

**No. 14486**

---

**DENMARK  
and  
CHINA**

**Agreement on maritime transport. Signed at Peking on  
21 October 1974**

*Authentic texts: Danish, Chinese and English.  
Registered by Denmark on 23 December 1975.*

---

**DANEMARK  
et  
CHINE**

**Accord relatif aux transports maritimes. Signé à Pékin le  
21 octobre 1974**

*Textes authentiques: danois, chinois et anglais.  
Enregistré par le Danemark le 23 décembre 1975.*

## AGREEMENT<sup>1</sup> ON MARITIME TRANSPORT BETWEEN THE GOVERNMENT OF THE KINGDOM OF DENMARK AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA

---

The Government of the Kingdom of Denmark and the Government of the People's Republic of China, for the purpose of developing friendly relations between the two countries and of strengthening cooperation in the field of maritime transport, have, in accordance with the principles of equality and mutual benefit, agreed as follows:

*Article 1.* For the purpose of this Agreement:

The term "vessel of one Contracting Party" shall mean a merchant vessel flying the national flag of the Kingdom of Denmark or the national flag of the People's Republic of China;

The term "member of the crew" shall mean a person who actually performs duties or services on board during the voyage, who holds an identity document mentioned in articles 10 or 13 of this Agreement and whose name is included in the crew list of the vessel.

*Article 2.* Vessels of either Party are entitled to sail between the ports of the two countries open to foreign trade, and to engage in passenger and cargo services between such ports or between either country and a third country.

Vessels flying the national flags of third countries and operated by the shipping companies of either Party shall be accorded the same right, if the competent authorities of the Contracting Parties do not object.

*Article 3.* Neither of the Contracting Parties shall, within the framework of international maritime transport, take any action which would constitute flag discrimination against vessels of the other Contracting Party or those of countries acceptable to both Parties.

*Article 4.* The Contracting Parties agree mutually to grant most-favoured-nation treatment with respect to vessels and their crew, as well as to cargo and passengers carried.

Both Contracting Parties shall mutually grant most-favoured-nation treatment to vessels and their crew referred to in article 1 in the collection of various taxes, dues and charges; the performance of customs, quarantine, frontier inspections and harbour formalities or regulations; berthing alongside or mooring at anchorage, shifting berths, loading and discharging, embarkation and disembarkation of passengers, transshipment of cargo, as well as in the furnishing of supplies required by the vessel, crew and passengers as long as vessels of one Party sail in the territorial waters of the other Party or enter, clear or stay in the ports thereof.

Port facilities, including those for loading, discharging, stacking and storage purposes on wharf, shore and water as well as navigational aids and pilotage services at ports of one Party shall be furnished to the vessels of the other Party under the terms of the most-favoured-nation treatment.

---

<sup>1</sup> Came into force on 21 October 1974 by signature, in accordance with article 18.

The above provisions do not affect the law and regulations governing the entry, stay and departure of foreign nationals in the territory of the Contracting Parties.

*Article 5.* The Contracting Parties shall adopt, within the limits of their national law and port regulations, all appropriate measures to facilitate and expedite maritime traffic, to prevent unnecessary delay to vessels, and to expedite and simplify as much as possible the performance of customs and other formalities required in ports.

*Article 6.* The provisions of the present Agreement shall not apply to cabotage. When vessels of one Party sail from one port of the other Party to another for discharging inward cargo and/or disembarking passengers from abroad or loading outward cargo and/or embarking passengers for foreign countries, it shall not be regarded as cabotage.

*Article 7.* The Contracting Parties shall mutually recognize the nationalities of vessels on the basis of the certificate of registry duly issued by the competent authorities of either Party in compliance with its relevant law and regulations.

The Contracting Parties shall mutually recognize the tonnage certificate and other documents of ships duly issued by the competent authorities of either Party—or those recognized by one Contracting Party and met with no objection from the other Party—without remeasuring the vessels concerned. All port charges and expenses shall be collected on the basis of these documents.

*Article 8.* The Contracting Parties agree that neither Party shall impose any form of taxation on incomes and other revenues derived from maritime transport undertaken by the shipping enterprises of the other Party.

*Article 9.* Should vessels of either Party referred to in article 1 be involved in maritime casualties or encounter any other danger in the territorial waters or ports of the other Party, the latter shall give all possible assistance and attention to the vessels, crew, cargo and passengers in danger, and notify the appropriate authorities of the Party concerned in the quickest way. No discrimination shall be made in the collection of charges incurred.

Where cargo on board a vessel involved in a maritime casualty needs to be discharged and stored temporarily on the shore of the other Party for carrying back to the country of shipment or to third countries, the other Party shall provide all facilities required, and such cargo shall be exempt from all customs duties, dues and taxes.

*Article 10.* The Contracting Parties mutually recognize the following seamen's identity documents:

- (a) "Passport" or "Seafarer's Identity Document" issued by the competent authority of the Kingdom of Denmark;
- (b) "Seaman's Book" issued by the competent authority of the People's Republic of China.

*Article 11.* In connection with the stay of the vessels of one Contracting Party at the ports of the other Party:

- (a) members of the crew holding an identity document referred to in article 10 are entitled to go ashore and stay in the city or town where the port is located, in accordance with the relevant law and regulations in force in the country of stay;

- (b) members of the crew admitted to a hospital in the territory of a Contracting Party due to illness shall be permitted by the competent authority of that Party to stay there for the necessary length of time;
- (c) the diplomatic or consular officials of one Contracting Party and the master and crew members of that Party are entitled to contact and meet each other while observing the relevant regulations in force in the country of stay.

*Article 12.* Crew members on a vessel of a Contracting Party, including seamen going to be signed on or discharged from the vessel, holding documents referred to in article 10, are entitled, for the purpose of repatriation, for joining his vessel or another vessel, or for any other reason acceptable to the competent authorities of the other Party, to travel through the territory of that Party, after their documents have been visaed. Such visas shall be issued within the shortest possible time.

*Article 13.* For crew members of third countries on vessels of either Contracting Party, including seamen going to be signed on or discharged from such vessels, the identity documents shall be the passports or seamen's identity documents duly issued by the competent authority of countries to which the Contracting Parties do not object.

Either Contracting Party shall, in accordance with its relevant law and regulations, grant treatment similar to that provided for in articles 11 and 12 to seamen mentioned in paragraph 1 of this article.

*Article 14.* The Contracting Parties have the right to deny entry into their respective territory of a seaman where they consider it inappropriate to admit him.

*Article 15.* The vessels and crew members of one Contracting Party shall observe the relevant law and regulations of the other Party during their stay in the latter's territorial sea, internal waters and ports.

The relevant authorities of either Party shall not exercise jurisdiction over or intervene in the internal affairs of the vessel of the other Party in its ports, except:

- (a) at the request or with the consent of the diplomatic or consular authorities;
- (b) where the peace, public order or the public security has been disturbed, or where the matter in other respects affects the interests of the country of stay;
- (c) where those involved in the matter are not all of them members of the crew of such vessel.

*Article 16.* This Agreement shall not apply to advantages, favours, privileges and immunities resulting from any existing or future customs union or similar international agreement to which either of the Contracting Parties is or may become a party.

*Article 17.* In order to meet the requirements of the development of maritime transport of both countries and to deal with matters of mutual interest arising from the implementation of the present Agreement, special representatives shall, at the request of one Contracting Party and after consultations between the competent authorities of both Parties, be appointed to meet at the date and place mutually agreed upon.

*Article 18.* This Agreement shall come into force from the date of signature.

---

If either Party wishes to terminate the present Agreement, it shall notify the other Party in writing six months in advance, and the present Agreement shall be terminated six months after the date of receipt of such notification by the other Party.

DONE in Peking on the 21st of October of the year 1974, in duplicate, each copy has been written in Danish, Chinese and English, all three texts being equally valid.

POUL HARTLING

For the Government of the Kingdom of Denmark

TENG HSIAO-PING

For the Government of the People's Republic of China

---