或其旅客或船員採取其他的措施及衛生當局為此而收費時，須按照有關領土上的統一的單一費率收費，而且不得因有關人員的國籍、定居或居留，或船舶的國籍、船旗、登記或所有權而有區

別。

**7.5 推薦做法。**當公共當局在推薦做法 7.2 所述的正常工作時間以外提供服務時，可以收取費用，但費用須適度，及不超過提供服務的實際成本。

**7.6 標準。**當港口交通量容許時，公共當局須確保提供服務以便辦完有關貨物和行李的手續，無論其價值或種類如何。

**7.7 推薦做法。**如果所採取的行動有助於船舶在抵達下一國家時順利結關，締約國政府應努力作出安排以便一國政府在船舶航行前或航行中為另一國政府在海關、移民、公共衛生和動植物檢疫方面對船舶、旅客、船員、行李、貨物和文書進行檢查提供一定的便利。

### (三) 緊急援助

**7.8 標準。**公共當局須便利從事以下工作的船舶的抵達和離開：

- 賑災工作；
- 營救海上遇險人員，將此種人員送到安全地點；
- 抗禦或防止海洋污染；或
- 旨在加強海上安全、海上人命安全、種群安全和海洋環境保護的其他緊急作業。

**7.9 標準。**公共當局須儘最大可能地便利處理標準 7.8 中所述情況所需人員、貨物、物質和設備的入境和結關。

**7.10 標準。**公共當局須讓實施保安措施所需的專門設備迅速結關。

#### (四) 國家便利委員會

**7.11 推薦做法。**每一締約國政府在認為必要和適當時應制定以本附則的便利要求為基礎的國家海運便利方案，確保該便利方案的目標是採用一切可行措施，排除不必要的障礙和延遲，以便利船舶、貨物、船員、旅客、郵件和物料的運輸。

**7.12 推薦做法。**每一締約國政府應成立國家海運便利委員會或類似國家協調機構，以鼓勵在政府部門、機構和涉及或負責國際海上運輸的各種事項的其他組織以及港口當局和船東之間採用和實施便利措施。

# 有關便利要求的補充資料

## 附錄 I

## 海事組織一般申報單

## (國際海事組織便利表格 1)

		抵達	離開
1.1 船名和類型		1.2 海事組織編號	
1.3 呼號		1.4 航次編號	
2. 抵達/離開港口		3. 抵達、離開日期和時間	
4. 船旗國	5. 船長姓名	6. 上一個停靠港/下一個停靠港	
7. 登記證書 (港口; 日期; 編號)		8. 船舶代理名稱和聯絡細節	
9. 總噸位	10. 淨噸位		
11. 船舶在港位置 (泊位或停泊站)			
12. 航次簡要細節 (先前和後續的停靠港; 強調在哪裏卸剩餘貨物)			
13. 貨物簡況			
14. 船員人數 (包括船長)	15. 旅客人數	16. 備註	
所附文書 (說明份數)			
17. 貨物申報單	18. 船舶物料申報單		
19. 船員名單	20. 旅客名單	21. 船舶對廢物和殘餘物接收設施的要求	
22. 船員個人物品申報單 (僅抵達時)	23. 海事健康申報單 (僅抵達時)		
24. 日期和船長、經授權代理或高級船員簽字			

官方使用

### 貨物申報單

(國際海事組織便利表格 2)

	<input type="checkbox"/> 抵達	<input type="checkbox"/> 離開	<input type="checkbox"/>	頁碼
提單 編號*	1.1 船名	1.2 海事組織編號		
	1.3 呼號	1.4 航次編號		
	2. 提交報告港口	3. 船旗國		
	4. 船長姓名	5. 裝貨港/卸貨港		
	6. 標誌和 序號	7. 包裝件數和種類；貨物說明， 或，如有，“協調制度”編碼	8. 毛重	9. 尺寸
10. 日期和船長、經授權代理或高級船員簽字				

\* 運輸單正編號。亦說明多式聯運文書上的或通過提單運輸的貨物的原始託運港口。











## 附錄 2

## 人員的抵達和離開

## 標準 3.3.1 所述附信的可能格式

發信人：	移民或主管當局：	收信人：	移民或主管當局：
	〔名稱〕		〔名稱〕
	港口/機場：〔名稱〕		港口/機場：〔名稱〕
	國家：〔名稱〕		國家：〔名稱〕
	電話：		
	電傳：		
	傳真：		

