

7. Bulgaria

(a) PENAL CODE, 2 FEBRUARY 1896, AS AMENDED. "SBORNIK NA DEISTVUVASHITITE SÜDEBNI ZAKONI" (1948), PP. 9-11. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS.

Article 3. Any crime or offence committed within the frontiers of the Bulgarian State shall be punished in accordance with this Code, except in the following cases:

1. When the offence is committed by an alien enjoying extra-territorial rights under international law;

2. When a person committing an offence is prosecuted and punished in accordance with the provisions of a law applying specially to him.

Article 4. Bulgarian nationals and aliens shall be prosecuted and punished according to this Code if they commit the following crimes outside the State: treason (*izmiana*), high treason (*predatelstvo*), espionage, or forgery of bank notes (volume II, part I, chapters I, II and VIII) issued by the Bulgarian State Treasury, and the same applies to a public officer of the Bulgarian State who commits an act constituting an official offence under this Code.

In such cases Bulgarian nationals or aliens shall be prosecuted and punished as they would have been in the country where the crime was committed; sentences already served shall be taken into account in awarding a new sentence in accordance with the procedure described in article 61.

Article 5. With the exception of the cases mentioned in article 4, the penalties referred to in this Code shall also apply to any Bulgarian national who commits outside the State any of the crimes referred to in this Code.

Article 6. The provisions of article 5 shall also apply to any alien who commits one of the crimes for which under this Code the least penalty is imprisonment, where an application for his extradition made by the foreign authorities is not accepted and the Ministry of Justice has instituted penal proceedings against him.

Article 7. The provisions of articles 5 and 6 shall not apply:

1. If the crime is not an offence known to the law of the foreign country;

2. If a final judgment of a foreign court has resulted in acquittal or pardon, or the sentence has been served;

3. If criminal proceedings or the enforcement of a sentence have been stayed in accordance with the law of a foreign State, or

4. If a request by the aggrieved person for prosecution for the act is required by the law of the foreign State and is not forthcoming.

Note: The provisions of article 7, paragraph 1, shall not apply to Bulgarian nationals committing the crimes governed by volume II, part I, chapters XIII and XIV, article 216.

Article 8. In the cases referred to in articles 5 and 6 the penalties shall be mitigated in accordance with article 61 if the law of the country

where the crime was committed prescribes a lesser penalty than does this Code.

Article 9. In the cases referred to in articles 5 and 6 any part of the sentence which has been served outside the State shall be taken into account in the award of the penalty by the Bulgarian Court. Moreover, if the foreign court has imposed a penalty of a kind not prescribed by this Code, such penalty shall be replaced by the penalty in this Code corresponding most closely thereto.

Article 10. If a Bulgarian national commits outside the State an act which under this Code entails deprivation of certain rights, an application for an additional penalty shall give rise to criminal proceedings even if the sentence has been served outside the State or a pardon has been granted by the competent foreign authority.

Article 11. No Bulgarian national shall be delivered to another State for prosecution or punishment.

Aliens shall not be handed over for political offences.

Article 12. Foreign sentences shall not be enforceable in the territory of the Bulgarian State.

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8. Canada

(a) SHIPPING ACT, AS REVISED TO 1927. "REVISED STATUTES OF CANADA", 1927, VOL. IV, PP. 3783-3786.

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Section 757. A shipping casualty shall be deemed to occur:

(a) Whenever any ship is lost, abandoned, stranded or damaged in any of the inland waters of Canada or on or near the coasts of Canada, or on a voyage to a port in Canada;

(b) Whenever any ship causes loss or damage to any other ship in, on or near such inland waters or coasts;

(c) Whenever, by reason of any casualty happening to or on board any ship in, on or near such inland waters or coasts, loss of life ensues;

(d) Whenever any such loss, abandonment, stranding, damage or casualty happens elsewhere, and any competent witness thereof arrives or is found at any place in Canada;

(e) When any loss of life occurs by reason of any casualty happening to or on board any boat belonging to a fishing vessel or other vessel registered in Canada;

(f) When any British ship is lost or supposed to have been lost, and any evidence is obtainable in Canada as to the circumstances under which she proceeded to sea or was last heard of.

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Section 762. The Minister may appoint any officer of the Government of Canada, or any judge of any court of record, or any local judge in admiralty of the Exchequer Court of Canada, or any stipendiary or police magistrate, to be a commissioner to hold formal investigations,