



Treaty Series No. 50 (1997)

1996 Amendments to the Annex
to the
Convention on Facilitation
of International Maritime
Traffic, 1965, as Amended
(Resolution FAL.5(24))

Adopted at London on 11 January 1996 by the
Facilitation Committee at its 24th Session

[The Amendments to the Annex entered into force on 1 May 1997]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
1997*

**1996 AMENDMENTS TO THE ANNEX TO THE
CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME
TRAFFIC, 1965,¹ AS AMENDED (Resolution FAL.5 (24))**

Adopted at the Twenty-fourth session of the Facilitation Committee on 11 January 1996

ANNEX

1 Section 2—ARRIVAL, STAY AND DEPARTURE OF THE SHIP:

.1 Recommended Practice 2.7.4 is amended to read:

“2.7.4 **Recommended Practice.** A list compiled by the shipowners for their own use should be accepted in place of the Passenger List, provided it contains at least the information required in accordance with Recommended Practice 2.7.3 and is dated and signed or authenticated in accordance with Standard 2.7.5.”

.2 A new note is added to Standard 2.7.6, which reads:

“Note:

Notification of stowaways can be made, for example, by a notation in the “Remarks” area of the General Declaration or by using a Passenger or a Crew List, with the title amended to “stowaway list”.”

2 Section 6—MISCELLANEOUS PROVISIONS:

Recommended practice 6.12 is amended to read:

“6.12 **Recommended Practice.** Each Contracting Government should establish a national maritime transport facilitation committee or a similar national co-ordinating body, for the encouragement of the adoption and implementation of facilitation measures, between governmental departments, agencies and other organizations concerned with or responsible for, various aspects of international maritime traffic, as well as port authorities and shipowners.

Note:

In establishing a national maritime transport facilitation committee or a similar national co-ordinating body, Contracting Governments are invited to take into account the guidelines set out in FAL.5/Circ.2.”

3 Section 4—PRE-IMPORT INFORMATION

Recommended Practice 4.7 is amended to read:

“4.7 **Recommended Practice.** Public authorities should develop procedures, which may include electronic data interchange (EDI), to allow for the submission of advance information prior to arrival of cargo to enable selectivity techniques, including risk analysis to be used to facilitate customs clearance.”

4 Section 3—CRUISE PASSENGERS

Standard 3.32 is amended to read:

“3.32 **Standard.** “Cruise passengers shall not normally be required to provide a written declaration for their personal effects. However, in the case of articles which involve a high amount of customs duties and other taxes and charges, a written declaration and a security may be required”.”

¹Treaty Series No. 46 (1967) Cmnd 3299

5 Section 3—INADMISSIBLE PERSONS

New Standards are added to read:

- .1 “3.3.2 **Standard.** Contracting Governments shall accept for examination a person being returned from his point of disembarkation after having been found inadmissible if this person had embarked in their territory. Contracting Governments shall not return such a person to the country where he was earlier found to be inadmissible.

Note 1:

This provision is not intended to prevent public authorities from further examining a returned inadmissible person to determine his eventual acceptability in the State or make arrangements for his transfer, removal or deportation to a State of which he is a national or where he is otherwise acceptable. Where a person who has been found to be inadmissible has lost or destroyed his travel document, a Contracting Government will accept instead a document attesting to the circumstances of embarkation and arrival issued by the public authorities of the Contracting Government where the person was found to be inadmissible.

Note 2:

Nothing in this Standard or in Note 1 is to be construed as contradicting the provisions of the United Nations Convention Relating to the Status of Refugees of 28 July 1951 and the United Nations Protocol Relating to the Status of Refugees of 31 January 1967, which concern the prohibition of the expulsion or return of a refugee.”

- .2 “3.3.3 **Standard.** The obligation of a shipowner to transport any person away from the territory of a State shall terminate from the moment such a person has been definitely admitted into that State.”
- .3 “3.3.4 **Standard.** Contracting Governments and shipowners shall co-operate, where practicable, to establish the validity and authenticity of passports and visas.”

6 Section 3—IMMIGRATION PRE-ARRIVAL CLEARANCE

A new Recommended Practice is added to read:

“3.49 **Recommended Practice.** Public authorities should provide a system of pre-arrival clearance to allow the crew of ships which call regularly at their ports to obtain advance approval for temporary shore leave. Where a ship has no adverse immigration record and is locally represented by a shipowner or a reputable agent of the shipowner, the public authorities should normally, after satisfactory consideration of such pre-arrival particulars as they may require, permit the ship to proceed directly to its berth and be subject to no further routine immigration formalities, unless otherwise required by the public authorities.”

