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ON THE LAW OF THE SEA

Supplement

to

Laws and Regulations on the
Regime of the Territorial Sea
(United Nations Legislative Series)

60-03485

/...

Note by the Secretary-General

This document reproduces the texts of laws and regulations which were supplied by Governments in response to the request addressed to them by the Secretary-General on 13 March 1959,^{1/} in connexion with the preparation of the revised edition of the Synoptical Table Concerning the Breadth and Juridical Status of the Territorial Sea and Adjacent Zones (A/CONF.19/4). These texts supplement the volume of the United Nations Legislative Series relating to Laws and Regulations on the Regime of the Territorial Sea (ST/LEG/SER.B/6).^{2/}

^{1/} See document A/CONF.19/4, Note by the Secretary-General, paragraph 2.

^{2/} United Nations Publication, Sales No.: 1957.V.2.

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CEYLON

PROCLAMATIONS BY THE GOVERNOR-GENERAL, 20 DECEMBER 1957^{1/}

Proclamation

WHEREAS international law recognizes that the sovereignty of a State extends to the belt of the sea adjacent to its coast, commonly known as the territorial waters of that State, and, as international practice is not uniform in regard to the extent of the territorial waters of a State, it is necessary to declare the extent of the territorial waters of Ceylon:

Now, therefore, I, Oliver Ernest Goonetilleke, Governor-General of Ceylon, do by this Proclamation declare that, notwithstanding any rule of law or practice to the contrary which may have been observed in the past in relation to Ceylon or any part thereof, the territorial waters of Ceylon shall extend into the sea to a distance of six nautical miles measured from the appropriate baseline.

Proclamation

WHEREAS it is established by international practice that every coastal State, for the purpose of the exploration and the exploitation of the natural resources of the sea-bed and the subsoil of the continental shelf adjoining its territory, has sovereign rights over such sea-bed and subsoil, and it is expedient to declare the rights of the Government of Ceylon in respect of the continental or insular shelf of Ceylon:

And whereas certain areas of the high seas provide fisheries which contribute to the food and means of livelihood of large sections of the population of Ceylon and consequently the Government of Ceylon has a special interest in maintaining the productivity of the living resources in all such areas:

Now, therefore, I, Oliver Ernest Goonetilleke, Governor-General of Ceylon, do by this Proclamation declare -

- (1) that the Government of Ceylon has had and shall have full and exclusive sovereign rights over the sea-bed and subsoil of the continental or insular shelf adjoining the territory and beyond the

1/ The Ceylon Government Gazette, Extraordinary, No. 11,222, 20 December 1957, Part I: Section (I), p. 3630.

territorial waters of Ceylon, and accordingly may cause the exploration and the exploitation of the natural resources of such sea-bed and subsoil;

- (2) that the Government of Ceylon may from time to time -
 - (a) establish, in accordance with laws enacted for the purpose, conservation zones in such part of the Indian Ocean as is commonly known as the Wadge Bank and in such areas of the high seas adjacent to the territorial waters of Ceylon as are within a distance of one hundred nautical miles from the outer limits of those waters,
 - (b) take measures in the conservation zones so established in order to protect, conserve and control fisheries and other living resources of the sea from indiscriminate exploitation, depletion or destruction, and
 - (c) subject to the provisions of any international agreement or convention to which the Government of Ceylon is or may hereafter be a party, regulate all fishing activities in the aforesaid Wadge Bank and the aforesaid areas of the high seas in order to enforce the laws that may be enacted from time to time for the aforesaid purposes; and
- (3) that nothing contained in this Proclamation shall be deemed to affect or diminish the undisputed and exclusive sovereign right and national jurisdiction of the Government of Ceylon to and over the Chank Fisheries and the Pearl Banks and Pearl Fisheries of Ceylon.

DENMARK

(a) ORDER NO. 130 OF 27 APRIL 1959 FOR REGULATING THE FISHERIES
IN THE OCEAN SURROUNDING THE FAROE ISLANDS ^{1/}

We, FREDERIK THE NINTH, by the grace of God King of Denmark, etc., hereby proclaim:

By virtue of an exchange of notes which took place on 27 April 1959 between the Government of Denmark and the Government of the United Kingdom of Great Britain and Northern Ireland, it is hereby provided that Order No. 160 of 20 May 1955, amending Order No. 29 of 27 February 1903 for regulating the fisheries in the ocean surrounding the Faroe Islands, is repealed and is replaced by the following text:

Paragraph 1. The limits within which Faroe Islanders and other Danish citizens shall enjoy the exclusive right of fishery shall be a line twelve sea miles from low water mark along the coast of the Faroe Islands drawn as shown by the outer solid line on the map^{2/} annexed to the present Order.

Paragraph 2. Notwithstanding the provision of paragraph 1, fishing from vessels belonging to and registered in a foreign State whose fishermen have, for a considerable number of years before the entry into force of this Order, engaged regularly in fishing within the line referred to in paragraph 1 shall continue to be allowed within the area situated between the said line and the inner dotted line shown on the annexed map and drawn for the most part at a distance of six sea miles from land. The Prime Minister may make a notice specifying the countries whose fishing vessels are covered by this provision.

