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37. Zakon o ratifikaciji Konvencije o minimalnih normativih v trgovski mornarici (Konvencija ILO št. 147) (MKMNTM)

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z

O RAZGLASITVI ZAKONA O RATIFIKACIJI KONVENCIJE O MINIMALNIH NORMATIVIH V TRGOVSKI MORNARICI (KONVENCIJA ILO ŠT. 147) (MKMNTM)

Razglušam Zakon o ratifikaciji Konvencije o minimalnih normativih v trgovski mornarici (Konvencija ILO št. 147) (MKMNTM), ki ga je sprejel Državni zbor Republike Slovenije na seji 23. marca 1999.

Št. 001-22-40/99

Ljubljana, dne 31. marca 1999

Predsednik
Republike Slovenije
Milan Kučan l. r.

Z A K O N

O RATIFIKACIJI KONVENCIJE O MINIMALNIH NORMATIVIH V TRGOVSKI MORNARICI (KONVENCIJA ILO ŠT. 147) (MKMNTM)

1. člen

Ratificira se Konvencija o minimalnih normativih v trgovski mornarici (Konvencija ILO št. 147), sprejeta v Ženevi 29. oktobra 1976.

2. člen

Konvencija se v angleškem izvorniku in v slovenskem prevodu glasi:

Convention 147

CONVENTION CONCERNING MINIMUM STANDARDS IN MERCHANT SHIPS

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office and having met in its Sixty-second Session on 13 October 1976, and

Recalling the provisions of the Seafarers' Engagement (Foreign Vessels) Recommendation, 1958, and of the Social Condition and Safety (Seafarers) Recommendation, 1958, and

Having decided upon the adoption of certain proposals with regard to substandard vessels, particularly those registered under flags of convenience, which is the fifth item on the agenda of the session, and

Konvencija št. 147

KONVENCIJA O MINIMALNIH NORMATIVIH V TRGOVSKI MORNARICI

Generalna konferenca Mednarodne organizacije dela,

ki jo je v Ženevi sklical Administrativni svet Mednarodnega urada za delo in se je 13. oktobra 1976 sestala na svojem dvainšestdesetem zasedanju, in

je upoštevala določbe Priporočila o zaposlovanju pomorščakov na tujih ladjah, 1958, in Priporočila o socialnih pogojih in varnosti pomorščakov, 1958, in

sklenila, da sprejme nekatere predloge glede ladij, ki ne ustrezajo predpisanim standardom, predvsem tistih, ki so registrirane pod zastavo ugodnosti, kar je peta točka dnevnega reda zasedanja, ter

Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-ninth day of October of the year one thousand nine hundred and seventy-six the following Convention, which may be cited as the Merchant Shipping (Minimum Standards) Convention, 1976:

Article 1

1. Except as otherwise provided in this Article, this Convention applies to every sea-going ship, whether publicly or privately owned, which is engaged in the transport of cargo or passengers for the purpose of trade or is employed for any other commercial purpose.

2. National laws or regulations shall determine when ships are to be regarded as sea-going ships for the purpose of this Convention.

3. This Convention applies to sea-going tugs.

4. This Convention does not apply to–

(a) ships primarily propelled by sail, whether or not they are fitted with auxiliary engines;

(b) ships engaged in fishing or in whaling or in similar pursuits;

(c) small vessels and vessels such as oil rigs and drilling platforms when not engaged in navigation, the decision as to which vessels are covered by this subparagraph to be taken by the competent authority in each country in consultation with the most representative organisations of ship-owners and seafarers.

5. Nothing in this Convention shall be deemed to extend the scope of the Conventions referred to in the Appendix to this Convention or of the provisions contained therein.

Article 2

Each Member which ratifies this Convention undertakes–

(a) to have laws or regulations laying down, for ships registered in its territory–

(i) safety standards, including standards of competency, hours of work and manning, so as to ensure the safety of life on board ship;

(ii) appropriate social security measures; and

(iii) shipboard conditions of employment and shipboard living arrangements, in so far as these, in the opinion of the Member, are not covered by collective agreements or laid down by competent courts in a manner equally binding on the shipowners and seafarers concerned;

and to satisfy itself that the provisions of such laws and regulations are substantially equivalent to the Conventions or Articles of Conventions referred to in the Appendix to this Convention, in so far as the Member is not otherwise bound to give effect to the Conventions in question;

(b) to exercise effective jurisdiction or control over ships which are registered in its territory in respect of–

(i) safety standards, including standards of competency, hours of work and manning, prescribed by national laws or regulations;

(ii) social security measures prescribed by national laws or regulations;

(iii) shipboard conditions of employment and shipboard living arrangements prescribed by national laws or

določila, da so ti predlogi v obliki mednarodne konvencije,

sprejema devetindvajsetega oktobra tisoč devetsto šestinsedemdesetega leta to konvencijo, ki se imenuje Konvencija o minimalnih normativih v trgovski mornarici, 1976:

1. člen

1. Razen če ni v tem členu drugače določeno, ta konvencija velja za vse čezoceanske ladje v javni ali zasebni lasti, ki prevažajo tovor ali potnike za trgovske namene, ali se uporabljajo za kakršen koli drug komercialni namen.

2. Z notranjimi zakoni ali predpisi se določi, katere ladje se za namen te konvencije štejejo kot čezoceanske ladje.

3. Ta konvencija velja za čezoceanske vlačilce.

4. Ta konvencija ne velja za:

(a) ladje z glavnim pogonom na jadra, če so ali niso opremljene s pomožnimi motorji;

(b) ladje, ki se uporabljajo za ribolov ali kitolov ali za podobne namene;

(c) manjše ladje in plovila, kot so naftne in vrtalne ploščadi, kadar ne plujejo; odločitev o tem, katere ladje so zajete v tem pododstavku, sprejme pristojni organ vsake države po posvetu z najprezentativnejšimi organizacijami ladjarjev in pomorščakov.

5. Nobena določba te konvencije ne širi obsega konvencij, navedenih v dodatku k tej konvenciji, ali določb, ki jih te vsebujejo.

2. člen

Vsaka članica, ki ratificira to konvencijo, se zaveže, da:

(a) določi z zakoni ali predpisi za ladje, registrirane na njenem ozemlju:

(i) varnostne normative, vključno z normativi o usposobljenosti, delovnem času in številčnosti posadke, da bi se tem zagotovila varnost bivanja na ladjah;

(ii) ustrezne ukrepe socialne varnosti in

(iii) pogoje zaposlovanja in bivanja na ladji, če ti niso po mnenju članice zajeti v kolektivnih pogodbah ali jih niso določila pristojna sodišča na način, ki je v enaki meri zavezujoč za ladjarje in pomorščake;

in se prepriča, da se določbe takih zakonov in predpisov v glavnem ujemajo z določbami konvencij ali členov konvencij, navedenih v dodatku k tej konvenciji, če članica ni sicer dolžna izvajati omenjenih konvencij;

(b) izvaja sodno pristojnost ali nadzor nad ladjami, ki so registrirane na njenem ozemlju, glede:

(i) varnostnih normativov, vključno z normativi o usposobljenosti, delovnem času in številčnosti posadke, predpisanih z notranjimi zakoni ali predpisi;

(ii) ukrepov socialne varnosti, predpisanih z notranjimi zakoni ali predpisi;

(iii) pogojev zaposlovanja in bivanja na ladji, predpisanih z notranjimi zakoni ali predpisi, ali ki jih določijo pristoj-

regulations, or laid down by competent courts in a manner equally binding on the shipowners and seafarers concerned;

(c) to satisfy itself that measures for the effective control of other shipboard conditions of employment and living arrangements, where it has no effective jurisdiction, are agreed between shipowners or their organisations and seafarers' organisations constituted in accordance with the substantive provisions of the Freedom of Association and Protection of the Right to Organise Convention, 1948, and the Right to Organise and Collective Bargaining Convention, 1949;

(d) to ensure that–

(i) adequate procedures – subject to over-all supervision by the competent authority, after tripartite consultation amongst that authority and the representative organisations of shipowners and seafarers where appropriate – exist for the engagement of seafarers on ships registered in its territory and for the investigation of complaints arising in that connection;

(ii) adequate procedures – subject to over-all supervision by the competent authority, after tripartite consultation amongst that authority and the representative organisations of shipowners and seafarers where appropriate – exist for the investigation of any complaint made in connection with and, if possible, at the time of the engagement in its territory of seafarers of its own nationality on ships registered in a foreign country, and that such complaint as well as any complaint made in connection with and, if possible, at the time of the engagement in its territory of foreign seafarers on ships registered in a foreign country, is promptly reported by its competent authority to the competent authority of the country in which the ship is registered, with a copy to the Director-General of the International Labour Office;

(e) to ensure that seafarers employed on ships registered in its territory are properly qualified or trained for the duties for which they are engaged, due regard being had to the Vocational Training (Seafarers) Recommendation, 1970;

(f) to verify by inspection or other appropriate means that ships registered in its territory comply with applicable international labour Conventions in force which it has ratified, with the laws and regulations required by subparagraph (a) of this Article and, as may be appropriate under national law, with applicable collective agreements;

(g) to hold an official inquiry into any serious marine casualty involving ships registered in its territory, particularly those involving injury and/or loss of life, the final report of such inquiry normally to be made public.

Article 3

Any Member which has ratified this Convention shall, in so far as practicable, advise its nationals on the possible problems of signing on a ship registered in a State which has not ratified the Convention, until it is satisfied that standards equivalent to those fixed by this Convention are being applied. Measures taken by the ratifying State to this effect shall not be in contradiction with the principle of free movement of workers stipulated by the treaties to which the two States concerned may be parties.

na sodišča tako, da so v enaki meri zavezujoči za ladjarje in pomorščake;

(c) se prepriča, če so ukrepi za učinkovit nadzor drugih pogojev zaposlovanja in bivanja na ladji, nad katerimi nima sodne pristojnosti, dogovorjeni med ladjarji ali njihovimi organizacijami in organizacijami pomorščakov, ki so ustanovljene v skladu z določbami Konvencije o sindikalni svobodi in varstvu sindikalnih pravic, 1948, ter Konvencije o uporabi načel o pravicah organiziranja in kolektivnega dogovarjanja, 1949;

(d) zagotovi:

(i) ustrezne postopke, ki so predmet vsestranskega nadzora pristojnega organa po tristranskem posvetu med tem organom ter reprezentativnimi organizacijami ladjarjev in pomorščakov, če je to potrebno, za zaposlovanje pomorščakov na ladjah, registriranih na njenem ozemlju, in za proučitev s tem povezanih pritožb;

(ii) ustrezne postopke, ki so predmet vsestranskega nadzora pristojnega organa po tristranskem posvetu med tem organom ter reprezentativnimi organizacijami ladjarjev in pomorščakov, če je to potrebno, za proučitev kakršne koli pritožbe v zvezi z na njenem ozemlju izvedenim postopkom zaposlovanja pomorščakov, ki imajo njeno državljanstvo, na ladjah, registriranih v tuji državi; o omenjenih pritožbah kot tudi o pritožbah v zvezi z na njenem ozemlju izvedenim postopkom zaposlovanja tujih pomorščakov na ladjah, registriranih v tuji državi, pristojni organ nemudoma obvesti pristojni organ države, v kateri je ladja registrirana, ter generalnemu direktorju Mednarodnega urada za delo izroči v vednost kopijo obvestila;

(e) zagotovi, da so pomorščaki, zaposleni na ladjah, ki so registrirane na njenem ozemlju, primerno usposobljeni ali izurjeni za dela, za katera so najeti, ob upoštevanju Priporočila o poklicnem usposabljanju pomorščakov, 1970;

(f) preveri s pregledom ali na kak drug ustrezen način, če ladje, registrirane na njenem ozemlju, ravnajo v skladu z veljavnimi mednarodnimi konvencijami dela, ki jih je ratificirala, z zakoni in predpisi, zahtevanimi v pododstavku (a) tega člena, in če se to ujema z notranjo zakonodajo, z veljavnimi kolektivnimi pogodbami;

(g) uvede uradno preiskavo pri hujših pomorskih nezgodah, če gre za ladje, registrirane na njenem ozemlju, predvsem pri poškodbah in/ali smrtnih primerih; končno poročilo o takih preiskavah se navadno javno objavi.

