



DIÁRIO DA REPÚBLICA

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C I R C U L A R

Excelentíssimos Senhores:

Temos a honra de convidá-los a visitar a página da internet no *site* www.impresanacional.gov.ao, onde poderá *on-line* ter acesso, entre outras informações, aos sumários dos conteúdos do *Diário da República* nas três Séries.

Havendo necessidade de se evitarem os inconvenientes que resultam para os nossos serviços do facto das respectivas assinaturas no *Diário da República* não serem feitas com a devida oportunidade.

Para que não haja interrupção no fornecimento do *Diário da República* aos estimados clientes, temos a honra de informá-los que estão abertas a partir desta data até 15 de Fevereiro de 2013, as respectivas assinaturas para o ano 2013 pelo que deverão providenciar a regularização dos seus pagamentos junto dos nossos serviços.

1. Estando de momento os preços das assinaturas do *Diário da República* em fase de revisão para um possível reajustamento, e urgindo de momento a necessidade por parte dos nossos assinantes de confirmarem o fornecimento do *Diário da República* para o ano 2013, passam a título provisório a vigorar em território nacional os preços em vigor, acrescidos do Imposto de Consumo a taxa de 2% (dois percentos):

As 3 séries Kz: 463 125,00

1.ª série Kz: 273 700,00

2.ª série Kz: 142 870,00

3.ª série Kz: 111 160,00

2. Tão logo seja publicado o preço definitivo em *Diário da República* ou cobrança pela Imprensa Nacional – E.P. mediante correspondência, os assinantes terão o prazo de 45 (quarenta e cinco) dias para liquidar a diferença apurada,

para assegurar a continuidade do fornecimento durante o período em referência.

3. As assinaturas serão feitas apenas em regime anual.

4. Aos preços mencionados no n.º 1 acrescer-se-á um valor adicional para portes de correio por via normal das três séries, para todo o ano, no valor de Kz: 95 975,00 que poderá sofrer eventuais alterações em função da flutuação das taxas a praticar pela Empresa Nacional de Correios de Angola, E.P., no ano de 2013.

5. Os clientes que optarem pela recepção dos *Diários da República* através do correio deverão indicar o seu endereço completo, incluindo a Caixa Postal, a fim de se evitarem atrasos na sua entrega, devolução ou extravio.

Observações:

- Estes preços poderão ser alterados se houver uma desvalorização da moeda nacional, numa proporção superior à base que determinou o seu cálculo ou outros factores que afectem consideravelmente a nossa estrutura de custos;*
- As assinaturas que forem feitas depois de 15 de Fevereiro de 2013 sofrerão um acréscimo aos preços em vigor de uma taxa correspondente a 15%;*
- Aos organismos do Estado que não regularizem os seus pagamentos das dívidas até 15 de Dezembro do ano em curso, não lhes serão concedidas a crédito as assinaturas do Diário da República para o ano de 2013.*

SUMÁRIO**Assembleia Nacional**

Convenção n.º 5/12:

Convenção Internacional sobre a Segurança de Contentor (CSC 1972) (versão inglesa). — Adesão aprovada pela Resolução n.º 35/01, *Diário da República* n.º 56 de 30 de Novembro de 2001.

Convenção n.º 9/12
de 26 de Dezembro

**International Convention on Tonnage Measurement of
Ships, 1969 (TONNAGE 69)**

(London, 23 June 1969)

The Contracting Governments,

Desiring to establish uniform principles and rules with respect to the determination of tonnage of ships engaged on international voyages;

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

Have agreed as follows:

ARTICLE 1.º

(General obligation under the Convention)

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

ARTICLE 2.º

(Definitions)

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

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

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

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

(4) "gross tonnage" means the measure of the overall size of a ship determined in accordance with the provisions of the present Convention;

(5) "net tonnage" means the measure of the useful capacity of a ship determined in accordance with the provisions of the present Convention;

(6) "new ship" means a ship the keel of which is laid, or which is at a similar stage of construction, on or after the date of coming into force of the present Convention;

(7) "existing ship" means a ship which is not a new ship;

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

(9) "Organization" means the Inter-Governmental Maritime Consultative Organization.

ARTICLE 3.º

(Application)

(1) The present Convention shall apply to the following ships engaged on international voyages;

- (a) ships registered in countries the Governments of which are Contracting Governments;
- (b) ships registered in territories to which the present Convention is extended under article 20.º; and
- (c) unregistered ships flying the flag of a State, the Government of which is a Contracting Government.

