

## STATUS OF IMO TREATIES

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**Comprehensive information on the status of  
multilateral Conventions and instruments in  
respect of which the International Maritime  
Organization or its Secretary-General performs  
depository or other functions**

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*11 June 2024*

**PROTOCOL OF 1996 TO AMEND THE CONVENTION ON LIMITATION OF LIABILITY FOR  
MARITIME CLAIMS, 1976 (LLMC PROT 1996)**

Done at London, 2 May 1996

**Entry into force:** 13 May 2004

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**Signature, ratification, acceptance, approval and accession**

**Article 10**

1. This Protocol shall be open for signature at the Headquarters of the Organization from 1 October 1996 to 30 September 1997 by all States.
2. Any State may express its consent to be bound by this Protocol by:
  - (a) signature without reservation as to ratification, acceptance or approval; or
  - (b) signature subject to ratification, acceptance or approval followed by ratification, acceptance or approval; or
  - (c) accession.
3. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.
4. Any instrument of ratification, acceptance, approval or accession deposited after the entry into force of an amendment to the Convention as amended by this Protocol shall be deemed to apply to the Convention so amended, as modified by such amendment.

**Entry into force**

**Article 11**

1. This Protocol shall enter into force ninety days following the date on which ten States have expressed their consent to be bound by it.
2. For any State which expresses its consent to be bound by this Protocol after the conditions in paragraph 1 for entry into force have been met, this Protocol shall enter into force ninety days following the date of expression of such consent.

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- I. Signatories
  - II. Contracting States
  - III. Declarations, Reservations and Statements
  - IV. Amendments

## I. Signatories

Canada	subject to ratification
Denmark	subject to ratification and with reservation for application to the Faroes and Greenland
Finland	subject to acceptance
France	sous réserve de ratification
Germany, Federal Republic of	subject to ratification
Netherlands	subject to acceptance
Norway	subject to ratification
Sweden	subject to ratification
United Kingdom	subject to ratification

## II. Contracting States

	<b>Date of signature or deposit of instrument</b>	<b>Date of entry into force</b>
Albania (accession)	7 June 2004	5 September 2004
Antigua and Barbuda (accession)	12 October 2009	10 January 2010
Australia (accession)	8 October 2002	13 May 2004
Bahrain (accession)	21 June 2019	19 September 2019
Belgium (accession)	9 October 2009	7 January 2010
Bulgaria (accession)	4 July 2005	2 October 2005
Canada (ratification) <sup>1</sup>	9 May 2008	7 August 2008
China <sup>4</sup> (accession)	2 February 2015	3 May 2015
Comoros (accession)	1 February 2018	2 May 2018
Congo (accession)	19 May 2014	17 August 2014
Cook Islands (accession)	12 March 2007	10 June 2007
Croatia (accession) <sup>1</sup>	15 May 2006	13 August 2006
Cyprus (accession)	23 December 2005	23 March 2006
Denmark (ratification) <sup>1,3</sup>	12 April 2002	13 May 2004
Estonia (accession)	16 March 2011	14 June 2011
Finland (acceptance)	15 September 2000	13 May 2004
France (ratification) <sup>1</sup>	24 April 2007	23 July 2007
Germany (ratification) <sup>1</sup>	3 September 2001	13 May 2004
Greece (accession)	6 July 2009	4 October 2009
Guyana (accession)	20 February 2019	21 May 2019
Hungary (accession)	4 July 2008	2 October 2008
Iceland (accession) <sup>1</sup>	17 November 2008	15 February 2009
India (accession)	23 March 2011	21 June 2011
Iraq (accession) <sup>1</sup>	11 September 2023	10 December 2023
Ireland (accession)	25 January 2012	24 April 2012
Jamaica (accession)	19 August 2005	17 November 2005
Kenya (accession) <sup>1</sup>	7 July 2015	5 October 2015
Japan (accession)	3 May 2006	1 August 2006
Latvia (accession)	18 April 2007	17 July 2007
Liberia (accession)	18 September 2008	17 December 2008
Lithuania (accession) <sup>1</sup>	14 September 2007	13 December 2007
Luxembourg (accession)	21 November 2005	19 February 2006
Madagascar (accession)	27 July 2017	25 October 2017
Malaysia (accession)	12 November 2008	10 February 2009
Malta (accession) <sup>1</sup>	13 February 2004	13 May 2004
Marshall Islands (accession)	30 January 2006	30 April 2006
Mongolia (accession)	28 September 2011	27 December 2011
Myanmar (accession)	4 February 2020	4 May 2020
Nauru (accession)	23 March 2020	21 June 2020
Netherlands (acceptance) <sup>5</sup>	23 December 2010	23 March 2011
New Zealand (accession) <sup>1</sup>	4 April 2014	3 July 2014
Niue (accession)	27 June 2012	25 September 2012
Norway (ratification) <sup>1</sup>	17 October 2000	13 May 2004
Palau (accession)	29 September 2011	28 December 2011
Poland (accession) <sup>1</sup>	17 November 2011	15 February 2012

