

附錄一：國際海事組織海事人命安全委員會第 380(94)號決議

**1974 年國際海上人命安全公約
(經 1978 年及 1988 年議定書修正) 2014 年修正**

2014 年 11 月 通過，2016 年 7 月 1 日生效

**(Protocol of 1978 & 1988 Relating to)
The International Convention for the Safety of Life at Sea, 1974**

Adopted on November, 2014, entered into force 1 July, 2016

Resolution MSC.380(94)

RESOLUTION MSC.380(94)
(adopted on 21 November 2014)

**AMENDMENTS TO THE INTERNATIONAL
CONVENTION FOR THE SAFETY OF LIFE AT
SEA (SOLAS), 1974, AS AMENDED**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,
RECALLING ALSO article VIII(b)(vi)(2) of the International Convention for the Safety of Life at Sea (SOLAS), 1974 ("the Convention"), concerning the amendment procedure applicable to the annex to the Convention, other than to the provisions of chapter I,

HAVING CONSIDERED, at its ninety-fourth session, amendments to the Convention, proposed and circulated in accordance with article VIII(b)(i) thereof,

- 1 **ADOPTS**, in accordance with article VIII(b)(iv) of the Convention, amendments to the Convention, the text of which is set out in the annex to the present resolution;
- 2 **DETERMINES**, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the said amendments shall be deemed to have been accepted on 1 January 2016 unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments, the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified to the Secretary-General of the Organization their objections to the amendments;
- 3 **INVITES** SOLAS Contracting Governments to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 July 2016 upon their acceptance in accordance with paragraph 2 above;
- 4 **REQUESTS** the Secretary-General, for the purposes of article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Contracting Governments to the Convention; and

第MSC.380(94)號決議
(2014 年 11 月 21 日通過)

經修正的『1974 年國際海上人命安全公約』(『安全公約』)的修正案

海上安全委員會，

回顧『國際海事組織公約』關於本委員會職能的第 28(b)條，

另回顧『1974 年國際海上人命安全公約(『安全公約』)關於本公約附則(除第 I 章條款外)適用的修正程序的第 VIII(b)(vi)(2)條，

在其第 94 屆會議上審議依照本公約第 VIII(b)(i)條建議及分發的本公約修正案，

- 1 依照本公約第 VIII(b)(iv)條規定，通過本公約的修正案，其文本載於本決議附件；
- 2 依照本公約第 VIII(b)(vi)(2)(bb)條決定該修正案將在 2016 年 1 月 1 日視為已被接受，除非在此日期之前，有三分之一以上的本公約締約國政府或其商船隊總及占世界商船總噸數不少於 50% 的締約國政府通報本組織秘書長其反對該修正案；
- 3 請『安全公約』締約國政府注意，依照本公約第 VIII(b)(vii)(2)條，該修正案將在依上述第 2 段被接受後，於 2016 年 7 月 1 日生效；
- 4 要求秘書長為本公約第 VIII(b)(v)條之目的，將本決議及其附件中的修正案文本的核證無誤副本分發給所有本公約締約國政府；及

5 **ALSO REQUESTS** the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization which are not Contracting Governments to the Convention.

5 還要求秘書長將本決議及其附件的副本分發給非本公約締約國的本組織會員國。

ANNEX
**AMENDMENTS TO THE INTERNATIONAL
CONVENTION FOR THE SAFETY OF LIFE AT
SEA (SOLAS), 1974, AS AMENDED**

附件
經修正的『1974年國際海上人命
安全公約』（『安全公約』）的修正
案

**CHAPTER II-2
CONSTRUCTION – PROTECTION, FIRE
DETECTION AND FIRE EXTINGUISHION**

第II-2章
構造-防火、探火及滅火

**Part C
Suppression of fire**

C部分
抑制火

Regulation 10 – Fire fighting

第10條-滅火

1 The title of existing paragraph 5.2 is replaced as follows:
"5.2 Machinery spaces of category A containing internal combustion machinery"

1 現有 5.2 的標題替換如下：
“5.2 裝有內燃機的A類機器處所”

