

No. 8012

**FEDERAL REPUBLIC OF GERMANY,
IVORY COAST, NEW ZEALAND, NIGER,
UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND, etc.**

**Customs Convention concerning welfare material for
seafarers (with annex). Done at Brussels, on 1 De-
cember 1964**

Official texts : English and French.

*Registered on 23 December 1965 by the Customs Co-operation Council, acting
on behalf of the Contracting Parties, in accordance with article 19 of the
Convention.*

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE,
CÔTE D'IVOIRE, NOUVELLE-ZÉLANDE, NIGER,
ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD, etc.**

**Convention douanière relative au matériel de bien-être
destiné aux gens de mer (avec annexe). Faite à
Bruxelles, le 1^{er} décembre 1964**

Textes officiels anglais et français.

*Enregistrée le 23 décembre 1965 par le Conseil de coopération douanière, agissant
au nom des Parties contractantes, conformément à l'article 19 de la
Convention.*

No. 8012. CUSTOMS CONVENTION¹ CONCERNING WELFARE MATERIAL FOR SEAFARERS. DONE AT BRUSSELS, ON 1 DECEMBER 1964

PREAMBLE

The Contracting Parties to the present Convention established under the auspices of the Customs Co-operation Council on the initiative of and in consultation with the International Labour Organisation,

Desiring to promote the welfare of seafarers on ships in international maritime traffic,

Convinced that the adoption of uniform Customs provisions to facilitate the transfer of welfare material and its utilisation by seafarers can contribute to this end,

Have agreed as follows :

CHAPTER I

DEFINITIONS AND SCOPE

Article 1

For the purposes of the present Convention :

- (a) the term " welfare material " means material for the pursuit of cultural, educational, recreational, religious or sporting activities by seafarers and shall include reading material, audio-visual material, sports gear, hobby material and equipment for religious activities (including vestments), as set out in the list, which is not exhaustive, in the Annex ² to the present Convention :

¹ In accordance with article 13 (1), the Convention came into force on 11 December 1965, three months after the following five States had, on the dates indicated, signed it without reservation of ratification :

New Zealand (including Cook Islands, Niue, and Tokelau Islands)	3 June	1965
Niger	8 July	1965
Tunisia	14 July	1965
Lebanon	31 August	1965
Norway	10 September	1965

In accordance with article 13 (2), the Convention will enter into force for the Republic of South Africa on 28 December 1965, three months after the signature on its behalf, on 27 September 1965, without reservation of ratification.

² See p. 159 of this volume.

- (b) the term “seafarer” means any person carried on board a ship and charged with duties in connection with its working or service at sea ;
- (c) the term “welfare establishments” means hostels, clubs or recreation centres for seafarers, managed either by official organisations or by religious or other not-for-profit organisations, and places of worship where services for seafarers are regularly held ;
- (d) the term “import duties and taxes” means Customs duties and all other duties, taxes, fees or other charges which are collected on or in connection with the importation of goods, but not including fees and charges which are limited in amount to the approximate cost of services rendered ;
- (e) the term “ratification” means ratification, acceptance or approval ;
- (f) the term “the Council” means the Organisation set up by the Convention establishing a Customs Co-operation Council, done at Brussels on 15th December, 1950 ¹.

Article 2

This Convention shall apply to the importation into the territory of a Contracting Party of welfare material for the use of seafarers on foreign ships engaged in international maritime traffic.

CHAPTER II

FACILITIES FOR WELFARE MATERIAL USED OR INTENDED TO BE USED ON BOARD SHIP

Article 3

1. The Contracting Parties undertake to grant to welfare material in the circumstances set out in Article 4, and subject to re-exportation, conditional relief from :

- (a) import duties and taxes,
- (b) all prohibitions or restrictions other than those enforced under regulations concerning public morality or security, public hygiene or health, or based on veterinary or phytopathological considerations.

2. These facilities shall be granted by the Contracting Parties under procedures involving the minimum of formalities and delay.

¹ United Nations, *Treaty Series*, Vol. 157, p. 129, and Vol. 347, p. 379.

3. The application of provisions relating to prohibitions and restrictions imposed for the purposes of protection of public morality shall not hinder the speed of transfer of welfare material in the cases referred to in paragraphs (a), (b) and (c) of Article 4.

Article 4

The facilities provided for in Article 3 shall apply to welfare material which is :

- (a) imported into the territory of a Contracting Party for delivery to and use on board a foreign ship engaged in international maritime traffic, lying in a port in that territory ;
- (b) taken off a ship for delivery to and use on board a foreign ship engaged in international maritime traffic lying in the same port or in another port in the same territory ;
- (c) taken off a ship for re-exportation ;
- (d) intended for repair ;
- (e) awaiting disposal in accordance with paragraph (a), (b) or (c) of this Article ;
- (f) landed from a ship for temporary use ashore by the crew for a period not exceeding the ship's stay in port.

CHAPTER III

FACILITIES FOR WELFARE MATERIAL FOR USE IN WELFARE ESTABLISHMENTS

Article 5

The facilities provided for in Article 3 shall be extended to welfare material temporarily imported for a period not exceeding six months for use in welfare establishments, subject to the minimum formalities necessary for control.

CHAPTER IV

MISCELLANEOUS

Article 6

The provisions of the present Convention set out the minimum facilities to be accorded. They do not prevent the application of greater facilities which certain Contracting Parties grant or may grant in future by unilateral provisions or in virtue of bilateral and multilateral agreements.

Article 7

For the purpose of the present Convention the territories of Contracting Parties which form a Customs or economic union may be taken to be a single territory.

Article 8

Any substitution, false declaration or act having the effect of causing a person or goods improperly to benefit from the facilities provided for in the present Convention, may render the offender liable in the country where the offence was committed to the penalties prescribed by the laws and regulations of that country and to payment of any import duties and taxes chargeable.

Article 9

The Annex to the present Convention shall be construed to be an integral part of the Convention.

CHAPTER V

FINAL PROVISIONS

Article 10

1. The Contracting Parties shall meet together when necessary in order to consider the operation of the present Convention and, in particular, in order to consider measures to secure uniformity in the interpretation and application of the present Convention.
2. Such meetings shall be convened by the Secretary General of the Council at the request of any Contracting Party. Unless the Contracting Parties otherwise decide, the meetings shall be held at the Headquarters of the Council.
3. The Contracting Parties shall lay down the rules of procedure for their meetings. Decisions of the Contracting Parties shall be taken by a majority of not less than two-thirds of the Contracting Parties present at the meeting and voting.
4. The Contracting Parties shall not take a decision on any matter unless more than half of them are present.

Article 11

1. Any dispute between Contracting Parties concerning the interpretation or application of the present Convention shall so far as possible be settled by negotiation between them.