信中附有欺詐/偽造/假冒護照/身份證的複印件

證件號：

該證件所用名義簽發國的名稱：

使用上述證件的人聲稱是：

姓：

名：

出生日期：

出生地點：

國籍：

住地：

該人乘坐於〔日期〕離開〔國家和城市〕的船舶〔航次號〕於〔日期〕抵達〔名稱〕港口。

持證者被拒絕進入〔國名〕，已指示船東讓該旅客乘坐〔日期、時間〕離開〔港口/機場名〕的船舶〔航次號〕/飛機〔航班號〕離開該國領土。

上述證件需要作為起訴持證者的證據，並已被依法沒收。由於該證件係所用名義簽發國的財產，因此在起訴後將被退還給.....  
〔 國名 〕 .....的主管當局。

按照經修正的《1965 年便利國際海上運輸公約》，當某一人員被禁止進入另一國家時，請該人員的上一停留地國和最近到訪國予以接收以供再次進行審查。

日期： 官員的姓名和簽字：

職銜：

移民或主管當局的名稱：

(警告：本信不是身份證件)

## 附錄 3

## 推薦做法 4.6.2 所述的“偷渡者詳情表”

船舶詳情	姓：
船名：	名：
海事組織編號：	所用姓名：
船旗：	性別：
公司：	出生日期：
公司地址：	出生地點：
	自稱國籍：
下一港口的代理：	家庭地址：
代理地址：	居住地國：
	身份證件種類（如護照），編號：
	身份證編號或海員證編號：
	如有，
綜合無線電通信系統：	簽發時間：
INMARSAT 編號：	簽發地點：
船籍港：	失效日期：
船長姓名：	簽發機構：
偷渡者詳情	偷渡者照片：
船上發現的日期/時間	<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> <p>如有的話 此處貼照片</p> </div>
上船地點：	
上船地國：	
上船日期/時間：	
預定最後目的地：	
所述的上船理由*：	

\* 如偷渡者自稱是難民或尋求政治避難者，則應對該信息做出對偷渡者的保安所需的保密。

對偷渡者的一般形體描述：	
第一語言：	其他語言：
說：	說：
讀：	讀：
寫：	寫：

**其他詳情:**

1) 上船方法，包括涉及的其他人員（如船員、港口工人等等），以及偷渡者是躲在貨物/集裝箱還是船舶中：

2) 偷渡者物品清單；

3) 偷渡者的述詞；

4) 船長的述詞（包括對偷渡者提供的信息的可信性的看法）：

談話日期：

偷渡者的簽字：

船長的簽字：

日期：

日期：

## 附錄 4

## 《國際危規》修正案 35-10，第 5.4 章 – 文書

## 第 5.4 章

## 文書

- 說明 1:** 本規則的規定不排除使用電子數據處理（EDP）和電子數據交換（EDI）傳輸技術作為紙質文書的替代。本章中所提及的“危險貨物運輸文書”亦包括對使用電子數據處理和電子數據交換的所要求信息的規定。
- 說明 2:** 當危險貨物交付運輸時，必須準備好與其他貨物運輸所需的相似文書。這些文書的格式、填寫的細節及其承擔的責任由適用於某些運輸方式的國際公約和國家立法加以確定。
- 說明 3:** 對危險貨物運輸文書的基本要求之一是轉達有關貨物危險性的基本信息。因此，除本規則另有免除或要求外，託運危險貨物的運輸文書上需要包含某些基本信息。
- 說明 4:** 除本章規定外，主管機關可對其他信息要素提出要求。
- 說明 5:** 除本章規定外，還可包含其他補充信息。但是，信息不得：
- .1 令人忽視本章或主管當局所要求的安全信息；
  - .2 與本章或主管當局所要求的信息相衝突；或
  - .3 重複已經提供的信息。

## 5.4.1 危險貨物運輸信息

### 5.4.1.1 總則

除另有規定者外，交運其危險貨物的發貨人須向承運人提供適用於其危險貨物的信息，包括本規則中規定的任何補充信息和文書。此信息可在危險貨物運輸文書上提供，或在承運人同意時，通過電子數據處理或電子數據交換技術提供。