**CHAPTER VI
CARRIAGE OF CARGOES AND OIL FUELS**

第VI章
貨物及燃油的裝運

Part A General Provisions

A 部分總則

Regulation 2 – Cargo information

第2條-貨物資料

2 The following new paragraphs 4 to 6 are added after existing paragraph 3:

2 在現有第3項後新增第4至6項如下：

"4 In the case of cargo carried in a container*, except for containers carried on a chassis or a trailer when such containers are driven on or off a ro-ro ship engaged in short international voyages as defined in regulation III/3, the gross mass according to paragraph 2.1 of this regulation shall be verified by the shipper, either by:

“4 對於貨櫃裝運的貨物*，符合本條第2.1項的毛重應經託運人以下列方式之一予以驗證，但在從事第III/3條所界定的短程國際航行的滾裝船上裝卸的以底盤車或拖車載運的貨櫃除外：

- .1 weighing the packed container using calibrated and certified equipment; or
- .2 weighing all packages and cargo items, including the mass of pallets, dunnage and other securing material to be packed in the container and adding the tare mass of the container to the sum of the single masses, using a certified method approved by the competent authority of the State in which packing of the container was completed.

- .1 使用經校準的合格設備對裝貨貨櫃稱重；或
- .2 對所有包裝件及貨品進行稱重，包括貨盤、貨墊及其他裝入貨櫃的繫固材料，並使用完成貨櫃包裝所在國主管當局批准的認證方法，將貨櫃皮重與前述各項重量的總及相加。

5 The shipper of a container shall ensure the verified gross mass** is stated in the shipping document. The shipping document shall be:

5 貨櫃託運人應確保船運文件中已載明驗證的毛重**。

- .1 signed by a person duly authorized by the shipper; and
- .2 submitted to the master or his representative and to the terminal representative sufficiently in advance, as required by the master or his representative, to be used in the preparation of the ship stowage plan***.

- .1 由經託運人正式授權的人員簽字；及
- .2 應船長或其代表的要求，提前足夠時間提交船長或其代表及碼頭代表，以用於編制船舶積載圖***。

6 If the shipping document, with regard to a packed container, does not provide the verified gross mass and the master or his representative and the terminal representative have not obtained the verified gross mass of the packed container, it shall not be loaded on to the ship.

* The term "container" should be considered as having the same meaning as defined and applied in the International Convention for Safe Containers (CSC), 1972, as amended, taking into account the *Guidelines for the approval of offshore containers handled in open seas* (MSC/Circ.860) and the *Revised recommendations on harmonized interpretation and implementation of the International Convention for Safe Containers, 1972, as amended* (CSC.1/Circ.138/Rev.1).

** Refer to the *Guidelines regarding the verified gross mass of a container carrying cargo* (MSC.1/Circ.1475).

*** This document may be presented by means of EDP or EDI transmission techniques. The signature may be an electronic signature or may be replaced by the name, in capitals, of the person authorized to sign."

CHAPTER XI-1 SPECIAL MEASURES TO ENHANCE MARITIME SAFETY

3 The following new regulation 7 is added after existing regulation 6:

"Regulation 7 – Atmosphere testing instrument for enclosed spaces

Every ship to which chapter I applies shall carry an appropriate portable atmosphere testing instrument or instruments*. As a minimum, these shall be capable of measuring concentrations of oxygen, flammable gases or vapours, hydrogen sulphide and carbon monoxide prior to entry into enclosed spaces**. Instruments carried under other requirements may satisfy this regulation. Suitable means shall be provided for the calibration of all such instruments.

* Refer to the *Guidelines to facilitate the selection of portable atmosphere testing instruments for enclosed spaces as required by SOLAS regulation XI-1/7* (MSC.1/Circ.1477).

