

N° 943.

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ALLEMAGNE, BELGIQUE,  
GRANDE-BRETAGNE,  
FRANCE, ITALIE, PAYS-BAS  
ET SUISSE

Convention relative au régime des  
patentes de bateliers du Rhin, si-  
gnée à Strasbourg, le 14 décembre  
1922, et Protocol Additionnel y  
afférant, signé le 22 décembre 1923.

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GERMANY, BELGIUM,  
GREAT BRITAIN, FRANCE,  
ITALY, THE NETHERLANDS  
AND SWITZERLAND

Convention relative to the Regula-  
tions for Rhine Navigation Certi-  
ficates, signed at Strasburg, De-  
cember 14, 1922, with Additional  
Protocol appertaining thereto, si-  
gned December 22, 1923.

<sup>1</sup> TRADUCTION — TRANSLATION.

No. 943. — CONVENTION <sup>2</sup> CONCLUDED BETWEEN THE STATES REPRESENTED ON THE CENTRAL COMMISSION FOR THE NAVIGATION ON THE RHINE, RELATIVE TO THE REGULATIONS FOR RHINE NAVIGATION CERTIFICATES, SIGNED AT STRASBURG DECEMBER 14, 1922, WITH ADDITIONAL PROTOCOL APPERTAINING THERETO SIGNED DECEMBER 22, 1923.

*French official text communicated by the Netherlands Minister at Berne. The registration of these instruments took place August 10, 1925.*

## PROTOCOL 43.

STRASBURG, December 14, 1922.

With the object of introducing into the provisions of the revised Convention <sup>3</sup> for the Navigation of the Rhine of the 17th October, 1868, concerning the regulations for Rhine navigation certificates, and into the Convention of the 4th June, 1898, the modifications necessary to bring these regulations into conformity with present-day necessities, the Central Commission for the Navigation of the Rhine composed of :

German States :	MM. CHARGUÉRAUD, President, SEELIGER. PETERS. FUCHS. KOCH.
Belgium :	ROYERS. BRUNET.
France :	MAHIEU. SILVAIN DREYFUS. FROMAGEOT. BERNINGER.
Great Britain :	BALDWIN.
Italy :	SINIGALIA.
Netherlands :	VAN EYSINGA. KRÖLLER. JOLLES.
Switzerland :	HEROLD. VALLOTTON. HOSTIE, Secretary-General.

<sup>1</sup> Communiquée par le Ministère des Affaires étrangères de Sa Majesté Britannique.

<sup>1</sup> Communicated by His Britannic Majesty's Foreign Office.

<sup>2</sup> The deposit of the instruments of ratification took place in the archives of the Central Commission for the Navigation of the Rhine by Belgium, May 19, 1924, by France, May 28, 1924, by Switzerland, October 4, 1924, by the Netherlands, December 1, 1924, by Italy, December 15, 1924, by Germany, April 27, 1925, and by Great Britain, June 8, 1925.

<sup>3</sup> British and Foreign State Papers, vol. 59, page 470.

without wishing to prejudice the application and the interpretation of Article 356 of the Treaty of Versailles of the 28th June, 1919, have adopted the following resolution :

### CONVENTION

RELATIVE TO THE REGULATIONS FOR RHINE NAVIGATION CERTIFICATES, REPLACING ARTICLES 15 TO 21 INCLUSIVE OF THE CONVENTION OF OCTOBER 17, 1868, AND THE CONVENTION OF JUNE 4, 1898.

#### *Article 1.*

The right to navigate a vessel on the Rhine above Duisburg-Hochfeld Bridge is restricted to the holder of a Rhine navigation certificate granted by the competent authority of one of the contracting States.

This restriction is not applicable to masters of vessels of less than 15 metric tons other than tugs.

#### *Article 2.*

The certificate is granted for the whole of the Rhine or for specified sections.

The certificate states the parts of the waterway over which the authorisation extends and the classes of vessels which the holder is authorised to navigate. It gives the right to navigate any vessel of the classes mentioned in the certificate to whatever State the vessel may belong.

#### *Article 3.*

The conditions in which the authorities mentioned in Article 1 are bound to grant a master's certificate are fixed by a regulation drawn up by common agreement.