5.4.1.1.2 在通過電子數據處理或電子數據交換技術向承運人提供危險貨物運輸信息時，發貨人須能夠隨時按照本章所要求的順序以紙質文書提供這些信息。

### 5.4.1.2 運輸文書的格式

5.4.1.2.1 危險貨物運輸文書可使用任何格式，只要其中載有本規則規定所要求的所有信息。

5.4.1.2.2 如果危險貨物和非危險貨物被列在同一文書上，則危險貨物須首先列出或以其他方式予以強調。

### 5.4.1.2.3 連續頁

危險貨物運輸文書可由多頁構成，但須連續編號。

5.4.1.2.4 危險貨物運輸文書上的信息應易於識別、清晰易讀和不易消退。

### 5.4.1.2.5 危險貨物運輸文書的示例

圖 5.4.5 中所示格式是危險貨物運輸文書的一個範例。\*

#### 5.4.1.3 發貨人、收貨人和日期

危險貨物發貨人和收貨人的名稱和地址須列於危險貨物運輸文書中。其中須列入制定危險貨物文書或其電子副本或將其交給第一位承運人的日期。

#### 5.4.1.4 要求危險貨物運輸文書上載有的信息

##### 5.4.1.4.1 危險貨物描述

對於交運的每一危險物質、材料或物品，危險貨物運輸文書須包括如下信息：

- .1 冠有“UN”字母的聯合國編號；
- .2 按 3.1.2 確定的正確運輸名稱，適用時包括置於括號中的技術名稱（見 3.1.2.8）；
- .3 主要危險類別或，有分類時，所指定的貨物分類，對於第 1 類，包括兼容組字符。在主要危險類別或分類編號前可加上“類別”或“分類”等詞；

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\* 關於標準化格式，另見聯合國歐洲經濟委員會聯合國貿易便利與電子商務中心的有關建議，特別是第 1 號建議（聯合國貿易單證格式說明）(ECE/TRADE/137，版本 81.3)，聯合國貿易單證格式說明 - 應用導則(ECE/TRADE/270 2002 年版)，經修訂的第 11 號建議（國際危險貨物運輸的單證事宜）(ECE/TRADE/C/CEFACT/2008/8) 和第 22 號建議（標準託運須知的格式說明）(ECE/TRADE/168，1989 年版)。另參閱聯合國／貿易便利與電子商務中心的“貿易便利建議案概述”（ECE/TRADE/346，2006 年版）和“聯合國貿易數據元素名錄”（UNTDDED）(ECE/TRADE/362，2005 年版)。

- .4 在有劃定時，與要應用的次風險標籤相應的次危險類別或分類編號須加在主要危險類別或分類之後，並須置於括號中。在次危險類別或分類編號前可加上“類別”或“分類”等詞；
- .5 在有劃定時，物質或物品的包裝組別，在其之前可加“PG”（如：“PG II”）。

#### 5.4.1.4.2 危險貨物描述順序

5.4.1.4.1 中規定的描述危險貨物的五個元素須按照上述順序顯示（即.1、.2、.3、.4和.5），除本規則規定者外，信息不可錯置。除本規則允許或規定者外，額外信息應置於危險貨物描述之後。

#### 5.4.1.4.3 危險貨物描述中補充正確運輸名稱的信息

對於危險貨物描述中的正確運輸名稱須補充如下（見3.1.2）：

- .1 “N.O.S”的技術名稱和其他一般描述：在“危險貨物清單”第6欄中指定274號特別規定的正確運輸名稱，須如3.1.2.8中所述，以其技術或化學組別名稱予以補充；
- .2 空的、未經清潔的包裝、散裝容器和液罐：空白容器（包括包裝、中間散裝容器、大型容器、活動罐櫃、公路罐車和鐵路罐車）如裝有第7類以外的其他類別

的危險貨物的殘餘物，須如此加以描述：例如，在 5.4.1.4.1.1 至 .5 中所規定的危險貨物描述之前或之後加上 “EMPTY UNCLEANNED”（空的未經清潔的）或 “RESIDUE LAST CONTAINED”（上次裝載的殘餘物）；

- .3 廢物：對於為處置、或加工後處置而運輸的廢危險貨物（放射性廢物除外），在正確的運輸名稱前須加上 “WASTE”（廢）一詞，除非它已是正確運輸名稱的一部分；
- .4 高溫物質：如果以液態在溫度等於或高於 100°C 情況下或以固態在溫度等於或高於 240°C 下運輸或交付運輸的物質，在其正確運輸名稱中未表達高溫狀況（例如：使用 “熔融” 或 “高溫” 作為正確運輸名稱的一部分），則須在正確運輸名稱之前立即加上 “HOT”（熱）一詞；
- .5 海洋污染物：如果要運輸的貨物是海洋污染物，則該貨物須標明為 “MARINE POLLUTANT”（海洋污染物），對於通用或 “未列明” 條目，須以該海洋污染物的經認可的化學名稱對正確運輸名稱作出補充（見 3.1.2.9）；
- .6 閃點：如果要運輸的危險貨物的閃點等於或低於 60°C（閉杯°C），則須標出最低閃點。因有雜質的存在，閃點可能低於或高於 “危險貨物清單” 中列出的該

物質的基準溫度。同時屬於易燃的第 5.2 類的有機過氧化物，不需註明閃點。

#### 5.4.1.4.4 危險貨物描述的示例：

UN1098 ALLYL ALCOHOL 6.1 ( 3 ) I ( 21°C c.c. )

UN1098, ALLYL ALCOHOL, class 6.1, ( class 3 ) , PG I, ( 21°C c.c. )