** Refer to the *Revised recommendations for entering enclosed spaces aboard ships* (resolution A.1050(27))."

6 如裝貨貨櫃的船運文件上未提供驗證的毛重，且船長或其代表及碼頭代表尚未收到該裝貨貨櫃經核實的毛重，該裝貨貨櫃不得裝載上船”。

* 參照『公海上裝卸的離岸貨櫃認可導則(第 MSC/Circ.860 號通函)及經修正的『經修訂的 1972 年國際安全貨櫃公約協調解釋及實施建議案(第 CSC.1/Circ.138/Rev.1 號通函)』術語“貨櫃”應視為與經修正的『1972 年國際安全貨櫃公約(CSC)中定義及適用的“貨櫃”具有相同含義。

** 參見『關於裝貨貨櫃驗證毛重導則(第 MSC.1/Circ.1475 號通函)』。

*** 本文件可通過 EDP 或 EDI 傳輸技術顯示。簽名可為電子簽名或可由經授權簽字人員以大寫字母書寫的名字替代。

第XI-1章 加強海上安全的特別措施

3 在現有第 6 條後新增第 7 條如下：

“第 7 條-圍蔽處所的氣體測試儀

第 I 章適用的每艘船舶須攜有適當的可攜式氣體測試儀*。這些測試儀須至少能在進入圍蔽處所前測量氧氣、可燃氣體或蒸氣、硫化氫及一氧化碳的濃度**。依其他要求攜有的測試儀可滿足本條要求。須為所有這些測試儀提供合適的校準設備。

* 參見『便利選擇『安全公約』第 XI-1/7 條要求的圍蔽處所可攜式氣體測試儀導則』(第 MSC.1/Circ.1477 號通函)。

** 參見『經修訂的進入船上圍蔽處所建議案(第 A.1050(27)號決議)』。

附錄二：我國實施載貨貨櫃總重驗證指導原則

(交通部 105 年 6 月 13 日交授航港字第 1050056455 號函)

我國實施載貨貨櫃總重驗證指導原則

一、依據

依據「海上人命安全國際公約」(SOLAS)第 VI 章中增加載貨貨櫃裝船之前進行重量驗證之要求予以訂定。

二、名詞定義

- (一) 託運人：指載貨證券、海運單或等效之複合運送文件上定為託運人之法人實體或法人並且其(以其名義或代表其)與航運公司簽訂運送契約者。(MSC.1/Circ.1475 通函第 2.1.12 點)
- (二) 碼頭代表：指代表法人實體或法人從事與船舶相關之提供碼頭設備、泊位、儲存、倉庫或其他貨物搬運服務之個人。(MSC.1/Circ.1475 通函第 2.1.15 點)
- (三) 載貨貨櫃：載貨貨櫃係載有(“裝有”或“充有”)液體、氣體、固體、包裝件和貨品(包括棧板、貨墊和其他包裝材料和繫固設備)之貨櫃。(MSC.1/Circ.1475 通函第 2.1.8 點)
- (四) 驗證總重(VGM)：指貨櫃的空重及所有包裝件和貨品(包括棧板、貨墊和其他裝入貨櫃之包裝材料和繫固設備)重量的合計重量，並經託運人或其授權之人簽認後所產出。(SOLAS 公約第 VI 章 A 部分第 2 條第 5 項規定及 MSC.1/Circ.1475 通函第 2.1.6 點)

三、載貨貨櫃驗證總重的方法

- (一) 方法一：完成貨櫃之裝箱和密封後，託運人可以對載貨貨櫃過磅或安排第三方過磅(MSC.1/Circ.1475 通函第 5.1.1 點)。
- (二) 方法二：託運人(或託運人安排之第三方)可以過磅所有包裝件和貨品，包括裝入貨櫃之棧板、貨墊和其他包裝和繫固設備之重量，將貨櫃空重與前述各項重量之總和相加(MSC.1/Circ.1475 通函第 5.1.2 點)。
- (三) 道路車輛所載貨櫃，允許以總重扣除車重及燃油方式計算重量，但同一車輛上載二只貨櫃者，應分別對每只貨

