

# TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

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**JAARGANG 2011 Nr. 46**

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A. TITEL

*Protocol van 1996 tot wijziging van het Verdrag inzake de beperking van aansprakelijkheid voor maritieme vorderingen, 1976; Londen, 2 mei 1996*

B. TEKST

De Engelse en de Franse tekst van het Protocol zijn geplaatst in *Trb.* 1997, 300.

C. VERTALING

Zie *Trb.* 2006, 17.

D. PARLEMENT

Artikel 1 van de Rijkswet van 7 oktober 2010 (*Stb.* 2010, 782) luidt als volgt:

„Artikel 1

Het op 2 mei 1996 te Londen tot stand gekomen Protocol van 1996 tot wijziging van het Verdrag inzake beperking van aansprakelijkheid voor maritieme vorderingen, 1976, waarvan de Engelse en de Franse tekst zijn geplaatst in *Trb.* 1997, 300, en de vertaling in het Nederlands in *Trb.* 2006, 17, wordt goedgekeurd voor het gehele Koninkrijk.”

Deze Rijkswet is gecontrasigneerd door de Minister van Veiligheid en Justitie I. W. OPSTELTEN, de Minister van Buitenlandse Zaken U. ROSENTHAL en de Staatssecretaris van Infrastructuur en Milieu J. J. AT SMA.

Voor de behandeling in de Staten-Generaal zie Kamerstukken II 2008/2009, 2009/2010, 31872 (R1876); Hand. II 2009/2010, 31872 (R1876); Kamerstukken I 2010/2011, 31872 (R1876); Hand. I 2010/2011, 31872 (R1876).

#### E. PARTIJGEGEVENS

Zie *Trb.* 1997, 300.

Partij	Onder- tekening	Ratificatie	Type *	In werking	Opzeg- ging	Buiten werking
Albanië		07-06-04	T	05-09-04		
Antigua en Barbuda		12-10-09	T	10-01-10		
Australië		08-10-02	T	13-05-04		
België		09-10-09	T	07-01-10		
Bulgarije		04-07-05	T	02-10-05		
Canada	09-09-97	09-05-08	R	07-08-08		
Cookeilanden		12-03-07	T	10-06-07		
Cyprus		23-12-05	T	23-03-06		
Denemarken	25-09-97	12-04-02	R	13-05-04		
Duitsland	25-04-97	03-09-01	R	13-05-04		
Finland	18-04-97	15-09-00	R	13-05-04		
Frankrijk	07-02-97	24-04-07	R	14-07-07		
Griekenland		06-07-09	T	04-10-09		
Hongarije		04-07-08	T	02-10-08		
IJsland		17-11-08	T	15-02-09		
Jamaica		19-08-05	T	17-11-05		
Japan		03-05-06	T	01-08-06		
Kroatië		15-05-06	T	13-08-06		
Letland		18-04-07	T	17-07-07		
Liberia		18-09-08	T	17-12-08		
Litouwen		14-09-07	T	13-12-07		

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Luxemburg		21-11-05	T	19-02-06		
Maleisië		12-11-08	T	10-02-09		
Malta		13-02-04	T	13-05-04		
Marshall-eilanden, de		30-01-06	T	30-04-06		
<b>Nederlanden, het Koninkrijk der</b> – Nederland: – in Europa – Bonaire – Sint Eustatius – Saba – Aruba – Curaçao – Sint Maarten	29-09-97	23-12-10	R	23-03-11		
Noorwegen	25-09-97	17-10-00	R	13-05-04		
Roemenië		12-03-07	T	10-06-07		
Russische Federatie		25-05-99	T	13-05-04		
Saint Lucia		20-05-04	T	18-08-04		
Samoa		18-05-04	T	16-08-04		
Sierra Leone		01-11-01	T	13-05-04		
Spanje		10-01-05	T	10-04-05		
Syrië		02-09-05	T	01-12-05		
Tonga		18-09-03	T	13-05-04		
Turkije		19-07-10	T	17-10-10		
Tuvalu		12-01-09	T	12-04-09		
Verenigd Koninkrijk, het	16-10-96	11-06-99	R	13-05-04		
Zweden	18-02-97	22-07-04	R	20-10-04		

\* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R=Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

## Uitbreidingen

### Denemarken

Uitgebreid tot	In werking	Buiten werking
Groenland	13-05-2004	

### Verenigd Koninkrijk, het

Uitgebreid tot	In werking	Buiten werking
Jersey	14-12-2009	
Man	13-05-2004	

## Verklaringen, voorbehouden en bezwaren

België, 9 oktober 2009

In accordance with article 18, paragraph 1(a) of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the Protocol of 1996, the Kingdom of Belgium reserves the right to exclude application of article 2, paragraph 1(d) and (e) of the 1976 Convention, as amended by the 1996 Protocol.

