

INTERNATIONAL CONVENTION ON LOAD LINES

Done at London 5 April 1966;

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Entered into force as to the Philippines 4 June 1969.

INTERNATIONAL CONVENTION ON LOAD LINES

The Contracting Governments,

Desiring to establish uniform principles and rules with respect to the limits to which ships on international voyages may be loaded having regard to the need for safeguarding life and property at sea;

Considering that this end may best be achieved by conclusion of a Convention ;

Have agreed as follows:

ARTICLE 1

GENERAL OBLIGATION UNDER THE CONVENTION

(1) The Contracting Governments undertake to give effect to the provisions of the present Convention and the Annexes hereto, which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the Annexes.

(2) The Contracting Governments shall undertake all measures which may be necessary to give effect to the present Convention.

ARTICLE 2

DEFINITIONS

For the purpose of the -present Convention, unless expressly provided otherwise:

(1) "Regulations" means the Regulations annexed to the present Convention.

(2) "Administration" means the Government of the State whose flag the ship is flying.

(3) "Approved" means approved by the Administration.

(4) "International voyage" means a sea voyage from a country to which the present Convention applies to a port outside such country, or conversely. For this purpose, every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country.

(5) A "fishing vessel" is a ship used (or catching fish, whales, seals, walrus or other living resources of the sea.

(6) "New ship" means a ship the keel of which is, laid, or which is at a similar stage of construction, on or after the date of coming into force of the present Convention for each Contracting Government.

(7) "Existing ship" means a ship which is not a new ship.

(8) "Length" means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline.

ARTICLE 3

GENERAL PROVISIONS

(1) No ship to which the present Convention applies shall proceed to sea on an international voyage after the date on which the present Convention comes into force unless it has been surveyed, marked and provided with an International Load Line Certificate (1966) or, where appropriate, an International Load Line Exemption Certificate in accordance with the provisions of the present Convention.

(2) Nothing in this Convention shall prevent an Administration from assigning a greater freeboard than, the minimum freeboard determined in accordance with Annex I.

ARTICLE 4

(1) The present Convention shall apply to:

- (a) ships registered in countries the Governments of which are Contracting Governments;
- (b) ships registered in territories to which the present Convention is extended under Article 32; and
- (c) unregistered ships flying the flag of a State, the Government of which is a Contracting Government.

(2) The present Convention shall apply to ships engaged on international voyages.

(3) The Regulations contained in Annex I are specifically applicable to newships.

(4) Existing ships which do not fully comply with the requirements of the Regulations contained in Annex I or any part thereof shall meet at least such lesser related requirements as the Administration applied to ships on international voyages prior to the coming into force of the present Convention; in no case shall such ships be required to increase their freeboards. In order to take advantage of any reduction in freeboard from that previously assigned existing ships shall comply with all the requirements of the present Convention.

(5) The regulations contained in Annex IX are applicable to new and existing ships to which the present Convention applies.

ARTICLE 5

EXEMPTIONS

(1) The present Convention shall not apply to:

- (a) ships of war;
- (b) new ships of less than 24 metres (79 feet) in length;
- (c) existing ships of less than 150 tons gross;
- (d) pleasure yachts not engaged in trade;
- (e) fishing vessels.

(2) Nothing herein shall apply to ships solely navigating:

- (a) the Great Lakes of North America and the River St. Lawrence as far as a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and on the north side of Anticosti Island, the meridian of longitude 63°W ;
- (b) the Caspian Sea;
- (c) the Plate, Parana and Uruguay Rivers as far east as a rhumb line drawn between Punta None, Argentina, and Punta del Este, Uruguay.

ARTICLE 6

EXEMPTIONS

(1) Ships when engaged on international voyages between the near neighbouring ports of two or more States may be exempted by the Administration from the provisions of the present Convention, so long as they shall remain engaged on such voyages, if the Governments of the States in which such port are situated shall be satisfied that the sheltered nature or conditions of such voyages between ports make it unreasonable or impracticable to apply the provisions of the present Convention to ships engaged on such voyages.

