

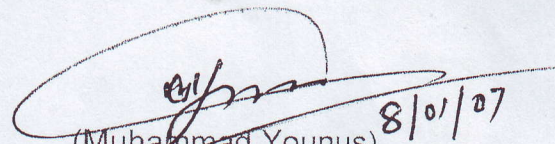
TO BE PUBLISHED IN THE NEXT ISSUE OF THE
GAZETTE OF PAKISTAN (EXTRAORDINARY), PART-I

GOVERNMENT OF PAKISTAN
MINISTRY OF PORTS & SHIPPING

NOTIFICATION

No.1(19)/2004-P&S-I. The Protocol on Shipping Services between Islamic Republic of Pakistan and Republic of India was signed in New Delhi on 14th December, 2006, which replaces the Protocol on Resumption of Shipping Services between Pakistan-India signed on 15th January, 1975. A copy of the Protocol is notified for information of general public.

Encl: As above.


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**PROTOCOL ON SHIPPING SERVICES BETWEEN THE ISLAMIC
REPUBLIC OF PAKISTAN AND THE REPUBLIC OF INDIA**

RECOGNISING that the PROTOCOL on RESUMPTION OF SHIPPING SERVICES BETWEEN PAKISTAN AND INDIA signed on 15 January 1975 which served both the countries in good stead, now needs to be amended to facilitate further growth of trade; and

RESOLVING to improve direct shipping services between the two countries on the basis of sovereign equality and mutual benefit.

The delegations of India and Pakistan, which met in New Delhi on the 14th December 2006, have agreed as follows:

- (1) The provisions of this Protocol shall apply to international maritime transport between the two countries and to the cargo originating from/destined for a third country, except those for which cargo preference to domestic flag vessels is applicable and it shall be accomplished on the basis of the principles of free and non-discriminatory access to cargoes subject to domestic laws and prevailing practices.
- (2) The vessels of either country, their crew, and cargoes shall be admitted to the territorial waters and the ports of the other country and shall be accorded same treatment as accorded to its own vessels relating to their entry, stay, loading/unloading of cargo, leaving of the ports, and all necessary facilities for safe maritime navigation.
- (3) The provisions of Article (2) shall be subject to such restrictions as are or may be imposed, from time to time, by the laws of either country.
- (4) Either country shall adopt, within the limits of their laws and port regulations, all appropriate measures to facilitate and expedite maritime traffic, to prevent delays to vessels and to expedite the carrying out of customs and other formalities applicable at the ports.
- (5) All ship documents including those relating to nationality, registration, tonnage and survey issued or recognized by one country shall be recognized by the other country.
- (6) Either country shall recognize the seaman's identity documents issued by the appropriate authorities of the other country.
- (7) Holder of seaman's identity documents specified in Article (6) shall, during the stay of the vessel in the ports of the other country, be permitted to land on temporary shore leave without obtaining a landing permit valid for a period not

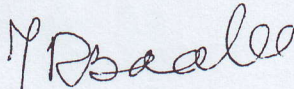
Document with the Immigration authorities and provided further that the crew list has been submitted to the concerned authorities in accordance with the laws and regulations in force in that port. The said person shall be subject to customs control. His entry and stay in port shall be governed by the provisions of the India-Pakistan Visa Agreement of 14th September 1974, and the laws and regulations in force in that port.

- (8) When a member of the crew disembarks in the port of the other country due to illness, he shall be permitted to enter a hospital. He shall also be permitted to rejoin ship or be repatriated. If a member of the crew is left behind for reasons such as "missing the ship", he shall be permitted to rejoin ship or be repatriated.
- (9) Either country shall allow the seafarers of the other country transit facilities for joining/disembarking from foreign flag vessels subject to possession of necessary valid seafarers' identification documents and applicable transit visa.
- (10) The captain of the vessel staying in the port of the other country or a person authorized by him shall be permitted and assisted to contact or visit the Consular official representing the interest of the other country.
- (11) If a vessel of either country be involved in maritime peril or encounters any other danger off the coast or in the ports of other country, the vessel, the cargo, the crew and the passengers shall receive the same assistance which is accorded to a national vessel, its cargo, crew and passengers. This will be subject to the respective laws and international obligations of the two countries.
- (12) The cargo, ship stores, machinery spares etc., of this damaged vessel which have to be off-loaded, shall not be subject to customs duties and taxes provided the same are taken out of the country within a reasonable period.
- (13) All payments and expenses relating to shipping services between the two countries shall be effected in freely convertible currency in accordance with the foreign exchange regulations in force from time to time in each country.
- (14) For resolution of any issue arising out of this protocol, the Government of India hereby nominates the Director General of Shipping, Mumbai, on their part and the Government of Pakistan likewise nominates the Director General of Ports and Shipping, Karachi, on their part.
- (15) The representatives of the two authorities referred to in Article (14) above shall meet, as necessary, to discuss and resolve all

concerning the interpretation or application of this Protocol, such questions shall be referred to the respective Governments for settlement.

- (16) To facilitate urgent consultations in matters relating to implementation of this Protocol and any arrangements made thereunder, visas shall be granted immediately, on request, to four nationals of either country nominated by the respective authorities referred to in Article (14), for travel to the other country. Names and full particulars of the nationals so nominated shall be exchanged as soon as possible and Consular authorities representing the interests of both the countries informed accordingly.
- (17) This Protocol may be reviewed at the request of either side.
- (18) This Protocol will come into force on the date of signing, and will replace the "PROTOCOL ON RESUMPTION OF SHIPPING SERVICES BETWEEN PAKISTAN AND INDIA", signed on 15 January 1975.

For the REPUBLIC OF INDIA



(T.R. BAALU)
Minister of Shipping, Road
Transport and Highways

For the ISLAMIC REPUBLIC
OF PAKISTAN



(BABAR KHAN GHAURI)
Minister of Ports and Shipping

DATE: THE 14TH December 2006
PLACE: New Delhi