Canada, 9 mei 2008

Canada reserves the right to exclude the application of article 2, paragraph 1(d):

(d) claims in respect of the raising, removal, destruction or the rendering harmless of a ship which is sunk, wrecked, stranded or abandoned, including anything that is or has been on board such a ship.

Cyprus, 23 december 2005

Pursuant to paragraph 1 of Article 18 of the Convention on Limitation of Liability for Maritime Claims, 1976 as amended by the Protocol of 1996, the Republic of Cyprus hereby excludes:

(a) the application of Article 2, paragraphs 1(d) and (e);

(b) claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996, or any amendment or protocol related thereto.

Denemarken, 12 april 2002

1. In Act No. 228 of 21 April 1999, implementing the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims, 1976, Denmark has made use of the provision in Article 15, paragraph 1, of the said Convention, on the application of the Convention. Consequently, if a person, who has his habitual residence or principal place of

business in a State Party to the Convention of 1976, but not to the Protocol of 1996, seeks to limit his liability before a Court in Denmark during the period where Denmark is both a State Party to the Convention of 1976 and the Protocol of 1996, Denmark will accept limitation of liability according to the Convention of 1976. For other persons seeking to limit liability, Denmark will apply the limitation of the Protocol of 1996.

2. Denmark intends to make use of the provision in the Convention on Limitation of Liability for Maritime Claims, 1976, Article 15, paragraph 2(b). According to this provision a State Party may regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons. Denmark will inform the Secretary-General of the International Maritime Organization of the limits of liability upon adoption of the specific provisions in the Danish Legislation.

As stated in the Instrument, the Protocol shall, however, not apply to the Faroe Islands and Greenland.

Denemarken, 25 maart 2004

(...) the Protocol shall extend to Greenland with effect from 13 May 2004, i.e. the date of entry into force of the Protocol.

[In connection with] the declaration made by Denmark upon deposit of its instrument of ratification of the Protocol of 1996, in which it was stated under point 2 that Denmark intended to make use of the provision in Article 15, paragraph 2(b), of the Convention according to which a State Party may regulate by specific provisions of national law the system of limitation of liability to be applied to ships of less than 300 tons.

(...) I have the honour to inform you that with effect from the date of entry into force of the Protocol of 1996, the Danish limits of liability for ships of less than 300 tons will be 500,000 Units of Account as compared with the 1 million Units of Account stipulated in Article 6, paragraph 1(b)(i), of the Convention as amended by the Protocol.

Duitsland, 3 september 2001

In accordance with Article 15 paragraph 2 first sentence (a) of the Convention as amended by the Protocol, the limitation of liability to be applied to vessels which are, according to the law of the Federal Republic of Germany, ships intended for navigation on inland waterways, is regulated by the provisions of the Act Relating to the Private Law Aspects of Inland Navigation. Sections 5e to 5l of this Act provide as follows:

Section 5e

(1) The limit of liability for the total of all claims in respect of personal injury arising on any distinct occasion shall be calculated as follows, so far as these are not claims within the meaning of sections 5h and 5k:

1. For a passenger ship or other ship not intended for the carriage of cargo, to the extent that a different amount does not arise under nos.

3 and 4, 200 Units of Account per cubic metre of displacement at maximum permitted draught shall be fixed, and, for ships equipped with mechanical means of propulsion, increased by 700 Units of Account for each kW of the motorpower of the means of propulsion.

2. For a ship intended for the carriage of cargo, 200 Units of Account per ton of the ship's maximum dead weight shall be fixed, and, for ships equipped with mechanical means of propulsion, increased by 700 Units of Account for each kW of the motorpower of the means of propulsion.

3. For a tug or pusher, 700 Units of Account for each kW of the motorpower of the means of propulsion shall be fixed.

4. For a dredger, crane, elevator and any other floating moveable plant or appliance of a similar nature, the value which the plant or appliance had at the time of the occasion giving rise to liability shall be fixed.