Paragraph 3. In the areas specified below which are situated between the lines referred to in paragraphs 1 and 2 and are shaded on the map, fishing other than fishing with long line and hand line shall be prohibited between the dates likewise specified below:

- (a) On the west: the area south-west and south of Myggenaes bounded at the northern end by a line drawn on a bearing of 270 degrees (True) from Myggenaes lighthouse - annually from 15 November to 1 April;

^{1/} Original text: Danish. Translation by the Secretariat of the United Nations

^{2/} Map not reproduced.

(b) On the south: the area south of the island of Syderø bounded at its northern end by a line on a bearing of 253 degrees (True) from Akraberg lighthouse, and on the east by a line on a bearing of 146 degrees (True) from the same lighthouse - annually from 1 October to 31 May;

(c) On the north: the area bounded on the west by a line forming the meridian of longitude 7 degrees west of Greenwich, and on the east by a line drawn due north of the northern point of Nordberg on Fuglø - annually from 15 February to 15 April. This Order shall come into force forthwith.

Given at Christiansborg, 27 April 1959.

Under Our Royal Hand and Seal.

FREDERIK R

(b) NOTICE^{1/} OF 2 JUNE 1959 CONCERNING AN EXCHANGE OF NOTES BETWEEN DENMARK AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND WHICH TOOK PLACE AT COPENHAGEN ON 27 APRIL 1959 AND SUPERSEDES THE AGREEMENT EMBODIED IN THE NOTES EXCHANGED BETWEEN DENMARK AND THE UNITED KINGDOM ON 22 APRIL 1955 CONCERNING AMENDMENTS TO THE CONVENTION OF 24 JUNE 1901 FOR REGULATING THE FISHERIES IN THE OCEAN SURROUNDING THE FAROE ISLANDS

In an exchange of notes which took place on 27 April 1959 between the Danish Minister of Foreign Affairs and the British Ambassador at Copenhagen, the Governments of Denmark and the United Kingdom entered into a provisional agreement concerning the fisheries in the ocean surrounding the Faroe Islands.

Previous to this, on 24 February 1959, the Legislative Assembly of the Faroe Islands had given its approval to the draft Agreement. In addition, the Lower House of the Danish Parliament passed a resolution on 19 March 1959 in which it consented to the conclusion of the Agreement and to the exercise in respect of the fisheries, of Danish authority over the area dealt with in the Agreement.

^{1/} Original text: Danish. Translation by the Secretariat of the United Nations,

/...

The Agreement supersedes the notes exchanged between Denmark and the United Kingdom on 22 April 1955 (cf. Notice No. 23 of 27 May 1955, Lovtidende C, p. 86) and reads as follows:

1. The Danish Note:^{1/}

UDENRIGSMINISTERIET

Copenhagen

27th April, 1959

Sir,

I have the honour to refer to the discussions between representatives of the Government of Denmark and the Government of the United Kingdom of Great Britain and Northern Ireland relating to the temporary regulation of fishing around the Faroe Islands pending the entry into force of a general Convention regulating the breadth of the territorial sea and fishery limits and have the honour to make the following proposals:

I. The Government of the United Kingdom shall raise no objection to the exclusion by the competent Danish or Faroese authorities of vessels registered in the United Kingdom from fishing in the area between the coast of the Faroe Islands and the blue line shown on the map annexed hereto.^{2/}

II. Having regard to the fisheries traditionally exercised in waters around the Faroe Islands by vessels registered in the United Kingdom, the Government of Denmark shall raise no objection to such vessels continuing to fish in the area between the blue line mentioned in paragraph I and a line twelve sea miles from low water mark along the coast of the Faroe Islands drawn as shown by the red dotted line on the map annexed thereto.

III. In view of the exceptional dependence of the Faroese economy on fisheries, in the three areas hatched red on the map annexed hereto, lying within the area mentioned in paragraph II, fishing by vessels registered in the Faroe Islands or Denmark and vessels registered in the United Kingdom shall be limited to fishing with long line and hand line between the dates specified in sub-paragraphs (a), (b) and (c) of this paragraph. The areas and dates referred to are:

(a) on the west: the area south-west and south of Myggenaes bounded at the northern end by the broken blue line drawn on a bearing of

^{1/} English text forwarded by the Permanent Representative of Denmark to the United Nations.

^{2/} Map not reproduced.

270 degrees (True) from Myggenaes lighthouse - annually from the 15th of November to the 1st of April;

(b) on the south: the area south of the island of Syderø bounded at its northern end by the broken blue line on a bearing of 253 degrees (True) from Akraberg lighthouse, and on the east by the similar line on a bearing of 146 degrees (True) from the same lighthouse - annually from the 1st of October to the 31st of May;

(c) on the north: the area bounded on the west by the broken blue line forming the meridian of longitude 7 degrees west of Greenwich, and on the east by the broken blue line drawn due north of the northern point of Nordberg on Fuglø - annually from the 15th of February to the 15th of April.

IV. The Danish Government shall accord to fishing vessels registered in the United Kingdom treatment no less favourable than that accorded to the fishing vessels of any other foreign country.

V. The map annexed hereto shall be an integral part of the present Agreement and shall be deemed to be definitive as regards the lines and areas mentioned in paragraphs I, II and III.

VI. The Governments of Denmark and the United Kingdom shall arrange for experts to report each year what, if any, measures additional to those currently in force may be necessary for the conservation of the stocks of fish around the Faroe Islands and the two Governments shall consider together any recommendations for such measures that may be made by the experts.

VII. Nothing in the present Agreement shall be deemed to prejudice the views held by either Government as to the delimitation and limits in international law of territorial waters or of exclusive jurisdiction in fishery matters.

VIII. (a) The present Agreement shall enter into force on this day's date and shall, subject to the provisions of sub-paragraph (b) of this paragraph, remain in force until the entry into force of a general Convention regulating the breadth of the territorial sea and fishery limits.

(b) If by the 27th of October, 1961, a Convention as mentioned in sub-paragraph (a) of this paragraph has not entered into force, the Governments of Denmark and the United Kingdom shall consider whether any modifications should be made to the present Agreement and, subject to such modifications as may be

agreed, the present Agreement shall continue in force provided that at any time after the 27th of April, 1962, either Government may give to the other Government notice in writing terminating the Agreement which notice shall take effect one year after the date on which such notice is given.

2. If the proposals contained in this Note are acceptable to the Government of the United Kingdom I suggest that this Note, and your reply to that effect, should be regarded as constituting an Agreement between our two Governments replacing the provisions regarding fishery limits around the Faroe Islands set out in the Notes exchanged between our two Governments on the 22nd of April, 1955, and modifying, accordingly, the Convention of the 24th of June, 1901, as modified by the Notes exchanged between our two Governments on the 23rd of July, 1954, and the 22nd of April, 1955.

I avail myself ... etc.

J.O. Krag

His Excellency
Sir Roderick Barclay,
Her Britannic Majesty's
Ambassador,
Copenhagen

2. The British Note:

BRITISH EMBASSY
Copenhagen

27th April 1959

Monsieur le Ministre,

I have the honour to acknowledge receipt of your Note of today's date which reads as follows:

.....^{1/}

I have the honour to inform you that the foregoing proposals are acceptable to the Government of the United Kingdom and that they will regard your Note and this reply as constituting an Agreement between our two Governments, replacing

^{1/} For the text of Danish Note see above.

provisions regarding the fishery limits around the Faroe Islands set out in the Notes exchanged between our two Governments on the 22nd of April, 1955, and modifying, accordingly, the Convention of the 24th of June, 1901, as modified by the Notes exchanged between our two Governments on the 23rd of July, 1954 and the 22nd of April, 1955.

I have the honour ... etc.

Roderick E. Barclay

His Excellency

Hr. Udenrigsminister

J.O. Krag,

Copenhagen

The map forming part of the exchange of notes has been reproduced in a simplified form as an annex to the present Notice.^{1/}

Ministry of Foreign Affairs, 2 June 1959

J.O. Krag

^{1/} Annex not reproduced.

INDIA

(a) PRESIDENTIAL PROCLAMATION OF 29 NOVEMBER 1956^{1/}

Whereas the coastal communities of India have from time immemorial been engaged in fishing activities in the high seas adjacent to its territorial waters;

And whereas certain areas of these high seas provide fisheries which contribute to the food and means of livelihood of large sections of the population and, consequently, India has a special interest in maintaining the productivity of the living resources in all such areas;

Now, therefore, I, Rajendra Prasad, President of India, do hereby proclaim and declare in the seventh year of the Republic as follows:

The Government of India may from time to time:

- (i) establish, in accordance with laws enacted for the purpose, conservation zones in areas of the high seas adjacent to the territorial waters of India, but within a distance of one hundred nautical miles from the outer limits of those waters;
- (ii) take conservation measures in the zones so established in order to protect fisheries and other living resources of the sea from indiscriminate exploitation, depletion or destruction; and
- (iii) subject to the provisions of any international agreement or convention to which India is, or may hereafter become, a party, regulate all fishing activities in the said areas of the high seas in order to enforce the laws and regulations that may be issued from time to time for the purposes aforesaid.

^{1/} The Gazette of India, Extraordinary, No. 361, 29 November 1956.

(b) PRESIDENTIAL PROCLAMATION OF 3 DECEMBER 1956^{1/}

Whereas International Law recognizes that on the high seas adjacent to its territorial waters, a coastal State may exercise the control necessary to prevent and punish the infringement within its territory or territorial waters, of its customs, fiscal, immigration and sanitary regulations;

I, Rajendra Prasad, President of India, in the Seventh Year of the Republic, do hereby proclaim that in relation to India or any part thereof such control may be exercised up to a distance of twelve nautical miles from the base line from which the width of the territorial waters is measured.

^{1/} The Gazette of India, Extraordinary, No. 375, 3 December 1956.

IRAN

ACT DATED 22 FARVARDIN 1338 (Corresponding to 12 April 1959)^{1/}
AMENDING ACT RELATING TO THE BREADTH OF THE TERRITORIAL SEA
AND CONTIGUOUS ZONE OF IRAN DATED 24 TIR 1313 (Corresponding
to 19 July 1934) ^{2/}

1. The sovereignty of Iran extends beyond its land territory and its internal waters to a belt of the sea adjacent to its coast, described as the territorial sea.
2. This right of sovereignty extends to the air space over the territorial sea as well as to its bed and subsoil.
3. The breadth of the Iranian territorial sea is twelve maritime miles measuring from its baseline. The baseline will be determined by the Iranian Government in accordance with the established rules of International Law. A maritime mile is equal to 1,852 meters.
4. Where Iranian coasts are adjacent or opposite to the coast of another State, in the absence of agreement to the contrary, the boundary of the Iranian territorial sea and that State is the median line, every point of which is equidistant from the nearest points on the baseline of the other State.
5. Every island belonging to Iran, whether it is within or beyond the Iranian territorial sea, has its own territorial sea according to this law. Islands separated from each other by the distance of less than twelve maritime miles are considered as one single island and the baseline of its territorial sea measures from the islands which are farthest from the centre of the archipelago.
6. The waters between the Iranian coast and the baseline, as well as the waters between islands belonging to Iran, whose distance from each other does not exceed twelve maritime miles, are considered as internal water of the country.