UN1092, Acrolein, stabilized, class 6.1 ( 3 ) , PG I, ( -24°C c.c. ) MARINE POLLUTANT

UN2761, Organochlorine pesticide, solid, toxic ( Aldrin 19% ) , class 6.1, PG III , MARINE POLLUTANT

#### 5.4.1.5 除危險貨物描述外所要求的其他信息

除危險貨物描述外，在危險貨物運輸文書的危險貨物描述之後，須包括以下信息。

##### 5.4.1.5.1 危險貨物的總量

除未經清潔的空包裝外，須列入具有不同的正確運輸名稱、聯合國編號或包裝組別的每一件危險貨物的( 酌情以體積或質量 ) 的描述所涵蓋的危險貨物總量。對於第 1 類危險貨物，該數量須是淨爆炸品質量。對於在廢物利用包裝中運輸的危險貨物，須給出危險貨物的估計數量。並須註明包裝的數量和種類 ( 如桶、箱等 )。聯合國包裝碼只可用

於補充包裝種類的描述（如：one box (4G)）。可使用縮寫陳述總數量的計量單位。

註：不要求示明組合包裝的外包裝內每一內包裝的數目、種類和容量。

#### **5.4.1.5.2 有限數量**

**5.4.1.5.2.1** 在按危險貨物清單第 7a 欄和第 3.4 章規定的對有限數量包裝的危險貨物的免除規定運輸危險貨物時，須包括“Limited Quantity”或“LTD QTY”（有限數量）等詞。

**5.4.1.5.2.2** 在按 3.4.4.1.2 交運貨物時，在運輸文書上須有下列聲明：“按《國際危規》3.4.4.1.2 運輸”。

#### **5.4.1.5.3 廢物利用包裝和廢物利用壓力容器**

對於使用廢物利用包裝或廢物利用壓力容器運輸的危險貨物，須有“SALVAGE PACKAGE”或“SALVAGE PRESSURE RECEPTACLE”（廢物利用包裝或廢物利用壓力容器）的字樣。

#### **5.4.1.5.4 溫控穩定物質**

如果“STABILIZED”（穩定）一詞是正確運輸名稱的一部分（也見 3.1.2.6），當穩定是通過溫度控制而實現時，須按如下方式在運輸文書中註明控制和應急溫度（見 7.3.7.2）：

控制溫度.....°C

應急溫度.....°C

#### 5.4.1.5.5 自反應物質和有機過氧化物

對於 4.1 類自反應物質和在運輸期間需要溫度控制的有機過氧化物，須按下列方式在運輸文書上註明控制和應急溫度（見 7.3.7.2）：

控制溫度.....°C

應急溫度.....°C

5.4.1.5.5.1 當主管機關對若干第 4.1 類自反應物質和第 5.2 類有機過氧貨物的具體包裝免除“爆炸品”的次危險標籤(模式 1)時，須列入此種聲明。

5.4.1.5.5.2 當有機過氧貨物 and 自反應物質在須得到批准的條件下運輸時(對於有機過氧化物，見 2.5.3.2.5、4.1.7.2.2、4.2.1.13.1 和 4.2.1.13.3；對於自反應物質，見 2.4.2.3.2.4 和 4.1.7.2.2)，在運輸文書上須有此種聲明。危險貨物運輸文書須附有未列出的有機過氧化物和自反應物質的分類核准和運輸條件的副本。

5.4.1.5.5.3 在運輸有機過氧化物（見 2.5.3.2.5.1）和自反應物質（見 2.4.2.3.2.4.2）的樣品時，危險貨物運輸文書上須有此種聲明。

#### 5.4.1.5.6 傳染性物質

在文書上須有收貨人的詳細地址和負責人的姓名和電話號碼。

#### 5.4.1.5.7 放射性物質

5.4.1.5.7.1 對於每票第 7 類物質貨物，須按下列順序視情列出如下信息：

- .1 每種放射性核素的名稱或符號，對於放射性核素的混合物，適當的總體描述或限制最嚴格的核素名單；
- .2 對該物質物理和化學形態的描述，或有關該物質是特種形態的放射性物質或低彌散放射性物質的說明。對於化學形態，一般的化學描述即可；
- .3 運輸期間放射性內容的最大活度以貝可勒爾（Bq）為單位表達並冠以一個適當的 SI 符號（見 1.2.2.1）。對於裂變物質，以克或以克的倍數為單位的裂變物質質量（或適用時，混合物的各裂變核素的質量）可用來代替活度；
- .4 包件類別，比如：I—白，II—黃，III—黃；
- .5 運輸指數（僅類別 II—黃和 III—黃）；
- .6 對於包含除按 6.4.11.2 豁免的貨物外的裂變物質的託運貨物，其臨界安全指數；