(2) The Administration may exempt any ship which embodies features of a novel kind from any of the provisions of this Convention the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship.

(3) The Administration which allows any exemption under paragraphs (1) and (2) of this Article shall communicate to the Inter-Governmental Maritime Consultative Organization {hereinafter called "the Organization"} particulars of the same and reasons therefor which the Organization shall circulate to the Contracting Governments for their information.

(4) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present Convention, provided that it complies with safety requirements which, in the opinion of that Administration, are adequate for the voyage which is to be undertaken by the ship.

ARTICLE 7

FORCE MAJEURE

(1) A ship which is not subject to the provisions of the present Convention at the time of its departure on any voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to sires.. of weather or any other cause of force majeure.

(2) In applying the provisions of the present Convention, the Contracting Governments shall give due consideration to any deviation or delay caused to any ship owing to stress of weather or any other cause of force majeure.

ARTICLE 8

EQUIVALENTS

(1) The Administration may allow any fitting, material, appliance or apparatus to be fitted, or any other provisions to be made in a ship, other than that required by the present Convention, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or provision, is at least as effective as that required by the Convention.

(2) The Administration which allows a fitting, material, appliance or apparatus, or provision, other than that required by the present Convention, shall communicate to the Organization for circulation to the Contracting Governments particulars thereof, together with a report on any trials made.

ARTICLE 9

APPROVAL FOR EXPERIMENTAL PURPOSES

(1) Nothing in the present Convention shall prevent an Administration from making specific approvals for experimental purposes in respect of a ship to which the Convention applies.

(2) An Administration which makes any such approval shall communicate to the Organization for circulation to the Contracting Governments particulars thereof.

ARTICLE 10

REPAIRS, ALTERATIONS AND MODIFICATIONS

(1) A ship which undergoes repairs, alterations modifications and outfitting related thereto shall continue with at least the requirements previously applicable to the ship. An existing ship in such case shall not as a rule, comply to a lesser extent with the requirements of a new ship than it did before.

(2) Repairs, alterations and modifications of a major character and outfitting related thereto should meet the requirements for a new ship in so far as the Administration deems reasonable and practicable.

ARTICLE 11

ZONES AND AREAS

(1) A ship to which the present Convention applies shall comply with the requirements applicable to that ship in the zones and areas describe;! in Annex II.

(2) A port standing on the boundary line between two zones or areas shall be regarded as within the zone or area from or into which the ship arrives or departs.

ARTICLE 12

SUBMERSION

(1) Except as provided in paragraphs (2) and (3) of this Article, the appropriate load lines on the sides of the ship corresponding to the season of the year and the zone or area in which the ship may be shall not be submerged at any time when the ship puts to sea, during the voyage or on arrival.

(2) When a ship is in fresh water of unit density the appropriate load line may be submerged by the amount of the fresh water allowance shown on the International Load Line Certificate (1966). Where the density is other than unity an allowance shall be made proportional to the difference between 1.025 and the actual density.

(3) When a ship departs from a port situated on a river or inland waters deeper loading shall be permitted corresponding to the weight of fuel and all other materials required for consumption between the point of departure and the sea.

ARTICLE 13

SURVEY, INSPECTION AND MARKING

The survey, inspection and marking of ships, as regards to the enforcement of the provisions of the present Convention and the granting of exemptions therefrom, shall be carried out by the officers of the Administration. The Administration may, however, entrust the survey, inspection and marking either to surveyors nominated for the purpose or to organizations recognized by it. In every case the Administration concerned fully guarantees the completeness and efficiency of the survey, inspection and marking.

ARTICLE 14

INITIAL AND PERIODICAL SURVEYS AND INSPECTIONS

(1) A ship shall be subjected to the surveys and inspections specified below:

(a) A survey before the ship is put in service, which shall include a complete inspection of its structure and equipment in so far as the ship is covered by the present Convention. This survey shall be such as to ensure that the arrangements, material, and scantlings fully comply with the requirements of the present Convention.