^{1/} English translation provided by the Permanent Mission of Iran to the United Nations.

^{2/} For the text of the Act of 19 July 1934 see the United Nations Legislative Series, Laws and Regulations on the Regime of the Territorial Sea, ST/LEG/SER.B/6, p. 24.

7. The fishing rights and other rights of Iran beyond its territorial sea remain intact.

8. Articles contained in the Act of 24 Tir 1313 (Corresponding to 19 July 1934) and articles contained in any other acts which are incompatible with the present Act, are null and void.

.....

IRELAND

(a) MARITIME JURISDICTION ACT NO. 22 OF 1959

AN ACT TO MAKE PROVISION IN RESPECT OF THE TERRITORIAL SEAS AND THE EXCLUSIVE FISHERY LIMITS OF THE STATE, AND TO PROVIDE FOR THE CONSERVATION OF THE LIVING RESOURCES OF THE SEA AND FOR OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID [29 July 1959]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Interpretation

1. - In this Act -

"exclusive fishery limits" has the meaning given to it by or under section 6;

"fishery conservation area" has the meaning given to it by section 7;

"foreign ship" means a ship which is not a ship of the Naval Service of the Defence Forces or an Irish ship as defined by section 9 of the Mercantile Marine Act, 1955;

1955, No. 29

"internal waters" has the meaning given to it by section 5;

"island" means a naturally formed area of land surrounded by water which is above water at high water;

"low-tide elevation" means a naturally formed area of land which is surrounded by and above water at low water but submerged at high water;

"nautical mile" means the length of one minute of an arc of a meridian of longitude;

"ship" includes every description of vessel used in navigation whether on or under the surface of the water, howsoever propelled, and also includes a seaplane while it is in contact with the water.

2. - For the purposes of this Act, the territorial seas of the State shall be that portion of the sea which lies between the baseline and the outer limit of the territorial seas.

The territorial seas.

3. - For the purposes of this Act, the outer limit of the territorial seas is the line every point of which is at a distance of three nautical miles from the nearest point of the baseline.

Interpretation
Outer limit of
the territorial
seas.

4. - (1) Save as otherwise provided, the baseline is low-water mark -

The baseline.

(a) on the coast of the mainland or of any island, or

(b) on any low-tide elevation situated wholly or partly at a distance not exceeding three nautical miles from the mainland or an island.

(2) The Government may by order prescribe straight base-lines in relation to any part of the national territory and the closing line of any bay or mouth of a river, and any line so prescribed shall be taken as the baseline.

(3) The Government may by order revoke or amend an order under subsection (2).

5. - The internal or inland waters of the State shall extend to all sea areas which lie on the landward side of the baseline of the territorial seas and all such sea areas shall be subject to the jurisdiction of the State to the same extent in all respects as its ports and harbours, bays, lakes and rivers, subject to any right of innocent passage for foreign ships in those sea areas which previously had been considered as part of the territorial seas or of the high seas.

Internal waters.

6. - (1) For the purposes of Part XIII of the Fisheries (Consolidation) Act, 1959, the exclusive fishery limits of the State shall comprise all sea areas which lie within the outer limit of the territorial seas.

The exclusive
fishery limits
of the State.

1959, No. 14

Interpretation

(2) The Government may by order provide that the exclusive fishery limits shall include a wider area of sea than that to which subsection (1) applies, and may by order revoke any such order.

(3) An area of sea defined by an order under subsection (2) shall, so long as the order is in force, form part of the exclusive fishery limits for the purposes of Part XIII of the Fisheries (Consolidation) Act, 1959.

(4) Where the Government propose to make an order under subsection (2), a draft of the order shall be laid before each House of the Oireachtas and the order shall not be made unless a resolution approving of the terms of the draft shall have been passed by each House.

(5) Whenever, in any international agreement to which the State is a party, the exclusive fishery limits are so described as to include any wider area of sea than that comprised therein by virtue of subsection (1) or (2); the Government may by order provide that the expression shall, as respects the citizens and ships of any other party to the agreement, include that area, and the order shall have the force of law in accordance with its terms. The Government may by order revoke any such order.

7. - (1) Where the Government, having regard to any international agreement to which the State is a party, are satisfied that it is necessary so to do in order to maintain the productivity of the living resources of the sea, they may by order prescribe and adopt such measures of conservation as they think proper, appropriate to any stock of fish or other marine resources in any area (in this Act called "a fishery conservation area") of the high seas adjacent to the exclusive fishery limits, and may by order revoke or amend any such order.

Conservation of
the living
resources of the
sea.

Interpretation

(2) Every person who contravenes or attempts to contravene any provision of an order under this section shall be guilty of an offence and shall on summary conviction be liable to the penalties provided by section 223 of the Fisheries (Consolidation) Act, 1959, for an offence under that section, and the provisions of that section and of Chapter IV of Part XIII of that Act shall apply to any such offence as if, for references therein to an offence under that Part, there were substituted references to an offence under this section. 1959, No. 14.

(3) A sea fisheries protection officer shall, for the purpose of enforcing an order under this section, have in relation to any sea-fishing boat and the owner, master or crew thereof the like powers as are conferred upon a sea fisheries protection officer by subsection (1) of section 233 of the Fisheries (Consolidation) Act, 1959, and the provisions of that section and of section 234 of that Act shall apply accordingly.

(4) In this section, "sea fisheries protection officer", "sea-fishing boat" and "master" have the same meanings as in Part XIII of the Fisheries (Consolidation) Act, 1959.

8. - (1) Whenever the Minister for Lands so thinks proper, for experimental purposes in connexion with sea-fishing, the Minister may issue a permit authorizing fishing by means of a specified foreign sea-fishing boat (as defined by section 219 of the Fisheries (Consolidation) Act, 1959) within the exclusive fishery limits of the State or any defined area or areas thereof. Fishery permits. 1959, No. 14.

Interpretation

(2) A permit shall be subject to such conditions as the Minister, at his discretion, shall specify, including, without prejudice to the generality of the foregoing, conditions as to the kind of fish to be taken, the disposal of the catch, the method of fishing to be employed, the times of fishing, and the information to be furnished in respect of the movements and operations of the boat.

(3) The Minister may at any time modify the conditions of a permit and impose new conditions, and may revoke the permit.

(4) Fishing under and in accordance with the conditions for the time being attached to a permit in force under this section shall not be a contravention of the prohibition on fishing by means of a foreign sea-fishing boat imposed by subsection (1) of section 222 of the Fisheries (Consolidation) Act, 1959.

9. - For the purpose of giving jurisdiction under this Act, every offence shall be deemed to have been committed and every cause of complaint to have arisen either where it actually was committed or arose or wherever the offender or person complained against may be.

Place of
commission of
offence.

10. - (1) Every offence committed within the territorial seas or internal waters is an offence within the jurisdiction of the State and may be dealt with by a court of competent jurisdiction although committed on board or by means of a foreign ship and a person who commits such offence may be arrested, tried and punished accordingly.

Jurisdiction in
case of offences.

Interpretation

(2) For the purpose of arresting any person charged with an offence declared by this section to be within the jurisdiction of the State, the territorial seas and internal waters shall be deemed to be within the jurisdiction of any court, judge, justice or peace commissioner having power within the State to issue warrants for the arrest of persons charged with offences committed within the jurisdiction of such court, judge, justice or peace commissioner.

11. - (1) Proceedings (other than the taking of depositions) for the prosecution of an alien for an offence alleged to have been committed in the territorial seas on board or by means of a foreign ship shall not be instituted without the certificate of the Minister for External Affairs that the institution of the proceedings is in his opinion expedient.

Prosecution of alien for offence on foreign ship.

(2) This section does not apply to an offence against Part XIII of the Fisheries (Consolidation) Act, 1959, or an offence under section 7.

1959, No. 14.

12. - Nothing in this Act shall be construed to be in derogation of any jurisdiction of the State under international law or to affect or prejudice any jurisdiction conferred by any other enactment or now by law existing.

Saving as to jurisdiction.

13. - The Government may by order prescribe the charts which may be used for the purpose of establishing low-water mark, or the existence and position of any low-tide elevation, or any other matter in reference to the internal waters, the territorial seas, the exclusive fishery limits or a fishery conservation area, and any chart purporting to be a copy of a

Evidence as to extent of internal waters, territorial seas, exclusive fishery limits and fishery conservation areas.

Interpretation

chart of a kind or description so prescribed shall, unless the contrary is proved, be received in evidence as being a prescribed chart without further proof.

14. - (1) References in any enactment to sea areas and waters within three miles or one league of the coast or shore and cognate expressions shall be construed as references to sea areas and waters lying within the outer limit of the territorial seas.

Adaptation of enactments.

(2) For the purposes of any other enactment the territorial seas shall be taken to comprise the sea area to which section 2 applies.

15. - Every order made by the Government under section 4, subsection (5) of section 6 or section 7 shall be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution annulling the order is passed by either House within the next twenty-one days on which that House has sat after the order has been laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

Laying of orders before Houses of the Oireachtas.

16. - All expenses incurred in carrying this Act into execution shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Expenses.

17. - The enactments mentioned in the second column of the Schedule are hereby repealed to the extent specified in the third column.

Repeals.

18. - (1) This Act may be cited as the Maritime Jurisdiction Act, 1959.

Short title and commencement.

(2) This Act shall come into operation on the 1st day of October, 1959.