3. člen

Vsaka članica, ki ratificira to konvencijo, mora, če je mogoče, obvestiti svoje državljane o možnih težavah, ki lahko nastanejo pri sklenitvi delovnega razmerja na ladji, registrirani v državi, ki konvencije ni ratificirala, vse dokler se ne prepriča, ali se v tej državi uporabljajo normativi, enakovredni tistim, ki jih določa ta konvencija. Ukrepi, ki jih v ta namen sprejme država, ki je konvencijo ratificirala, ne smejo biti v nasprotju z načelom prostega gibanja delovne sile, določenim z morebitnimi pogodbami, ki veljajo za obe državi.

Article 4

1. If a Member which has ratified this Convention and in whose port a ship calls in the normal course of its business or for operational reasons receives a complaint or obtains evidence that the ship does not conform to the standards of this Convention, after it has come into force, it may prepare a report addressed to the government of the country in which the ship is registered, with a copy to the Director-General of the International Labour Office, and may take measures necessary to rectify and conditions on board which are clearly hazardous to safety or health.

2. In taking such measures, the Member shall forthwith notify the nearest maritime, consular or diplomatic representative of the flag State and shall, if possible, have such representative present. It shall not unreasonably detain or delay the ship.

3. For the purpose of this Article, "complaint" means information submitted by a member of the crew, a professional body, an association, a trade union or, generally, any person with an interest in the safety of the ship, including an interest in safety or health hazards to its crew.

Article 5

1. This Convention is open to the ratification of Members which—

(a) are parties to the International Convention for the Safety of Life at Sea, 1960, or the International Convention for the Safety of Life at Sea, 1974, or any Convention subsequently revising these Conventions; and

(b) are parties to the International Convention on Load Lines, 1966, or any Convention subsequently revising that Convention; and

(c) are parties to, or have implemented the provisions of, the Regulations for Preventing Collisions at Sea of 1960, or the Convention on the International Regulations for Preventing Collisions at Sea, 1972, or any Convention subsequently revising these international instruments.

2. This Convention is further open to the ratification of any Member which, on ratification, undertakes to fulfil the requirements to which ratification is made subject by paragraph 1 of this Article and which are not yet satisfied.

3. The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 6

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which there have been registered ratifications by at least ten Members with a total share in world shipping gross tonnage of 25 per cent.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

4. člen

1. Če članica, ki je ratificirala to konvencijo, in v pristanišču katere pristane ladja med običajnim potovanjem ali iz operativnih razlogov, prejme pritožbo ali dobi dokaze, da ladja ne ustreza normativom iz te konvencije, ko je konvencija že začela veljati, lahko pripravi poročilo vladi države, v kateri je ladja registrirana, kopijo poročila pa pošlje generalnemu direktorju Mednarodnega urada za delo, lahko pa tudi uvede potrebne ukrepe za odpravo razmer na ladji, ki očitno ogrožajo varnost ali zdravje.

2. Pri izvajanju teh ukrepov mora članica takoj obvestiti najbližje pomorsko, konzularno ali diplomatsko predstavništvo države pripadnosti, in če je mogoče, poskrbi za prisotnost predstavnika te države. Članica ne sme brez tehtnega razloga zadržati ladje ali povzročiti njene zamude.

3. Za namen tega člena pomeni "pritožba" informacijo, ki jo da član posadke, strokovni organ, združenje, sindikat ali na splošno kdor koli, ki se zavzema za varnost ladje, vključno z zavzemanjem za varnost ali zdravje posadke.

5. člen

1. Ta konvencija je na voljo za ratifikacijo članicam, ki:

(a) so pogodbenice Mednarodne konvencije o varstvu človekovega življenja na morju, 1960, ali Mednarodne konvencije o varstvu človekovega življenja na morju, 1974, ali katere koli konvencije, s katero sta bili kasneje spremenjeni omenjeni konvenciji, in

(b) so pogodbenice Mednarodne konvencije o tovarnih črtah, 1966, ali katere koli konvencije, s katero je bila kasneje spremenjena omenjena konvencija, in

(c) so pogodbenice ali izvajajo določbe Predpisov za preprečevanje trčenj na morju, 1960, ali Konvencijo o mednarodnih pravilih za izogibanje trčenj na morju, 1972, ali katere koli konvencije, s katero sta bila kasneje spremenjena ta mednarodna instrumenta.

2. Ta konvencija je lahko nadalje na voljo za ratifikacijo članicam, ki se pri ratifikaciji zavežejo, da bodo izpolnile zahteve za ratifikacijo iz prvega odstavka tega člena in tega še niso storile.

3. Listine o ratifikaciji te konvencije se pošljejo generalnemu direktorju Mednarodnega urada za delo v registracijo.

6. člen

1. Ta konvencija zavezuje samo tiste članice Mednarodne organizacije dela, katerih ratifikacije so bile registrirane pri generalnem direktorju.

2. Veljati začne dvanajst mesecev od dneva, ko so bile registrirane ratifikacije najmanj desetih članic, ki imajo 25-odstotni skupni delež v bruto nosilnosti svetovne trgovske mornarice.

3. Nato začne ta konvencija veljati za vsako članico dvanajst mesecev od dneva, ko je bila ratifikacija registrirana.

Article 7

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 8

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When the conditions provided for in Article 6, paragraph 2, above have been fulfilled, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 9

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Article.

Article 10

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 11

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides—

(a) the ratification by a Member of the new revising Convention shall *ipso jure* involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 7 above, if and when the new revising Convention shall have come into force;

(b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

7. člen

1. Vsaka članica, ki je ratificirala to konvencijo, jo lahko z aktom, ki ga pošlje v registracijo generalnemu direktorju Mednarodnega urada za delo, odpove po preteku desetih let od dneva, ko je prvič začela veljati. Odpoved začne veljati šele eno leto od dneva registracije.

2. Vsaka članica, ki je ratificirala to konvencijo in v enem letu po izteku desetletnega obdobja iz prejšnjega odstavka ne uveljavi pravice do odpovedi po tem členu, bo ostala zavezana za naslednje desetletno obdobje, potem pa jo lahko odpove po izteku vsakega desetletnega obdobja pod pogoji iz tega člena.

8. člen

1. Generalni direktor Mednarodnega urada za delo obvesti vse članice Mednarodne organizacije dela o registraciji vseh ratifikacij in odpovedi, ki so mu jih poslale članice organizacije.

2. Ko so izpolnjeni pogoji iz drugega odstavka 6. člena, mora generalni direktor opozoriti članice organizacije na datum, ko ta konvencija začne veljati.

9. člen

Generalni direktor Mednarodnega urada za delo sporoči generalnemu sekretarju Združenih narodov zaradi registracije v skladu s 102. členom Ustanovne listine Združenih narodov vse podatke o vseh ratifikacijah in odpovedih, ki jih je registriral v skladu z določbami prejšnjih členov.

10. člen

Administrativni svet Mednarodnega urada za delo predloži, kadar koli meni, da je to potrebno, Generalni konferenci poročilo o uporabi te konvencije in prouči, ali je primerno na dnevni red konference vvrstiti vprašanje njene celotne ali delne spremembe.

11. člen

1. Če konferenca sprejme novo konvencijo, ki to konvencijo v celoti ali delno spreminja, in če z novo konvencijo ni drugače določeno,

(a) nova spremenjena konvencija, ki jo ratificirajo posamezne članice, povzroči *ipso iure* takojšnjo odpoved te konvencije ne glede na določbe 7. člena zgoraj, če in ko nova spremenjena konvencija začne veljati;

(b) od dneva, ko začne veljati nova spremenjena konvencija, ta konvencija članicam ni več na voljo za ratifikacijo.

2. Ta konvencija vsekakor še naprej velja v svoji sedanjih obliki in vsebini za tiste članice, ki so jo ratificirale, niso pa ratificirale spremenjene konvencije.

Article 12

The English and French versions of the text of this Convention are equally authoritative.

APPENDIX

Minimum Age Convention, 1973 (No. 138), or

Minimum Age (Sea) Convention (Revised), 1936 (No. 58), or

Minimum Age (Sea) Convention, 1920 (No. 7);

Shipowners' Liability (Sick and Injured Seamen) Convention, 1936 (No. 55), or

Sickness Insurance (Sea) Convention, 1936 (No. 56), or

Medical Care and Sickness Benefits Convention, 1969 (No. 130);

Medical Examination (Seafarers) Convention, 1946 (No. 73);

Prevention of Accidents (Seafarers) Convention, 1970 (No. 134) (Articles 4 and 7);

Accommodation of Crews Convention (Revised), 1949 (No. 92);

Food and Catering (Ships' Crews) Convention, 1946 (No. 68) (Article 5);

Officers' Competency Certificates Convention, 1936 (No. 53) (Articles 3 and 4)¹;

Seamen's Articles of Agreement Convention, 1926 (No. 22)

Repatriation of Seamen Convention, 1926 (No. 23);

Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87);

Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

12. člen

Angleško in francosko besedilo te konvencije sta enako verodostojni.

DODATEK

Konvencija št. 138 o minimalni starosti za sklenitev delovnega razmerja, 1973, ali

Konvencija št. 58 o minimalni starosti zaposlenih na ladjah (spremenjena), 1936, ali

Konvencija št. 7 o minimalni starosti zaposlenih na ladjah, 1920;

Konvencija št. 55 o odgovornosti ladjarjev za bolne in poškodovane pomorščake, 1936, ali

Konvencija št. 56 o zdravstvenem zavarovanju pomorščakov, 1936, ali

Konvencija št. 130 o zdravstveni negi in nadomestilu v primeru bolezni, 1969;

Konvencija št. 73 o zdravniških pregledih mornarjev, 1946;

Konvencija št. 134 o preprečevanju nesreč pomorščakov, 1970 (4. in 7. člen);

Konvencija št. 92 o nastanitvi posadke na ladji (spremenjena), 1949;

Konvencija št. 68 o prehrani in oskrbi ladijskih posadk, 1946 (5. člen);

Konvencija št. 53 o minimalni strokovni usposobljenosti poveljnikov in oficirjev trgovske mornarice, 1936 (3. in 4. člen);

Konvencija št. 22 o pogodbi o zaposlitvi mornarjev, 1926;

Konvencija št. 23 o repatriaciji mornarjev pomorske plovbe, 1926;

Konvencija št. 87 o sindikalni svobodi in varstvu sindikalnih pravic, 1948;

Konvencija št. 98 o uporabi načel o pravicah organiziranja in kolektivnega dogovarjanja, 1949.

3. člen

Za izvajanje konvencije skrbi Ministrstvo za delo, družino in socialne zadeve.

4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 326-04/99-3/1

Ljubljana, dne 23. marca 1999

Predsednik
Državnega zbora
Republike Slovenije
Janez Podobnik, dr. med. l. r.

38. Zakon o ratifikaciji Protokola iz leta 1988 k Mednarodni konvenciji o varstvu človeškega življenja na morju, 1974 (MPVCZM)

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z**O RAZGLASITVI ZAKONA O RATIFIKACIJI PROTOKOLA IZ LETA 1988 K MEDNARODNI KONVENCIJI O VARSTVU ČLOVEŠKEGA ŽIVLJENJA NA MORJU, 1974 (MPVCZM)**

Razglašam Zakon o ratifikaciji Protokola iz leta 1988 k Mednarodni konvenciji o varstvu človeškega življenja na morju, 1974 (MPVCZM), ki ga je sprejel Državni zbor Republike Slovenije na seji 23. marca 1999.

Št. 001-22-42/99

Ljubljana, dne 31. marca 1999

Predsednik
Republike Slovenije
Milan Kučan l. r.

Z A K O N**O RATIFIKACIJI PROTOKOLA IZ LETA 1988 K MEDNARODNI KONVENCIJI O VARSTVU ČLOVEŠKEGA ŽIVLJENJA NA MORJU, 1974 (MPVCZM)**

1. člen

Ratificira se Protokol iz leta 1988 k Mednarodni konvenciji o varstvu človeškega življenja na morju, 1974, sklenjen v Londonu 11. novembra 1988.

2. člen

Protokol se v angleškem izvorniku in v slovenskem prevodu glasi:

**PROTOCOL OF 1988
RELATING TO THE INTERNATIONAL
CONVENTION FOR THE SAFETY OF LIFE AT
SEA, 1974**

THE PARTIES TO THE PRESENT PROTOCOL,
BEING PARTIES to the International Convention for the Safety of Life at Sea, 1974, done at London on 1 November 1974,

RECOGNIZING the need for the introduction into the above-mentioned Convention of provisions for survey and certification harmonized with corresponding provisions in other international instruments,

CONSIDERING that this need may best be met by the conclusion of a Protocol Relating to the International Convention for the Safety of Life at Sea, 1974,

HAVE AGREED as follows:

ARTICLE I. – General Obligations

1 The Parties to the present Protocol undertake to give effect to the provisions of the present Protocol and the Annex hereto, which shall constitute an integral part of the present Protocol. Every reference to the present Protocol constitutes at the same time a reference to the Annex hereto.