(2) The present Convention shall apply to:

- (a) new ships;
- (b) existing ships which undergo alterations or modifications which the Administration deems to be a substantial variation in their existing gross tonnage;
- (c) existing ships if the owner so requests; and
- (d) all existing ships, twelve years after the date on which the Convention comes into force, except that such ships, apart from those mentioned in (b) and (c) of this paragraph, shall retain their then existing tonnages for the purpose of the application to them of relevant requirements under other existing International Conventions.

(3) Existing ships to which the present Convention has been applied in accordance with sub-paragraph (2)(c) of this Article shall not subsequently have their tonnages determined in accordance with the requirements which the Administration applied to ships on international voyages prior to the coming into force of the present Convention.

ARTICLE 4.º

(Exceptions)

(1) The present Convention shall not apply to:

- (a) ships of war; and
- (b) ships of less than 24 metres (79 feet) in length.

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

- (a) the Great Lakes of North America and the River St. Lawrence as far east as a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the meridian of longitude 63W;
- (b) the Caspian Sea; or
- (c) the Plate, Parana and Uruguay Rivers as far east as a rhumb line drawn between Punta Rasa (Cabo San Antonio), Argentina, and Punta del Este, Uruguay.

ARTICLE 5.º

(Force majeure)

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

(2) In applying the provisions of the present Convention, the Contracting Governments shall give due consideration to

any deviation or delay caused to any ship owing to stress of weather or any other cause of force majeure.

ARTICLE 6.º
(Determination of tonnages)

The determination of gross and net tonnages shall be carried out by the Administration which may, however, entrust such determination either to persons or organizations recognized by it. In every case the Administration concerned shall accept full responsibility for the determination of gross and net tonnages.

ARTICLE 7.º
(Issue of certificate)

(1) An International Tonnage Certificate (1969) shall be issued to every ship, the gross and net tonnages of which have been determined in accordance with the present Convention.

(2) Such certificate shall be issued by the Administration or by any person or organization duly authorized by it. In every case, the Administration shall assume full responsibility for the certificate.

ARTICLE 8.º
(Issue of certificate by another government)

(1) A Contracting Government may, at the request of another Contracting Government, determine the gross and net tonnages of a ship and issue or authorize the issue of an International Tonnage Certificate (1969) to the ship in accordance with the present Convention.

(2) A copy of the certificate and a copy of the calculations of the tonnages shall be transmitted as early as possible to the requesting Government.

(3) A certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the State whose flag the ship is or will be flying and it shall have the same validity and receive the same recognition as a certificate issued under Article 7.

(4) No International Tonnage Certificate (1969) shall be issued to a ship which is flying the flag of a State the Government of which is not a Contracting Government.

ARTICLE 9.º
(Form of certificate)

(1) The certificate shall be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.

(2) The form of the certificate shall correspond to that of the model given in Annex II.

ARTICLE 10.º
(Cancellation of certificate)

(1) Subject to any exceptions provided in the Regulations, an International Tonnage Certificate (1969) shall cease to be valid and shall be cancelled by the Administration if alterations have taken place in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry as indicated in the ship's passenger cer-

tificate, assigned load line or permitted draught of the ship, such as would necessitate an increase in gross tonnage or net tonnage.

(2) A certificate issued to a ship by an Administration shall cease to be valid upon transfer of such a ship to the flag of another State, except as provided in paragraph (3) of this Article.

(3) Upon transfer of a ship to the flag of another State the Government of which is a Contracting Government, the International Tonnage Certificate (1969) shall remain in force for a period not exceeding three months, or until the Administration issues another International Tonnage Certificate (1969) to replace it, whichever is the earlier. The Contracting Government of the State whose flag the ship was flying hitherto shall transmit to the Administration as soon as possible after the transfer takes place a copy of the certificate carried by the ship at the time of transfer and a copy of the relevant tonnage calculations.

ARTICLE 11.º
(Acceptance of certificate)

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

ARTICLE 12.º
(Inspection)

(1) A ship flying the flag of a State the Government of which is a Contracting Government shall be subject, when in the ports of other Contracting Governments, to inspection by officers duly authorized by such Governments. Such inspection shall be limited to the purpose of verifying:

- (a) that the ship is provided with a valid International Tonnage Certificate (1969); and
- (b) that the main characteristics of the ship correspond to the data given in the certificate.

(2) In no case shall the exercise of such inspection cause any delay to the ship.

(3) Should the inspection reveal that the main characteristics of the ship differ from those entered on the International Tonnage Certificate (1969) so as to lead to an increase in the gross tonnage or the net tonnage, the Government of the State whose flag the ship is flying shall be informed without delay.