SCHEDULE

Section 17

Enactments Repealed

| Session and Chapter or Number and Year | Short Title | Extent of Repeal |
|--|--|--|
| 6 and 7 Vic., c.79 | Sea Fisheries Act, 1843 | The whole Act (in so far as it is or ever was in force in the State) |
| 31 and 32 Vic., c.45 | Sea Fisheries Act, 1868 | The whole Act (in so far as it is or ever was in force in the State) |
| 41 and 42 Vic., c.73 | Territorial Waters Jurisdiction Act, 1878 | The whole Act (in so far as it is or ever was in force in the State) |
| 46 and 47 Vic., c.22 | Sea Fisheries Act, 1883 | The whole Act (in so far as it is or ever was in force in the State) |
| 56 Vic., c.17 | North Sea Fisheries Act, 1893 | The whole Act (in so far as it is or ever was in force in the State) |
| No. 28 of 1959 | Fisheries (Consolidation) Act, 1959 | In section 219, the definition of "the exclusive fishery limits of the State". |

(b) MARITIME JURISDICTION ACT, 1959 (STRAIGHT
BASELINES) ORDER, 1959 (S.I. No. 173 of 1959)

The Government, in exercise of the power conferred on them by subsection (2) of section 4 of the Maritime Jurisdiction Act, 1959 (No. 22 of 1959), hereby order as follows:

1. This Order may be cited as the Maritime Jurisdiction Act, 1959 (Straight Baselines) Order, 1959.
2. This Order shall come into operation on the 1st day of January, 1960.
3. Straight lines joining in succession the points the co-ordinates of which are given in a particular Part of the Schedule shall be straight baselines for the purposes of the Maritime Jurisdiction Act, 1959.

SCHEDULE

TERMINAL POINTS OF STRAIGHT BASELINES

| Reference Number | Co-ordinates of Points | | Location |
|------------------|------------------------|----------------|--|
| | North Latitude | West Longitude | |
| Part A | | | |
| 1. | 55° 22.6' | 7° 24.2' | Scart Rocks, Malin Head |
| 2. | 55° 15.4' | 7° 47.1' | Melmore Head |
| 3. | 55° 13.7' | 7° 58.9' | Horn Head |
| 4. | 55° 12.4' | 8° 09.5' | Inishbeg |
| 5. | 55° 09.6' | 8° 17.0' | Bloody Foreland |
| 6. | 55° 04.5' | 8° 28.9' | Stag Rocks |
| 7. | 55° 00.8' | 8° 33.8' | Rinrawros Point, Aran Island |
| 8. | 54° 42.0' | 8° 48.2' | Malinmore Head |
| Part B | | | |
| 9. | 54° 39.6' | 8° 47.3' | West entrance to Malinbeg Bay |
| 10. | 54° 17.8' | 9° 03.3' | Lenadoon Point |
| 11. | 54° 19.7' | 9° 20.5' | Downpatrick Head |
| Part C | | | |
| 12. | 54° 19.8' | 9° 51.9' | Kid Island, Broadhaven |
| 13. | 54° 18.6' | 9° 59.9' | Rocky Island, Erris Head |
| 14. | 54° 16.9' | 10° 05.6' | Eagle Island |
| 15. | 54° 03.7' | 10° 21.0' | Blacksod Bay (Rocks to S.W. of Black Rock) |
| 16. | 53° 58.3' | 10° 16.5' | Carrickakin, Achill Island |
| 17. | 53° 36.3' | 10° 19.2' | Kimmeen Rocks, Inishark |
| 18. | 53° 24.0' | 10° 14.5' | Slyne Head |
| 19. | 53° 08.8' | 9° 51.6' | Eeragh Island, Aran Islands |
| 20. | 53° 08.4' | 9° 50.9' | South Island, Aran Islands |

SCHEDULE

TERMINAL POINTS OF STRAIGHT BASELINES (continued)

| Reference Number | Co-ordinates of Points | | West Longitude | Location | |
|------------------|------------------------|-------|----------------|----------|-------------------------------------|
| | North Latitude | | | | |
| Part D | | | | | |
| 21. | 53° | 05.2' | 9° | 38.5' | S.E. corner Inishmore, Aran Islands |
| 22. | 53° | 03.9' | 9° | 37.0' | Inishmaan, Aran Islands |
| 23. | 53° | 02.8' | 9° | 33.3' | Inisheer, Aran Islands |
| 24. | 52° | 56.4' | 9° | 28.5' | Cregga More |
| 25. | 52° | 43.8' | 9° | 38.2' | Donegal Point |
| Part E | | | | | |
| 26. | 52° | 33.6' | 9° | 56.3' | Loop Head |
| 27. | 52° | 25.2' | 9° | 56.8' | Kerry Head |
| 28. | 52° | 17.6' | 10° | 10.4' | Deelick Point |
| Part F | | | | | |
| 29. | 52° | 10.9' | 10° | 28.4' | Sybil Point |
| 30. | 52° | 08.3' | 10° | 34.5' | Inishtooskert, Blasket Islands |
| 31. | 52° | 07.7' | 10° | 35.7' | Carrigduff, Blasket Islands |
| 32. | 52° | 04.6' | 10° | 41.0' | Tearaght Rocks West, Inistearaght |
| 33. | 52° | 01.3' | 10° | 41.3' | Great Foze Rock |
| 34. | 51° | 45.8' | 10° | 32.7' | Washerwoman Rock, Great Skellig |
| 35. | 51° | 35.5' | 10° | 18.5' | Gull Roek, Dursey Island |
| 36. | 51° | 34.2' | 10° | 14.8' | Calf Rock, Dursey Island |
| 37. | 51° | 26.9' | 9° | 49.2' | Mizen Head |
| 38. | 51° | 25.2' | 9° | 30.8' | Bream Point, Cape Clear |
| 39. | 51° | 28.0' | 9° | 13.4' | The Stags, Toe Head |