2 As between the Parties to the present Protocol, the provisions of the International Convention for the Safety of Life at Sea, 1974, as amended, (hereinafter referred to as "the Convention") shall apply subject to the modifications and additions set out in the present Protocol.

3 With respect to ships entitled to fly the flag of a State which is not a Party to the Convention and the present Protocol, the Parties to the present Protocol shall apply the requirements of the Convention and the present Protocol as

may be necessary to ensure that no more favourable treatment is given to such ships.

ARTICLE II – Prior treaties

1 As between the Parties to the present Protocol, the present Protocol replaces and abrogates the Protocol of 1978 relating to the Convention.

2 Notwithstanding any other provisions of the present Protocol, any certificate issued under, and in accordance with, the provisions of the Convention and any supplement to such certificate issued under, and in accordance with, the provisions of the Protocol of 1978 relating to the Convention which is current when the present Protocol enters into force in respect of the Party by which the certificate or supplement was issued, shall remain valid until it expires under the terms of the Convention or the Protocol of 1978 relating to the Convention, as the case may be.

3 A Party to the present Protocol shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1974, as adopted on 1 November 1974.

ARTICLE III – Communication of information

The Parties to the present Protocol undertake to communicate to, and deposit with, the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Organization"):

(a) the text of laws, decrees, orders and regulations and other instruments which have been promulgated on the various matters within the scope of the present Protocol;

(b) a list of nominated surveyors or recognized organizations which are authorized to act on their behalf in the administration of measures for safety of life at sea for circu-

lation to the Parties for information of their officers, and a notification of the specific responsibilities and conditions of the authority delegated to those nominated surveyors or recognized organizations; and

(c) a sufficient number of specimens of their certificates issued under the provision of the present Protocol.

ARTICLE IV – Signature, ratification, acceptance, approval and accession

1 The present Protocol shall be open for signature at the Headquarters of the Organization from 1 March 1989 to 28 February 1990 and shall thereafter remain open for accession. Subject to the provisions of paragraph 3, States may express their consent to be bound by the present Protocol by:

(a) signature without reservation as to ratification, acceptance or approval; or

(b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

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

3 The present Protocol may be signed without reservation, ratified, accepted, approved or acceded to only by States which have signed without reservation, ratified, accepted, approved or acceded to the Convention.

ARTICLE V – Entry into force

1 The present Protocol shall enter into force twelve months after the date on which both the following conditions have been met:

(a) not less than fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, have expressed their consent to be bound by it in accordance with article IV, and

(b) the conditions for the entry into force of the Protocol of 1988 relating to the International Convention on Load Lines, 1966, have been met, provided that the present Protocol shall not enter into force before 1 February 1992.

2 For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of the present Protocol after the conditions for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the present Protocol or three months after the date of deposit of the instrument, whichever is the later date.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.

4 After the date on which an amendment to the present Protocol is deemed to have been accepted under article VI, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol as amended.

ARTICLE VI – Amendments

The procedures set out in article VIII of the Convention shall apply to amendments to the present Protocol, provided that:

(a) references in that article to the Convention and to Contracting Governments shall be taken to mean references to the present Protocol and to the Parties to the present Protocol respectively:

(b) amendments to the articles of the present Protocol and to the Annex thereto shall be adopted and brought into force in accordance with the procedure applicable to amendments to the articles of the Convention or the Chapter I of the Annex thereto; and

(c) amendments to the appendix to the Annex to the present Protocol may be adopted and brought into force in accordance with the procedure applicable to amendments to the Annex to the Convention other than Chapter I.

ARTICLE VII – Denunciation

1 The present Protocol may be denounced by any Party at any time after the expiry of five years from the date on which the present Protocol enters into force for that Party.

2 Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization.

3 A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.

4 A denunciation of the Convention by a Party shall be deemed to be a denunciation of the present Protocol by that Party. Such denunciation shall take effect on the same day as denunciation of the Convention takes effect according to paragraph (c) of article XI of the Convention.

ARTICLE VIII – Depositary

1 The present Protocol shall be deposited with the Secretary-General of the Organization (hereinafter referred to as "the depositary").

2 The depositary shall:

(a) inform the Governments of all States which have signed the present Protocol or acceded thereto of:

(i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

(ii) the date of entry into force of the present Protocol;

(iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which it was received and the date on which the denunciation takes effect;

(b) transmit certified true copies of the present Protocol to the Governments of all States which have signed the present Protocol or acceded thereto.

3 As soon as the present Protocol enters into force, a certified true copy thereof shall be transmitted by the depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE IX – Languages

The present Protocol is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic. An official translation into the Italian language shall be prepared and deposited with the signed original.

DONE AT LONDON this eleventh day of November one thousand nine hundred and eighty-eight.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed the present Protocol.

Form of Cargo Ship Safety Equipment Certificate

(NB: Form E is set out at annex 1)

CARGO SHIP SAFETY EQUIPMENT CERTIFICATE

This Certificate shall be supplemented by a Record of Equipment
(Form E)

(Official seal)

(State)

issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974
as modified by the Protocol of 1978 relating thereto
under the authority of the Government of

(name of the State)

by

(person or organization authorized)

Particulars of ship¹

Name of ship.....
Distinctive number of letters.....
Port of registry.....
Gross tonnage.....
Deadweight of ship (metric tons)².....
Length of ship (regulation III/3.10).....
IMO Number³

Type of ship⁴

Oil tanker
Chemical tanker
Gas carrier
Cargo ship other than any of the above

Date on which keel was laid or ship was at a similar stage of construction or, where application, date on which work for a conversion or an alteration or modification of a major character was commenced

¹Alternatively, the particulars of the ship may be placed horizontally in boxes.

²For oil tankers, chemical tankers and gas carriers only.

³In accordance with the IMO ship identification number scheme adopted by the Organization by resolution A.600(15).

⁴Delete as appropriate.

THIS IS TO CERTIFY:

- 1 That the ship has been surveyed in accordance with the requirements of regulation I/8 of the Convention, as modified by the 1978 Protocol.
- 2 That the survey showed that:
 - 2.1 the ship complied with the requirements of the Convention as regards fire safety systems and appliances and fire control plans;
 - 2.2 the life-saving appliances and the equipment of the lifeboats, liferafts and rescue boats were provided in accordance with the requirements of the Convention;
 - 2.3. the ship was provided with a line-throwing appliance and radio installations used in life-saving appliances in accordance with the requirements of the Convention;
 - 2.4 the ship complied with the requirements of the Convention as regards shipborne navigational equipment, means of embarkation for pilots and nautical publications;
 - 2.5 the ship was provided with lights, shapes and means of making sound signals and distress signals. In accordance with the requirements of the Convention and the International Regulations for Preventing Collisions at Sea in force:
 - 2.6 in all other respects the ship complied with the relevant requirements of the Convention.
- 3 That the ship operates in accordance with regulation III/26.1.1.1. within the limits of the trade area.....
- 4 That in implementing regulation I/6(b) the Government has instituted⁴
 - mandatory annual surveys
 - unscheduled inspections.
- 5 That an Exemption Certificate has/has not⁴ been issued.

This certificate is valid until.....

Issued at.....

(Place of issue of certificate).....
(Date of issue).....
*(Signature of authorized official
issuing the certificate)**(Seal or stamp of the issuing authority, as appropriate)*⁴Delete as appropriate.

Record of equipment for the Cargo Ship Safety Equipment Certificate (Form E)

This Record shall be permanently attached to the
Cargo Ship Safety Equipment Certificate

RECORD OF EQUIPMENT FOR COMPLIANCE WITH THE
INTERNATIONAL CONVENTION FOR THE SAFETY OF
LIFE AT SEA, 1974, AS AMENDED IN 1988

1 *Particulars of ship*

Name of ship.....
Distinctive number or letters.....

2 *Details of life-saving appliances*

1	Total number of persons for which life-saving appliances are provided	.....
		Port side	Starboard side
2	Total number of lifeboats	.....	.....
	Total number of persons accommodated by them	.....	.....
	Number of self-righting partially enclosed lifeboats (regulation III/43)	.....	.....
	Number of totally enclosed lifeboats (regulation III/44)	.....	.....
	Number of lifeboats with self-contained air support system (regulation III/45)	.....	.....
2.5	Number of fire-protected lifeboats (regulation III/46)	.....	.....
	Other lifeboats	.....	.....
	Number	.....	.....
2.6.2	Type	.....	.....

2.7	Number of free-fall lifeboat	.....
2.7.1	Totally enclosed (regulation III/44)	.....
2.7.2	Self-contained (regulation III/45)	.....
2.7.3	Fire-protected (regulation III/46)	.....
3	Number of motor lifeboats (included in the total lifeboats shown above)	.....
3.1	Number of lifeboats fitted with searchlights	.....
4	Number of rescue boats	.....
4.1	Number of boats which are included in the total lifeboats shown above	.....

5	Liferafts	.....
5.1	Those for which approved launching appliances are required	.....
5.1.1	Number of liferafts	.....
5.1.2	Number of persons, accommodated by them	.....
5.2	Those for which approved launching appliances are not required	.....
5.2.1	Number of liferafts	.....
5.2.2	Number of persons accommodated by them	.....
5.3	Number of liferafts required by regulation III/26.1.4.	.....
6	Number of lifebuoys	.....
7	Number of lifejackets	.....
8	Immersion suits	.....
8.1	Total number	.....
8.2	Number of suits complying with the requirements for lifejackets	.....
9	Number of thermal protective aids ¹	.....
10	Radio installations used in life-saving appliances	.....
10.1	Number of radar transponders	.....
10.2	Number of two-way VHF radiotelephone apparatus	.....

3 *Ships constructed before 1 February 1992 which do not fully comply with the applicable requirements of chapter III of the Convention as amended in 1988²*

	Actual provision
Radiotelegraph installation for lifeboat
Portable radio apparatus for survival craft
Survival craft EPIRB (121.5 MHz and 243,0 MHz)
Two-way radiotelephone apparatus

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued at.....
(Place of issue of the Record)

.....
(Date of issue)

.....
(Signature of authorized official
issuing the certificate)

(Seal or stamp of the issuing authority, as appropriate)

¹ Excluding those required by regulations III/38.5.1.24 III/41.8.3. and III/47.2.2.13.

² This section need not be reproduced on the record attached to certificates issued after 1 February 1995.

PROTOKOL IZ LETA 1988 K MEDNARODNI KONVENCIJI O VARSTVU ČLOVEŠKEGA ŽIVLJENJA NA MORJU, 1974

POGODBENICE TEGA PROTOKOLA SO SE

KOT POGODBENICE Mednarodne konvencije o varstvu človeškega življenja na morju, 1974, sklenjene v Londonu 1. novembra 1974,

KI SE ZAVEDAJO potrebe, da se v zgoraj omenjeno konvencijo vključijo določbe za inšpekcijski nadzor in izdajanje spričeval, usklajene z ustreznimi določbami v drugih mednarodnih instrumentih,

OB UPOŠTEVANJU, da je te potrebe možno najbolje izpolniti s sklenitvijo protokola, ki se nanaša na Mednarodno konvencijo o varstvu človeškega življenja na morju, 1974,

SPORAZUMELE o naslednjem:

I. ČLEN Splošne obveznosti

1. Pogodbenice tega protokola se obvezujejo, da bodo uveljavile določbe tega protokola in priloge k temu protokolu, ki je sestavni del tega protokola. Vsako sklicevanje na ta protokol je hkrati sklicevanje na prilogo k temu protokolu.

2. Med pogodbenicami tega protokola veljajo določbe Mednarodne konvencije o varstvu človeškega življenja na morju, 1974, ki je bila spremenjena (v nadaljevanju imenovana "konvencija"), odvisno od sprememb in dodatkov, določenih v tem protokolu.

3. Za ladje, ki imajo pravico pluti pod zastavo države, ki ni pogodbenica konvencije in tega protokola, uporabijo pogodbenice tega protokola zahteve iz konvencije in tega protokola, kot je to lahko potrebno za zagotovitev, da take ladje niso deležne ugodnejše obravnave.

II. ČLEN Predhodne pogodbe

1. Med pogodbenicami tega protokola ta protokol nadomesti in razveljavi protokol iz leta 1978, ki se nanaša na konvencijo.

