

No. 27025

**CHINA
and
UNITED STATES OF AMERICA**

**Agreement on maritime transport. Signed at Washington on
15 December 1988**

Authentic texts: Chinese and English.

Registered by China on 16 January 1990.

**CHINE
et
ÉTATS-UNIS D'AMÉRIQUE**

**Accord relatif au transport maritime. Signé à Washington le
15 décembre 1988**

Textes authentiques : chinois et anglais.

Enregistré par la Chine le 16 janvier 1990.

AGREEMENT¹ ON MARITIME TRANSPORT BETWEEN THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

The Government of the People's Republic of China and the Government of the United States of America,

Recognizing the importance of maritime relations for both countries; and

Desiring to foster efficient, competitive shipping services in the bilateral trade and the growth of economic ties between the two countries; and

Recognizing the importance of equal rights, benefits and opportunities for both parties under this Agreement; and

Bearing in mind their policies with respect to the use of third-flag ships; and

Desiring to strengthen their cooperation in the field of maritime transport; and

Having regard for the Agreed Minutes signed by their representatives on October 20, 1988;

Have agreed as follows:

Article I

For purposes of this Agreement:

a. The term "vessel" shall mean any merchant ship engaged in commercial maritime shipping or merchant marine training or any civilian research ship engaged in hydrographic, oceanographic, meteorological or terrestrial magnetic field research. The term "vessel" shall not include warships or any vessels carrying out state functions except for those mentioned in the preceding sentence.

b. The term "vessel of a Party" shall mean a vessel flying the national flag of and registered in the People's Republic of China or the United States of America, respectively.

c. The term "member of the crew" shall mean a person working on board a vessel of a Party who actually performs duties or services connected with the operation or maintenance of the vessel, holding appropriate identity documents issued by the authorities of that Party as provided in Article IV, and whose name is included on the crew list of the vessel.

Article II

a. This Agreement shall not apply to the vessels of one Party in the transportation of passengers and cargo between the ports of the other Party. However, the right of vessels of either Party to engage in commercial passenger and cargo services in accordance with Article IX shall include the right to pick up or discharge passengers and cargo at more than one port of the other Party if such passengers and cargo are destined for or are proceeding from another country on the same vessel.

b. The Parties agree that the vessels of each Party may transport empty cargo vans, empty lift vans and empty shipping tanks; equipment for use with cargo vans, lift vans or shipping tanks; empty barges especially designed for carriage aboard vessels and equipment, excluding propulsion equipment, for use with such barges;

¹ Came into force on 15 December 1988 by signature, in accordance with article XI.