ARTICLE 13.º
(Privileges)

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

ARTICLE 14.º
(Prior treaties, conventions and arrangements)

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

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

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

ARTICLE 15.º

(Communication of information)

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

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

ARTICLE 16.º

(Signature, acceptance and accession)

(1) The present Convention shall remain open for signature for six months from 23 June 1969, and shall thereafter remain open for accession.

Governments of States Members of the United Nations, or of any of the Specialized Agencies, or of the International Atomic Energy Agency, or parties to the Statute of the International Court of Justice may become Parties to the Convention by:

- (a) signature without reservation as to acceptance;
- (b) signature subject to acceptance followed by acceptance; or
- (c) accession.

(2) Acceptance or accession shall be effected by the deposit of an instrument of acceptance or accession with the Organization. The Organization shall inform all Governments which have signed the present Convention or acceded to it of each new acceptance or accession and of the date of its deposit. The Organization shall also inform all Governments which have already signed the Convention of any signature effected during the six months from 23 June 1969.

ARTICLE 17.º

(Coming into force)

(1) The present Convention shall come into force twenty-four months after the date on which not less than twenty-five Governments of States the combined merchant

fleets of which constitute not less than sixty-five per cent of the gross tonnage of the world's merchant shipping have signed without reservation as to acceptance or deposited instruments of acceptance or accession in accordance with article 16.º The Organization shall inform all Governments which have signed or acceded to the present Convention of the date on which it comes into force

(2) For Governments which have deposited an instrument of acceptance of or accession to the present Convention during the twenty-four months mentioned in paragraph (1) of this Article, the acceptance or accession shall take effect on the coming into force of the present Convention or three months after the date of deposit of the instrument of acceptance or accession, whichever is the later date.

(3) For Governments which have deposited an instrument of acceptance of or accession to the present Convention after the date on which it comes into force, the Convention shall come into force three months after the date of the deposit of such instrument.

(4) After the date on which all measures required to bring an amendment to the present Convention into force have been completed, or all necessary acceptances are deemed to have been given under sub-paragraph (b) of paragraph (2) of article 18.º in case of amendment by unanimous acceptance, any instrument of acceptance or accession deposited shall be deemed to apply to the Convention as amended.

ARTICLE 18.º

(Amendments)

(1) The present Convention may be amended upon the proposal of a Contracting Government by any of the procedures specified in this article.

(2) Amendment by unanimous acceptance:

- (a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention shall be communicated by the Organization to all Contracting Governments for consideration with a view to unanimous acceptance.

- (b) Any such amendment shall enter into force twelve months after the date of its acceptance by all Contracting Governments unless an earlier date is agreed upon. A Contracting Government which does not communicate its acceptance or rejection of the amendment to the Organization within twenty-four months of its first communication by the latter shall be deemed to have accepted the amendment.

(3) Amendment after consideration in the Organization:

- (a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention will be considered in the Organization. If adopted by a majority of two-thirds of those present and voting in the Maritime Safety