2. Ne glede na katere koli druge določbe tega protokola ostane vsako spričevalo, izdano po določbah konvencije in v skladu z njimi, in vsako dopolnilo k takemu spričevalu, izdano po določbah protokola iz leta 1978 h konvenciji in v skladu z njimi, ki je veljavno, ko začne ta protokol veljati za državo pogodbenico, ki je izdala potrdilo ali dopolnilo, veljavno do izteka roka po pogojih konvencije ali protokola iz leta 1978 k tej konvenciji, odvisno od primera.

3. Pogodbenica tega protokola ne sme izdajati spričeval po določbah Mednarodne konvencije o varstvu človeškega življenja na morju, 1974, ki je bila sprejeta 1. novembra 1974, in v skladu z njimi.

III. ČLEN Pošiljanje podatkov

Pogodbenice tega protokola se obvezujejo, da bodo poslale in deponirale pri generalnem sekretarju Mednarodne pomorske organizacije (v nadaljevanju imenovane "organizacija"):

(a) besedila zakonov, odlokov, odredb in predpisov ter drugih listin, ki so bila objavljena v zvezi z različnimi zadevami v okviru tega protokola,

(b) seznam imenovanih inšpektorjev ali potrjenih organizacij, ki so pooblaščen, da delujejo v njihovem imenu pri izvajanju ukrepov za varstvo življenja na morju, ki se razpošlje pogodbenicam za obveščanje njihovih uslužbencev, ter obvestilo o posebnih odgovornostih in pogojih pooblastila, ki je podeljeno tem imenovanim inšpektorjem ali potrjenim organizacijam, ter

(c) zadostno število vzorcev spričeval, izdanih po določi tega protokola.

IV. ČLEN Podpis, ratifikacija, sprejetje, potrditev in pristop

1. Ta protokol bo na voljo za podpis na sedežu organizacije od 1. marca 1989 do 28. februarja 1990 in bo zatem ostal na voljo za pristop. V skladu z določbami tretjega odstavka lahko države izrazijo svojo privolitev, da jih ta protokol zavezuje:

(a) s podpisom brez pridržka glede ratifikacije, sprejetja ali potrditve ali

(b) s podpisom s pridržkom glede ratifikacije, sprejetja ali potrditve in mu sledijo ratifikacija, sprejetje ali potrditev ali (c) s pristopom.

2. Ratifikacija, sprejetje, potrditev ali pristop se opravi z deponiranjem listine pri generalnem sekretarju organizacije.

3. Ta protokol lahko brez pridržka podpišejo, ratificirajo, sprejmejo, potrdijo ali k njemu pristopijo samo države, ki so konvencijo brez pridržka podpisale, ratificirale, sprejele, potrdile ali k njej pristopile.

V. ČLEN Začetek veljavnosti

1. Ta protokol začne veljati dvanajst mesecev po datumu, ko sta izpolnjena oba naslednja pogoja:

(a) je najmanj petnajst držav, katerih združena trgovska ladjevja sestavljajo najmanj petdeset odstotkov bruto nosilnosti svetovne trgovske mornarice, izrazilo svojo privolitev, da jih ta protokol zavezuje v skladu s IV. členom, ter

(b) so izpolnjeni pogoji za začetek veljavnosti protokola iz leta 1988, ki se nanaša na Mednarodno konvencijo o tovornih črtah, 1966, pod pogojem, da ta protokol ne začne veljati pred 1. februarjem 1992.

2. Za države, ki so deponirale listino o ratifikaciji, sprejetju, potrditvi ali pristopu v zvezi s tem protokolom po izpolnitvi pogojev za začetek njegove veljavnosti, vendar pred dnevom začetka veljavnosti, začne ratifikacija, sprejetje, potrditev ali pristop veljati na dan, ko začne veljati ta protokol, ali tri mesece po dnevu deponiranja listine, pri čemer velja kasnejši datum.

3. Katera koli listina o ratifikaciji, sprejetju, potrditvi ali pristopu, deponirana po dnevu, ko začne veljati ta protokol, začne veljati tri mesece po dnevu deponiranja.

4. Po dnevu, za katerega velja, da je bila sprememba k temu protokolu po IV. členu sprejeta, velja katera koli deponirana listina o ratifikaciji, sprejetju, potrditvi ali pristopu za spremenjeni protokol.

VI. ČLEN Spremembe

Postopki, določeni v VIII. členu konvencije, veljajo za spremembe k temu protokolu pod pogojem, da:

(a) velja, da sklicevanja v tem členu na konvencijo in na vlade pogodbenic pomenijo sklicevanja na ta protokol in na pogodbenice tega protokola,

(b) se spremembe k členu tega protokola in k prilogi k temu protokolu sprejmejo in uveljavijo v skladu s postopkom, ki velja za spremembe k členu konvencije ali k I. poglavju priloge k tej konvenciji, ter

(c) se spremembe k dodatku k prilogi k temu protokolu lahko sprejmejo in uveljavijo v skladu s postopkom, ki velja za spremembe k prilogi h konvenciji razen I. Poglavlja.

VII. ČLEN Odpoved

1. Ta protokol lahko odpove katera koli pogodbenica kadar koli po preteku petih let od dneva, ko je ta protokol začel veljati za to pogodbenico.

2. Odpoved se opravi z deponiranjem listine o odpovedi pri generalnem sekretarju organizacije.

3. Odpoved začne veljati po enem letu po daljšem času, ki je lahko določen v listini o odpovedi, potem ko jo je prejel generalni sekretar organizacije.

4. Če je pogodbenica odpovedala konvencijo, velja, da je pogodbenica odpovedala tudi ta protokol. Taka odpoved začne veljati istega dne, kot začne veljati odpoved konvencije v skladu z odstavkom (c) XI. člena konvencije.

VIII. ČLEN Depozitar

1. Ta protokol se deponira pri generalnem sekretarju organizacije (v nadaljevanju imenovanem "depozitar").

2. Depozitar mora:

(a) obveščati vlade vseh držav, ki so podpisale ta protokol ali k njemu pristopile:

(i) o vsakem novem podpisu ali deponiranju listine o ratifikaciji, sprejetju, potrditvi ali pristopu skupaj z njenim datumom take ratifikacije, sprejetja, potrditve ali pristopa;

(ii) o datumu začetka veljavnosti tega protokola;

(iii) o deponiranju katere koli listine o odpovedi tega protokola skupaj z datumom prejetja odpovedi in datumom začetka veljavnosti odpovedi;

(b) poslati overjene kopije tega protokola vladam vseh držav, ki so podpisale ta protokol ali so k njemu pristopile.

3. Takoj ko začne ta protokol veljati, mora depozitar poslati overjeno kopijo protokola Sekretariatu Združenih narodov v registracijo in objavo v skladu s 102. členom Listine Združenih narodov.

IX. ČLEN Jeziki

Ta protokol je sestavljen v enem izvorniku v angleškem, arabskem, francoskem, kitajskem, ruskem in španskem jeziku, pri čemer so vsa besedila enako verodostojna. Pripravi se uradni prevod v italijanski jezik in deponira skupaj s podpisanim izvornikom.

SKLENJENO V LONDONU enajstega novembra tisoč devetsto osemideset.

DA BI TO POTRDILI, so spodaj podpisani, ki so jih za to pravilno pooblastile njihove vlade, podpisali ta protokol.

Obrazec spričevala o varnostni opremi tovarne ladje*(NB: Obrazec E je prikazan v prilogi 1)***SPRIČEVALO O VARNOSTNI OPREMI TOVORNE LADJE**Temu spričevalu je treba priložiti poročilo o opremi
(obrazec E)*(uradni pečat)**(država)*Izdano po določbah
MEDNARODNE KONVENCIJE O VARSTVU ČLOVEŠKEGA
ŽIVLJENJA NA MORJU, 1974,
spremenjene s protokolom iz leta 1978, ki se nanjo nanaša,
po pooblastilu vlade_____
*(ime države)*_____
*(pooblaščen oseba ali organizacija)**Podatki o ladji¹*Ime ladje
Razločevalna številka ali črke
Pristanišče vpisa
Bruto nosilnost
Nosilnost ladje (metrske tone)²
Dolžina ladje (predpis III/3.10)
Številka IMO³*Vrsta ladje⁴*tanker
ladja za prevoz kemikalij
ladja za prevoz plinov
druga tovorna ladjaDatum, ko je bila položena kobilica
ali ko je bila ladja v podobni fazi
gradnje ali, kjer je primerno, datum
začetka dela za zamenjavo, spremembo
ali prilagoditev pomembne značilnosti¹ Podatke o ladji je možno navesti tudi vodoravno v okvirčkih.² Samo za tankerje, ladje za prevoz kemikalij in prevoz plinov.³ V skladu s sistemom ladijskih identifikacijskih številok IMO, ki ga je sprejela organizacija z resolucijo A.600(15).⁴ Neustrezno prečrtaj.

S TEM POTRJUJEMO:

- 1 da je bila ta ladja pregledana v skladu z zahtevami v predpisu I/8 konvencije, spremenjene s protokolom iz leta 1978,
- 2 da je pregled pokazal:
 - 2.1 da ladja izpolnjuje zahteve iz konvencije, kar zadeva sisteme in naprave za protipožarno zaščito ter načrte za nadzor požarov,
 - 2.2 da so na voljo reševalne naprave in oprema v rešilnih čolnih, splavih in čolnih za reševanje v skladu z zahtevami konvencije,
 - 2.3 da ima ladja napravo za metanje vrvi in radijske naprave, ki se uporabljajo v opremi za reševanje, v skladu z zahtevami konvencije,
 - 2.4 da ladja izpolnjuje zahteve konvencije v zvezi z navigacijsko opremo, sredstvi za vkrcavanje pilotov in navtičnimi publikacijami,
 - 2.5 da je ladja opremljena z lučmi, svetlobnimi telesi in sredstvi za oddajanje zvočnih in opozorilnih signalov o nevarnosti v skladu z zahtevami konvencije in veljavnimi Mednarodnimi predpisi za preprečevanje trčenj na morju,
 - 2.6 da ladja v vseh drugih pogledih izpolnjuje ustrezne zahteve v konvenciji,
- 3 da ladja pluje v skladu s predpisom III/26.1.1.1 znotraj meja trgovinskega območja
- 4 da je pri izvajanju predpisa I/6 (b) vlada uvedla:⁴
 - obvezne letne preglede,
 - izredne preglede,
- 5 da je bilo/ni bilo⁴ izdano spričevalo o izvzetju.

To spričevalo velja do

Izdano v

(kraj izdaje spričevala)

.....
(datum izdaje)

.....
*(podpis pooblaščenega uradnika,
ki je izdal spričevalo)*

(pečat ali žig organa, ki je izdal spričevalo)

⁴ Neustrezno prečrtaj.

**Poročilo o opremi za spričevalo o varnostni opremi
tovorne ladje
(obrazec E)**

To poročilo mora biti ves čas priloženo spričevalu
o varnostni opremi tovorne ladje.

**POROČILO O OPREMI ZA IZPOLNJEVANJE ZAHTEV
MEDNARODNE KONVENCIJE O VARSTVU ČLOVEŠKEGA ŽIVLJENJA NA MORJU,
1974, SPREMENJENI LETA 1988**

1. *Podatki o ladji*

Ime ladje

Razločevalna številka ali črke

2. *Podatki o napravah za reševanje*

1	skupno število oseb, ki so jim na voljo naprave za reševanje	.....
		levi bok ladje	desni bok ladje
2	skupno število rešilnih čolnov	.....	.....
2.1	skupno število oseb, ki jih čolni lahko sprejmejo	.....	.....
2.2	število delno zaprtih samoizravnalnih rešilnih čolnov (predpis III/43)	.....	.....
2.3	število popolnoma zaprtih rešilnih čolnov (predpis III/44)	.....	.....
2.4	število rešilnih čolnov z lastnim rezervoarjem zraka (predpis III/45)	.....	.....
2.5	število negorljivih rešilnih čolnov (predpis III/46)	.....	.....
2.6	drugi rešilni čolni	.....	.....
2.6.1	število	.....	.....
2.6.2	vrsta	.....	.....