(2) Where, at the time of the occasion giving rise to liability, a pusher was rigidly coupled with one or more pushed barges to form a pushed convoy, the amount to be fixed for the pusher in accordance with subsection 1 no. 3 shall be increased by 100 Units of Account per ton of the maximum dead weight of the push boat, to the extent that the pusher had not rendered salvage services or assistance services to one or more of these pushed barges. If the limit of liability is increased for the pusher pursuant to the first sentence, claims arising from the same occasion shall be reduced by the same amount for each pushed barge which was rigidly coupled with the pusher. However, the second sentence shall not apply to a claim of the party liable for the pusher against the party liable for one of the pushed barges rigidly coupled with the pusher for internal indemnification.

(3) Subsection 2 shall apply analogously to a mechanically propelled ship which, at the time of the occasion giving rise to liability, was securely coupled with one or more vessels, which do not constitute plants or appliances within the meaning of sub-section 1 no. 4, as well as to coupled ships; subject, however, to the proviso that the amount to be fixed for the moving ship in accordance with subsection 1 be increased by 1000 Units of Account per cubic metre of displacement or per ton of the maximum deadweight of the other ships.

(4) In any case, the limit of liability shall be not less than 200,000 Units of Account, to the extent that the vessel in question is not a barge which is only used for the purpose of transferring cargo in harbours.

#### Section 5f

(1) The limit of liability for claims in respect of material damage arising on any distinct occasion shall be one half of the relevant limits of liability mentioned in section 5e to the extent that these are not claims within the meaning of section 5h.

(2) On payment in respect of the maximum amount of liability referred to in sub-section 1, claims in respect of damage to harbour works, basins, waterways, locks, bridges and aids to navigation shall have priority over other claims.

#### Section 5g

Where the limit of liability for claims in respect of personal injury mentioned in section 5e is insufficient to pay these claims in full, the amount calculated in accordance with subsection 1 shall be available for payment of the unpaid balance of claims under section 5e. The balance of claims in respect of personal injury shall rank rateably with claims in respect of material damage in this context; section 5f sub-section 2 is, in this respect, not to be applied.

#### Section 5h

(1) For the total of all claims in respect of damage caused by third parties arising on any distinct occasion as a result of dangerous substances transported on the ship of the party liable, a separate limit of liability shall apply where the claims are not claims under section 22 of the Water Resources Management Act. The limit of liability shall be available solely for payment of the claims referred to in the first sentence. Dangerous substances within the meaning of the first sentence are listed in Annex A to the Regulations for the Carriage of Dangerous Substances on the Rhine (ADNR) (Annex 1 to the Ordinance on the Entry into Force of the Regulations for the Carriage of Dangerous Substances on the Rhine and the Regulations for the Carriage of Dangerous Substances on the Mosel of 21 December 1994, Federal Law Gazette II pp. 3830, 3831) in the respective version enacted in the Federal Republic of Germany.

(2) The limit of liability applicable pursuant to subsection 1 shall be,

1. for the total of all claims in respect of personal injury arising on any distinct occasion, three times the limits of liability applicable pursuant to section 5e; subject, however, to minimum of 5 million Units of Account;
2. for the total of all claims in respect of material damage arising on any distinct occasion, three times the limits of liability applicable pursuant to section 5f; subject, however, to a minimum of 5 million Units of Account.

(3) On payment in respect of the maximum amount of liability referred to in sub-section 2 no. 2, claims in respect of damage to harbour works, basins, waterways, locks, bridges and aids to navigation shall have priority over other claims.

(4) Where the limit of liability for claims in respect of personal injury applicable pursuant to subsection 2 no. 1 is insufficient to pay these claims in full, the amount calculated in accordance with subsection 2 no. 2 shall be available for payment of the unpaid balance of claims under subsection 2 no. 1. The balance of claims in respect of personal injury shall rank rateably with claims in respect of material damage in this context; subsection 3 is, in this respect, not to be applied.

#### Section 5i

Notwithstanding sections 5e, 5f subsection 1 and section 5h, a salvor within the meaning of section 5c subsection 1 no. 2 or a pilot working on board can limit his liability for the total of all claims in respect of personal injury arising on any distinct occasion to an amount of 200,000 Units of Account, and, for claims in respect of material damage, to an amount of 100,000 Units of Account. Section 5f subsection 2 and section 5g shall apply analogously.

#### Section 5j

For the total of all claims arising from wreck removal, a separate limit of liability shall apply. This limit shall be one half of the limits of liability mentioned in section 5e. The limit of liability shall be available solely for payment of the claims arising from wreck removal.