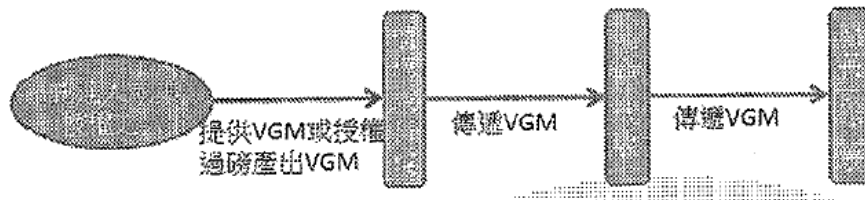
櫃過磅以確定其各自重量(MSC.1/Circ.1475 通函第11點)。

四、載貨貨櫃驗證總重(VGM)產出

(一) 託運人負責載貨貨櫃總重之驗證，並負責確保提前足夠時間以運送文件送交驗證總重，供船長或其代表以及碼頭代表在編制船運裝載計畫時使用，如果託運人未提供載貨貨櫃驗證總重，貨櫃不應裝載上船，除非船長或其代表以及碼頭代表透過其他方式獲得驗證總重(MSC.1/Circ.1475 通函第1.1點)。

另託運人和任何第三方之間如何送交該資訊應由各商務當事方協議(MSC.1/Circ.1475 通函第5.1.2點)。

(二) 我國驗證總重作業流程如下：



1. 整櫃貨(CY 櫃)驗證總重(VGM)產出流程

- 1.1 託運人或其授權之人採用校準和認證之設備過磅，磅得重量可透過裝櫃清單 (CLP)或進倉證明書或其他各商務當事方協議方式記載並簽名，產出驗證總重。
- 1.2 若託運人於進港區後仍未提供驗證總重，可安排櫃場採用經校準和認證之設備過磅獲得櫃重，產出驗證之總重。
- 1.3 由碼頭代表交予船長或代表。

2. 併櫃貨(CFS 櫃) 驗證總重(VGM)產出流程

- 2.1 託運人或其授權之人採用校準和認證之設備過磅，磅得重量可透過進倉證明書或其他各商務當事方協議方式記載並簽名，產出驗證總重。
- 2.2 於貨棧產出驗證總重方式：
 - 2.2.1 一般併櫃貨由貨棧人員協助彙整所有證明書(內含各託運人各別簽名之驗證總重)，並加總所有包裝件及各貨物毛重及皮重，製作總表。
 - 2.2.2 海攬業併櫃貨由海攬業者分別加總所有包裝件和

貨物毛重，包括棧板、貨墊、其他裝入貨櫃之繫固設備及皮重後，再由海攬業者簽名得到驗證總重。

2.3 若託運人於進港區後仍未提供驗證總重，可安排櫃場或貨棧採用經校準和認證之設備過磅獲得櫃重(或貨重)，產出驗證總重。

2.4 由碼頭代表交予船長或代表。

五、載貨貨櫃校準和認證之設備

載貨貨櫃驗證總重所使用之衡器應符合經濟部標準檢驗局訂定之「衡器檢定檢查技術規範」規定 (MSC.1/Circ.1475 通函第 7.1 點)。

六、記錄載貨貨櫃驗證總重之文件或方式

文件或方式(包括裝櫃清單 (CLP)或進倉證明書或其他各商務當事方協議方式)中應包含有貨櫃號碼、貨櫃總重及託運人或其授權之人簽名。

七、載貨貨櫃總重差異之處理方式

(一) 所申報載貨貨櫃總重與驗證總重間產生差異時應以驗證總重為主 (MSC.1/Circ.1475 通函第 9.1 點)。

(二) 載貨貨櫃在其交付給港口碼頭設施之前所獲得之驗證總重與碼頭設施過磅該貨櫃所獲得之該貨櫃驗證總重間之任何差異應以港口碼頭設施獲得之後一驗證總重為主 (MSC.1/Circ.1475 通函第 9.2 點)。

(三) 船長最終應遵照《貨物積載和繫固安全操作規則》，僅在其確信貨物能夠安全運輸時方可接受貨物上船 (MSC.1/Circ.1475 通函第 14.1 點)。