2.7	število drsnih rešilnih čolnov	.....
2.7.1	popolnoma zaprtih (predpis III/44)	.....
2.7.2	z lastnim rezervoarjem (predpis III/45)	.....
2.7.3	negorljivih (predpis III/46)	.....
3	število motornih rešilnih čolnov (vštetih v skupno število zgoraj prikazanih rešilnih čolnov)	.....
3.1	število rešilnih čolnov, opremljenih z reflektorji	.....
4	število čolnov za reševanje	.....
4.1	število čolnov, vštetih v skupno število zgoraj prikazanih rešilnih čolnov	.....

5	rešilni splavi	.....
5.1	tisti, za katere se zahtevajo odobrene naprave za spuščanje v vodo	.....
5.1.1	število rešilnih splavov	.....
5.1.2	število oseb, ki jih splavi sprejmejo	.....
5.2	tisti, za katere se ne zahtevajo odobrene naprave za spuščanje v vodo	.....
5.2.1	število rešilnih splavov	.....
5.2.2	število oseb, ki jih splavi sprejmejo	.....
5.3	število rešilnih splavov, ki jih zahteva predpis III/26.1.4	.....
6	število rešilnih obročev	.....
7	število rešilnih jopičev	.....
8	reševalne obleke	.....
8.1	skupno število	.....
8.2	število oblek, ki izpolnjujejo zahteve za rešilne jopiče	.....
9	število toplotnih zaščitnih sredstev ¹	.....
10	radijske naprave, ki se uporabljajo v napravah za reševanje	.....
10.1	število radarskih odzivnikov	.....
10.2	število dvosmernih VHF radiotelefonskih aparatov	.....

3 *Ladje, zgrajene pred 1. februarjem 1992, ki ne izpolnjujejo v celoti veljavnih zahtev iz III. poglavja konvencije, ki je bila spremenjena leta 1988²*

	veljavna določba
namestitev radiotelegrafa za rešilni čoln
prenosni radijski aparat za rešilni čoln
EPIRB za rešilni čoln(121,5 MHz in 243,0 MHz)
dvosmerni radiotelefonski aparat

S TEM POTRJUJEMO, da je to poročilo v vsakem pogledu pravilno.

Izdano v

(kraj izdaje poročila)

.....
(datum izdaje)

.....
(podpis pooblaščenega uradnika,
ki je izdal spričevalo)

(pečat ali žig organa, ki je izdal spričevalo)

¹ Razen tistih, ki se zahtevajo v predpisih III/38.5.1.24, III/41.8.31 in III/47.2.2.13.

² Tega dela ni treba ponoviti v poročilu, priloženem spričevalom, izdanim po 1. februarju 1995.

3. člen

Za izvajanje protokola h konvenciji skrbi Ministrstvo za promet in zveze.

4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 326-04/99-9/1

Ljubljana, dne 23. marca 1999

Predsednik
Državnega zbora
Republike Slovenije
Janez Podobnik, dr. med. l. r.

39. Zakon o ratifikaciji Protokola iz leta 1988 k Mednarodni konvenciji o tovornih črtah, 1966 (MPTC)

Na podlagi druge alineje prvega odstavka 107. člena in prvega odstavka 91. člena Ustave Republike Slovenije izdajam

U K A Z**O RAZGLASITVI ZAKONA O RATIFIKACIJI PROTOKOLA IZ LETA 1988 K MEDNARODNI KONVENCIJI O TOVORNIH ČRTAH, 1966 (MPTC)**

Razglašam Zakon o ratifikaciji Protokola iz leta 1988 k Mednarodni konvenciji o tovornih črtah, 1966 (MPTC), ki ga je sprejel Državni zbor Republike Slovenije na seji 23. marca 1999.

Št. 001-22-43/99

Ljubljana, dne 31. marca 1999

Predsednik
Republike Slovenije
Milan Kučan l. r.

Z A K O N**O RATIFIKACIJI PROTOKOLA IZ LETA 1988 K MEDNARODNI KONVENCIJI O TOVORNIH ČRTAH, 1966 (MPTC)**

1. člen

Ratificira se Protokol iz leta 1988 k Mednarodni konvenciji o tovornih črtah, 1966, sklenjen v Londonu 11. novembra 1988.

2. člen

Protokol se v angleškem izvorniku in v slovenskem prevodu glasi:

**PROTOCOL OF 1988
RELATING TO THE INTERNATIONAL
CONVENTION ON LOAD LINES, 1966**

THE PARTIES TO THE PRESENT PROTOCOL,
BEING PARTIES to the International Convention on
Load Lines, 1966, done at London on 5 April 1966,

RECOGNIZING the significant contribution which is
made by the above-mentioned Convention to the promotion
of the safety of ships and property at sea and the lives of
persons on board,

RECOGNIZING ALSO the need to improve further the
technical provisions of the above-mentioned Convention,

RECOGNIZING FURTHER the need for the introduc-
tion into the above-mentioned Convention of provisions for
survey and certification harmonized with corresponding pro-
visions in other international instruments,

CONSIDERING that these needs may best be met by
the conclusion of a Protocol relating to the International
Convention on Load Lines, 1966,
HAVE AGREED as follows:

ARTICLE I – General obligations

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

2 As between the Parties to the present Protocol, the
provisions of the International Convention on Load Lines,
1966 (hereinafter referred to as “the Convention”), except
article 29, shall apply subject to the modifications and addi-
tions set out in the present Protocol.

3 With respect to ships entitled to fly the flag of a State which is not a Party to the Convention and the present Protocol, the Parties to the present Protocol shall apply the requirements of the Convention and the present Protocol as may be necessary to Ensure that no more favourable treatment is given to such ships.

ARTICLE II – Existing certificates

1 Notwithstanding any other provisions of the present Protocol, any International Load Line Certificate which is current when the present Protocol enters into force in respect of the Government of the State whose flag the ship is entitled to fly shall remain valid until it expires.

2 A Party to the present Protocol shall not issue certificates under, and in accordance with, the provisions of the International Convention on Load Lines, 1966, as adopted on 5 April 1966.

ARTICLE III – Communication of information

The Parties to the present Protocol undertake to communicate to, and deposit with, the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Organization"):

(a) the text of laws, decrees, orders and regulations and other instruments which have been promulgated on the various matters within the scope of the present Protocol;

(b) a list of nominated surveyors or recognized organizations which are authorized to act on their behalf in the administration of load line matters for circulation to the Parties for information of their officers, and a notification of the specific responsibilities and conditions of the authority delegated to those nominated surveyors recognized organizations; and

(c) a sufficient number of specimens of their certificates issued under the provisions of the present Protocol.

ARTICLE IV – Signature, ratification, acceptance, approval and accession

1 The present Protocol shall be open for signature at the Headquarters of the Organization from 1 March 1989 to 28 February 1990 and shall thereafter remain open for accession. Subject to the provisions of paragraph 3, States may express their consent to be bound by the present Protocol by:

(a) signature without reservation as to ratification, acceptance or approval; or

(b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) accession.

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

3 The present Protocol may be signed without reservation, ratified, accepted, approved or acceded to only by States which have signed without reservation, accepted or acceded to the Convention.

ARTICLE V – Entry into force

1 The present Protocol shall enter into force twelve months after the date on which both the following conditions have been met:

(a) not less than fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, have expressed their consent to be bound by it in accordance with article IV, and

(b) the conditions for the entry into force of the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 have been met, provided that the present Protocol shall not enter into force before 1 February 1992.

2 For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of the present Protocol after the conditions for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the present Protocol or three months after the date of deposit of the instrument, whichever is the later date.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.

4 After the date on which an amendment to the present Protocol or an amendment, as between the Parties to the present Protocol, to the Convention is deemed to have been accepted under article VI, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol or the Convention as amended.

ARTICLE VI – Amendments

1 The present Protocol and, as between the Parties to the present Protocol, the Convention may be amended by either of the procedures specified in the following paragraphs.

2 Amendment after consideration within the Organization:

(a) Any amendment proposed by a Party to the present Protocol shall be submitted to the Secretary-General of the Organization, who shall then circulate it to all Members of the Organization and all Contracting Governments to the Convention at least six months prior to its consideration.

(b) Any amendment proposed and circulated as above shall be referred to the Maritime Safety Committee of the Organization for consideration.

(c) States which are Parties to the present Protocol, 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.

(d) Amendments shall be adopted by a two-thirds majority of the Parties to the present Protocol present and voting in the Maritime Safety Committee expanded as provided for in subparagraph (c) (hereinafter referred to as "the expanded Maritime Safety Committee") on condition that at least one third of the Parties shall be present at the time of voting.

(e) Amendments adopted in accordance with subparagraph (d) shall be communicated by the Secretary-General of the Organization to all Parties to the present Protocol for acceptance.

(f) (i) An amendment to an article or Annex A to the present Protocol or an amendment, as between Parties to the present Protocol, to an article of the Convention, shall be deemed to have been accepted on the date on which it is accepted by two thirds of the Parties to the present Protocol.

(ii) An amendment to Annex B to the present Protocol or an Amendment, as between Parties to the present Protocol, to an Annex to the Convention, shall be deemed to have been accepted:

(aa) at the end of two years from the date on which it is communicated to Parties to the present Protocol for acceptance; or

(bb) at the end of a different period, which shall not be less than one year, if so determined at the time of its adoption by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee. However, if within the specified period either more than one third of the Parties, or Parties the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of all the merchant fleets of all Parties, notify the Secretary-General of the Organization that they object to the amendment, it shall be deemed not to have been accepted.

(g) (i) An amendment referred to in subparagraph (f)(i) shall enter into force with respect to those Parties to the present Protocol which have accepted it, six months after the date on which it is deemed to have been accepted, and with respect to each Party which accepts it after that date, six months after the date of that Party's acceptance.

(ii) An amendment referred to in subparagraph (f)(ii) shall enter into force with respect to all Parties to the present Protocol, except those which have objected to the amendment under that subparagraph and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force, any Party may give notice to the Secretary-General of the Organization that it exempts itself from giving effect to that amendment for a period not longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee at the time of the adoption of the amendment.

3 Amendment by a Conference:

(a) Upon the request of a Party to the present Protocol concurred in by at least one third of the Parties, the Organization shall convene Conference of Parties to consider amendments to the present Protocol and the Convention.

(b) Every amendment adopted by such a Conference by a two-thirds majority of the Parties present and voting shall be communicated by the Secretary-General of the Organization to all Parties for acceptance.

(c) Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in subparagraphs 2(f) and 2(g) respectively, provided that references in these paragraphs to the expanded Maritime Safety Committee shall be taken to mean references to the Conference.

4 (a) A Party to the present Protocol which has accepted an amendment referred to in subparagraph 2(f)(ii) which has entered into force shall not be obliged to extend the benefit of the present Protocol in respect of the certificates issued to a ship entitled to fly the flag of a State Party which, pursuant to the provisions of that subparagraph, has objected to the amendment and has not withdrawn such an objection, in so far as such certificates relate to matters covered by the amendment in question.

(b) A Party to the present Protocol which has accepted an amendment referred to in subparagraph 2(f)(ii) which has entered into force shall extend the benefit of the present Protocol in respect of the certificates issued to a ship entitled to fly the flag of a State Party which, pursuant to the provisions of subparagraph 2(g)(ii), has notified the Secretary-General of the Organization that it exempts itself from giving effect to the amendment.

5 Unless expressly provided otherwise, any amendment made under this article which relates to the structure of a ship shall apply only to ships the keels of which are laid or which are at a similar stage of construction on or after the date on which the amendment enters into force.

6 Any declaration of acceptance of, or objection to, an amendment or any notice given under subparagraph 2(g)(ii) shall be submitted in writing to the Secretary-General of the Organization, who shall inform all Parties to the Present Protocol of any such submission and the date of its receipt.

7 The Secretary-General of the Organization shall inform all Parties to the present Protocol of any amendments which enter into force under this article, together with the date on which each such amendment enters into force.

ARTICLE VII – Denunciation

1 The present Protocol may be denounced by any Party at any time after the expiry of five years from the date on which the present Protocol enters into force for that Party.

2 Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization.

3 A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.

4 A denunciation of the Convention by a Party shall be deemed to be a denunciation of the present Protocol by that Party. Such denunciation shall take effect on the same date as denunciation of the Convention takes effect according to paragraph (3) of article 30 of the Convention.

ARTICLE VIII – Depositary

1 The present Protocol shall be deposited with the Secretary-General of the Organization (hereinafter referred to as "the depositary").

2 The depositary shall:

(a) inform the Governments of all States which have signed the present Protocol or acceded thereto of:

(i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

(ii) the date of entry into force of the present Protocol;

(iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which it was received and the date on which the denunciation takes effect;

(b) transmit certified true copies of the present Protocol to the Governments of all States which have signed the present Protocol or acceded thereto.

