



INTERNATIONAL CONFERENCE ON  
SAFETY OF LIFE AT SEA, 1974

Committee I  
Agenda item 2

IMCO

CONSIDERATION OF THE DRAFT TEXT OF ARTICLES OF THE INTERNATIONAL  
CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

Draft Texts of Articles IX and X  
agreed by the Committee

Article IX

Amendment

- (a) The present Convention may be amended by any of the procedures specified in the following paragraphs.
- (b) Amendments after consideration in the Organization:
- (i) any amendment proposed by a Contracting Government shall be submitted to the Organization and circulated by it to all Members of the Organization and all Contracting Governments at least six months prior to its consideration;
  - (ii) any amendment proposed and circulated as above shall be referred to the Maritime Safety Committee of the Organization for consideration;
  - (iii) Contracting Governments, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Maritime Safety Committee for the consideration and adoption of amendments as specified in this Article;
  - (iv) amendments shall be adopted by a two-thirds majority of the Contracting Governments present and voting in the Maritime Safety Committee enlarged as provided for in sub-paragraph (iii) of this paragraph provided that at least one-third of the Contracting Governments shall be present at the time of voting;

- (v) \*if adopted in accordance with sub-paragraph (iv) of this paragraph, amendments shall be communicated by the Organization\*\* to all Contracting Governments for acceptance;
- (vi) an amendment shall be deemed to have been accepted in the following circumstances:
- (1) an amendment to an Article of the Convention or to Chapter I of the Annex to the Convention shall be deemed to have been accepted on the date on which it is accepted by two-thirds of the Contracting Governments;
  - (2) an amendment to the Annex to the Convention other than Chapter I [of the Annex] shall be deemed to have been accepted;
    - (aa) at the end of two years from the date on which it is notified to Contracting Governments for acceptance; or
    - (bb) if so determined at the time of its adoption by a two-thirds majority of the Contracting Governments present and voting in the Maritime Safety Committee enlarged as provided in sub-paragraph (iii) of this paragraph, at the end of a different period which shall not be less than one year.

If within the specified period, more than one-third of Contracting Governments, or Contracting Governments the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant fleet, whichever condition is fulfilled, notify the Organization that they object to the amendment, it shall be deemed not to have been accepted;

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\* It was suggested that the Drafting Committee should consider the possibility of combining sub-paragraphs (iv) and (v).

\*\* The Drafting Committee is invited to consider whether various communications required by the Convention should be made by "the Organization" or "the Secretary-General of the Organization".

(3) any Contracting Government may, before the date set for the entry into force of an amendment deemed to have been accepted as specified in sub-paragraph (vi)(2) of this paragraph, give notice to the Organization that it exempts itself from giving effect to the amendment for a period not exceeding one year from the date of the entry into force of that amendment, unless a two-thirds majority of the Contracting Governments present and voting in the Maritime Safety Committee enlarged as provided for in sub-paragraph (iii) of this paragraph at the time of the adoption of the amendment decides that a longer period may be authorized.

(vii) (1) in the case of an amendment to an Article of the Convention or to Chapter I of the Annex to the Convention the amendment shall enter into force six months after the date of its acceptance as specified in sub-paragraph (vi)(1) of this paragraph with respect to the Contracting Governments which have accepted it, and shall enter into force with respect to each Contracting Government which accepts it after the date on which it is deemed to have been accepted under sub-paragraph (vi)(1) of this paragraph, six months after its acceptance by that Government;

(2) in the case of an amendment to the Annex to the Convention other than Chapter I [of the Annex to the Convention] the amendment shall enter into force six months after its acceptance for all the Contracting Governments with the exception of those which, before the date of its entry into force, have made a declaration that they object to it or have notified the Organization that they exempt themselves from giving effect to the amendment for a period specified in sub-paragraph (vi)(3) of this paragraph.

(c) Amendment by a Conference:

(1) Upon the request of a Contracting Government concurred in by at least one-third of the Contracting Governments, the Organization shall convene a Conference of Contracting Governments to consider amendments to the present Convention.

- (ii) Every amendment adopted by such a Conference by a two-thirds majority of the Contracting Governments present and voting shall be communicated by the Organization to all Contracting Governments for their acceptance.
  - (iii) Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and enter into force in accordance with the procedures specified for that purpose in sub-paragraphs (b)(vi) and (vii) of this Article, provided that references in these paragraphs to the Maritime Safety Committee shall be taken to mean references to the Conference.
- (d) (i) A Contracting Government which has accepted an amendment to the Annex which has entered into force shall not be obliged to extend the benefit of the Convention in respect of the certificates relating to matters covered by the amendment to ships entitled to fly the flag of a State [the Government of which is a Contracting Government] which has made a declaration under sub-paragraph (b)(vii)(2) of this Article that it objects to the amendment.
- (ii) A Contracting Government which has accepted an amendment to the Annex which has entered into force may extend the benefit of the Convention in respect of the certificates relating to matters covered by the amendment to ships entitled to fly the flag of a State [the Government of which is a Contracting Government] which has notified the Organization under sub-paragraph (b)(vi)(3) of this Article and has not given effect to the amendment for the period specified in that sub-paragraph.
- (e) Unless expressly provided otherwise, any amendment to the present Convention made under this Article, which relates to the structure of a ship, shall apply only to ships the keel of which is laid or which is at a similar stage of construction, on or after the date on which the amendment enters into force.
- (f) The Organization shall inform all Contracting Governments of any amendments which enter into force under this Article, together with the date on which each such amendment enters into force.
- (g) Any declaration of acceptance of or objection to an amendment or any notification under this Article shall be made in writing to the Organization. The latter shall bring such notification and the date of its receipt to the notice of the Contracting Governments.

ARTICLE X

Signature, Ratification, Acceptance, Approval and Accession

(a) The present Convention shall remain open for signature at the Headquarters of the Organization [for one month from this day's date] and shall thereafter remain open for accession. Governments of States may become Parties to the present Convention by:

- (i) signature without reservation as to ratification, acceptance or approval;  
or
- (ii) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
- (iii) accession.

(b) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with [the Secretary-General of] the Organization.

(c) [the Secretary-General of] the Organization shall inform all States which have signed the present Convention or acceded to it of any signature or of the deposit of any new instrument of ratification, acceptance, approval or accession and the date of its deposit.

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