

PROVISIONAL MARITIME CONSULTATIVE COUNCIL

*Agreement adopted by the United Maritime Consultative Council at
Washington October 30, 1946*

*Acceptance by the United States deposited at London November 20,
1946*

Entered into force April 23, 1947

Terminated March 17, 1958, by convention of March 6, 1948¹

61 Stat. 3796; Treaties and Other
International Acts Series 1724

AGREEMENT FOR PROVISIONAL MARITIME CONSULTATIVE COUNCIL

ARTICLE I. *Scope and Purposes*

The Provisional Maritime Consultative Council shall be established as a temporary organization pending the establishment of a permanent inter-governmental agency in the maritime field.

i. to provide machinery for cooperation among Governments in the field of Governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade, and to encourage the general adoption of the highest practicable standards in matters concerning maritime safety and efficiency of navigation;

ii. to encourage the removal of all forms of discriminatory action and unnecessary restrictions by Governments affecting shipping engaged in international trade so as to promote the availability of shipping services to the commerce of the world without discrimination;

iii. to provide for the consideration by the Council of any shipping problems of an international character involving matters of general principle that may be referred to the Council by the United Nations. Matters which are suitable for settlement through the normal processes of international shipping business are not within the scope of the Council.

iv. to provide for the exchange of information among Governments on matters under consideration by the Council.

¹ 9 UST 621; TIAS 4044.

ARTICLE II. *Functions*

The functions of the Provisional Maritime Consultative Council, which shall be consultative and advisory, shall be

(a) To consider and make recommendations on any matter within its scope as set forth in Sections (i) and (ii) of ARTICLE I.

(b) To consider and make recommendations on matters within its scope upon the request of any organ of the United Nations or other inter-governmental specialized agency.

(c) To advise on matters relating to the draft constitution for a permanent inter-governmental maritime organization.

ARTICLE III. *Membership*

Membership in the Council shall consist of those governments which notify the Government of the United Kingdom of their acceptance of this Agreement, being either governments members of the UMCC [United Maritime Consultative Council]² or governments members of the United Nations.

ARTICLE IV. *Organization*

(1) The Council shall consist of all Member Governments.

(2) The Council may elect an Executive Committee consisting of twelve member governments which shall exercise such functions as may be delegated to it by the Council. The Executive Committee shall not be established by the Council until at least twenty governments have accepted this agreement.

(3) The Council shall at each session determine the host Government and the time for its next meeting. Upon the request of not less than four of the members the Chairman shall summon the Council for an earlier date. The Government of _____ shall convene the first meeting of the Council at any time after March 1, 1947.³

(4) The host Government arranged for each session shall designate a Chairman who shall hold office until the host Government for the next following session has been decided, and shall provide the necessary secretariat for meetings held within its territory.

(5) Decisions of the Council shall be taken by a majority of those present and voting. Ten Members shall constitute a quorum. The Council shall otherwise determine its own rules of procedure.

ARTICLE V. *Entry into Force*

(1) This agreement shall remain open for acceptance in the archives of the Government of the United Kingdom and shall enter into force when

² For background, see agreement of Feb. 11, 1946 (TIAS 1723), *ante*, p. 33.

³ The first meeting of the Council began at Paris May 16, 1947.

twelve Governments, of which five shall each have a total tonnage of not less than 1,000,000 g. t. of shipping have accepted it.⁴

(2) As soon as this agreement has come into force, a copy of the agreement together with the names of the Governments who have accepted it shall be sent by the Government of the United Kingdom to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations.⁵

ARTICLE VI. *Termination*

This agreement shall cease to have effect upon the entry into force of a constitution for a permanent inter-government maritime organization or if the membership falls below twelve. A member government may withdraw at any time upon six months notice to the Government of the United Kingdom.

⁴ When the agreement entered into force on Apr. 23, 1947, acceptances had been deposited by Australia, Belgium, Canada, Chile, Denmark, France, Greece, the Netherlands, Norway, Poland, the United Kingdom, and the United States. Subsequently acceptances were deposited by Brazil, India, and New Zealand.

⁵ TS 993, *ante*, vol. 3, p. 1176.