

(2) If any distinctive national colours, except such red ensign or except the Union Jack with a white border, or if any colours usually worn by Her Majesty's ships or resembling those of Her Majesty, or if the pendant usually carried by Her Majesty's ships or any pendant resembling that pendant, are or is hoisted on board any ship or boat registered in Canada or belonging to any British subject resident in Canada without warrant from Her Majesty or under the aforesaid regulations, the master of the ship or boat, or the owner thereof, if on board the same, and every other person hoisting the colours or pendant, are for each offence liable to a fine not exceeding twenty-five hundred dollars.

(3) Any commissioned officer on full pay in the naval, army or air service of Canada or in the naval, army or air service of Her Majesty or any officer of Customs in Her Majesty's dominions, or any consular officer, may board any ship or boat registered in Canada or owned by any resident of Canada on which any colours or pendant are hoisted contrary to this Act, and seize and take away the colours or pendant, and the colours or pendant shall be forfeited to Her Majesty.

(4) A fine under this section may be recovered with costs in the Admiralty Court.

(5) Any offence mentioned in this section may also be prosecuted, and the fine for it recovered, summarily, but where any such offence is prosecuted summarily, the court imposing the fine shall not impose a higher fine than five hundred dollars.

(6) Nothing in this section authorizes the imposition of more than one fine in respect of the same offence. 1934, c. 44, s. 89; 1950, c. 26, s. 2.

92. (1) A Canadian ship or a ship belonging to a British subject resident in Canada shall hoist the proper national colours

(a) On a signal being made to her by one of Her Majesty's ships or any ship in the service of and belonging to the Government of Canada,

(b) On entering or leaving any foreign port, and

(c) If of fifty tons gross tonnage or upwards, on entering or leaving any British port.

(2) If default is made on board any such ship in complying with this section the master of the ship is for each offence liable to a fine not exceeding five hundred dollars. 1934, c. 44, s. 90; 1950, c. 26, s. 2.

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8. Ceylon

MERCHANT SHIPPING ACT, 1894.¹

9. Chile

(a) COMMERCIAL CODE, 23 NOVEMBER 1865.²

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Article 827. A ship shall not be classed as a Chilean ship unless it has been registered in accordance with the provisions of the Shipping Act.

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¹ See *infra* under United Kingdom.

² *Códigos de la República de Chile*, vol. III (1945), p. 187. Translation by the Secretariat of the United Nations.