

RECOGNITION OF LOAD-LINE CERTIFICATES

Exchange of notes at Washington January 16, 1932
Entered into force January 16, 1932
*Terminated January 1, 1933*¹

47 Stat. 2690; Executive Agreement Series 29

The Danish Minister to the Secretary of State

ROYAL DANISH LEGATION
WASHINGTON, D.C., *January 16, 1932*

No. 4

SIR,

By a note of November 4, 1930, my predecessor had the honor to address himself to you with an inquiry as to whether the United States Government would be ready to enter into a reciprocal load line agreement with the Danish Government which should remain effective pending the coming into force in the two countries of the International Load Line Convention concluded at London on July 5, 1930, and whereby the Governments of Denmark and the United States would each recognize as equivalent the load line laws and regulations of the other and, therefore, their respective freeboard certificates of the marking of merchant vessels.

In reply you have by a note of August 25, 1931, informed this Legation that the Government of the United States is ready to conclude such a reciprocal agreement. You have further added that the Government of the United States understands that the load line marks made under authority of the two Governments will be in accordance with load line certificates; that the hull and superstructures of the vessel certificated will not have been so materially altered since the issuance of the certificates as to affect the calculations on which the load line was based, and that alterations will not have been made so that the

- (1) Protection of openings,
- (2) Guard Rails,
- (3) Freeing Ports,
- (4) Means of Access to Crews Quarters,

¹ Upon entry into force for the United States and Denmark of International Load Line Convention of July 5, 1930 (TS 858, *ante*, vol. 2, p. 1076).

have made the vessel manifestly unfit to proceed to sea without danger to human life.

Having submitted this reply to my Government, I am now instructed to convey to you the following information: The Danish Government is ready to give full recognition, for the time until the International Load Line Convention mentioned above shall come into force in both countries, to the load line rules and regulations of the Government of the United States and to the certificates and load line marks made on American merchant vessels pursuant thereto. In giving such recognition the Danish Government concurs, subject to reciprocity, in the foregoing understandings. I am, however, instructed to draw your attention to the fact that since the beginning of the negotiations regarding this temporary agreement the Danish rules concerning freeboard have undergone the following modification:

A provisional notification² dealing with the application to Danish Ships of the International Load Line Convention of July 5, 1930, has been issued by the Danish Ministry of Shipping and Fisheries on July 8, 1931. Pursuant to this Notification of which this Legation had the honor to forward to you a copy by a note of August 13, 1931, Danish ships in international trade have already been permitted to obtain freeboard and load line certificates in accordance with the above quoted International Load Line Convention, which has been ratified by Denmark on July 30, 1931. The Danish Government assumes that also such certificates issued in accordance with the said Convention will be recognized in the United States pending the coming into force in both countries of the Convention.

I have the honor to request that you will be good enough to confirm the full recognition of the Government of the United States for the period mentioned above of the Danish load line laws and regulations and the Danish freeboard certificates of the marking of merchant vessels, including the certificates issued pursuant to the foregoing Provisional Notification of July 8, 1931, and of load line marks made on Danish vessels pursuant thereto.

It is understood that upon the receipt of a note to that effect the proposed agreement will become effective as from the date of such note.

I have the honor to be, Sir, with the highest consideration

Your most obedient and humble servant.

OTTO WADSTED

The Honorable

HENRY L. STIMSON,

Secretary of State,

Department of State, Washington, D.C.

² For text, see p. 90.

The Secretary of State to the Danish Minister

DEPARTMENT OF STATE
WASHINGTON, *January 16, 1932*

SIR:

I have the honor to acknowledge the receipt of your note of this date in which reference is made to your predecessor's note of November 4, 1930, proposing an arrangement between the Governments of the United States and Denmark for the reciprocal recognition of load line certificates for merchant vessels which arrangement would remain effective pending the coming into force in the two countries of the International Load Line Convention of July 5, 1930.

You made the proposal that if the Government of the United States agreed to the terms as outlined in your note of this date, that note and the reply which might be made thereto would serve as the agreement between our two countries.

Inasmuch as the Danish rules and tables for determining freeboards have been examined by the competent executive authorities of this Government and have been found to be as effective as the United States load line regulations; and inasmuch as the Government of the United States agrees to recognize the certificates issued by the Government of Denmark pursuant to the Provisional Notification of July 8, 1931, which gives ship owners the privilege of having freeboard and load lines assigned in accordance with the provisions contained in the International Load Line Convention of July 5, 1930, I have the honor to inform you that the Government of the United States hereby concurs in the terms of the arrangement as set out in your note under acknowledgment.

The Government of the United States accordingly understands that the agreement has been completed by this exchange of notes and is effective from this date.

Accept, Sir, the renewed assurances of my highest consideration.

For the Secretary of State:
JAMES GRAFTON ROGERS

MR. OTTO WADSTED,
Minister of Denmark.

Provisional Notification dealing with the application to Danish ships of the International Load Line Convention of 5th July, 1930

In pursuance of the 3rd Part of the Merchant Shipping (Inspection of Ships) Act of March 29th 1920 with subsequent amendments the following provisions are hereby laid down:

SECTION 1

In accordance with application to be made in each particular case by the shipowner concerned to the Ministry of Shipping and Fisheries, every Danish ship to which the provisions of the International Load Line Convention of 5th July, 1930, apply, will, after a survey having been held by the Government Ships Inspection Staff, be given freeboard and assigned load lines under the provisions of, and on the conditions contained in, the said Convention of 5th July, 1930.

Every ship to which freeboard is assigned and which is marked with load lines in accordance with the Convention of 5th July, 1930, shall henceforth be subject to the provisions of the said Convention, more particularly those dealing with zones and seasonal areas and the stowing of the cargo. The intervals between the periodical surveys dealt with in Article 14, 3 C of the Convention will be fixed at a later date.

SECTION 2

Ships to which freeboard is assigned in accordance with the foregoing rules shall have on board a copy of this present Notification and of the Convention of 5th July, 1930.

SECTION 3

This Notification shall come into force immediately.

The above is hereby made known to all whom it may concern.

THE MINISTRY OF SHIPPING AND FISHERIES.

8th July 1931

TH. STAUNING

EMIL KROGH