Portugal (accession)	19 October 2017	17 January 2018
Romania (accession)	12 March 2007	10 June 2007
Russian Federation (accession) <sup>1</sup>	25 May 1999	13 May 2004
Saint Lucia (accession)	20 May 2004	18 August 2004
Samoa (accession)	18 May 2004	16 August 2004
San Marino (accession)	19 April 2021	18 July 2021
Saudi Arabia (accession)	6 April 2018	5 July 2018
Serbia (accession)	19 March 2013	17 June 2013
Sierra Leone (accession)	1 November 2001	13 May 2004
Singapore (accession)	30 September 2019	29 December 2019
Slovenia (accession)	6 July 2015	4 October 2015
Spain (accession) <sup>1</sup>	10 January 2005	10 April 2005
Sweden (accession) <sup>1</sup>	22 July 2004	20 October 2004
Syrian Arab Republic (accession)	2 September 2005	1 December 2005
Tonga (accession)	18 September 2003	13 May 2004
Türkiye (accession) <sup>1</sup>	19 July 2010	17 October 2010
Tuvalu (accession)	12 January 2009	12 April 2009
United Arab Emirates (accession)	22 February 2021	23 May 2021
United Kingdom (ratification) <sup>1, 2</sup>	11 June 1999	13 May 2004

Number of Contracting States: 64 (the combined merchant fleets of which constitutes approximately 64.73% of the gross tonnage of the world's merchant fleet<sup>4</sup>)

<sup>1</sup> For the text of a declaration, reservation or statement, see section III.

<sup>2</sup> The Protocol was extended by the United Kingdom to the Isle of Man with effect from 13 May 2004. On 25 May 2012, the Secretary-General received a notification from the Foreign and Commonwealth Office, informing him that the reservation and declaration made by the United Kingdom (see section III) are now applicable to the Isle of Man.

The Protocol was further extended by the United Kingdom to the following UK territories:

- the Island of Jersey from 14 December 2009;
- the Cayman Islands from 31 January 2011;
- Isle of Man from 25 May 2012;
- the Bailiwick of Guernsey from 11 June 2013; and
- Gibraltar from 25 February 2014,

declaring that 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(3*bis*) of the 1976 Convention as amended by the Protocol of 1996 will apply in respect of the above-listed UK territories.

<sup>3</sup> Denmark extended the Protocol to Greenland with effect from 13 May 2004 and to the Faroe with effect from 9 January 2019.

<sup>4</sup> Applies only to the Hong Kong Special Administrative Region, i.e. China acceded to LLMC PROT 1996 only for the Hong Kong territory.

<sup>5</sup> Extended to Bonaire, Sint Eustatius and Saba (the Caribbean part of the Netherlands) with effect from 24 March 2022 (See related reservation in Section III below).

### III. Declarations, Reservations and Statements

The Secretary-General received, on 31 May 2013, a communication from the Minister for Foreign Affairs of Australia, containing the texts of two reservations as follows:

“Pursuant to Article 7 of the Protocol, the Government of Australia:

"(a) Reiterates its reservation, made on depositing its instrument of accession to the Convention on Limitation of Liability for Maritime Claims, 1976, to exclude the application of Article 2, paragraphs 1(d) and (e); and

(b) reserves the 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 any amendment or protocol related thereto.

#### BELGIUM

The instrument of accession of Belgium contained the following reservation:

##### *Translation*

“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

The instrument of ratification of Canada contained the following reservation:

“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.”

