

- (a) not less than fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, have expressed their consent to be bound by it in accordance with article IV, and
- (b) the conditions for the entry into force of the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 have been met,

provided that the present Protocol shall not enter into force before 1 February 1992.

2 For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of the present Protocol after the conditions for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the present Protocol or three months after the date of deposit of the instrument, whichever is the later date.

3 Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.

4 After the date of which an amendment to the present Protocol or an amendment, as between the Parties to the present Protocol, to the Convention is deemed to have been accepted under article VI, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol or the Convention as amended.

Article VI

Amendments

1 The present Protocol and, as between the Parties to the present Protocol, the Convention may be amended by either of the procedures specified in the following paragraphs.

2 Amendment after consideration within the Organization:

- (a) Any amendment proposed by a Party to the present Protocol shall be submitted to the Secretary-General of the Organization, who shall then circulate it to all Members of the Organization and all Contracting Governments to the Convention at least six months prior to its consideration.
- (b) Any amendment proposed and circulated as above shall be referred to the Maritime Safety Committee of the Organization for consideration.
- (c) States which are Parties to the present Protocol, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Maritime Safety Committee for the consideration and adoption of amendments.
- (d) Amendments shall be adopted by a two-thirds majority of the Parties to the present Protocol present and voting in the Maritime Safety Committee expanded as provided for in subparagraph (c)

(hereinafter referred to as “the expanded Maritime Safety Committee”) on condition that at least one third of the Parties shall be present at the time of voting.

- (e) Amendments adopted in accordance with subparagraph (d) shall be communicated by the Secretary-General of the Organization to all Parties to the present Protocol for acceptance.
- (f) (i) An amendment to an article or Annex A to the present Protocol or an amendment, as between Parties to the present Protocol, to an article of the Convention, shall be deemed to have been accepted on the date on which it is accepted by two thirds of the Parties to the present Protocol.
(ii) An amendment to Annex B to the present Protocol or an amendment, as between Parties to the present Protocol, to an Annex to the Convention, shall be deemed to have been accepted:
 - (aa) at the end of two years from the date on which it is communicated to Parties to the present Protocol for acceptance; or
 - (bb) at the end of a different period, which shall not be less than one year, if so determined at the time of its adoption by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee.

However, if within the specified period either more than one third of the Parties, or Parties the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of all the merchant fleets of all Parties, notify the Secretary-General of the Organization that they object to the amendment, it shall be deemed not to have been accepted.

- (g) (i) An amendment referred to in subparagraph (f)(i) shall enter into force with respect to those Parties to the present Protocol which have accepted it, six months after the date on which it is deemed to have been accepted, and with respect to each Party which accepts it after the date, six months after the date of that Party’s acceptance.
(ii) An amendment referred to in subparagraph (f)(ii) shall enter into force with respect to all Parties to the present Protocol, except those which have objected to the amendment under that subparagraph and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force, any Party may give notice to the Secretary-General of the Organization that it exempts itself from giving effect to that amendment for a period not longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority of the Parties present and voting in the expanded Maritime Safety Committee at the time of the adoption of the amendment.

- 3** Amendment by a Conference:
- (a)** Upon the request of a Party to the present Protocol concurred in by at least one third of the Parties, the Organization shall convene a Conference of Parties to consider amendments to the present Protocol and the Convention.
 - (b)** Every amendment adopted by such a Conference by a two-thirds majority of the Parties present and voting shall be communicated by the Secretary-General of the Organization to all Parties for acceptance.
 - (c)** Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in subparagraphs 2(f) and 2(g) respectively, provided that references in these paragraphs to the expanded Maritime Safety Committee shall be taken to mean references to the Conference.
- 4** **(a)** A Party to the present Protocol which has accepted an amendment referred to in subparagraph 2(f)(ii) which has entered into force shall not be obliged to extend the benefit of the present Protocol in respect of the certificates issued to a ship entitled to fly the flag of a State Party which, pursuant to the provisions of that subparagraph, has objected to the amendment and has not withdrawn such an objection, in so far as such certificates relate to matters covered by the amendment in question.
- (b)** A Party to the present Protocol which has accepted an amendment referred to in subparagraph 2(f)(ii) which has entered into force shall extend the benefit of the present Protocol in respect of the certificates issued to a ship entitled to fly the flag of a State Party which, pursuant to the provisions of subparagraph 2(g)(ii), has notified the Secretary-General of the Organization that it exempts itself from giving effect to the amendment.
- 5** Unless expressly provided otherwise, any amendment made under this article which relates to the structure of a ship shall apply only to ships the keels of which are laid or which are at a similar stage of construction on or after the date on which the amendment enters into force.
- 6** Any declaration of acceptance of, or objection to, an amendment or any notice given under subparagraph 2(g)(ii) shall be submitted in writing to the Secretary-General of the Organization, who shall inform all Parties to the present Protocol of any such submission and the date of its receipt.
- 7** The Secretary-General of the Organization shall inform all Parties to the present Protocol of any amendments which enter into force under this article, together with the date on which each such amendment enters into force.

Article VII

Denunciation

- 1** The present Protocol may be denounced by any Party at any time after the expiry of five years from the date on which the present Protocol enters into force for that Party.
- 2** Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization.