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**INTERNATIONAL CONVENTION ON LIABILITY AND COMPENSATION FOR
DAMAGE IN CONNECTION WITH THE CARRIAGE OF HAZARDOUS AND
NOXIOUS SUBSTANCES BY SEA, 1996**

Conditions for entry into force

The Secretary-General of the International Maritime Organization has the honour to refer to the conditions for the entry into force of the International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996.

Article 46 of the Convention provides as follows:

- “1. This Convention shall enter into force eighteen months after the date on which the following conditions are fulfilled:
- (a) at least twelve States, including four States each with not less than 2 million units of gross tonnage, have expressed their consent to be bound by it, and
 - (b) the Secretary-General has received information in accordance with article 43 that those persons in such States who would be liable to contribute pursuant to article 18, paragraphs 1(a) **and*** (c) have received during the preceding calendar year a total quantity of at least 40 million tonnes of cargo contributing to the general account.”

There are at present eight Contracting States to the Convention.

The Secretary-General wishes to remind all States that the provision of information on contributing cargo referred to in article 46, paragraph 1(b) of the Convention is a fundamental obligation that must be carried out by a State when depositing an instrument of ratification, acceptance, approval or accession and annually thereafter until the Convention enters into force for that State. It is also an essential prerequisite to determine the date of entry into force of the Convention. Accordingly, failure on the part of any State to provide information on contributing cargo inevitably has the effect of delaying the entry into force of the Convention. States should therefore ensure that any instruments of ratification, acceptance, approval or accession are accompanied by the required information.

* Emphasis added.