- Committee of the Organization, such amendment shall be communicated to all Members of the Organization and all Contracting Governments at least six months prior to its consideration by the Assembly of the Organization.
- (b) If adopted by a two-thirds majority of those present and voting in the Assembly, the amendment shall be communicated by the Organization to all Contracting Governments for their acceptance.
 - (c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Governments. The amendment shall come into force with respect to all Contracting Governments except those which, before it comes into force, make a declaration that they do not accept the amendment.
 - (d) The Assembly, by a two-thirds majority of those present and voting, including two-thirds of the Governments represented on the Maritime Safety Committee and present and voting in the Assembly, may propose a determination at the time of its adoption that an amendment is of such an important nature that any Contracting Government which makes a declaration under sub-paragraph (c) of this paragraph and which does not accept the amendment within a period of twelve months after it comes into force, shall cease to be a party to the present Convention upon the expiry of that period.
 - (e) Nothing in this paragraph shall prevent the Contracting Government which first proposed action under this paragraph on an amendment to the present Convention from taking at any time such alternative action as it deems desirable in accordance with paragraphs (2) or (4) of this Article.
- (4) Amendment by a conference:
- (a) Upon the request of a Contracting Government, concurred in by at least one-third of the Contracting Governments, a conference of Governments will be convened by the Organization to consider amendments to the present Convention.
 - (b) Every amendment adopted by such a conference by a two-thirds majority of those present and voting of the Contracting Governments shall be communicated by the Organization to all Contracting Governments for their acceptance.
 - (c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Governments. The amendment shall come into force with respect to all Contracting Governments except those which, before it comes into force, make a declaration that they do not accept the amendment.
 - (d) By a two-thirds majority of those present and voting, a conference convened under sub-paragraph (a) of this paragraph may determine at the time of its adoption that an amendment is of such an important nature that any Contracting Government which makes a declaration under sub-paragraph (c) of this paragraph, and which does not accept the amendment within a period of twelve months after it comes into force, shall cease to be a Party to the present Convention upon the expiry of that period.
 - (5) The Organization shall inform all Contracting Governments of any amendments which may come into force under this Article, together with the date on which each such amendment will come into force.
 - (6) Any acceptance or declaration under this Article shall be made by the deposit of an instrument with the Organization which shall notify all Contracting Governments of the receipt of the acceptance or declaration.
- ARTICLE 19.^o
(Denunciation)
- (1) The present Convention may be denounced by any Contracting Government at any time after the expiry of five years from the date on which the Convention comes into force for that Government.
 - (2) Denunciation shall be effected by the deposit of an instrument with the Organization which shall inform all the other Contracting Governments of any such denunciation received and of the date of its receipt.
 - (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 Organization.
- ARTICLE 20.^o
(Territories)
- (1) (a) The United Nations, in cases where they are the administering authority for a territory, or any Contracting Government responsible for the international relations of a territory, shall as soon as possible consult with such territory or take such measures as may be appropriate in an endeavour to extend the present Convention to that territory and may at any time by notification in writing to the Organization declare that the present Convention shall extend to such territory.
 - (b) The present Convention shall, from the date of receipt of the notification or from such other date as may be specified in the notification, extend to the territory named therein.
 - (2) (a) The United Nations, or any Contracting Government which has made a declaration under sub-paragraph (a) of paragraph (1) of this Article at any time after

the expiry of a period of five years from the date on which the Convention has been so extended to any territory, may by notification in writing to the Organization declare that the present Convention shall cease to extend to any such territory named in the notification.

(b) The present Convention shall cease to extend to any territory mentioned in such notification one year, or such longer period as may be specified therein, after the date of receipt of the notification by the Organization.

(3) The Organization shall inform all the Contracting Governments of the extension of the present Convention to all territories under paragraph (1) of this article, and of the termination of any such extension under the provisions of paragraph (2) stating in each case the date from which the present Convention has been or will cease to be so extended.

ARTICLE 21.^o
(Deposit and registration)

(1) The present Convention shall be deposited with the Organization and the Secretary-General of the Organization shall transmit certified true copies thereof to all Signatory Governments and to all Governments which accede to the present Convention.

(2) As soon as the present Convention comes into force, the text shall be transmitted by the Secretary-General of the Organization to the Secretariat of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 22.^o
(Languages)

The present Convention is established in a single copy in the English and French languages, both texts being equally authentic. Official translations in the Russian and Spanish languages shall be prepared and deposited with the signed original.

In Witness Whereof the undersigned being duly authorized by their respective Governments for that purpose have signed the present Convention.

Done at London this twenty-third day of June 1969.

ANNEX 1
**Regulations for Determining Gross
and net Tonnages of Ships**

REGULATION 1
General

(1) The tonnage of a ship shall consist of gross tonnage and net tonnage.

(2) The gross tonnage and the net tonnage shall be determined in accordance with the provisions of these Regulations.

(3) The gross tonnage and the net tonnage of novel types of craft whose constructional features are such as to render the application of the provisions of these Regulations unreasonable or impracticable shall be as determined by

the Administration. Where the tonnage is so determined, the Administration shall communicate to the Organization details of the method used for that purpose, for circulation to the Contracting Governments for their information.

REGULATION 2
Definition of terms used in the Annexes

(1) Upper Deck

The upper deck is the uppermost complete deck exposed to weather and sea, which has permanent means of weather-tight closing of all openings in the weather part thereof, and below which all openings in the sides of the ship are fitted with permanent means of watertight closing. In a ship having a stepped upper deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck is taken as the upper deck.

(2) Moulded Depth

(a) The moulded depth is the vertical distance measured from the top of the keel to the underside of the upper deck at side. In wood and composite ships the distance is measured from the lower edge of the keel rabbet. Where the form at the lower part of the midship section is of a hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel.

(b) In ships having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwales were of angular design.

(c) Where the upper deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the moulded depth shall be measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part.

(3) Breadth

The breadth is the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material.

(4) Enclosed spaces

Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.