- .7 適用於託運貨物的各主管機關的許可證書(特殊形式放射性物質、低彌散放射性物質、特殊安排、包件設計或裝運)的識別標記；
- .8 對於有多個包件的託運貨物，每一包件上均須有 5.4.1.4.1.1 至.3 和 5.4.1.5.7.1.1 至.7 中所載的信息。對於裝在集合包件、集裝箱或車輛內的包件，須有每一集合包件、集裝箱或車輛內每一包件內容的詳細說明及，適當時，每一集合包件、集裝箱或車輛內裝物的詳細說明。如果包件在某一中間卸貨站點從集合包件、集裝箱或車輛中卸下，須提供適當的運輸文書；
- .9 凡託運貨物要求為獨家使用裝運，應申明“獨家使用裝運”；及
- .10 對於“LSA - II”、“LSA - III”、“SCO - I”和“SCO-II”，以  $A_2$  的倍數作為託運貨物的總活度。對於  $A_2$  值為無限的放射性物質， $A_2$  的倍數須為零。

**5.4.1.5.7.2** 運輸文書中須包括要求承運人採取的行動(如有)的說明。這種說明須使用承運人或有關主管機關認為必要的語種撰寫，並須至少包括下列要點：

- .1 對包件、集合包件或集裝箱的裝載、積載、運輸、搬運和卸貨的補充要求，包括安全散熱(見 7.1.4.5.2)的專門積載規定，或者不需要這類要求的說明；

.2 對於運輸方式或運輸工具類型的限制以及任何必要的關於運輸路線的指令：

.3 適用於託運貨物的應急安排。

**5.4.1.5.7.3** 在國際運輸包件需要主管當局對設計或運輸認可而在運輸有關的不同國家中應用不同批准類別的所有情況下，5.4.1.4.1 中要求的聯合國編號和正確運輸名稱須與原始設計國的證書相符。

**5.4.1.5.7.4** 相關的主管機關證書無需與託運貨物同行。發貨人須在裝卸前將證書提供給承運人。

#### **5.4.1.5.8 噴霧器**

如噴霧器的容量超過 1,000 ml，則須在運輸文書中聲明。

#### **5.4.1.5.9 爆炸品**

每票第 1 類託運貨物須應視情包括如下信息：

.1 “ SUBSTANCES, EXPLOSIVE, N.O.S ” , “ ARTICLES, EXPOSIVE, N.O.S ” 和 “ COMPONENTS, EXPLOSIVE, TRAIN, N.O.S ” 中已有條目。在沒有某一特定條目時，原始國的主管當局須使用與危險分類和兼容組相應的條目。運輸文書中須含有如下聲明：“該項下的運輸係由……的主管當局認可”，接着是該主管當局國家的國際交通機動車輛的國家識別符號。

- .2 如在具體條目中對爆炸物質的運輸有最低含水量或鎮定劑含量的規定，則在水或鎮定劑含量少於所規定的最低值時，禁止運輸。僅在原產國主管當局給予特別許可時才能運輸此種物質。運輸文書須有如下聲明：  
“該條目下的運輸經……主管當局認可”，接着是該主管當局國家的國際交通機動車輛的國家識別符號。
- .3 當爆炸物質或物品係“按主管當局核准的方式”包裝時，運輸文書須有如下聲明：“包裝經……主管當局核准”，接着是該主管當局國家的國際交通機動車輛的國家識別符號。
- .4 一些危險未由物質的危險分類和兼容組別加以示明。託運人須在危險貨物文書上註明任何此種危害。

#### **5.4.1.5.10 黏稠物質**

在按 2.3.2.5 運輸黏稠物質時，運輸文書須有如下聲明：  
“按《國際危規》2.3.2.5 款運輸”。

#### **5.4.1.5.11 對隔離的特別規定**

**5.4.1.5.11.1** 對未包括在 3.1.4.4 所列隔離組別之中，但發貨人認為是屬於其中某一組的在 N.O.S 條目項下的物質、混合物、溶液或製劑（見 3.1.4.2），運輸文書上須在危險貨物描述之後有適當的以《國際危規》隔離組別為前綴的隔離組別名稱。例如：

“ UN 1760 CORROSIVE LIQUID, N.O.S (Phosphoric-acid) 8III  
IMDG Code segregation group 1 – Acids” .