#### CHINA

The instrument of accession by the People’s Republic of China was accompanied by the following declaration:

“The Protocol at present only applies to the Hong Kong Special Administrative Region of the PRC and the Hong Kong Special Administrative Region shall not be bound by article 2, paragraph 1(d) of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the Protocol.”

#### CROATIA

The instrument of accession of the Republic of Croatia was accompanied by the following reservation:

“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 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.”

#### CYPRUS

The instrument of accession of the Republic of Cyprus contained the following reservation:

"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."

### DENMARK

The instrument of ratification of Denmark was accompanied by the following declaration:

“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 Faroes and Greenland.”

On 25 March 2004, Denmark declared that the Protocol shall extend to Greenland with effect from 13 May 2004, i.e. the date of entry into force of the Protocol.

Denmark also declared that:

"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. In this connection, 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."

On 23 May 2012 the Secretary-General received the following declaration by the Government of Denmark:

“The Government of Denmark would like to make use of the option 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 Denmark will thus provide for a higher limit of liability in respect of claims arising from the loss of life or personal injury to passengers of a ship.”

On 6 March 2018, the Secretary-General received the following reservation by the Government of Denmark:

“The Kingdom of Denmark has ratified the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims, 1976.

In accordance with article 7 of the Protocol, it is hereby notified that with effect from 6 March 2018, Denmark will not limit liability for maritime 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 ship."

On 9 January 2019, the depositary received a communication from the Kingdom of Denmark informing of the withdrawal of the reservation made in respect of the Faroes.

### ESTONIA

The instrument of accession of the Republic of Estonia contained the following reservation:

"Pursuant to paragraph 1(b) of article 18 of the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims, 1976, the Republic of Estonia reserves the 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 any amendments or protocol related thereto."

#### **FINLAND**

The Secretary-General received, on 19 June 2017, the following notification by the Government of Finland:

"The Government of Finland is making use of the option in Article 15(3bis) of the 1976 Convention on Limitation of Liability for Maritime Claims as amended by the 1996 Protocol to regulate, by specific provisions of national law, the system of liability to be applied to claims for loss of life or personal injury to passengers of a ship.

National law in Finland will as of 5 September 2017 provide a higher limit of liability in respect of claims arising from the loss of life or personal injury to passengers of a ship, namely 250 000 Units of Account multiplied by the number of passengers which the ship is authorized to carry according to the ship's certificate."

#### **FRANCE**

The instrument of ratification of France contained the following declaration:

*[Translation]*

"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), article 2 of the Convention".

#### **GERMANY**

The instrument of ratification of the Federal Republic of Germany contained the following declaration:

"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 International 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."

**ICELAND**

The instrument of accession of Iceland contained the following reservation:

"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.”

#### **IRAQ**

The instrument of accession of Iraq was accompanied by the following reservation:

“The Republic of Iraq asserts that acceding to the convention does not, under any circumstances, imply recognition of Israel or entering into any relations with it.”

#### **KENYA**

The instrument of accession of Kenya contained the following reservation:

“The Government of the Republic of Kenya pursuant to article 7(1)(b) of the Protocol of 1996 to the Convention on Limitation of Liability for Maritime Claims, 1976, reserves the 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.

#### **LITHUANIA**

The instrument of accession of Lithuania contained the following reservation:

“... 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**

The instrument of accession by Malta contained the following reservations and declarations:

- "(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."

### NETHERLANDS

The instrument of acceptance by the Netherlands was accompanied by the following reservation:

"The Kingdom of the Netherlands 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, 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 of any amendment or protocol related thereto."

The Secretary-General received, on 24 March , the following reservation by the Kingdom the Netherlands with regard to the acceptance of the Protocol for the Caribbean part of the Netherlands:

"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, 1976, as amended by the Protocol of 1996:

- (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 on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996, concluded in London on 3 May 1996, as amended by the Protocol of 2010 to the International Convention on Liability and Compensation for Damage In Connection With The Carriage Of Hazardous And Noxious Substances By Sea, 1996, concluded in London on 30 April 2010, or of any further amendment or protocol thereto." ."

The Depository received, on 24 March 2022, a declaration for the European part of the Netherlands, as contained in circular LLMC.3/Circ.61.

