

No. 27026

**CHINA
and
SINGAPORE**

**Agreement on maritime transport. Signed at Singapore on
24 January 1989**

Authentic texts: Chinese and English.

Registered by China on 16 January 1990.

**CHINE
et
SINGAPOUR**

**Accord relatif au transport maritime. Signé à Singapour le
24 janvier 1989**

Textes authentiques : chinois et anglais.

Enregistré par la Chine le 16 janvier 1990.

AGREEMENT¹ ON MARITIME TRANSPORT BETWEEN THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE

The Government of the People's Republic of China and the Government of the Republic of Singapore (hereinafter referred to as the Contracting Parties),

Desirous of strengthening the friendly relations between the two countries and promoting cooperation in the field of maritime transport and improving the efficiency of maritime transport,

Have agreed as follows:

Article 1

For the purpose of this Agreement, unless the context otherwise stipulates:

(a) "Vessels of either Contracting Party" means the merchant vessels entitled to fly the national flag of and registered in either Contracting Party.

(b) "Crew members" means those who are working on board a vessel of either Contracting Party and perform duties or services connected with the operation or maintenance of the vessel and hold appropriate identity documents issued by the competent authority of that Party as provided in Article 8 of this Agreement and whose names are included in the crew list of the vessel.

(c) "Passengers" means those persons carried in the vessel of either Contracting Party who are not employed or engaged in any capacity on board that vessel and whose names are included in the passenger list of the vessel.

(d) "Competent authority" means the designated government agency or agencies of either Contracting Party responsible for administration of maritime transport and its related functions.

(e) "Territory" means the land areas under the sovereignty of a Contracting Party and territorial waters adjacent thereto.

Article 2

Vessels of either Contracting Party shall be allowed to sail between the ports in the territory of the Contracting Parties which are open to foreign countries and engage in passenger and cargo services (hereinafter called the "agreed services") between the two countries or between either country and a third country.

Article 3

Chartered vessels flying the flags of third countries acceptable to both Contracting Parties but operated by shipping enterprises of either Contracting Party shall also be allowed to participate in the agreed services.

Article 4

Each Contracting Party, shall abstain from any discriminatory measures against the vessels of the other Contracting Party in respect of the agreed services between

¹ Came into force on 24 January 1989 by signature, in accordance with article 18.

the two countries and shall accord to the vessels of the other Contracting Party the treatments no less favourable than those accorded to the vessels of third countries in respect of the agreed services between either country and third countries.

Article 5

Each Contracting Party shall grant to vessels of the other Contracting Party most-favoured-nation treatment at its ports open to foreign countries. This applies also to vessels operated by shipping enterprises of the other Contracting Party flying the flag of a third country.

This Article applies to customs formalities, the levying of charges and port dues, freedom of access to and the use of the ports as well as all facilities afforded to shipping services such as trucking, warehousing, container freight stations and other related services in respect of vessels and cargoes. In particular, this refers to the allocation of berths at piers, loading and unloading facilities and port services.

Article 6

The provisions of the present Agreement shall not apply to cabotage. When vessels of one Contracting Party sail from one port of the other Contracting 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 recognise the nationalities of vessels on the basis of the certificate of registry duly issued by the competent authorities of either Contracting Party whose flag the vessel flies.

The Contracting Parties shall mutually recognise the tonnage certificate and other documents of ships duly issued by the competent authorities of either Contracting Party or those recognised by one Contracting Party and met with no objection from the other Contracting Party without remeasuring the vessels concerned.

Article 8

Each Contracting Party shall recognize the identity documents of the crew members duly issued by the competent authorities of the other Contracting Party such as the Seamen's Book or Seamen's Discharge Book.

Article 9

Crew members of vessels of either Contracting Party shall be permitted to go ashore during the period of stay of their vessels in the ports of the other Contracting Party, in accordance with its laws and regulations.

Crew members of vessels of either Contracting Party requiring medical treatment shall be allowed to remain in the territory of the Contracting Party for the period of time necessary for such treatment, in accordance with the laws and regulations of that Contracting Party.

Crew members of vessels of either Contracting Party may enter the territory or travel through territory of the other Contracting Party for the purposes of joining vessels, repatriation or any other reason acceptable to the competent authorities of

the other Contracting Party, after completing the necessary formalities in accordance with the laws and regulations of that Contracting Party.

Either Contracting Party has the right to refuse any crew members entering the territory in accordance with its laws, even though they hold crew members identity documents mentioned in Article 8.

Article 10

Should vessels of either Contracting Party be involved in shipping casualties in the territorial waters or ports of the other Contracting Party, the latter shall give all possible assistance to the vessels, crew members, cargoes and passengers, and notify the appropriate authorities of the Contracting Party concerned as soon as possible.

Where the cargo and other properties discharged or rescued from the vessel involved in such shipping casualties need to be temporarily stored in the territory of the other Contracting Party, the latter shall endeavour to provide, wherever possible the necessary facilities and such cargo and properties shall be exempt from all taxes, insofar as it is not released for consumption or use in the territory of the other Contracting Party.

Article 11

The proceeds accruing from shipping services or other related services rendered by one Contracting Party to the other Contracting Party shall be effected in freely convertible currencies mutually accepted by both Contracting Parties. Such proceeds can be used for making payments in the territory of that Party or be freely remitted from that country.

Article 12

The Contracting Parties shall adopt, within the limits of their national laws and regulations 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 customs and other formalities required at ports.

Article 13

The provisions of this Agreement shall not limit the rights of either Contracting Party to take measures for the protection of its security and public health or prevention of disease and pests in animals and plants.

Article 14

Bilateral seaborne cargo between both Contracting Parties shall, in principle, be carried by vessels of both Parties. Vessels of both Parties have equal rights and opportunities to carry bilateral seaborne cargo and seaborne cargo of either Contracting Parties third country trade.

Article 15

In order to promote the development of maritime transport between the two countries and to deal with matters arising from the implementation of the present Agreement, representatives of both Contracting Parties shall meet to discuss representations made by either Contracting Party at the dates and places to be mutually agreed upon.

Article 16

The Contracting Parties shall actively promote the development of the economic and trade relationship between the two countries through shipping co-operation.

Article 17

Should any dispute arise between the Contracting Parties relating to the interpretation or application of the present Agreement, the Contracting Parties shall endeavour to settle it by friendly negotiation between themselves.

Article 18

The present Agreement shall come into force on the date of signature thereof.

If either Contracting Party wishes to terminate the present Agreement it shall notify the other Contracting 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 Contracting Party.

DONE at Singapore on 24th January in the year 1989, in duplicate, in the Chinese and English languages, both texts being equally authentic.

[Signed]

LIN ZU YI

For the Government
of the People's Republic
of China

[Signed]

MAH BOW TAN

For the Government
of the Republic of Singapore