

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 105/2015 號行政長官公告

Aviso do Chefe do Executivo n.º 105/2015

中華人民共和國於一九九九年十二月十三日以照會通知聯合國秘書長，經修訂的《1974年國際海上人命安全公約》（下稱“公約”）自一九九九年十二月二十日起適用於澳門特別行政區；

Considerando que a República Popular da China, por nota datada de 13 de Dezembro de 1999, notificou o Secretário-Geral das Nações Unidas sobre a aplicação da Convenção Internacional para a Salvaguarda da Vida Humana no Mar de 1974, adiante designada por Convenção, tal como emendada, na Região Administrativa Especial de Macau a partir de 20 de Dezembro de 1999;

國際海事組織海上安全委員會於二零一二年五月二十四日透過第MSC.325(90)號決議通過了經修正的公約修正案，該修正案自二零一四年一月一日起適用於澳門特別行政區；

Considerando igualmente que, em 24 de Maio de 2012, o Comité de Segurança Marítima da Organização Marítima Internacional, através da resolução MSC.325(90), adoptou emendas à Convenção, tal como emendada, e que tais emendas são aplicáveis na Região Administrativa Especial de Macau desde 1 de Janeiro de 2014;

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MSC.325(90)號決議的中文及英文文本。

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.325(90), que contém as referidas emendas, nos seus textos em línguas chinesa e inglesa.

二零一五年七月十四日發佈。

Promulgado em 14 de Julho de 2015.

行政長官 崔世安

O Chefe do Executivo, *Chui Sai On*.

第 MSC.325 (90) 號決議

(2012 年 5 月 24 日通過)

經修正的《1974 年國際海上人命安全公約》修正案

海上安全委員會，

憶及《國際海事組織公約》關於本委員會職能的第 28 (二) 條，

進一步憶及《1974 年國際海上人命安全公約》(《安全公約》)(以下稱“本公約”)第 VIII (b) 條關於除第 I 章規定外適用的公約附則修正程序，

在其第 90 屆會議上審議了按照本公約第 VIII (b) (i) 條提出和散發的本公約修正案，

1. 按照本公約第 VIII (b) (iv) 條，通過本公約修正案，其文本載於本決議附件；
2. 按照本公約第 VIII (b) (vi) (2) (bb) 條，決定該修正案將於 2013 年 7 月 1 日被視為已獲接受，除非在此日期之前，有三分之一以上的本公約締約國政府或擁有商船合計噸位數不少於世界商船總噸數 50% 的締約國政府通知其反對該修正案；
3. 請《安全公約》各締約國政府注意，按照本公約第 VIII (b) (vii) (2) 條，該修正案在按照上述第 2 段獲接受後，將於 2014 年 1 月 1 日生效；

4. 要求秘書長按照本公約第 VIII (b) (v) 條，將本決議及其附件中的修正案文本的核證無誤副本分發給本公約所有締約國政府；
5. 進一步要求秘書長將本決議及其附件的副本分發給非本公約締約國的本組織成員。

附件

經修正的《1974 年國際海上人命安全公約》修正案

第 II-1 章

構造－結構、分艙與穩性、機電設備

B-1 部分

穩性

第 8-1 條－客船進水事故後的系統性能

1 現有第 II-1/8-1 條由下文替代：

“第 8-1 條－客船進水事故後的系統性能和操作資料

1 適用範圍

船長按照第 II-1/2.5 條的定義為 120m 或以上或有 3 個或以上主豎區的客船須符合本條規定。

2 發生進水破損時重要系統的有效性

2010 年 7 月 1 日或以後建造的客船，其設計須在船舶任何單個水密艙室進水時，使第 II-2/21.4 條規定的系統保持運行。

3 進水事故後的操作資料

根據本組織制定的導則，為向船長提供進水事故後安全返港的操作資料，2014 年 1 月 1 日或以後建造的客船須具備：

- .1 船上穩性計算機；或
- .2 岸基支持。”

第 III 章

救生設備和裝置

B 部分

船舶和救生設備的要求

第 20 條 – 使用準備狀態、維護保養與檢查

2 11.2 中現有 .3 小段後新增 .4 小段如下：

“.4 儘管有上述 .3 小段的規定，自由降落救生艇釋放系統的操作試驗須僅搭載操艇船員自由降落下水或按本組織制定的導則進行模擬降落下水。”

第 V 章

航行安全

第 14 條 – 船舶配員

3 現有第 2 段由下文替代：

“2 對適用第 I 章的每艘船舶，主管機關須：

- .1 根據一個透明程序確定適當的最低安全配員，並考慮到本組織通過的相關導則；和
- .2 頒發一份適當的最低安全配員證明或等效證明，作為符合本條 1 規定所需的最低安全配員的憑證。”