**5.4.1.5.11.2** 當物質按照 7.2.6.3 一起裝在一個貨運單元中時，運輸文書中須有下列聲明：“按《國際危規》第 7.2.6.3 款運輸”。

**5.4.1.5.11.3** 當第 8 類酸性和鹼性物質按照 7.2.6.3 的規定在同一貨運單元中運輸時，無論是否在同一包裝件中，運輸文書中均須包括下列聲明：“按照《國際危規》第 7.2.6.3 款運輸。”

**5.4.1.5.12 大型容器中運輸固體危險貨物**

對於集裝箱以外的大型容器，運輸文書中須有如下聲明（見 6.9.4.6）：

“經……主管當局認可的大型容器 BK2”。

**5.4.1.5.13 中散容器或可移動罐櫃在最後一次定期測試或檢查有效期之後的運輸**

對於按照 4.1.2.2.2.2，6.7.2.19.6.2，6.7.3.15.6.2 或 6.7.14.6.2 進行的運輸，運輸文書中須酌情有如下的聲明：

“按照 4.1.2.2.2 運輸”，“按照 6.7.2.19.6.2 運輸”，“按照 6.7.3.15.6.2 運輸”，或“按照 6.7.14.6.2 運輸”。

**5.4.1.5.14 豁免數量的危險貨物**

**5.3.1.5.14.1** 當危險貨物按照危險貨物清單第 7b 欄和第 3.5 章中規定的對以可豁免數量包裝的危險貨物豁免運輸時，須包括

“可豁免數量的危險貨物”這些文字。

#### 5.3.1.5.15 煙花的分類參照

在運輸編號為 UN Nos. 0333、0334、0335、0336 和 0337 的煙花時，危險貨物運輸文書中須包括主管機關簽發的分類參照。此類分類編號的示例為：

— GB/HSE123456

— D/BAM1234

— USA EX20091234。

#### 5.4.1.6 證書

5.4.1.6.1 危險貨物運輸文書中須有一份證明或聲明，表明所託運的貨物適合於運輸，並已正確地加以包裝、標記和標誌，符合適用規則的運輸條件。證明的文字為：

“本人特此聲明，本票的內容貨物已經由上述正確運輸名稱完全而準確地予以說明，並已按照適用的國際和國家政府規則分類、包裝、標記以及標誌/標牌，並在各方面均處於適於運輸的良好狀態。”

此證明須由發貨人簽名和標明日期。如果相關法律和法規承認傳真簽名的有效性，可以使用傳真簽名。

5.4.1.6.2 如果危險貨物文書是以電子數據處理（EDP）或電子數據交換（EDI）的傳輸技術手段提交承運人，簽名可以是電

子簽名或可用經授權簽字者的姓名（大寫字母）代替。

**5.4.1.6.3** 當危險貨物運輸信息係通過電子數據處理或電子數據交換技術提交給承運人並之後該危險貨物又轉給要求紙質危險貨物文書的承運人時，承運人須確保在紙質文書中表明“原件係電子接收”及簽字者的姓名須以大寫字母顯示。

## **5.4.2 集裝箱/車輛裝填證書**

**5.4.2.1** 當危險貨物是載入或裝入任何集裝箱\*或車輛時，負責裝填集裝箱或車輛者須提供“集裝箱/車輛裝填證書，註明集裝箱/車輛的識別號，及證明作業係按如下條件進行的：

- .1 集裝箱/車輛是清潔、乾燥和顯然適合裝載貨物的；
- .2 需按適用的隔離要求隔離的包件沒有被一起裝在集裝箱/車輛裏(除非有關主管當局按 7.3.4.1 予以認可)；
- .3 對所有包件都作了是否有破損的外觀檢查，裝入的都是完好的包件；
- .4 所有的桶都是直立積載的，但主管當局另有授權者除外；所有的貨物都是正確裝載的，並在必要時由適合預定運程運輸模式<sup>†</sup>的繫固材料作出適當繫固；
- .5 散裝貨物在集裝箱/車輛中是均勻分佈的；

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\* 見《國際危規》修正案 35-10 中 1.2.1 的“集裝箱”定義。

† 見 IMO/ILO/UN ECE 的“貨物運輸單元裝填導則”。

- .6 就包括除第 1.4 分類外的第 1 類物質在內的託運貨物而言，集裝箱/車輛，按 7.1.2，在結構上是可以維修的；
- .7 集裝箱/車輛和包件視情有正確的標誌、標籤和標牌；
- .8 當為冷卻的目的而使用固體二氧化碳（CO<sub>2</sub>—乾冰）時，在集箱/車輛外部明顯位置，諸如開口端，有文字如下的標誌或標籤：“內有危險的 CO<sub>2</sub>（乾冰）。進入前徹底通風”；和
- .9 對於集裝箱/車輛中裝載的每一票危險貨物，已收到 5.4.1 中所述的危險貨物運輸文書。