SCHEDULE
TERMINAL POINTS OF STRAIGHT BASELINES (continued)

| Reference Number | Co-ordinates of Points | | | | Location |
|------------------|------------------------|----------|------|-----------|--|
| | North | Latitude | West | Longitude | |
| 40. | 51° | 31.8' | 8° | 57.2' | Galley Head |
| 41. | 51° | 34.2' | 8° | 42.7' | Seven Heads |
| 42. | 51° | 36.3' | 8° | 32.0' | Old Head of Kinsale |
| 43. | 51° | 49.5' | 7° | 59.0' | Ballycotton Island |
| 44. | 51° | 52.9' | 7° | 51.2' | Capel Island, Knockadoon Head |
| 45. | 51° | 56.5' | 7° | 42.4' | Ram Head |
| 46. | 51° | 59.6' | 7° | 34.6' | The Rogue, Mine Head |
| 47. | 52° | 07.4' | 6° | 55.7' | Hook Head |
| 48. | 52° | 06.5' | 6° | 37.4' | Great Saltee Island (Southermost Point) |
| 49. | 52° | 09.2' | 6° | 24.6' | Black Rock, Carnsore |
| 50. | 52° | 10.3' | 6° | 21.8' | Carnsore Point |

GIVEN under the Official Seal of
the Government, this 20th day of
October, 1959.

SEAN F. LEMASS
Taoiseach.

L.S.

EXPLANATORY NOTE

This note is not part of the Instrument and does not purport to be a legal interpretation.

The Order prescribes straight baselines from which the territorial seas are to be measured in relation to certain parts of the national territory.

A map showing the prescribed straight baselines is annexed.^{1/}

^{1/} Annex not reproduced.

JAPAN

REGULATION CONCERNING CRIMINAL INVESTIGATION (REGULATION NO.2,
NATIONAL PUBLIC SAFETY COMMISSION, 1 JULY 1957) 1/

Article 228. Investigation shall be conducted in regard to crimes committed on board foreign vessels in the territorial waters of Japan in cases falling under any one of the following items:

1. Crimes disturbing the peace and order of the land and in ports of Japan;
2. Crimes having connexion with anyone other than the crews, or those having connexion with Japanese in nationality;
3. Grave crimes.

1/ English text provided by the Permanent Representative of Japan to the United Nations.

NORWAY

ROYAL DECREE OF 22 FEBRUARY 1812

Chancellery Memorandum: On the 22nd day of this month His Majesty was pleased to resolve as follows: "It is Our will to lay down as a rule that in all cases where the question arises of fixing the limit of Our Territorial Sovereignty into the sea, it shall be reckoned until the distance of the ordinary sea league^{1/} from the outermost island or islet which is not swept over by the sea."^{2/}

1/ "The ordinary sea league is the old Scandinavian sea league, which corresponds to four nautical miles." (Information provided by the Permanent Mission of Norway to the United Nations)

2/ This is a corrected English translation provided by the Permanent Mission of Norway to the United Nations. It therefore replaces the translation appearing in the United Nations Legislative Series, Laws and Regulations on the Regime of the Territorial Sea (ST/LEG/SER.B/6), p. 35.

PANAMA

ACT NO. 58 OF 18 DECEMBER 1958 WHEREBY THE REPUBLIC
OF PANAMA EXTENDS ITS TERRITORIAL SEA TO A BREADTH
OF TWELVE MILES 1/

THE NATIONAL ASSEMBLY OF PANAMA,

CONSIDERING:

That the three-mile rule for the breadth of the territorial sea has never been unanimously accepted;

That the great majority of the coastal States of the world, "taking into account geographical, geological and biological factors, as well as the economic needs of their population, and their security and defence", have now extended the breadth of their territorial sea beyond three miles;

That at the latest international meetings on the subject it has been clearly established that international law recognizes that a coastal State may at its discretion fix the breadth of its territorial sea up to a limit of twelve miles, and that several nations have exercised their discretion in this respect;

That it is of the greatest importance to the Republic to extend its sovereign rights over a twelve-mile zone of territorial sea;

That the said breadth was recommended by the Panamanian delegation which participated in the deliberations of the Geneva Conference and whose report is reproduced in the 1958 Memorandum of the Ministry of Foreign Affairs,

HEREBY DECREES AS FOLLOWS:

ARTICLE 1. The Republic of Panama extends its sovereignty, beyond its continental and insular territory and its inland waters, to a zone of territorial sea twelve nautical miles in width, the bed and subsoil of the said zone and the superjacent air space.

1/ Translation by the Secretariat of the United Nations.

ARTICLE 2. The Executive Organ shall make regulations pursuant to this Act in accordance with:

- (a) the National Constitution;
- (b) the Conventions adopted by the United Nations Conference on the Law of the Sea, held at Geneva in 1958;
- (c) the international treaties in force, and
- (d) the rights enjoyed by Panama over its historic waters.

ARTICLE 3. This Act shall repeal or amend only such provisions in force as are incompatible with the provisions of the foregoing articles.

ARTICLE 4. This Act shall enter into force upon its promulgation.