第 VI 章 貨物運輸

A 部分 一般規定

4 在現有第 5-1 條後新增第 5-2 條如下：

“第 5-2 條—禁止在海上航行時進行散裝液體貨物混合和生產作業

1 禁止在海上航行時將散裝液體貨物進行物理混合。物理混合係指使用船舶的貨泵和管路對兩種或以上的不同貨物進行內部循環，以形成一種具有新貨品名稱的貨物的過程。該禁止不妨礙船長為保障船舶安全或保護海洋環境而進行的貨物過駁。

2 第 1 段中的禁止，對在用於便利勘探和開採海底礦物資源的船舶上，為勘探和開採中的使用而進行的貨品混合不適用。

3 海上航行時，禁止在船上進行任何生產作業。生產作業係指使船上某一貨物與任何其他物質或貨物發生化學反應的任何故意操作。

4 上述第 3 段中的禁止，對在用於便利勘探和開採海底礦物資源的船舶上，為勘探和開採中的使用而進行的貨品混合不適用。”

第 VII 章 危險貨物運輸

A 部分 包裝危險貨物運輸

第 4 條 – 單證

5 本條文本由下文替代：

“1 與包裝危險貨物運輸相關的信息和集裝箱/車輛裝箱證書須符合《國際危規》的相關規定，並須向港口國當局指定的人員或組織提供。

2 每艘載運包裝危險貨物的船舶須具有一份特別清單、艙單或積載圖，按《國際危規》的相關規定，列出船上的危險貨物及其位置。這些單證的副本，需在離港前向港口國當局指定的人員或組織提供。”

第 XI-1 章 加強海上安全的特別措施

第 2 條 – 加強檢驗

6 將“本組織大會以第 A.744(18)號決議通過的導則”改為“本組織大會以第 A.1049(27)號決議通過的《2011 年國際散貨船和油船檢驗期間加強檢驗計劃規則》(2011 年加強檢驗規則)”。

RESOLUTION MSC.325(90)
(adopted on 24 May 2012)

**AMENDMENTS TO THE INTERNATIONAL CONVENTION
FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING FURTHER article VIII(b) of the International Convention for the Safety of Life at Sea (SOLAS), 1974 (hereinafter referred to as "the Convention"), concerning the amendment procedure applicable to the Annex to the Convention, other than to the provisions of chapter I thereof,

HAVING CONSIDERED, at its ninetieth session, amendments to the Convention, proposed and circulated in accordance with article VIII(b)(i) thereof,

1. ADOPTS, in accordance with article VIII(b)(iv) 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 VIII(b)(vi)(2)(bb) of the Convention, that the said amendments shall be deemed to have been accepted on 1 July 2013, unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50 per cent of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;
3. INVITES SOLAS Contracting Governments to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 January 2014 upon their acceptance in accordance with paragraph 2 above;
4. REQUESTS the Secretary-General, in conformity with article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the Annex to all Contracting Governments to the Convention;
5. FURTHER REQUESTS the Secretary-General to transmit copies of this resolution and its Annex to Members of the Organization which are not Contracting Governments to the Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE
SAFETY OF LIFE AT SEA, 1974, AS AMENDED**

**CHAPTER II-1
CONSTRUCTION – STRUCTURE, SUBDIVISION AND STABILITY,
MACHINERY AND ELECTRICAL INSTALLATIONS**

**Part B-1
Stability**

Regulation 8-1 – System capabilities after a flooding casualty on passenger ships

1 The existing regulation II-1/8-1 is replaced by the following:

**"Regulation 8-1 – System capabilities and operational information after a
flooding casualty on passenger ships**

1 Application

Passenger ships having length, as defined in regulation II-1/2.5, of 120 m or more or having three or more main vertical zones shall comply with the provisions of this regulation.

2 Availability of essential systems in case of flooding damage

A passenger ship constructed on or after 1 July 2010 shall be designed so that the systems specified in regulation II-2/21.4 remain operational when the ship is subject to flooding of any single watertight compartment.

3 Operational information after a flooding casualty

For the purpose of providing operational information to the Master for safe return to port after a flooding casualty, passenger ships constructed on or after 1 January 2014 shall have:

- .1 onboard stability computer; or
- .2 shore-based support,

based on guidelines developed by the Organization."