3 As soon as the present Protocol enters into force, a certified true copy thereof shall be transmitted by the depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE IX – Languages

The present Protocol is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

DONE AT LONDON this eleventh day of November one thousand nine hundred and eighty eight.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed the present Protocol.

ANNEX I

REGULATIONS FOR DETERMINING LOAD LINES

CHAPTER I
GENERALRegulation 2
Application

(1) Ships with mechanical means of propulsion or lighters, barges or other ships without independent means of propulsion, shall be assigned freeboards in accordance with the provisions of Regulations 1–40 inclusive of this Annex.

(2) Ships carrying timber deck cargoes may be assigned, in addition to the freeboards prescribed in paragraph (1) of this Regulation, timber freeboards in accordance with the provisions of Regulations 41–45 inclusive of this Annex.

(3) Ships designed to carry sail, whether as the sole means of propulsion or as a supplementary means, and tugs, shall be assigned freeboards in accordance with the provisions of Regulations 1–40 inclusive of this Annex. Such additional freeboard shall be required as determined by the Administration.

(4) Ships of wood or of composite construction, or of other materials the use of which the Administration has approved, or ships whose constructional features are such as to render the application of the provisions of this Annex unreasonable or impracticable, shall be assigned freeboards as determined by the Administration.

(5) Regulations 10–26 inclusive of this Annex shall apply to every ship to which a minimum freeboard is assigned. Relaxations from these requirements may be granted to a ship to which a greater than minimum freeboard is assigned on condition that the Administration is satisfied with the safety conditions provided.

(6) Regulation 22(2) and regulation 27 shall apply only to ships the keels of which are laid or which are at a similar stage of construction on or after the date on which the Protocol of 1988 Relating to the International Convention on Load Lines, 1966 enters into force.

(7) New ships, other than those specified in paragraph (6), shall comply either with regulation 27 of the present Convention (as amended) or with regulation 27 of the International Convention on Load Lines, 1966 (as adopted on 5 April 1966), as determined by the Administration.

ANNEX II

CERTIFICATES

Form of International Certificate on Load Lines

INTERNATIONAL LOAD LINE CERTIFICATE

(Official seal)

(State)

Issued under the provisions of the International Convention on Load Lines, 1966, as modified by the Protocol of 1988 relating thereto under the authority of the Government of

 (name of the State)

 (person or organization authorized)

Particulars of ship¹

Name of ship

Distinctive number or letters

Port of Registry

Length (L) as defined in article 2(8) (in metres).....

IMO Number²Freeboard assigned as:³

- A new ship

- An existing ship

Type of ship³

- Type 'A'

- Type 'B'

- Type 'B' with reduced freeboard

- Type 'B' with increased freeboard

Freeboard from deck line⁴Load line⁴

Tropical

....mm (T)

....mm above (S)

Summer

....mm (S)

Upper edge of line through centre of ring

Winter

....mm (W)

....mm below (S)

Winter North Atlantic

....mm (WNA)

....mm below (S)

Timber tropical

....mm (LT)

....mm above (LS)

Timber summer

....mm (LS)

....mm above (S)

Timber winter

....mm (LW)

....mm below (LS)

Timber winter North Atlantic

....mm (LWNA)

....mm below (LS)

Allowance for fresh water for all freeboards other than timber mm. For timber freeboards mm.

The upper edge of the deck line from which these freeboards are measured is mm deck at side.

Load line marks

¹ Alternatively, the particulars of the ship may be placed horizontally in boxes.

² In accordance with resolution A.600(15) - IMO Ship Identification Number Scheme, this information may be included voluntarily.

³ Delete as appropriate

⁴ Freeboards and load lines which are not applicable need not be entered on the certificate. Subdivision Load Lines may be entered on the certificate on a voluntary basis.

THIS IS TO CERTIFY:

1 That this ship has been surveyed in accordance with the requirements of article 14 of the Convention.

2 That the survey showed that the freeboards have been assigned and load lines shown above have been marked in accordance with the Convention.

This certificate is valid until _____⁵ subject to annual surveys in accordance with article 14 (1) (c) of the Convention.

Issued at _____
(Place of issue of certificate)

.....
(Date of issue)

.....
(Signature of authorized official
issuing the certificate)

(Seal or stamp of the authority, as appropriate)

NOTES:

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.

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 above. Where the density is other than unity, an allowance shall be made proportional to the difference between 1.025 and the actual density.

Endorsement for annual surveys

THIS IS TO CERTIFY that, at an annual survey required by article 14 (1) (c) of the Convention, this ship was found to comply with the relevant requirements of the Convention.

Annual survey: Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

⁵ Insert the date of expiry as specified by the Administration in accordance with article 19(1) of the Convention. The day and the month of this date correspond to the anniversary date as defined in article 2(9) of the Convention, unless amended in accordance with article 19(8) of the Convention.

Annual survey: Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Annual survey in accordance with article 19(8)(c):

THIS IS TO CERTIFY that, at a survey in accordance with article 19(8)(c) of the Convention, this ship was found to comply with the relevant requirements of the Convention.

Signed:

(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the certificate if valid for less than 5 years where article 19(3) applies:

The ship complies with the relevant requirements of the Convention, and this certificate shall, in accordance with article 19(3) of the Convention, be accepted as valid until

Signed:

(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Endorsement where the renewal survey has been completed and article 19(4) applies:

The ship complies with the relevant requirements of the Convention, and this certificate shall, in accordance with article 19(4) of the Convention, be accepted as valid until

Signed:

(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the validity of the certificate until reaching the port of survey or for a period of grace where article 19(5) or 19(6) applies:

This certificate shall, in accordance with article 19(5)/19(6)⁶ of the Convention, be accepted as valid until

Signed:
(Signature of authorized official)

Place:
Date:
(Seal or stamp of the authority, as appropriate)

Endorsement for advancement of anniversary date where article 19(8) applies:

In accordance with article 19(8) of the Convention, the new anniversary date is

Signed:
(Signature of authorized official)

Place:
Date:
(Seal or stamp of the authority, as appropriate)

In accordance with article 19(8) of the Convention, the new anniversary date is

Signed:
(Signature of authorized official)

Place:
Date:
(Seal or stamp of the authority, as appropriate)

⁶ Delete as appropriate

ANNEX III**CERTIFICATES**

Form of International Exemption Certificate on Load Lines

INTERNATIONAL LOAD LINE EXEMPTION CERTIFICATE

(Official seal)

(State)

Issued under the provisions of the International Convention on Load Lines, 1966, as modified by the Protocol of 1988 relating thereto under the authority of the Government of

(name of the State)

(person or organization authorized)

Particulars of ship¹

Name of ship

Distinctive number or letters

Port of Registry

Length (L) as defined in article 2(8) (in metres).....

IMO Number²

THIS IS TO CERTIFY:

That the ship is exempted from the provisions of the Convention, under the authority conferred by article 6(2)/6(4)³ of the Convention referred to above.

The provisions of the Convention from which the ship is exempted under article 6(2) are :
.....

The voyage for which exemption is granted under article 6(4) is :

From:

To :

Conditions, if any, on which the exemption is granted under either article 6(2) or article 6(4):
.....

This certificate is valid until⁴ subject to annual surveys in accordance with Article 14(1)(c) of the Convention.

Issued at

(Place of issue of certificate)

.....

(Date of issue)

.....

(Signature of authorized official
issuing the certificate)

(Seal or stamp of the authority, as appropriate)

¹ Alternatively, the particulars of the ship may be placed horizontally in boxes.

² In accordance with resolution A.600(15) - IMO Ship Identification Number Scheme, this information may be included voluntarily.

³ Delete as appropriate.

⁴ Insert the date of expiry as specified by the Administration in accordance with article 19(10) of the Convention. The day and the month of this date correspond to the anniversary date as defined in article 2(9) of the Convention, unless amended in accordance with article 19(8) of the Convention.

Endorsement for annual surveys

THIS IS TO CERTIFY that, at an annual survey required by article 14 (1) (c) of the Convention, this ship was found to comply with the conditions under which this exemption was granted.

Annual survey: Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Annual survey in accordance with article 19(8)(c) :

THIS IS TO CERTIFY that, at a survey in accordance with article 19(8)(c) of the Convention, this ship was found to comply with the relevant requirements of the Convention.

Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the certificate if valid for less than 5 years where article 19(3) applies:

The ship complies with the relevant requirements of the Convention, and this certificate shall, in accordance with article 19(3) of the Convention, be accepted as valid until

Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Endorsement where the renewal survey has been completed and article 19(4) applies:

The ship complies with the relevant requirements of the Convention, and this certificate shall, in accordance with article 19(4) of the Convention, be accepted as valid until

Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the validity of the certificate until reaching the port of survey or for a period of grace where article 19(5) or 19(6) applies:

This certificate shall, in accordance with article 19(5)/19(6)⁵ of the Convention, be accepted as valid until

Signed:
(Signature of authorized official)

Place:

Date:

(Seal or stamp of the authority, as appropriate)

⁵Delete as appropriate.

Endorsement for advancement of anniversary date where article 19(8) applies:

In accordance with article 19(8) of the Convention, the new anniversary date is

Signed:
 (Signature of authorized official)

Place:

Date:
 (Seal or stamp of the authority, as appropriate)

In accordance with article 19(8) of the Convention, the new anniversary date is

Signed:
 (Signature of authorized official)

Place:

Date:
 (Seal or stamp of the authority, as appropriate)

PROTOKOL IZ LETA 1988 K MEDNARODNI KONVENCIJI O TOVORNIH ČRTAH, 1966

POGODBENICE TEGA PROTOKOLA SO SE KOT POGODBENICE Mednarodne konvencije o tovornih črtah, 1966, sklenjene v Londonu 5. aprila 1966, KI SE ZAVEDAJO pomembnosti prispevka zgoraj navedene konvencije k izboljšanju varnosti ladij in imetja na morju ter življenja oseb na krovu, KI SE PRAV TAKO ZAVEDAJO potrebe po nadaljnjem izboljševanju tehničnih določb zgoraj navedene konvencije, KI SE NADALJE ZAVEDAJO potrebe po tem, da se v zgoraj navedeno konvencijo vključijo določbe za inšpekcijski nadzor in izdajanje spričeval, usklajene z ustreznimi določbami v drugih mednarodnih instrumentih, OB UPOŠTEVANJU, da je te potrebe možno najbolje izpolniti s sklenitvijo protokola, ki se nanaša na Mednarodno konvencijo o tovornih črtah, 1966, SPORAZUMELE o naslednjem:

I. ČLEN – Splošne obveznosti

1. Pogodbenice tega protokola se obvezujejo, da bodo uveljavile določbe tega protokola in prilog k protokolu, ki so sestavni del tega protokola. Vsako sklicevanje na ta protokol je hkrati sklicevanje na priloge k temu protokolu.
2. Med pogodbenicami tega protokola veljajo določbe Mednarodne konvencije o tovornih črtah, 1966 (v nadaljevanju imenovane "konvencija"), razen 29. člena, odvisno od sprememb in dodatkov, določenih v tem protokolu.
3. Za ladje, ki imajo pravico pluti pod zastavo države, ki ni pogodbenica konvencije in tega protokola, uporabijo pogodbenice tega protokola zahteve iz konvencije in tega protokola, kot je to lahko potrebno za zagotovitev, da take ladje niso deležne ugodnejše obravnave.

II. ČLEN – Obstoječa spričevala

1. Ne glede na katere koli druge določbe tega protokola ostane vsako spričevalo o mednarodnih tovornih črtah, ki je veljavno, ko začne veljati ta protokol za vlado države, pod katere zastavo lahko pluje ladja, veljavno do izteka veljavnosti.
2. Pogodbenica tega protokola ne sme izdajati spričeval po določbah Mednarodne konvencije o tovornih črtah, 1966, ki je bila sprejeta 5. aprila 1966, in v skladu z njimi.

III. ČLEN – Posredovanje podatkov

- Pogodbenice tega protokola se obvezujejo, da bodo poslale in deponirale pri generalnem sekretarju Mednarodne pomorske organizacije (v nadaljevanju imenovane "organizacija"):
- (a) besedila zakonov, odlokov, odredb in predpisov ter drugih listin, ki so bila objavljena v zvezi z različnimi zadevami v okviru tega protokola,
 - (b) seznam imenovanih inšpektorjev in potrjenih organizacij, ki so pooblaščen, da delujejo v njihovem imenu pri urejanju zadev z zvezi s tovornimi črtami, ki se razpošlje pogodbenicam za obveščanje njihovih uslužbencev, ter obvestilo o posebnih odgovornostih in pogojih pooblastila, ki je podeljeno tem imenovanim inšpektorjem ali potrjenim organizacijam, ter
 - (c) zadostno število vzorcev spričeval, izdanih po določbah tega protokola.