(b) A periodical survey at intervals specified by the Administration, but not exceeding five years, which shall be such as to ensure that the structure, equipment, arrangements, material and scantlings fully comply with the requirements of the present Convention.

(c) A periodical inspection within three months either way of each annual anniversary date of the certificate, to ensure that alterations have not been made to the hull or superstructures which would affect the calculations determining the position of the load line and so as to ensure the maintenance in an effective condition of fittings and appliances for:

- (i) protection of openings;
- (ii) guard rails;
- (iii) freeing ports; and
- (iv) means of access to crew's quarters.

(2) The periodical inspections referred to in paragraph (1) (c) of this Article shall be endorsed on the International Load Line Certificate (1966) or on the International Load Line Exemption Certificate issued to a ship exempted under paragraph (2) of Article 6 of the present Convention.

ARTICLE 15

MAINTENANCE OF CONDITIONS AFTER SURVEY

After any survey of the ship under Article 14 has been completed, no change shall be made in the structure, equipment, arrangements, material or scantlings covered by the survey, without the sanction of he Administration.

ARTICLE 16

ISSUE OF CERTIFICATES

- (1) An International Load Line Certificate (1966) shall be issued to every ship which has been surveyed and marked in accordance with the present Convention.
- (2) An International Load Line Exemption Certificate shall be issued to any ship to which an exemption has been granted under and in accordance with paragraph (2) or (4) of Article 6.
- (3) Such certificates shall be issued by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the certificate.
- (4) Notwithstanding any other provision of the present Convention, any international load line certificate which is current when the present Convention comes into force in respect of the Government of the State whose flag the ship is flying shall remain valid for two years or until it expires, whichever is earlier. After that time an International Load Line Certificate (1966) shall be required.

ARTICLE 17

ISSUE OF CERTIFICATE BY ANOTHER GOVERNMENT

- (1) A Contracting Government may, at the request of another Contracting Government, cause a ship to be surveyed and, if satisfied that the provisions of the present Convention are complied with, shall issue or authorize the issue of an International Load Line Certificate (1966) to the ship in accordance with the present Convention.
- (2) A copy of the certificate, a copy of the survey report used for computing the freeboard, and a copy of the computations shall be transmitted as early as possible to the requesting Government.
- (3) A certificate so issued must contain a statement to the effect that it has been issued at the request of the Government of the State whose flag the ship is or will be flying and it shall have the same force and receive the same recognition as a certificate issued under Article 16.
- (4) No International Load Line Certificate (1966) shall be issued to a ship which is flying the flag of a State the Government of which is not a Contracting Government.

ARTICLE 18

FORM OF CERTIFICATES

- (1) The certificates shall be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.
- (2) The form of the certificates shall be that of the models given in Annex III. The arrangement of the printed part of each model certificate shall be exactly reproduced in any certificates issued, and in any certified copies thereof.

ARTICLE 19

DURATION OF CERTIFICATES

- (1) An International Load Line Certificate (1966) shall be issued for the period specified by the Administration, which shall not exceed five years from the date of issue.
- (2) If, after the periodical survey referred to in paragraph (1) (b) of Article 14, a new certificate cannot be issued to the ship before the expiry of the certificate originally issued, the person or organization carrying out the survey may extend the validity of the original certificate for a period which shall not exceed five months. This extension shall be endorsed on the certificate, and shall be granted only where there have been no alterations in the structure, equipment, arrangements, material or scantlings which affect the ship's freeboard.
- (3) An International Load Line Certificate (1966) shall be cancelled by the Administration if any of the following circumstances exist:
 - (a) material alterations have taken place in the hull or superstructures of the ship such as would necessitate the assignment of an increased freeboard;
 - (b) the fittings and appliances mentioned in sub-paragraph (c) of paragraph (1) of Article 14 are not maintained in an effective condition;
 - (c) the certificate is not endorsed to show that the ship has been inspected as provided in sub-paragraph (c) of paragraph (1) of Article 14;
 - (d) the structural strength of the ship is lowered to such an extent that the ship is unsafe.
- (4) (a) The duration of an International Load Line Exemption Certificate issued by an Administration to a ship exempted under paragraph (2) of Article 6 shall not exceed five years from the date of issue. Such certificate shall be subject to a renewal, endorsement and cancellation procedure similar to that provided for an International Load Line Certificate (1966) under this Article.
 - (b) The duration of an International Load Line Exemption Certificate issued to a ship exempted under paragraph (4) of Article 6 shall be limited to the single voyage for which it is issued.
- (5) A certificate issued to a ship by an Administration shall cease to be valid upon the transfer of such a ship to the flag of another State.