CHAPTER III LIFE-SAVING APPLIANCES AND ARRANGEMENTS

Part B Requirements for ships and life-saving appliances

Regulation 20 – Operational readiness, maintenance and inspections

2 In paragraph 11.2, the following new subparagraph .4 is added after the existing subparagraph .3:

- "4 notwithstanding subparagraph .3 above, the operational testing of free-fall lifeboat release systems shall be performed either by free-fall launch with only the operating crew on board or by a simulated launching carried out based on guidelines developed by the Organization."

CHAPTER V SAFETY OF NAVIGATION

Regulation 14 – Ships' manning

3 The existing paragraph 2 is replaced by the following new paragraph:

- "2 For every ship to which chapter I applies, the Administration shall:
- .1 establish appropriate minimum safe manning following a transparent procedure, taking into account the relevant guidance adopted by the Organization; and
 - .2 issue an appropriate minimum safe manning document or equivalent as evidence of the minimum safe manning considered necessary to comply with the provisions of paragraph 1."

CHAPTER VI CARRIAGE OF CARGOES

Part A General provisions

4 The following new regulation 5-2 is added after the existing regulation 5-1:

"Regulation 5-2 – Prohibition of the blending of bulk liquid cargoes and production processes during sea voyages

1 The physical blending of bulk liquid cargoes during sea voyages is prohibited. Physical blending refers to the process whereby the ship's cargo pumps and pipelines are used to internally circulate two or more different cargoes with the intent to achieve a cargo with a new product designation. This prohibition does not preclude the master from undertaking cargo transfers for the safety of the ship or protection of the marine environment.

2 The prohibition in paragraph 1 does not apply to the blending of products for use in the search and exploitation of seabed mineral resources on board ships used to facilitate such operations.

3 Any production process on board a ship during sea voyages is prohibited. Production processes refer to any deliberate operation whereby a chemical reaction between a ship's cargo and any other substance or cargo takes place.

4 The prohibition in paragraph 3 does not apply to the production processes of cargoes for use in the search and exploitation of seabed mineral resources on board ships used to facilitate such operations."

CHAPTER VII CARRIAGE OF DANGEROUS GOODS

Part A Carriage of dangerous goods in packaged form

Regulation 4 – Documents

5 The text of the regulation is replaced by the following:

"1 Transport information relating to the carriage of dangerous goods in packaged form and the container/vehicle packing certificate shall be in accordance with the relevant provisions of the IMDG Code and shall be made available to the person or organization designated by the port State authority.

2 Each ship carrying dangerous goods in packaged form shall have a special list, manifest or stowage plan setting forth, in accordance with the relevant provisions of the IMDG Code, the dangerous goods on board and the location thereof. A copy of one of these documents shall be made available before departure to the person or organization designated by the port State authority."

CHAPTER XI-1 SPECIAL MEASURES TO ENHANCE MARITIME SAFETY

Regulation 2 – Enhanced surveys

6 The words "the guidelines adopted by the Assembly of the Organization by resolution A.744(18)" are replaced by the words "the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code), adopted by the Assembly of the Organization by resolution A.1049(27)".

第 106/2015 號行政長官公告

中華人民共和國於一九九九年十二月十三日以照會通知聯合國秘書長，經修訂的《1974年國際海上人命安全公約》（下稱“公約”）自一九九九年十二月二十日起適用於澳門特別行政區；

國際海事組織海上安全委員會於二零一二年十一月三十日透過第MSC.338(91)號決議通過了經修正的公約修正案，該修正案自二零一四年七月一日起適用於澳門特別行政區；

基於此，行政長官根據第3/1999號法律《法規的公佈與格式》第六條第一款的規定，命令公佈包含上指修正案的MSC.338(91)號決議的中文及英文文本。

二零一五年七月十四日發佈。

行政長官 崔世安

Aviso do Chefe do Executivo n.º 106/2015

Considerando que a República Popular da China, por nota datada de 13 de Dezembro de 1999, notificou o Secretário-Geral das Nações Unidas sobre a aplicação da Convenção Internacional para a Salvaguarda da Vida Humana no Mar de 1974, adiante designada por Convenção, tal como emendada, na Região Administrativa Especial de Macau a partir de 20 de Dezembro de 1999;

Considerando igualmente que, em 30 de Novembro de 2012, o Comité de Segurança Marítima da Organização Marítima Internacional, através da resolução MSC.338(91), adoptou emendas à Convenção, tal como emendada, e que tais emendas são aplicáveis na Região Administrativa Especial de Macau desde 1 de Julho de 2014;

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.338(91), que contém as referidas emendas, nos seus textos em línguas chinesa e inglesa.

Promulgado em 14 de Julho de 2015.

O Chefe do Executivo, *Chui Sai On*.