註：可移動罐櫃不需要集裝箱/車輛裝填證書。

- 5.4.2.2 要求危險貨物運輸文書和集裝箱/車輛裝填證書中列出的信息可以合併在一份文書中，否則須將兩份文書附在一起。如果信息合併在一份文書中，則須有經簽字的聲明，如“茲聲明危險貨物已按適用規定裝入集裝箱/車輛”。聲明須有日期，文書上須註明簽署聲明的人。當適用法律和法規承認傳真簽字的法律有效性時，可以接受傳真簽字。
- 5.4.2.3 如集裝箱/車輛裝填證書係以電子數據處理或電子數據交換技術提交給承運人，則簽名可為電子簽名或以經授權簽字者的姓名（大寫）取代。
- 5.4.2.4 當集裝箱、車輛裝填證書係通過電子數據處理或電子數據

交換技術提供給承運人，並之後該危險貨物又轉交給要求紙質危險貨物運輸文書的承運人時，承運人須確保該紙質文書列明“原本係電子接收”並且簽字者的姓名須以大寫字母顯示。

### 5.4.3 船上所需的文書

**5.4.3.1** 裝運危險貨物和海洋污染物的每一船舶應有特別清單、艙單\*或積載圖，按照經修正的《1974年安全公約》第VII章第4.2條和《73/78年防污公約》附則III第4.2條，列出危險貨物和海洋污染物及其位置。此特別清單或艙單須以本規則中所要求的單證和證書為基礎。其中除5.4.1.4、5.4.1.5和，對於UN3359、5.5.2.4.1.1中的信息外，須另外包含危險貨物和海洋污染物的積載位置和總量。列明所有危險貨物和海洋污染物的類別和積載位置的詳細積載圖可用以取代此類特別清單或艙單。這些文書的副本須在開航前提供給港口國當局所指定的人員或組織。

### 5.4.3.2 緊急反應信息

**5.4.3.2.1** 對於所託運的危險貨物，須隨時立即提供適當資料，以備運輸中一旦發生涉及危險貨物的事故或事件時應急反應之用。這些資料須可在遠離危險貨物包件處獲取，並且能在萬一發生事故時迅速獲得。符合方法包括：

- .1 特別清單、艙單和危險貨物申報單中寫入適當條目；

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\* FAL.2/Circ.51 /Rev.1 可用於此目的。

或

- .2 提供單獨的文書，例如安全數據表；或
- .3 提供單獨的文件，例如與運輸文書一起使用的《載運危險貨物船舶的緊急反應程序》(EmS 指南)和《危險貨物事故醫療急救指南》(MFAG)。

#### 5.4.4 所要求的其他信息和文書

5.4.4.1 在某些情況下要求有特別證書或其他文書，例如：

- .1 危險貨物清單中具體條目下要求的耐風蝕證書；
- .2 免除某種物質、材料或物品（例如：木炭、魚粉、種子餅，分別見各自條目）適用《國際危規》規定的證書；
- .3 對於新的自反應物質和有機過氧化物或目前認定為自反應物質和有機过氧化物的新的配製品，一份由原產國主管機關出具的經認可分類和運輸條件聲明。

#### 5.4.5 危險貨物多式聯運表格

5.4.5.1 本表格符合《1974 年安全公約》第 VII 章第 4 條、《73/78 年防污公約》附則 III 第 4 條和本章規定的要求。本章規定所要求的信息是強制性的，但表格的格式不是強制性的。

## 危險貨物多式聯運表格

本表格符合《1974年安全公約》第VII章第4條、《73/78年防污公約》附則III第4條的要求，可用於危險貨物申報。

1 託運人/發貨人/發運人		2 運輸文書編號		
		3 第1頁，共 頁		4 託運人查詢號
		5 貨運代理人查詢號		
6 收貨人		7 承運人（由承運人填寫）		
		<b>托運人聲明</b> 本人特此聲明：本托運貨物業經使用正確運輸名稱充分準確說明如下，經按照適用的國際和國家政府規定分類、包裝、標記、標誌和標牌，並在所有方面符合適當的運輸條件。		
8 該貨物符合下述限定（劃去不適用者）		9 補充裝卸信息		
客貨機	貨機			
10 船舶/飛機航班號和日期	11 裝貨港口/地點			
12 卸貨港口/地點	13 目的地			
14 運輸標記* 包件數目和種類； 貨物的說明 毛重(kg) 淨重(kg) 體積(m <sup>3</sup> )				
15 集裝箱識別號/車輛登記號	16 封印編號	17 集裝箱/車輛尺寸和型號	18 皮重(kg)	19 合計毛重(包括皮重)(kg)

<b>集裝箱/車輛裝填證書</b> 茲聲明上述貨物已按照適用規定 <sup>†</sup> 填入/裝入上述集裝箱/車輛。 負責填入/裝入者須對所有集裝箱/車輛的裝載填寫並簽字。	<b>21 接收單位牧據</b> 已投到上述數目的包件/集裝箱/拖車，除備註寫明者外，外觀完好，接收單位備註：	
20 公司名稱	公路承運人姓名	22 公司(填報本說明的託運人)名稱
申報人姓名/身份	車輛登記號	申報人姓名/身份
地點和日期	簽字和日期	地點和日期
申報人簽字	駕駛員簽字	申報人簽字