#### *Article 4.*

The holder of a certificate who allows in any manner the certificate which has been granted to him to fall into the possession of a person who does not hold a similar document, with the intent to place that person in a position to navigate a vessel on the Rhine by virtue of such certificate, shall be punished, according to the circumstances, by the temporary or permanent withdrawal of the certificate.

Any individual who, not being furnished with a certificate in his own name, navigates a vessel on the Rhine by making use of a certificate which has been granted to another person, shall not be granted a navigation certificate during a period to be determined according to the circumstances of the case.

#### *Article 5.*

The certificate shall be withdrawn by the State which granted it from a holder who has given proof of incompetence, constituting a danger to navigation or who has been convicted either of repeated frauds on the Customs or of grave misconduct. The withdrawal of the certificate may be temporary only. The withdrawal of a certificate is notified to the other authorities who are competent to issue certificates.

*Article 6.*

From the moment when the present Convention shall come into force, articles 15 to 21 inclusive of the revised Convention for the Navigation of the Rhine of the 17th October, 1868, and the Convention of the 4th June, 1898, shall cease to have effect.

*Article 7.*

The present Convention shall be ratified as soon as possible.  
It shall come into force thirty days after the date of the closure of the procès-verbal of the deposit of ratifications.

The present Protocol is held provisionally open.

(Signed) CHARGUÉRAUD.

SEELIGER.  
PETERS.  
FUCHS.  
ROYERS.  
BRUNET.  
MAHIEU.  
SILVAIN DREYFUS.  
FROMAGEOT.  
BERNINGER.  
BALDWIN.  
SINIGALIA.  
VAN EYSINGA.  
KRÖLLER.  
JOLLES.  
HEROLD.  
VALLOTTON.  
HOSTIE.

## PROTOCOL 22.

ADDITIONAL TO PROTOCOL 43 OF DECEMBER 14, 1922.

STRASBURG, *December 22, 1923.*

The undersigned members of the Commission agree to declare that the provisions appearing in the Convention dated the 14th December, 1922, together with the interpretations laid down in Protocol 27 of the first session of 1923<sup>1</sup>, shall be provisionally applied until the general revision of the Mannheim Convention of the 17th, October 1868, and that at the expiration of a period of two years after the coming into force of the present Convention at the latest these provisions shall be examined afresh in the light of the experience gained during this period. In the meantime the Commissioners of the contracting States shall furnish to the Commission all useful information with regard to the operation of the said provisions and to the effect which this operation has had on navigation on the Rhine.

It is further agreed in derogation of the stipulation of Article 1 of the Convention that during the above-mentioned period these provisions shall be applicable above Spijk Ferry (Spijksche Veer) and not only above Duisburg-Hochfeld Bridge.

So long as the derogation laid down in the preceding paragraph is maintained, the limits of tonnage enumerated in the first Article of the regulation dated the 14th December, 1922, shall not be applied.

The present Protocol shall be considered as an integral part of the Convention of the 14th December, 1922.

(Signed) JEAN GOUT.  
 SEELIGER.  
 PETERS.  
 FUCHS.  
 WAND.  
 SEGERS.  
 BRUNET.  
 MAHIEU.  
 SILVAIN DREYFUS.  
 FROMAGEOT.  
 BERNINGER.  
 BALDWIN.  
 ROSSETTI.  
 SINIGALIA.  
 VAN EYSINGA.  
 KRÖLLER.  
 JOLLES.  
 HEROLD.  
 VALLOTTON.  
 HOSTIE.

<sup>1</sup> Extract from the Resolution of the Protocol, 27 1 23 :

" It is understood that, as regards certificates, the terms ' member of the crew (cabin boy excluded), (Protocol 44, Article 1) only apply to holders of a certificate of competency in navigation and seamanship and to persons having served on deck for at least two years at sea or on a riv. r, and that the expression ' the whole Rhine ' in Article 2 of Protocol 43 only applies to the waters mentioned in Article 1.

" The Commission considers that the term ' barge ' in Article 1 of Protocol 44 should comprise all vessels not furnished with mechanical means of propulsion, and reserves to itself to proceed, should the occasion arise, to a rectification of this material error."