IV. ČLEN – Podpis, ratifikacija, sprejetje, potrditev in pristop

1. Ta protokol bo na voljo za podpis na sedežu organizacije od 1. marca 1989 do 28. februarja 1990 in bo zatem ostal na voljo za pristop. V skladu z določbami tretjega odstavka lahko države izrazijo svojo privolitev, da jih ta protokol zavezuje:

(a) s podpisom brez pridržka glede ratifikacije, sprejetja ali potrditve ali

(b) s podpisom s pridržkom glede ratifikacije, sprejetja ali potrditve in mu sledijo ratifikacija, sprejetje ali potrditev ali (c) s pristopom.

2. Ratifikacija, sprejetje, potrditev ali pristop se opravi z deponiranjem listine pri generalnem sekretarju organizacije.

3. Ta protokol lahko brez pridržka podpišejo, ratificirajo, sprejmejo, potrdijo ali k njemu pristopijo samo države, ki so konvencijo brez pridržka podpisale, jo sprejele ali k njej pristopile.

V. ČLEN – Začetek veljavnosti

1. Ta protokol začne veljati dvanajst mesecev po datumu, ko sta izpolnjena oba naslednja pogoja:

(a) je najmanj petnajst držav, katerih združena trgovska ladjevja sestavljajo najmanj petdeset odstotkov bruto nosilnosti svetovne trgovske mornarice, izrazilo svojo privolitev, da jih ta protokol zavezuje v skladu s IV. členom, ter

(b) so izpolnjeni pogoji za začetek veljavnosti protokola iz leta 1988, ki se nanaša na Mednarodno konvencijo o varnosti človekovega življenja na morju, 1974, pod pogojem, da ta protokol ne začne veljati pred 1. februarjem 1992.

2. Za države, ki so deponirale listino o ratifikaciji, sprejetju, potrditvi ali pristopu v zvezi s tem protokolom po izpolnitvi pogojev za začetek njegove veljavnosti, vendar pred dnevom začetka veljavnosti, začne ratifikacija, sprejetje, potrditev ali pristop veljati na dan, ko začne veljati ta protokol, ali tri mesece po dnevni deponiranja listine, pri čemer velja kasnejši datum.

3. Katera koli listina o ratifikaciji, sprejetju, potrditvi ali pristopu, deponirana po dnevni, ko začne veljati ta protokol, začne veljati tri mesece po dnevni deponiranja.

4. Po dnevni, za katerega velja, da je bila sprememba k temu protokolu ali sprememba h konvenciji med pogodbenicami tega protokola sprejeta po VI. členu, velja katera koli deponirana listina o ratifikaciji, sprejetju, potrditvi ali pristopu za ta protokol ali konvencijo v spremenjeni obliki.

VI. ČLEN – Spremembe

1. Ta protokol in konvencija se lahko med pogodbenicami tega protokola spremenita s katerim koli postopkom, določenim v naslednjih odstavkih.

2. Sprememba po preučitvi znotraj organizacije:

(a) Katera koli sprememba, ki jo predlaga pogodbenica tega protokola, mora biti predložena generalnemu sekretarju organizacije, ki jo mora zatem razposlati vsem članom organizacije ter vsem vladam pogodbenic h konvenciji vsaj šest mesecev pred proučitvijo spremembe.

(b) Katero koli spremembo, ki je predlagana in razposlana, kot je navedeno zgoraj, je treba predložiti v preučitev Odboru za pomorsko varnost pri organizaciji.

(c) Države pogodbenice tega protokola, bodisi da so članice organizacije ali ne, imajo pravico sodelovati pri postopkih Odbora za pomorsko varnost za preučevanje in sprejemanje sprememb.

(d) Spremembe se sprejemajo z dvotretjinsko večino pogodbenic tega protokola, ki so prisotne in glasujejo v Odboru za pomorsko varnost, razširjenem, kot je določeno v pododstavku (c) (v nadaljevanju imenovanem "razširjeni Odbor za pomorsko varnost") pod pogojem, da je pri glasovanju prisotna vsaj ena tretjina pogodbenic.

(e) Spremembe, sprejete v skladu s pododstavkom (d), pošlje generalni sekretar organizacije vsem pogodbenicam tega protokola v sprejetje.

(f) (i) Za spremembo k členu ali prilogi A tega protokola ali za spremembo med pogodbenicami tega protokola k členu konvencije velja, da je sprejeta z dnem, ko sta jo sprejeli dve tretjini pogodbenic tega protokola.

(ii) Za spremembo k prilogi B tega protokola ali spremembo med pogodbenicami tega protokola k prilogi h konvenciji velja, da je sprejeta:

(aa) po preteku dveh let od dneva, ko je bila poslana v sprejetje pogodbenicam tega protokola ali

(bb) po preteku drugega obdobja, ki pa ne sme biti krajše od enega leta, če je bilo tako določeno ob sprejetju spremembe z dvotretjinsko večino pogodbenic, ki so bile prisotne in so glasovale v razširjenem Odboru za pomorsko varnost. Toda če v navedenem obdobju več kot ena tretjina pogodbenic ali pogodbenice, katerih združena trgovska mornarica sestavlja najmanj petdeset odstotkov bruto nosilnosti vseh trgovskih mornaric vseh pogodbenic, obvesti generalnega sekretarja organizacije, da spremembi ugovarjajo, velja, da sprememba ni sprejeta.

(g) (i) Sprememba, navedena v pododstavku (f) (i), začne veljati za tiste pogodbenice protokola, ki so jo sprejele, šest mesecev po dnevni, za katerega velja, da je bila sprejeta; za vsako pogodbenico, ki jo sprejme po tem dnevni, pa šest mesecev po dnevni, ko jo je ta pogodbenica sprejela.

(ii) Sprememba, navedena v pododstavku (f) (ii), začne veljati za vse pogodbenice tega protokola, razen za tiste, ki so spremembi ugovarjale po tem pododstavku in takih ugovorov niso umaknile, šest mesecev po dnevni, za katerega velja, da je bila sprememba sprejeta. Vendar pa lahko pred dnevni, ki je določen za začetek veljavnosti, katera koli pogodbenica obvesti generalnega sekretarja organizacije, da ne namerava sprejeti te spremembe za obdobje, ki ni daljše od enega leta, od dneva, ko je ta sprememba začela veljati, ali za tako daljše obdobje, kot ga lahko določi dvotretjinska večina pogodbenic, ki so prisotne in glasujejo v razširjenem Odboru za pomorsko varnost pri sprejetju spremembe.

3. Sprememba, sprejeta na konferenci:

(a) Na zahtevo pogodbenice tega protokola, s katero se strinja vsaj ena tretjina pogodbenic, skliče organizacija konferenco pogodbenic, da preučijo spremembe k temu protokolu in h konvenciji.

(b) Vsako spremembo, sprejeto na taki konferenci z dvotretjinsko večino pogodbenic, ki so prisotne in glasujejo, pošlje generalni sekretar organizacije vsem pogodbenicam v sprejetje.

(c) Razen če ni na konferenci določeno drugače, velja za spremembo, da je sprejeta in začne veljati v skladu s postopki, določenimi v pododstavkih 2(f) in 2(g), pod pogojem, da sklicevanja v teh odstavkih na razširjeni Odbor za pomorsko varnost pomenijo sklicevanja na konferenco.

4. (a) Pogodbenica tega protokola, ki je sprejela spremembo, navedeno v pododstavku 2(f) (ii), ki je začela veljati, ni dolžna, da razširi ugodnost iz tega protokola glede spričeval, izdanih ladjam, ki imajo pravico pluti pod zastavo države pogodbenice, ki je skladno z določbami omenjenega pododstavka ugovarjala spremembi in takega ugovora ni umaknila, če se taka spričevala nanašajo na zadeve, ki jih obravnava taka sprememba.

(b) Pogodbenica tega protokola, ki je sprejela spremembo, navedeno v pododstavku 2(f) (ii), ki je začela veljati, mora razširiti ugodnost iz tega protokola glede spričeval, izdana ladjam, ki imajo pravico pluti pod zastavo države pogodbenice, ki je skladno z določbami pododstavka 2(g) (ii) obvestila generalnega sekretarja organizacije, da ne namerava sprejeti te spremembe.

5. Razen če ni izrecno drugače določeno, velja vsaka sprememba iz tega člena, ki se nanaša na konstrukcijo ladje, samo za ladje, katerih kobilice so že položene ali ki so v podobni fazi gradnje na dan ali po dnevu, s katerim začne sprememba veljati.

6. Vsaka izjava o sprejetju ali ugovoru k spremembi ali vsako obvestilo po pododstavku 2(g) (ii) mora biti predloženo v pisni obliki generalnemu sekretarju organizacije, ki obvesti vse pogodbenice tega protokola o vsaki taki predloženi izjavi in o datumu prejema.

7. Generalni sekretar organizacije obvesti vse pogodbenice tega protokola o vseh spremembah, ki začnejo veljati po tem členu, skupaj z datumom, ko začne vsaka taka sprememba veljati.

VII. ČLEN – Odpoved

1. Ta protokol lahko odpove katera koli pogodbenica kadar koli po preteku petih let od dneva, ko je ta protokol začel veljati za to pogodbenico.

2. Odpoved se opravi z deponiranjem listine o odpovedi pri generalnem sekretarju organizacije.

3. Odpoved začne veljati po enem letu ali po daljšem času, ki je lahko določen v listini o odpovedi, potem ko jo je prejel generalni sekretar organizacije.

4. Če je pogodbenica odpovedala konvencijo, velja, da je ta pogodbenica odpovedala tudi ta protokol. Taka odpoved začne veljati istega dne, kot začne veljati odpoved konvencije v skladu s tretjim odstavkom 30. člena konvencije.

VIII. ČLEN – Depozitar

1. Ta protokol se deponira pri generalnem sekretarju organizacije (v nadaljevanju imenovanem "depozitar").

2. Depozitar mora:

(a) obveščati vlade vseh držav, ki so podpisale ta protokol ali k njemu pristopile:

(i) o vsakem novem podpisu ali deponiranju listine o ratifikaciji, sprejetju, potrditvi ali pristopu skupaj z datumom take ratifikacije, sprejetja, potrditve ali pristopa;

(ii) o datumu začetka veljavnosti tega protokola;

(iii) o deponiranju katere koli listine o odpovedi tega protokola skupaj z datumom prejetja in datumom začetka veljavnosti odpovedi;

(b) poslati overjene kopije tega protokola vladam vseh držav, ki so podpisale ta protokol ali so k njemu pristopile.

3. Takoj ko začne ta protokol veljati, mora depozitar poslati overjeno kopijo protokola Sekretariatu Združenih narodov v registracijo in objavo v skladu z 102. členom Listine Združenih narodov.

IX. ČLEN – Jeziki

Ta protokol je sestavljen v enem izvorniku v angleškem, arabskem, francoskem, kitajskem, ruskem in španskem jeziku, pri čemer so vsa besedila enako verodostojna.

SKLENJENO V LONDONU enajstega novembra tisoč devetsto osemnosemdeset.

DA BI TO POTRDILI, so spodaj podpisani, ki so jih za to pravilno pooblastile njihove vlade, podpisali ta protokol.

PRILOGA I

PREDPISI ZA DOLOČANJE TOVORNIH ČRT

I. POGLAVJE SPLOŠNO

Predpis 2 Uporaba

(1) Za ladje z mehanskimi sredstvi pogona ali vleke, maone ali druge ladje, ki nimajo lastnega pogona, se določijo nadvodja v skladu z določbami predpisov 1–40, vključno s to prilogo.

(2) Za ladje, ki prevažajo lesene tovore, se lahko poleg nadvodij, predpisanih v prvem odstavku tega predpisa, določijo nadvodja za les v skladu z določbami predpisov 41–45, vključno s to prilogo.

(3) Za ladje, ki so zgrajene tako, da uporabljajo jadro kot edino pogonsko sredstvo ali kot dodatno pogonsko sredstvo ter za vlačilce, se določijo nadvodja v skladu z določbami predpisov 1–40, vključno s to prilogo. Tako dodatno nadvodje se zahteva, kot odredi Uprava.