(5) Excluded Spaces

Notwithstanding the provisions of paragraph (4) of this Regulation, the spaces referred to in sub-paragraphs (a) to (e) inclusive of this paragraph shall be called excluded spaces and shall not be included in the volume of enclosed spaces, except that any such space which fulfils at least one of the following three conditions shall be treated as an enclosed space:

- the space is fitted with shelves or other means for securing cargo or stores;
- the openings are fitted with any means of closure;
- the construction provides any possibility of such openings being closed:

- (a) (i) A space within an erection opposite an end opening extending from deck to deck except for a curtain plate of a depth not exceeding by more than 25 millimetres (one inch) the depth of the adjoining deck beams, such opening having a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening of the space. This provision shall be applied so as to exclude from the enclosed spaces only the space between the actual end opening and a line drawn parallel to the line or face of the opening at a distance from the opening equal to one half of the width of the deck at the line of the opening (Figure 1 in Appendix 1).
- (a) (ii) Should the width of the space because of any arrangement except by convergence of the outside plating, become less than 90 per cent of the breadth of the deck, only the space between the line of the opening and a parallel line drawn through the point where the athwartships width of the space becomes equal to, or less than, 90 per cent of the breadth of the deck shall be excluded from the volume of enclosed spaces (Figures 2, 3 and 4 in Appendix 1).
- (a) (iii) Where an interval which is completely open except for bulwarks or open rails separates any two spaces, the exclusion of one or both of which is permitted under sub-paragraphs (a)(i) and/or (a)(ii), such exclusion shall not apply if the separation between the two spaces is less than the least half breadth of the deck in way of the separation (Figures 5 and 6 in Appendix 1).
- (b) A space under an overhead deck covering open to the sea and weather, having no other connexion on the exposed sides with the body of the ship than the stanchions necessary for its support. In such a space, open rails or a bulwark and curtain plate may be fitted or stanchions fitted at the ship's side, provided that the distance between

the top of the rails or the bulwark and the curtain plate is not less than 0.75 metres (2.5 feet) or one-third of the height of the space, whichever is the greater (Figure 7 in Appendix 1).

- (c) A space in a side-to-side erection directly in way of opposite side openings not less in height than 0.75 metres (2.5 feet) or one-third of the height of the erection, whichever is the greater. If the opening in such an erection is provided on one side only, the space to be excluded from the volume of enclosed spaces shall be limited inboard from the opening to a maximum of one-half of the breadth of the deck in way of the opening (Figure 8 in Appendix 1).
- (d) A space in erection immediately below an uncovered opening in the deck overhead, provided that such an opening is exposed to the weather and the space excluded from enclosed spaces is limited to the area of the opening (Figure 9 in Appendix 1).
- (e) A recess in the boundary bulkhead of an erection which is exposed to the weather and the opening of which extends from deck to deck without means of closing, provided that the interior width is not greater than the width at the entrance and its extension into the erection is not greater than twice the width of its entrance (Figure 10 in Appendix 1).

(6) Passenger

A passenger is every person other than:

- (a) the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and
- (b) a child under one year of age.

(7) Cargo Spaces

Cargo spaces to be included in the computation of net tonnage are enclosed spaces appropriated for the transport of cargo which is to be discharged from the ship, provided that such spaces have been included in the computation of gross tonnage. Such cargo spaces shall be certified by permanent marking with the letters CC (cargo compartment) to be so positioned that they are readily visible and not to be less than 100 millimetres (4 inches) in height.

(8) Weathertight

Weathertight means that in any sea conditions water will not penetrate into the ship.

REGULATION 3 Gross tonnage

The gross tonnage (GT) of a ship shall be determined by the following formula:

$$GT = K_1 V$$

where: V = Total volume of all enclosed spaces of the ship in cubic metres, $K_1 = 0.2 + 0.02 \log_{10} V$ (or as tabulated in Appendix 2).