#### Section 5k

(1) In respect of the total of all claims arising on any distinct occasion for loss of life or personal injury to persons carried by that ship (passengers):

1. under a contract of passenger carriage, or
2. who, with the consent of the carrier, are accompanying a vehicle or live animals which are covered by a contract for the carriage of goods,

a separate limit of liability shall apply. This limit of liability shall be available solely for payment of claims made by those passengers.

(2) The limit of liability for claims in respect of personal injury to passengers pursuant to subsection 1 shall be 60,000 Units of Account multiplied by the number of passengers which the ship is authorized to carry according to the ship's certificate. If the number of passengers who may be carried is not specified, the limit of liability shall be determined on the basis of the number of passengers actually carried by the ship at the time of the occasion giving rise to liability. However, the limit of liability shall be no less than 720,000 Units of Account and shall not exceed 12 million Units of Account.

(3) Notwithstanding subsection 2, the limit of liability for a salvor with the meaning of section 5c subsection 1 no. 2 or a pilot working on board shall be 720,000 Units of Account.

#### Section 5l

The Unit of Account referred to in this chapter shall be the Special Drawing Right as defined by the International Monetary Fund. The limits of liability mentioned in sections 5e to 5k shall be converted into German Marks according to the value of the German Mark at the date the limitation fund shall have been constituted or at the date of the provision of security permitted by a court. If the limit of liability is asserted by way of defence pursuant to section 5d subsection 3, the date of the court decision shall be decisive for the date of conversion. The value of the German Mark in terms of the Special Drawing Right shall be calculated in accordance with the method of valuation applied by the Inter-



national Monetary Fund in effect at the date in question for its operations and transactions.

In accordance with Article 15 paragraph 2 first sentence (b) of the Convention as amended by the Protocol, the limit of liability for ships with a tonnage of up to 250 tons is regulated by specific provisions of the domestic law of the Federal Republic of Germany to the effect that, with respect to such a ship, the limit of liability to be calculated in accordance with Article 6 paragraph 1 (b) of the Convention is one half of the limit of liability applicable to a ship with a tonnage of 2,000 tons.

Moreover, the Federal Republic of Germany reserves the right, in accordance with Article 18 paragraph 1 of the Convention as amended by the Protocol, to exclude the application of Article 2 paragraph 1 (d) and (e) of the Convention as amended by the Protocol of 1996.

Frankrijk, 24 april 2007

Pursuant to the provisions of article 7 of this Protocol amending paragraph 1 (a), article 18 of the Convention on Limitation of Liability for Maritime Claims, 1976, the Government of the Republic of France reiterates its decision, declared on depositing its instrument of approval of the above-mentioned Convention, to exclude all entitlement to limitation of liability for claims relating to paragraphs 1 (d) and 1 (e) of article 2 of the Convention.

IJsland, 17 november 2008

In accordance with Article 18, paragraph 1, of the Convention on Limitation of Liability for Maritime Claims of 19 November 1976, as amended by Article 7 of the Protocol, Iceland excludes the application of Article 2, paragraphs 1(d) and (e).

In accordance with Article 18, paragraph 1, of the Convention on Limitation of Liability for Maritime Claims of 19 November 1976, as amended by Article 7 of the Protocol, Iceland excludes claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 or of any amendment of protocol thereto.

The other provisions of the Convention shall be inviolably observed.

Kroatië, 15 mei 2006

Pursuant to Article 18 paragraph 1 of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the Protocol of 1996, the Republic of Croatia reserves the right:

- (a) to exclude the application of article 2 paragraphs 1(d) and (e);
- (b) to exclude claims for damage within the meaning of the International Convention of Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 or of any amendment or protocol thereto.

Litouwen, 14 september 2007

... pursuant to paragraph 1 of Article 18 of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the Protocol of 1996, the Republic of Lithuania hereby excludes:

(1) the application of subparagraphs d) and e) of paragraph 1 of Article 2 of the Convention on Limitation of Liability for Maritime Claims, 1976;

(2) claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996, or any amendment or protocol related thereto.

Malta, 13 februari 2004

(a) Pursuant to Article 18(1)(a) and (b) of the 1976 Convention as amended by the 1996 Protocol, Malta reserves the right to exclude the application of Article 2, paragraphs 1 (d) and (e), and to exclude claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996, which arise from occurrences which take place after the coming into force of that Convention as part of the Law of Malta.

