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FAL.3/Circ.215
12 April 2019

**EXPLANATORY MANUAL TO THE CONVENTION ON FACILITATION OF
INTERNATIONAL MARITIME TRAFFIC, 1965, AS AMENDED**

1 The Facilitation Committee, at its forty-third session (8 to 12 April 2019), finalized and approved the annexed Explanatory Manual to the Convention on Facilitation of International Maritime Traffic, 1965, as amended (FAL Convention).

2 The Committee recognized that the development of an Explanatory Manual should help in interpreting the legal text of the provisions of the Convention, which can be complex and at times difficult to understand. The Committee was of the view that the Manual would provide for a greater understanding of the Convention, particularly in those Member States which are not presently Contracting Governments to the Convention.

3 The Committee once again urged those Member States which had not yet acceded to the FAL Convention to consider doing so as soon as possible, in order to assist the Organization's efforts to promote wider acceptance of the Convention and adoption of measures contained therein and work towards the universal implementation of measures to facilitate international maritime traffic.

4 Member Governments are invited to bring this Manual to the attention of all parties concerned, including public authorities, ship's masters, agents and operators.

5 This circular revokes FAL.3/Circ.202.

**EXPLANATORY MANUAL TO THE CONVENTION ON FACILITATION
OF INTERNATIONAL MARITIME TRAFFIC 1965, AS AMENDED**

*(INCORPORATING AMENDMENTS TO THE FAL CONVENTION
UP TO AND INCLUDING 2018)*

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Introduction

This manual contains guidance and interpretations of the provisions of the annex to the Convention on Facilitation of International Maritime Traffic, 1965, as amended, including the amendments to the Convention adopted on 8 April 2016, which came into force on 1 January 2018, as well as practical methods of application and examples of best practices.

Public authorities may apply the methods of application or best practices that are most suitable for their circumstances. If an application is more liberal than required by a particular Standard or Recommended Practice, such an application may be regarded as granting a wider facility in accordance with article V of the Convention.

Contracting Governments to the FAL Convention are obliged to bring the Standards and Recommended Practices of this Convention into force nationally, unless they have lodged a reservation with the Secretary-General in accordance with article VIII. Their national legislation must include the implementation of these Standards and Recommended Practices together with specific regulations for their application.

Taking into account the character of the annex to the Convention, which is addressed to public authorities in general, national legislation will not necessarily be limited to only one category of legislation. It may be included in the legislation of various public authorities, such as port, immigration and customs authorities. National legislation is not limited to laws in a formal sense, but may include other instruments such as official notifications, charters or ministerial degrees, according to the administrative system of each Contracting Government.

Explanatory guidance is provided (text in italics) for most substantive provisions of the Convention, which are, solely for the purposes of this manual, indicated in bold text. Definitions within the Convention are not provided with guidance, based on the understanding that such a definition should be clear as read.

This manual does not form a part of the authentic text of the annex to the FAL Convention and entails no legal obligation towards Contracting Governments. While, for ease of reference, the manual reproduces text from the Convention, the provisions of the authentic text of the Convention must be consulted and take precedence over any part of this Explanatory Manual.

Text from annex to the FAL Convention, with explanatory notes

For ease of reference, the following pages contain text reproduced from the annex to the Convention on Facilitation of International Maritime Traffic, 1965, as amended, including the amendments to the Convention adopted on 8 April 2016, which came into force on 1 January 2018. This text, solely for the purposes of this manual, is indicated in bold text. It is supplemented by explanatory text, with practical methods of application and examples of best practices. This explanatory text is written in italics for ease of identification.

This manual does not form a part of the authentic text of the annex to the FAL Convention and entails no legal obligation towards Contracting Governments. The provisions of the authentic text of the Convention must be consulted and take precedence over any part of this Explanatory Manual.