(4) Za lesene ladje ali ladje sestavljene konstrukcije ali iz drugih vrst materiala, katerih uporabo je Uprava odobrila, ali za ladje, katerih konstrukcijske značilnosti so take, da postane zaradi njih uporaba določb te priloge nesmotrna ali neizvedljiva, se določijo nadvodja, kot odredi Uprava.

(5) Predpisi 10–26, vključno s to prilogo, veljajo za vsako ladjo, za katero je določeno minimalno nadvodje. Olajšave v teh zahtevah se lahko odobrijo ladji, za katero je bilo določeno nadvodje, ki je večje od minimuma, pod pogojem, da je Uprava zadovoljna z zagotovljenimi pogoji varnosti.

(6) Drugi odstavek predpisa 22 in predpis 27 veljata samo za ladje, pri katerih je že bila položena kobilica, ali ki so v podobni fazi gradnje na dan ali po dnevu začetka veljavnosti protokola iz leta 1988, ki se nanaša na Mednarodno konvencijo o tovornih črtah, 1966.

(7) Nove ladje, ki niso navedene v šestem odstavku, morajo biti v skladu s predpisom 27 te konvencije (spremenjene) ali s predpisom 27 Mednarodne konvencije o tovornih črtah, 1966 (sprejete 5. aprila 1966), kot določi Uprava.

PRILOGA II
SPRIČEVALA

Obrazec mednarodnega spričevala o tovornih črtah
MEDNARODNO SPRIČEVALO O TOVORNIH ČRTAH

(uradni pečat)

(država)

Izdano po določbah Mednarodne konvencije o tovornih črtah, 1966, spremenjene s protokolom iz leta 1988, ki se nanjo nanaša, po pooblastilu vlade

(ime države)

(pooblaščenca oseba ali organizacija)

Podatki o ladji¹

Ime ladje

Razločevalna številka ali črke

Pristanišče vpisa

Dolžina (L), ki je določena v prvem odstavku 2. člena (v metrih)

Številka IMO²

Nadvodje, določeno kot:³

- nova ladja
- obstoječa ladja

Vrsta ladje:³

- tip "A"
- tip "B"
- tip "B" z zmanjšanim nadvodjem
- tip "B" s povečanim nadvodjem

Nadvodje od črte krova⁴Tovorna črta⁴

tropi	.... mm (T)	.... mm nad (S)
poleti	.... mm (S)	zgornji rob črte skozi središče obroča
pozimi	.... mm (W)	.... mm pod (S)
pozimi-severni Atlantik	.... mm (WNA)	.... mm pod (S)
les tropi	.... mm (LT)	.... mm nad (LS)
les poleti	.... mm (LS)	.... mm nad (S)
les pozimi	.... mm (LW)	.... mm pod (LS)
les pozimi - severni Atlantik	.... mm (LWNA)	.... mm pod (LS)

Dovoljena meja za sladke vode za vsa nadvodja, ko ne gre za les mm. Za nadvodja, ko gre za les mm.

Zgornji rob črte krova, od katerega se merijo ta nadvodja, znaša mm krova na boku.

Znamenja nadvodja

¹ Podatke o ladji je možno navesti tudi vodoravno v okvirčkih.

² V skladu z resolucijo A.600(15) - Sistem ladijskih identifikacijskih števil IMO - se ta podatek lahko vključi po izbiri.

³ Neustrezno prečrtaj

⁴ Nadvodij in tovornih črt, ki niso ustrezne, ni treba vnesti v spričevalo. Podrazdelitvene tovrne črte se lahko v spričevalo vnesejo po izbiri.

S TEM POTRJUJEMO:

1. da je bila ta ladja pregledana v skladu z zahtevami 14. člena te konvencije;
2. da je pregled pokazal, da so bila nadvodja določena in da so zgoraj navedene tovorne črte označene v skladu s konvencijo.

To spričevalo velja do _____⁵, odvisno od letnih pregledov v skladu s točko c) prvega odstavka 14. člena te konvencije.

Izdano v _____
(kraj izdaje spričevala)

.....
(datum izdaje)

.....
(podpis pooblaščenega uradnika, ki
je izdal spričevalo)
(pečat ali žig pristojnega organa)

OPOMBE:

Če ladja izpluje iz pristanišča, ki je na reki ali vodah na kopnem, je možno dovoliti globlje natovarjanje, ki ustreza teži goriva in vsem drugim vrstam materiala, potrebnega za porabo med krajem odhoda in morjem.

Ko je ladja v sladki vodi enotne gostote, je lahko ustrezna tovarna črta ugreznjena za količino dovoljene meje za sladke vode, ki je navedena zgoraj. Kjer se gostota razlikuje od enotne gostote, je dovoljena meja sorazmerna razliki med 1,025 in dejansko gostoto.

Potrditev letnih inšpekcijskih pregledov

S TEM POTRJUJEMO, da je bilo pri letnem inšpekcijskem pregledu, ki ga zahteva točka c) prvega odstavka 14. člena te konvencije, ugotovljeno, da ta ladja izpolnjuje ustrezne zahteve iz konvencije.

Letni inšpekcijski pregled: Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Letni inšpekcijski pregled: Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

⁵ Navedite datum poteka veljavnosti, kot ga je določila Uprava v skladu s prvim odstavkom 19. člena konvencije. Dan in mesec ustrežata datumu vsakoletnega izteka veljavnosti, kot je določeno v devetem odstavku 2. člena te konvencije, razen pri spremembi v skladu z osmim odstavkom 19. člena konvencije.

Letni inšpekcijski pregled: Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:

Datum:
(pečat ali žig pristojnega organa)

Letni inšpekcijski pregled: Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:

Datum:
(pečat ali žig pristojnega organa)

Letni pregled v skladu s točko c) osmega odstavka 19. člena:

S TEM POTRJUJEMO, da je bilo pri inšpekcijskem pregledu v skladu s točko c) osmega odstavka 19. člena te konvencije ugotovljeno, da ta ladja izpolnjuje ustrezne zahteve iz konvencije.

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:

Datum:

(pečat ali žig pristojnega organa)

Potrditev podaljšanja spričevala, če je veljavno manj kot 5 let, kjer velja tretji odstavek 19. člena:

Ladja izpolnjuje ustrezne zahteve iz konvencije in to spričevalo se sprejme v skladu s tretjim odstavkom 19. člena konvencije kot veljavno do

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:

Datum:

(pečat ali žig pristojnega organa)

Potrditev, če je bil opravljen inšpekcijski pregled za podaljšanje veljavnosti spričevala, in velja četrti odstavek 19. člena:

Ladja izpolnjuje ustrezne zahteve iz konvencije in to spričevalo se sprejme v skladu s četrtim odstavkom 19. člena konvencije kot veljavno do

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:

Datum:

(pečat ali žig pristojnega organa)

Potrditev podaljšanja veljavnosti spričevala, dokler ladja ne prispe v pristanišče, kjer se opravi inšpekcijski pregled, ali za dovoljeno obdobje odloga, če velja peti ali šesti odstavek 19. člena:

To spričevalo se sprejme v skladu s petim odstavkom 19. člena ali šestim odstavkom 19. člena⁶ kot veljavno do

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Potrditev prestavitve dneva vsakoletnega izteka veljavnosti na zgodnejši datum, če velja osmi odstavek 19. člena:

V skladu z osmim odstavkom 19. člena konvencije je novi datum vsakoletnega izteka veljavnosti

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

V skladu z osmim odstavkom 19. člena konvencije je novi datum vsakoletnega izteka veljavnosti

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

⁶ Neustrezno prečrtaj

PRILOGA III
SPRIČEVALA

Obrazec Mednarodnega spričevala o izvzetju iz tovornih črt

MEDNARODNO SPRIČEVALO O IZVZETJU IZ TOVORNIH ČRT

(uradni pečat)

(država)

Izdano po določbah Mednarodne konvencije o tovornih črtah, 1966, spremenjene s Protokolom iz leta 1988, ki se nanjo nanaša, po pooblastilu vlade

(ime države)

(pooblaščen oseb ali organizacija)

Podatki o ladji¹

Ime ladje

Razločevalna številka ali črke

Pristanišče vpisa

Dolžina (L), ki je določena v osmem odstavku 2.člena (v metrih)

Številka IMO²

S TEM POTRJUJEMO:

da je ladja izvzeta iz določb konvencije po pooblastilu, ki ga navaja drugi odstavek 6.člena ali četrti odstavek 6.člena³ zgoraj omenjene konvencije.

Določbe konvencije, iz katerih je ladja izvzeta po drugem odstavku 6.člena, so:

Potovanje, za katero je odobreno izvzetje po četrtem odstavku 6.člena, je:

od:

do:

Pogoji, če obstajajo, pod katerimi se odobri izvzetje po drugem ali četrtem odstavku 6. člena:

.....

To spričevalo je veljavno do,⁴ odvisno od letnih inšpekcijskih pregledov v skladu s točko c) prvega odstavka 14. člena te konvencije.

Izdano v

(kraj izdaje spričevala)

.....

(datum izdaje)

.....

(podpis pooblaščenega uradnika,
ki je izdal spričevalo)

(pečat ali žig pristojnega organa oblasti)

¹ Podatke o ladji je možno navesti tudi vodoravno v okvirčkih.

² V skladu z resolucijo A.600(15) - Sistem ladijskih identifikacijskih števil IMU - se ta podatek lahko vključi po izbiri.

³ Neustrezno prečrtaj.

⁴ Vpišite datum izteka veljavnosti, kot ga je določila Uprava v skladu z desetim odstavkom 19. člena konvencije. Dan in mesec ustrezata datumu vsakoletnega izteka veljavnosti, kot je določeno v devetem odstavku 2. člena te konvencije, razen pri spremembi v skladu z osmim odstavkom 19. člena konvencije.

Potrditev letnih inšpekcijskih pregledov

S TEM POTRJUJEMO, da je bilo pri letnem inšpekcijskem pregledu, ki ga zahteva prvi odstavek 14. člena te konvencije, ugotovljeno, da ta ladja izpolnjuje pogoje, pod katerimi je bilo to izvzetje odobreno.

Letni inšpekcijski pregled: Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Letni inšpekcijski pregled: Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Letni inšpekcijski pregled: Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Letni inšpekcijski pregled: Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Letni pregled v skladu s točko c) osmega odstavka 19. člena:

S TEM POTRJUJEMO, da je bilo pri inšpekcijskem pregledu v skladu s točko c) osmega odstavka 19. člena te konvencije ugotovljeno, da ta ladja izpolnjuje ustrezne zahteve iz konvencije.

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Potrditev podaljšanja spričevala, če je veljavno manj kot 5 let, kjer velja tretji odstavek 19. člena:

Ladja izpolnjuje ustrezne zahteve iz konvencije in to spričevalo se sprejme v skladu s tretjim odstavkom 19. člena konvencije kot veljavno do

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Potrditev, če je bil opravljen inšpekcijski pregled za podaljšanje veljavnosti, in velja četrti odstavek 19. člena:

Ladja izpolnjuje ustrezne zahteve iz konvencije in to spričevalo se sprejme v skladu s četrtim odstavkom 19. člena konvencije kot veljavno do

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

Potrditev podaljšanja veljavnosti spričevala, dokler ladja ne prispe v pristanišče, kjer se opravi inšpekcijski pregled, ali za dovoljeno obdobje odloga, če velja peti ali šesti odstavek 19. člena:

To spričevalo se sprejme v skladu s petim odstavkom 19. člena ali šestim odstavkom 19. člena⁵ konvencije kot veljavno do

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

⁵ Neustrezno prečrtaj.

Potrditev prestavitve dneva vsakoletnega izteka veljavnosti na zgodnejši datum, če velja osmi odstavek 19. člena:

V skladu z osmim odstavkom 19. člena konvencije je novi datum vsakoletnega izteka veljavnosti

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

V skladu z osmim odstavkom 19. člena konvencije je novi datum vsakoletnega izteka veljavnosti

Podpisani:.....
(podpis pooblaščenega uradnika)

Kraj:
Datum:
(pečat ali žig pristojnega organa)

3. člen

Za izvajanje protokola h konvenciji skrbi Ministrstvo za promet in zveze.

4. člen

Ta zakon začne veljati naslednji dan po objavi v Uradnem listu Republike Slovenije – Mednarodne pogodbe.

Št. 326-04/99-10/1

Ljubljana, dne 23. marca 1999

Predsednik
Državnega zbora
Republike Slovenije
Janez Podobnik, dr. med. l. r.

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