(b) Malta intends to make use of the option provided for in Article 15(2)(b) of the 1976 Convention as amended by the 1996 Protocol to regulate by specific provisions of national law the system of limitation of liability to be applied to ships less than 300 tons. National law in Malta will apply the provisions of the 1976 Convention as amended by the 1996 Protocol to such ships. However, for such ships, Article 6 will have effect as if Article 6(1)(a)(i) refers to 1,000,000 units of account and Article 6(1)(b)(i) refers to 500,000 units of account.

(c) Malta intends to make use of the option provided for in article 15(3bis) of the 1976 Convention as amended by the 1996 Protocol to regulate by specific provisions of national law the system of limitation of liability to be applied to passengers. To this effect, national law in Malta implementing the 1976 Convention as amended by the 1996 Protocol will not apply to claims covered by the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974, which arise from occurrences which take place after the coming into force of that Convention as part of the Law of Malta.

**Nederlanden, het Koninkrijk der,** 23 december 2010

The Kingdom of the Netherlands reserves the right, having regard to Article 18, paragraph 1 (a) and (b) of the Convention on Limitation of Liability for Maritime Claims, done at London on 19 November 1976, as amended by the Protocol referred to in Article 1:

- a. to exclude the application of Article 2, paragraph 1 (d) and (e);
- b. to exclude claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in Connection

with the Carriage of Hazardous and Noxious Substances by Sea, concluded on 3 May 1996, or of any amendment or protocol thereto.

Noorwegen, 17 oktober 2000

In accordance with article 18 paragraph 1 of the Convention on Limitation of Liability for Maritime Claims, 1976 as amended by article 7 of the Protocol of 1996, Norway reserves its right to exclude claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996, or of any amendment or protocol thereto.

Russische Federatie, 25 mei 1999

Reservation

The Russian Federation reserves the right, pursuant to paragraph 1 of article 18 of the Convention on Limitation of Liability for Maritime Claims, 1976, amended by the Protocol of 1996, to exclude:

- (a) the provisions of subparagraphs (d) and (e) of paragraph 1 of article 2;
- (b) claims related to damage in the meaning of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996, or any amendment or protocol related thereto.

Statement

The Russian Federation pursuant to subparagraph (e) of article 3 of the Convention on Limitation of Liability for Maritime Claims, 1976, amended by the Protocol of 1996, will apply the legislation of the Russian Federation on compensation for injury to persons or property, in full, to claims for personal injury or property caused to employees of shipowners or rescuers, arising from liabilities related to the vessel or rescue operations, as well as to claims by their heirs, dependants or persons entitled to be maintained by them, if the contract of employment between the shipowner or rescuer and those employees is subject to the law of the Russian Federation.

The Russian Federation makes use of the possibility, provided in paragraph 3 of article 15 of the Convention on Limitation of Liability for Maritime Claims, 1976, amended by the Protocol of 1996, and will apply the law of the Russian Federation on compensation for damage to persons or personal property, in full, to claims for compensation for damage to persons or personal property, directly connected with the operation of the ship or with rescue operations, if the shipowner and the person concerned or rescuer and the person concerned are organizations or citizens of the Russian Federation.

The Russian Federation makes use of the possibility, provided in paragraph 3 of article 15 of the Convention on Limitation of Liability for Maritime Claims, 1976, amended by the Protocol of 1996, and will apply the law of the Russian Federation on compensation for damage to

the life or health of citizens, in full, to claims for compensation for damage caused to the life or health of passengers on a ship if the shipowner and passenger are organizations or citizens of the Russian Federation.

Spanje, 10 januari 2005

1. In accordance with paragraph 2(b), article 15 of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the Protocol of 1996, the limit of liability for ships not exceeding 300 gross tonnage shall be regulated by specific provisions of the national law of the Kingdom of Spain, such that, in respect of those ships, the limit of liability, calculated in accordance with paragraph I (a) and (b), article 6 of the Convention, shall be half of the liability limit applicable to a ship not exceeding 2,000 gross tonnage.

2. The Kingdom of Spain, in accordance with paragraph 1, article 18 of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the Protocol of 1996, reserves the right not to apply paragraph I(d) and (e), article 2 of the Convention.

Claims relating to paragraph I (d) and (e), article 2 of the Convention shall not have entitlement to limitation of liability and shall be subject to the provisions of national law, specifically article 107 of the State Ports and Merchant Marine Act No.27/1992 of 24 November 1992.