ARTICLE 20

ACCEPTANCE OF CERTIFICATES

The certificates issued under the authority of a Contracting Government in accordance with the present Convention shall be accepted by the other Contracting Governments and regarded for all purposes covered by the present Convention as having the same force as certificates issued by them.

ARTICLE 21

CONTROL

(1) Ships holding a certificate issued under Article 16 or Article 17 are subject, when in the ports of other Contracting Governments, to control by officers duly authorized by such Governments. Contracting Governments shall ensure that such control is exercised as far as is reasonable and practicable with a view to verifying that there is on board a valid certificate under the present Convention. If there is a valid International Load Line Certificate (1966) on board the ship, such control shall be limited to the purpose of determining that:

- (a) the ship is not loaded beyond the limits allowed by the certificate;
- (b) the position of the load line of the ship corresponds with the certificate; and
- (c) the ship has not been so materially altered in respect to the matters set out in sub-paragraphs (a) and (b) of paragraph (3) of Article 19 that the ship is manifestly unfit to proceed to sea without danger to human life.

If there is a valid International Load Line Exemption Certificate on board, such control shall be limited to the purpose of determining that any conditions stipulated in that certificate are complied with.

(2) If such control is exercised under subparagraph (c) of paragraph (1) of this Article, it shall only be exercised in so far as may be necessary to ensure that the ship shall not sail until it can proceed to sea without danger to the passengers or the crew.

(3) In the event of the control provided for in this Article giving rise to intervention of any kind, the officer carrying out the control shall immediately inform in writing the Consul or the diplomatic representative of the State whose flag the ship is flying of this decision and of all the circumstances in which intervention was deemed to be necessary.

ARTICLE 22

PRIVILEGES

The privileges of the present Convention may not be claimed in favour of any ship unless it holds a valid certificate under the Convention.

ARTICLE 23

CASUALTIES

(1) Each Administration undertakes to conduct an investigation of any casualty occurring to ships for which it is responsible and which are subject to the provisions of the present Convention when it judges that such an investigation may assist in determining what changes in the Convention might be desirable.

(2) Each Contracting Government undertakes to supply the Organization with the pertinent information concerning the findings of such investigations. No reports or recommendations of the Organization based upon such information disclose the identity or nationality of the ships concerned or in any manner fix or imply responsibility upon any ship or person.

ARTICLE 24

PRIOR TREATIES AND CONVENTIONS

(1) All other treaties, conventions and arrangements relating to load line matters at present in force between Governments parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards:

- (a) ships to which the present Convention does not apply; and
- (b) ships to which the present Convention applies, in respect of matters for which it has not expressly provided.

(3) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

ARTICLE 25

SPECIAL RULES DRAWN UP BY AGREEMENT

When in accordance with the present Convention special rules are drawn up by agreement among all or some of the Contracting Governments, such rules shall be communicated to the Organization for circulation to all Contracting Governments.

ARTICLE 26

COMMUNICATION OF INFORMATION

(1) The Contracting Governments undertake to communicate to and deposit with the Organization:

- (a) a sufficient number of specimens of their certificates issued under the provisions of the present Convention for circulation to the Contracting Governments;
- (b) the text of the laws, decrees, orders, regulations and other instruments which shall have been promulgated on the various matters within the scope of the present Convention; and
- (c) a list of non-governmental agencies which are authorized to act in their behalf in the administration of load line matters for circulations to the Contracting Governments.