REGULATION 4
Net Tonnage

(1) The net tonnage (NT) of a ship shall be determined by the following formula:

$$NT = K_2 V_c \frac{4d}{3D}^2 + K_3 (N_1 + \frac{N_2}{3D})$$

3D 10

in which formula:

(a) the factor $\frac{4d}{3D}^2$ shall not be taken as greater than unity;

3D

(b) the term $K_2 V_c \frac{4d}{3D}^2$ shall not be taken as less than 0.25 GT; and

3D

(c) NT shall not be taken as less than 0.30 GT, and in which:

V_c = total volume of cargo spaces in cubic metres,

$K_2 = 0.2 + 0.02 \log_{10} V_c$ (or as tabulated in Appendix 2),

$K_3 = 1.25 (GT + 10,000)/10,000$

D = moulded depth amidships in metres as defined in Regulation 2(2),

d = moulded draught amidships in metres as defined in paragraph (2) of this Regulation,

N_1 = number of passengers in cabins with not more than 8 berths,

N_2 = number of other passengers,

$N_1 + N_2$ = total number of passengers the ship is permitted to carry as indicated in the ship's passenger certificate; when $N_1 + N_2$ is less than 13, N_1 and N_2 shall be taken as zero,

GT = gross tonnage of the ship as determined in accordance with the provisions of Regulation 3.

(2) The moulded draught (d) referred to in paragraph (1) of this Regulation shall be one of the following draughts:

(a) for ships to which the International Convention on Load Lines in force applies, the draught corresponding to the Summer Load Line (other than timber load lines) assigned in accordance with that Convention;

(b) for passenger ships, the draught corresponding to the deepest subdivision load line assigned in accordance with the International Convention for the Safety of Life at Sea in force or other international agreement where applicable;

(c) for ships to which the International Convention on Load Lines does not apply but which have been assigned a load line in compliance with national requirements, the draught corresponding to the summer load line so assigned;

(d) for ships to which no load line has been assigned but the draught of which is restricted in compliance with national requirements, the maximum permitted draught;

(e) for other ships, 75 per cent of the moulded depth amidships as defined in Regulation 2(2).

REGULATION 5
Change of net tonnage

(1) When the characteristics of a ship, such as V , V_c , d , N_1 or N_2 as defined in Regulations 3 and 4, are altered and where such an alteration results in an increase in its net tonnage as determined in accordance with the provisions of Regulation 4, the net tonnage of the ship corresponding to the new characteristics shall be determined and shall be applied without delay.

(2) A ship to which load lines referred to in sub-paragraphs (2)(a) and (2)(b) of Regulation 4 are concurrently assigned shall be given only one net tonnage as determined in accordance with the provisions of Regulation 4 and that tonnage shall be the tonnage applicable to the appropriate assigned load line for the trade in which the ship is engaged.

(3) When the characteristics of a ship such as V , V_c , d , N_1 or N_2 as defined in Regulations 3 and 4 are altered or when the appropriate assigned load line referred to in paragraph (2) of this Regulation is altered due to the change of the trade in which the ship is engaged, and where such an alteration results in a decrease in its net tonnage as determined in accordance with the provisions of Regulation 4, a new International Tonnage Certificate (1969) incorporating the net tonnage so determined shall not be issued until twelve months have elapsed from the date on which the current Certificate was issued; provided that this requirement shall not apply:

(a) if the ship is transferred to the flag of another State, or

(b) if the ship undergoes alterations or modifications which are deemed by the Administration to be of a major character, such as the removal of a superstructure which requires an alteration of the assigned load line, or

(c) to passenger ships which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade.

REGULATION 6
Calculation of volumes

(1) All volumes included in the calculation of gross and net tonnages shall be measured, irrespective of the fitting of insulation or the like, to the inner side of the shell or structural boundary plating in ships constructed of metal, and to the outer surface of the shell or to the inner side of structural boundary surfaces in ships constructed of any other material.

(2) Volumes of appendages shall be included in the total volume.

(3) Volumes of spaces open to the sea may be excluded from the total volume.

REGULATION 7
Measurement and calculation

(1) All measurement used in the calculation of volumes shall be taken to the nearest centimetre or one-twentieth of a foot.

(2) The volumes shall be calculated by generally accepted methods for the space concerned and with an accuracy acceptable to the Administration.

(3) The calculation shall be sufficiently detailed to permit easy checking.

APPENDIX 1

Figures Referred to in Regulation 2(5)

In the following figures:

O = excluded space.

C = enclosed space.

I = space to be considered as an enclosed space.

Hatched in parts to be included as enclosed spaces.

B = breadth of the deck in way of the opening.

In ships with rounded gunwales the breadth is measured as indicated in figure 11.

[For figures 1-11, see original printed text.]