\* **危險貨物：**

你必須詳細寫明：聯合國編號，正確運輸名稱，危險類別，包裝類別，(如劃定)海洋污染物並遵守適用國際和國家政府規則的強制性要求。對於《國際危規》，見 5.4.1.4。

<sup>†</sup> 對於《國際危規》，見 5.4.2。

## 國際運輸危險貨物的文書事項

### 集裝箱/車輛的裝填證書

下頁方框 20 中的簽字必須是控制集裝箱/車輛作業者的簽字

茲證明：

集裝箱/車輛是清潔、乾燥和顯然適於裝運貨物的。

如所託運貨物包括除第 1.4 分類外的第 1 類貨物，則集裝箱在結構上應是可能維修的。

除經主管當局特別授權外，集裝箱/車輛中未裝有不兼容的貨物。

對所有包裝都進行了是否有破損的外觀檢查，裝入的都是完好的包裝。

除經主管機關另行批准，桶是直立存放的。

所有包裝在集裝箱/車輛中都得到了適當的裝填和繫固。

在物質於散裝包裝中運輸時，貨物係均勻地分佈在集裝箱/車輛中。

包裝和集裝箱/車輛都有適當標誌/標籤和標牌。所有無關的標誌、標籤和標牌均已清除。

在使用固體二氧化碳（CO<sub>2</sub>—乾冰）進行冷卻時，在車輛或集裝箱的外部的顯著位置上（如門端）作出如下標誌：內有危險的 CO<sub>2</sub> 氣體（乾冰）—進入前徹底通風。

在僅將本危險貨物表格而不是組合文件用作集裝箱/車輛的裝填證書時，對於集裝箱中裝入的每種危險貨物，必須已發出/收悉由發貨人或供應商簽署的危險貨物申報單。

註：罐櫃不需要集裝箱裝填證書。

1 託運人/發貨人/發運人	2 運輸文書編號	
	3 第 頁，共 頁	4 託運人查詢號
		5 貨物代理人查詢號
14 運輸標記* 包件數目和種類； 貨物的說明 毛重 (kg) 淨重 (kg) 體積 (m <sup>3</sup> )		
<p><b>*危險貨物：</b></p> <p>你必須詳細寫明：聯合國編號，正確運輸名稱，危險類別，包裝類別，（如劃定）海洋污染物並遵守適用國際和國家政府規則的強制性要求。對於《國際危規》，見 5.4.1.4。</p>		

## 5.4.6 保留危險貨物運輸信息

5.4.6.1 發貨人和承運人須保留一份危險貨物運輸文書和補充信息及本規則中所規定的文件至少三個月。

5.4.6.2 當文書係電子保留或保留於計算機系統之中時，發貨人和承運人須能夠以打印的方式予以複製。

### 第 29/2017 號行政長官公告

國際海事組織海上安全委員會於二零一三年六月二十一日在第九十二屆會議上，透過第MSC.356(92)號決議通過了經修正的《1966年國際載重線公約1988年議定書》的修正案，該修正案於二零一五年一月一日在國際法律秩序上生效，包括對中華人民共和國及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，命令公佈包含上指修正案的國際海事組織海上安全委員會第MSC.356(92)號決議的中文及英文正式文本。

《1966年國際載重線公約1988年議定書》公佈於二零一四年九月五日第三十六期《澳門特別行政區公報》第二組第二副刊。

二零一七年七月十日發佈。

行政長官 崔世安

### Aviso do Chefe do Executivo n.º 29/2017

Considerando que, em 21 de Junho de 2013, na sua 92.ª sessão, o Comité de Segurança Marítima da Organização Marítima Internacional, através da resolução MSC.356(92), adoptou emendas ao Protocolo de 1988 relativo à Convenção Internacional das Linhas de Carga, 1966, tal como emendado, e que tais emendas entraram em vigor na ordem jurídica internacional, incluindo a República Popular da China e a sua Região Administrativa Especial de Macau, em 1 de Janeiro de 2015;

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), a resolução MSC.356(92) do Comité de Segurança Marítima da Organização Marítima Internacional, que contém as referidas emendas, nos seus textos autênticos em línguas chinesa e inglesa.

O Protocolo de 1988 relativo à Convenção Internacional das Linhas de Carga, 1966, encontra-se publicado no *Boletim Oficial da Região Administrativa de Macau* n.º 36, II Série, 2.º Suplemento, de 5 de Setembro de 2014.

Promulgado em 10 de Julho de 2017.

O Chefe do Executivo, *Chui Sai On*.