Done at Panama City, this fifteenth day of December, one thousand nine hundred and fifty-eight.

UNION OF SOVIET SOCIALIST REPUBLICS

LAW OF 10 DECEMBER 1909 ON THE EXTENSION OF THE
MARITIME CUSTOMS ZONE 1/

Article 4 of the annex to article 2 of the Customs Code (Vol. VI of the Collected Codes, published in 1904) should read as follows:

"The waters extending twelve nautical miles from the low-water line along the coasts of the Russian State, including both mainland and islands, are recognized as the maritime customs zone, within the limits of which all vessels, whether Russian or foreign, shall be subject to inspection by the Russian authorities responsible for guarding the frontiers of the State."

1/ "Collection of Statutes and Regulations of the Russian Empire", 1910, 1 January, No. 2, Section 1, Article 8. Translation by the Secretariat of the United Nations.

VENEZUELA

ACT OF 27 JULY 1956 CONCERNING THE TERRITORIAL SEA, CONTINENTAL
SHELF, FISHERY PROTECTION AND AIR SPACE 1/

TITLE I

Territorial sea and contiguous zone

Article 1. The territorial sea of the Republic of Venezuela shall extend along the continental and island coasts of the Republic to a breadth of 22.224 kilometres, being the equivalent of twelve nautical miles, measured from the baselines referred to in article 2 of this Act.

National sovereignty over the territorial sea shall extend to the waters, the sea-bed and the subsoil and to all resources in the waters, the sea-bed and the subsoil.

In the event that the limit established by this article coincides with the territorial sea of another State, the matter shall be resolved by means of agreements or other methods recognized by international law.

Article 2. The breadth of the territorial sea shall normally be measured from the low-water line. Where circumstances necessitate a special regime because of the configuration of the coast or the existence of islands in the immediate vicinity of the coast or because of interests peculiar to a particular area, the measurement shall be made from straight baselines.

The waters included within the straight baselines shall be internal waters and form part of the national territory.

The National Executive shall establish the straight baselines, which shall be shown in the official geographical maps.

1/ Reproduced from: Boletín del Instituto de Derecho Comparado de México, Año IX, No. 27, 1956, p. 187. Published in the Gaceta Oficial, No. 496 of 17 August 1956. Translation by the Secretariat of the United Nations.

UNION DES REPUBLIQUES SOCIALISTES SOVIETIQUES

LOI DU 10 DECEMBRE 1909 SUR L'ETENDUE DE LA ZONE DOUANIÈRE MARITIME^{1/}

A l'article 4 de l'annexe à l'article 2 du Code douanier (vol. VI du Recueil de codes, publié en 1904), il faut lire :

"Les eaux s'étendant jusqu'à douze milles marins de la laisse de basse mer longeant les côtes de l'Etat russe, qu'il s'agisse du territoire continental ou des îles, sont considérées comme zone douanière maritime, dans les limites de laquelle tous bâtiments, qu'ils soient russes ou étrangers, sont soumis à l'inspection des autorités russes chargées de garder les frontières de l'Etat."

^{1/} Recueil de lois et règlements de l'Empire russe, 1910, 1er janvier, No 2, Section 1, article 8. Traduction établie par le Secrétariat de l'Organisation des Nations Unies.

VENEZUELA

LOI DU 27 JUILLET 1956 CONCERNANT LA MER TERRITORIALE, LE PLATEAU
CONTINENTAL, LA PROTECTION DE LA PECHE ET L'ESPACE AERIEN 1/

TITRE PREMIER

De la mer territoriale et de la zone contiguë

Article premier. La mer territoriale de la République du Venezuela s'étend le long des côtes du territoire continental et insulaire de la République sur une largeur de 22,224 kilomètres, soit l'équivalent de douze milles marins, mesurée à partir des lignes de base dont il est question à l'article 2 de la présente Loi.

La souveraineté nationale sur la mer territoriale s'étend aux eaux, au lit et au sous-sol, ainsi qu'à toutes les ressources qui s'y trouvent.

Au cas où la limite établie par le présent article coïnciderait avec la mer territoriale d'un autre Etat, la question serait tranchée par voie d'accords ou par d'autres moyens reconnus par le droit international.

Article 2. La largeur de la mer territoriale se mesure ordinairement à partir de la laisse de basse mer. Si les circonstances rendent nécessaire un régime spécial en raison de la configuration de la côte, de l'existence d'îles situées à proximité immédiate de celle-ci, ou si des intérêts propres à une région donnée le justifient, cette largeur se mesure à partir de lignes de base droites.

Les eaux situées en-deçà des lignes de base droites sont des eaux intérieures qui font partie du territoire national.

L'Exécutif national détermine le tracé des lignes de base droites, qui figureront sur les cartes géographiques officielles.

Article 3. Pour les besoins de la surveillance et de la police maritimes, de la sécurité nationale et de la sauvegarde des intérêts nationaux, il est établi une zone de 5,556 kilomètres, soit l'équivalent de trois milles marins, contiguë à la mer territoriale.

1/ Extrait de : Boletín del Instituto de Derecho Comparado de México, Año IX, No 27, 1956, p. 187. Loi publiée dans la Gaceta Oficial, No 496 du 17 août 1956. Traduction établie par le Secrétariat de l'Organisation des Nations Unies.