APPENDIX 2

Coefficients K 1 and K 2 Referred to in Regulations 3 and 4(1)

V or V_c = Volume in cubic metres

V or V _c	K ₁ or K ₂	V or V _c	K ₁ or K ₂	V or V _c	K ₁ or K ₂	V or V _c	K ₁ or K ₂
10	0.2200	45,000	0.2931	330,000	0.3104	670,000	0.3165
20	0.2260	50,000	0.2940	340,000	0.3106	680,000	0.3166
30	0.2295	55,000	0.2948	350,000	0.3109	690,000	0.3168
40	0.2320	60,000	0.2956	360,000	0.3111	700,000	0.3169
50	0.2340	65,000	0.2963	370,000	0.3114	710,000	0.3170
60	0.2356	70,000	0.2969	380,000	0.3116	720,000	0.3171
70	0.2369	75,000	0.2975	390,000	0.3118	730,000	0.3173
80	0.2381	80,000	0.2981	400,000	0.3120	740,000	0.3174
90	0.2391	85,000	0.2986	410,000	0.3123	750,000	0.3175
100	0.2400	90,000	0.2991	420,000	0.3125	760,000	0.3176
200	0.2460	95,000	0.2996	430,000	0.3127	770,000	0.3177
300	0.2495	100,000	0.3000	440,000	0.3129	780,000	0.3178
400	0.2520	110,000	0.3008	450,000	0.3131	790,000	0.3180
500	0.2540	120,000	0.3016	460,000	0.3133	800,000	0.3181
600	0.2556	130,000	0.3023	470,000	0.3134	810,000	0.3182
700	0.2569	140,000	0.3029	480,000	0.3136	820,000	0.3183
800	0.2581	150,000	0.3035	490,000	0.3138	830,000	0.3184
900	0.2591	160,000	0.3041	500,000	0.3140	840,000	0.3185
1,000	0.2600	170,000	0.3046	510,000	0.3142	850,000	0.3186
2,000	0.2660	180,000	0.3051	520,000	0.3143	860,000	0.3187
3,000	0.2695	190,000	0.3056	530,000	0.3145	870,000	0.3188
4,000	0.2720	200,000	0.3060	540,000	0.3146	880,000	0.3189
5,000	0.2740	210,000	0.3064	550,000	0.3148	890,000	0.3190
6,000	0.2756	220,000	0.3068	560,000	0.3150	900,000	0.3191

V or V _c	K ₁ or K ₂	V or V _c	K ₁ or K ₂	V or V _c	K ₁ or K ₂	V or V _c	K ₁ or K ₂
7,000	0.2769	230,000	0.3072	570,000	0.3151	910,000	0.3192
8,000	0.2781	240,000	0.3076	580,000	0.3153	920,000	0.3193
9,000	0.2791	250,000	0.3080	590,000	0.3154	930,000	0.3194
10,000	0.2800	260,000	0.3083	600,000	0.3156	940,000	0.3195
15,000	0.2835	270,000	0.3086	610,000	0.3157	950,000	0.3196
20,000	0.2860	280,000	0.3089	620,000	0.3158	960,000	0.3196
25,000	0.2880	290,000	0.3092	630,000	0.3160	970,000	0.3197
30,000	0.2895	300,000	0.3095	640,000	0.3161	980,000	0.3198
35,000	0.2909	310,000	0.3098	650,000	0.3163	990,000	0.3199
40,000	0.2920	320,000	0.3101	660,000	0.3164	1,000,000	0.3200

Coefficients K 1 or K 2 at intermediate values of V or V_c shall be obtained by linear interpolation.

ANNEX II
Certificate

INTERNATIONAL TONNAGE CERTIFICATE (1969)
(Official seal)

Issued under the provisions of the International Convention on Tonnage Measurement of Ships, 1969, under the authority of the Government of

(full official designation of country)

for which the Convention came into force on

.....19.....

by

(full official designation of the competent person or organization recognized under the provisions of the International Convention on Tonnage Measurement of Ships, 1969.)

Name of Ships	Distinctive Number or Letters	Port of Registry	Date
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Date on which the keel was laid or the ship was at a similar stage of construction (Article 2(6)), or date on which the ship underwent alterations or modifications of a major character (Article 3(2)(b)), as appropriate.

MAIN DIMENSIONS

Length (Article 2(8))	Breadth (Regulation 2(3)) 1	Moulded Depth amidships to Upper Deck 1 Regulation 2(2))
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THE TONNAGES OF THE SHIP ARE:

Gross Tonnage

Net Tonnage

This is to certify that the tonnages of this ship have been determined in accordance with the provisions of the International Convention on Tonnage Measurement of Ships, 1969.