Turkije, 19 juli 2010

The republic of Turkey reserves the right, pursuant to paragraph 1 of article 18 of the Convention on Limitation of Liability for Maritime Claims, 1976, amended by article 7 of the Protocol of 1996, to exclude: (a) the application of article 2, paragraph 1(d) and (e);

(b) claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996, or of any amendment or protocol related thereto.

Verenigd Koninkrijk, het, 11 juni 1999

(a) Pursuant to article 18(1)(a) and (b) of the 1976 Convention as amended by the 1996 Protocol, the United Kingdom reserves the right to exclude the application of article 2, paragraphs 1(d) and (e), and to exclude claims for damage within the meaning of the International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996.

(b) The United Kingdom intends to make use of the option provided for in article 15(2)(b) of the 1976 Convention as amended by the 1996 Protocol to regulate by specific provisions of national law the system of limitation of liability to be applied to ships less than 300 tons. National law in the United Kingdom will apply the provisions of the 1976 Convention as amended by the 1996 Protocol to such ships. However, for

such ships, article 6 will have effect as if article 6(1)(a)(i) referred to 1,000,000 Units of Account and article 6(1)(b)(i) referred to 500,000 Units of Account.

(c) The United Kingdom intends to make use of the option provided for in article 15(3bis) of the 1976 Convention as amended by the 1996 Protocol to regulate by specific provisions of national law the system of limitation of liability to be applied to passengers. National law in the United Kingdom implementing the 1976 Convention as amended by the 1996 Protocol will provide for no limit of liability in respect of claims arising from the loss of life or personal injury to passengers of a ship. However, separate limits may continue to apply to a liability for such claims under national law based on the provisions of the Convention relating to the Carriage of Passengers and their Luggage by Sea. The United Kingdom's ratification of the Protocol of 1996 will not be extended to the Overseas Territories of the United Kingdom until such time as the United Kingdom's denunciation of the 1976 Convention is extended to them.

Verenigd Koninkrijk, het, 14 december 2009

The reservations made by the Government of the United Kingdom of Great Britain and Northern Ireland upon ratification with respect to articles 18(1)(a) and (b), 2(1)(d) and (e), 15(2)(b), 6(1)(a)(i) and (1)(b)(i), and 15(3bis) of the 1976 Convention as amended by the Protocol of 1996 will apply in respect to the Bailiwick of Jersey.

#### G. INWERKINGTREDING

De bepalingen van het Protocol zijn ingevolge artikel 11, eerste lid, van het Protocol op 13 mei 2004 in werking getreden.

Voor iedere staat die het feit dat hij ermee instemt door dit Protocol te zijn gebonden tot uitdrukking brengt nadat is voldaan aan de voorwaarde voor inwerkingtreding bedoeld in artikel 11, eerste lid, treedt het Protocol ingevolge artikel 11, tweede lid, in werking negentig dagen na de datum waarop deze instemming tot uitdrukking is gebracht.

Het Verdrag zal ingevolge artikel 11, tweede lid voor het *Koninkrijk der Nederlanden* op 23 maart 2011 in werking treden.

Wat betreft het Koninkrijk der Nederlanden, zal het Verdrag alleen voor Nederland (het Europese deel) gelden.

#### J. VERWIJZINGEN

Zie *Trb.* 1997, 300 en *Trb.* 2006, 17.

**Verbanden**

Het onderhavige Protocol wijzigt:

- Titel : Verdrag inzake beperking van aansprakelijkheid voor  
maritieme vorderingen, 1976;  
Londen, 19 november 1976
- Laatste *Trb.* : *Trb.* 2011, 45

**Overige verwijzingen**

- Titel : Handvest van de Verenigde Naties;  
San Francisco, 26 juni 1945
- Laatste *Trb.* : *Trb.* 2010, 163
- Titel : Overeenkomst betreffende het Internationale Monetaire  
Fonds;  
Washington, 27 december 1945
- Laatste *Trb.* : *Trb.* 2009, 190
- Titel : Verdrag inzake de Internationale Maritieme Organisatie;  
Genève, 6 maart 1948
- Laatste *Trb.* : *Trb.* 2008, 26
- Titel : Internationaal Verdrag inzake aansprakelijkheid en ver-  
goeding voor schade in verband met het vervoer over  
zee van gevaarlijke en schadelijke stoffen, 1996;  
Londen, 3 mei 1996
- Laatste *Trb.* : *Trb.* 2010, 316

Uitgegeven de *elfde* maart 2011.

*De Minister van Buitenlandse Zaken,*

U. ROSENTHAL