

The Protocol
was previously
published as
Miscellaneous No. 5
(1968), Cmnd. 3612.

MARITIME LAW



Treaty Series No. 22 (1978)

Protocol
to amend the
Convention for the Unification of
Certain Rules of Law relating to
Assistance and Salvage at Sea
signed at Brussels on 23 September, 1910

Brussels, 27 May 1967

[The United Kingdom instrument of ratification was deposited on 9 September 1974
and the Protocol entered into force on 15 August 1977]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
March 1978*

LONDON

HER MAJESTY'S STATIONERY OFFICE

25p net

Cmnd. 7095

PROTOCOL
TO AMEND THE CONVENTION FOR THE UNIFICATION
OF CERTAIN RULES OF LAW RELATING TO ASSISTANCE AND
SALVAGE AT SEA SIGNED AT BRUSSELS ON
23rd SEPTEMBER, 1910

The Contracting Parties,

Considering that it is desirable to amend the Convention for the unification of certain rules of law relating to assistance and salvage at sea, signed at Brussels on 23rd September 1910,⁽¹⁾

Have agreed as follows :

ARTICLE 1

Article 14 of the Convention for the unification of certain rules of law relating to assistance and salvage at sea, signed at Brussels on 23rd September 1910, shall be replaced by the following :

“The provisions of this Convention shall also apply to assistance or salvage services rendered by or to a ship of war or any other ship owned, operated or chartered by a State or public Authority.

A claim against a State for assistance or salvage services rendered to a ship of war or other ship which is, either at the time of the event or when the claim is brought, appropriated exclusively to public non commercial service, shall be brought only before the Courts of such State.

Any High Contracting Party shall have the right to determine whether and to what extent Article 11 shall apply to ships coming within the terms of the second paragraph of this Article.”

ARTICLE 2

This Protocol shall be open for signature by the States which have ratified the Convention or which have adhered thereto before the 27th May 1967, and by any State represented at the twelfth session of the Diplomatic Conference on Maritime Law.

ARTICLE 3

1. This Protocol shall be ratified.
2. Ratification of this Protocol by any State which is not a Party to the Convention shall have the effect of accession to the Convention.
3. The instruments of ratification shall be deposited with the Belgian Government.

⁽¹⁾ “Treaty Series No. 4 (1913)”, Cd. 6677.

ARTICLE 4

1. This Protocol shall come into force one month after the deposit of five instruments of ratification.⁽²⁾

2. This Protocol shall come into force, in respect of each signatory State which ratifies it after the deposit of the fifth instrument of ratification, one month after the date of deposit of the instrument of ratification of that State.

ARTICLE 5

1. States, Members of the United Nations or Members of the specialized agencies, not represented at the twelfth session of the Diplomatic Conference on Maritime Law, may accede to this Protocol.

2. Accession to this Protocol shall have the effect of accession to the Convention.

3. The instruments of accession shall be deposited with the Belgian Government.

4. The Protocol shall come into force in respect of the acceding State one month after the date of deposit of the instrument of accession of that State, but not before the date of entry into force of the Protocol as established by Article 4 (1).

ARTICLE 6

1. Any Contracting State may denounce this Protocol by notification to the Belgian Government.

2. This denunciation shall have the effect of denunciation of the Convention.

3. The denunciation shall take effect one year after the date on which the notification has been received by the Belgian Government.

ARTICLE 7

1. Any Contracting State may at the time of signature, ratification or accession to this Convention or at any time thereafter declare by written notification to the Belgian Government which among the territories under its sovereignty or for whose international relations it is responsible, are those to which the present Protocol applies. The Protocol shall one month after the date of the receipt of such notification by the Belgian Government extend to the territories named therein, but not before the date of the coming into force of the Protocol in respect of such State.

2. This extension also shall apply to the Convention if the latter is not yet applicable to those territories.

3. Any Contracting State which has made a declaration under paragraph 1 of this Article may at any time thereafter declare by notification given to the Belgian Government that the Protocol shall cease to extend to such territory. This denunciation shall take effect one year after the date on which notification thereof has been received by the Belgian Government; it also shall apply to the Convention.

⁽²⁾ The Protocol entered into force on 15 August 1977.

ARTICLE 8

The Belgian Government shall notify the States represented at the twelfth session of the Diplomatic Conference on Maritime Law, the acceding States to this Protocol, and the States parties to the Convention, of the following:

1. The signatures, ratifications and accessions received in accordance with Articles 2, 3 and 5.
2. The date on which the present Protocol will come into force in accordance with Article 4.
3. The notifications with regard to the territorial application in accordance with Article 7.
4. The denunciations received in accordance with Article 6.

In witness whereof the undersigned plenipotentiaries, duly authorised, have signed this Protocol.

Done at Brussels, this 27th day of May 1967, in the French and English languages,⁽³⁾ both texts being equally authentic, in a single copy, which shall remain deposited in the archives of the Belgian Government, which shall issue certified copies.

⁽³⁾ After the Protocol has been registered with the United Nations, the French text will be published in the United Nations Treaty Series, available through Agency Section, Her Majesty's Stationery Office, P.O. Box 659, London SE1 9NY—Tel. 01-928 6977 ext. 410.

SIGNATURES AND RATIFICATIONS

<i>State</i>	<i>Date of Signature</i>	<i>Date of deposit of instrument of ratification</i>
Argentine Republic	27 May 1967	
Austria	22 Jan. 1969	4 Apr. 1974
Belgium	27 May 1967	11 Apr. 1973
Canada	27 May 1967	
China, Republic of	27 May 1967	
Congo, Democratic Republic of*	27 May 1967	
Denmark	27 May 1967	
Egypt	4 June 1973	15 July 1977
Finland	27 May 1967	
Germany Federal Republic of	27 May 1967	
Greece	27 May 1967	
India	27 May 1967	
Iran	27 May 1967	
Israel	27 May 1967	
Italy	27 May 1967	
Japan	19 Oct. 1967	
Lebanon	27 May 1967	
Monaco	27 May 1967	
Portugal	27 May 1967	
Sweden	7 Dec. 1967	
Switzerland	27 May 1967	
United Kingdom	27 May 1967	9 Sept. 1974
Uruguay	27 May 1967	
Vatican City	27 May 1967	
Yugoslavia	27 May 1967	3 May 1971

ACCESSION

Syria	...	1 Aug 1974
-------	-----	------------

TERRITORIAL EXTENSIONS

Jersey, Guernsey and the Isle of Man	...	22 June 1977
--------------------------------------	-----	--------------

*Now known as Zaire

HER MAJESTY'S STATIONERY OFFICE

Government Bookshops

49 High Holborn, London WC1V 6HB
13a Castle Street, Edinburgh EH2 3AR
41 The Hayes, Cardiff CF1 1JW
Brazennose Street, Manchester M60 8AS
Southey House, Wine Street, Bristol BS1 2BQ
258 Broad Street, Birmingham B1 2HE
80 Chichester Street, Belfast BT1 4JY

*Government publications are also available
through booksellers*