Issued at

(place of issue of certificate) (date of issue) (signature of official issuing the certificate) and/or (seal of issuing authority) If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this

Certificate

(signature)

Convenção n.º 10/12
de 26 de Dezembro

**International Maritime Organization Protocol of
1992 to amend the International Convention on
the Establishment of an International Fund for
Compensation for Oil Pollution Damage of 18
December (FUND 92)**

1971

(London, 27 November 1992)

The Parties to the Present Protocol,

Having Considered the International Convention on the Establishment of an International Fund for Compensation for oil Pollution Damage, 1971, and the 1984 Protocol thereto,

Having Noted that the 1984 Protocol to that Convention, which provides for improved scope and enhanced compensation, has not entered into force,

Affirming the importance of maintaining the viability of the international oil pollution liability and compensation system,

Aware of the need to ensure the entry into force of the content of the 1984 Protocol as soon as possible,

Recognizing the advantage for the States Parties of arranging for the amended Convention to coexist with and be supplementary to the original Convention for a transitional period,

Convinced that the economic consequences of pollution damage resulting from the carriage of oil in bulk at sea by ships should continue to be shared by the shipping industry and by the oil cargo interests,

Bearing in Mind the adoption of the Protocol of 1992 to amend the International Convention on Civil Liability for oil Pollution Damage, 1969,

Have Agreed as Follows:

ARTICLE 1.º

The Convention which the provisions of this Protocol amend is the International Convention on the Establishment of an International Fund for Compensation for oil Pollution Damage, 1971, hereinafter referred to as the "1971 Fund Convention". For States Parties to the Protocol of 1976 to the 1971 Fund Convention, such reference shall be deemed to include the 1971 Fund Convention as amended by that Protocol.

ARTICLE 2.º

Article 1.º of the 1971 Fund Convention is amended as follows: 1. Paragraph 1 is replaced by the following text:

1. "1992 Liability Convention" means the International Convention on Civil Liability for oil Pollution Damage, 1992.

2. After paragraph 1 a new paragraph is inserted as follows:

1 bis. "1971 Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for oil Pollution Damage, 1971. For States Parties to the Protocol of 1976 to that Convention, the term shall be deemed to include the 1971 Fund Convention as amended by that Protocol.

3. Paragraph 2 is replaced by the following text:

2. "Ship", "Person", "Owner", "Oil", "Pollution Damage", "Preventive Measures", "Incident", and

"Organization" have the same meaning as in article 1.º of the 1992 Liability Convention.

4. Paragraph 4 is replaced by the following text:

4. "Unit of account" has the same meaning as in article 5.º, paragraph 9, of the 1992 Liability Convention.

5. Paragraph 5 is replaced by the following text:

5. "Ship's tonnage" has the same meaning as in article 5.º, paragraph 10, of the 1992 Liability Convention.

6. Paragraph 7 is replaced by the following text:

7. "Guarantor" means any person providing insurance or other financial security to cover an owner's liability in pursuance of article 7.º, paragraph 1, of the 1992 Liability Convention.

ARTICLE 3.º

Article 2.º of the 1971 Fund Convention is amended as follows: Paragraph 1 is replaced by the following text:

1. An International Fund for compensation for pollution damage, to be named "The International Oil Pollution Compensation Fund 1992" and hereinafter referred to as "the Fund", is hereby established with the following aims:

- (a) to provide compensation for pollution damage to the extent that the protection afforded by the 1992 Liability Convention is inadequate;
- (b) to give effect to the related purposes set out in this Convention.

ARTICLE 4.º

Article 3.º of the 1971 Fund Convention is replaced by the following text: This Convention shall apply exclusively:

- (a) to pollution damage caused:
 - (i) in the territory, including the territorial sea, of a Contracting State, and
 - (ii) in the exclusive economic zone of a Contracting State, established in accordance with international law, or, if a Contracting State has not established such a zone, in an area beyond and adjacent to the territorial sea of that State determined by that State in accordance with international law and extending not more than 200 nautical miles from the baselines from which the breadth of its territorial sea is measured;
- (b) to preventive measures, wherever taken, to prevent or minimize such damage.

ARTICLE 5.º

The heading to articles 4.º to 9.º of the 1971 Fund Convention is amended by deleting the words "and indemnification".

ARTICLE 6.º

Article 4.º of the 1971 Fund Convention is amended as follows:

1. In paragraph 1 the five references to "the Liability Convention" are replaced by references to "the 1992 Liability Convention".

2. Paragraph 3 is replaced by the following text:

3. If the Fund proves that the pollution damage resulted wholly or partially either from an act or omission done with the intent to cause damage by the person who suffered the damage or from the negligence of that person, the Fund may be exonerated wholly or partially from its obligation to pay compensation to such person. The Fund shall in any