### NEW ZEALAND

The instrument of accession of New Zealand was accompanied by the following declaration:

"...consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand to the development of self-government for Tokelau through an act of self-determination under the charter of the United Nations, this accession shall not extend to Tokelau unless and until a declaration to this effect is lodged by the Government of New Zealand with the depositary on the basis of appropriate consultation with that territory."

The depositary received, on 15 October 2018, the following reservation by the Government of New Zealand:

"...the Government of New Zealand HEREBY EXCLUDES the application of Article 2, paragraphs 1(d) and (e); and 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." The reservation became effective on 15 October 2018.

### NORWAY

The instrument of ratification of the Kingdom of Norway contained the following reservation:

"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."

**POLAND**

The instrument of accession by Poland contained the following reservation and declaration:

- "(a) Pursuant to Article 18(1)(a) and (b) of the 1976 Convention as amended by the 1996 Protocol, the Republic of Poland hereby excludes the application of Article 2, paragraphs 1(d) and (e), and 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, which arise from occurrences which take place after the entry into force of that Convention with regard to the Republic of Poland.
- (b) The Republic of Poland 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. The Republic of Poland will inform the Secretary-General of IMO of the limits of liability upon adoption of the specific provisions in the Polish legislation."

Further to the above declaration, the Depository received, on 5 November 2012, the following notification from Poland:

"In accordance with article 15, paragraph 2(b) of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the Protocol of 1996, the Republic of Poland hereby informs that the following limits of liability to ships of less than 300 tons are applied in Poland as from 27 October 2012:

- 1) 200 000 Units of Account – in respect of claims for loss of life or personal injury,
- and
- 2) 100 000 Units of Account – in respect of any other claims."

**RUSSIAN FEDERATION**

The instrument of accession of the Russian Federation contained the following reservation and statement (in the Russian language):

*[Translation]* "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."

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The Secretary-General received on 1 September 2022 a letter from the Russian Federation informing of the withdrawal

by the Russian Federation of the reservation to the sub-paragraphs “d” and “e” of the paragraph 1 of the article 2 of the Convention on Limitation of Liability for Maritime Claims, 1976 made at the accession of the Russian Federation to the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims of 1976.

### **SPAIN**

The instrument of accession by Spain contained the following reservation:

- "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 1(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 1(d) and (e), article 2 of the Convention.

Claims relating to paragraph 1(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."

### **SWEDEN**

The Secretary-General received, on 3 July 2015, the following notification by the Government of Sweden:

"The Government of Sweden is making use of the option in article 15(3bis) of the 1976 Convention on Limitation of Liability for Maritime Claims 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 Sweden will as of 2 September 2015 provide a higher limit of liability in respect of claims arising from the loss of life or personal injury to passengers of a ship, namely 250 000 Units of Account."

### **TÜRKIYE**

The instrument of ratification of Türkiye was accompanied by the following reservation:

"The republic of Türkiye 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, 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 of any amendment or protocol related thereto."

### **UNITED KINGDOM**

The instrument of ratification of the United Kingdom was accompanied by the following reservations and declarations:

- "(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."

## **VI. Amendments**

### **(1) 2012 (limitation amounts set out in article 3 of the 1996 LLMC Protocol) Amendments (LEG.5(99))**

#### **A. Adoption**

The Legal Committee at its ninety-ninth session (April 2012) adopted by resolution LEG.5(99), in accordance with article 8(4) of 1996 LLMC Protocol, amendments to the limitation amounts set out in article 3 of the 1996 LLMC Protocol.

#### **B. Entry into force**

(a) In accordance with article 8(7) of the 1996 LLMC Protocol, and as determined by the Legal Committee, the amendments shall be deemed to have been accepted at the end of a period of 18 months after the date of notification, i.e. 8 December 2013, unless, prior to that date, not less than one-fourth of the States that were Contracting States on the date of the adoption of these amendments have communicated to the Secretary-General that they do not accept these amendments.

(b) In accordance with article 8(8) of the 1996 LLMC Protocol, these amendments deemed to have been accepted in accordance with paragraph (a) above shall enter into force 18 months after their acceptance, i.e. 8 June 2015. No communication of non-acceptance was received and, accordingly, the amendments, accordingly, entered into force on 8 June 2015 (NV1 B1/F/3.03 dated 8 June 2012 refers).