

14. Czechoslovakia

(a) SHIPPING ACT OF 29 OCTOBER 1952.¹

Article 5. Application of Act. (1) The provisions of this Act shall apply to ships wearing the Czechoslovak flag.

CHAPTER II. SEA-GOING SHIPS

Section 1. Right to wear Czechoslovak flag

Article 6. Czechoslovak seagoing ships. (1) A Czechoslovak sea-going ship is a ship entitled to wear the Czechoslovak flag and registered in the Czechoslovak shipping register, or a ship for which a provisional pass has been issued (article 8).

(2) The right to wear the Czechoslovak flag may be granted only to ships owned or operated by—

- (a) The Czechoslovak State,
- (b) A Czechoslovak body corporate, or
- (c) A Czechoslovak citizen.

Article 7. Ship's certificate. The right to wear the Czechoslovak flag shall be granted by the Ministry of Transport to each ship by a special permit (ship's certificate).

Article 8. Provisional pass. (1) A ship for which a provisional pass has been issued may wear the Czechoslovak flag pending the issue of a ship's certificate and registration in the Czechoslovak shipping register.

(2) In a case of urgency where the requirements of article 6 (2) are satisfied a provisional pass may be issued by a Czechoslovak consular agency.

(3) A provisional pass shall have effect for a period not exceeding one year.

Article 9. Withdrawal and forfeiture of right to wear Czechoslovak flag. (1) The right to wear the Czechoslovak flag shall expire if the requirements of article 6 (2) cease to be satisfied.

(2) The Ministry of Transport may at any time revoke the right to wear the Czechoslovak flag.

CHAPTER III. GENERAL PROVISIONS

Section 1. Ship's crew

Article 26. (1) A Czechoslovak citizen may be engaged as a member of the crew of a Czechoslovak ship to perform duties for which he is physically and mentally able and professionally qualified. The Ministry of Transport may make exceptions relating to the nationality of members of a ship's crew.

(2) The Ministry of Transport, in agreement with the competent Government departments and the federation of trade unions, shall make regulations governing—

¹ *Sbírka Zákonů*, 17 November 1952, No. 34, p. 278. Translation by the Secretariat of the United Nations.

- (a) The conditions on which citizens of other States may be engaged as members of the crew of a Czechoslovak sea-going ship during a voyage;
- (b) The conditions of engagement, dismissal and employment of members of a ship's crew;
- (c) The professional qualifications required of members of a ship's crew;
- (d) Service in Czechoslovak sea-going ships.

(b) ORDER OF 25 AUGUST 1953, MADE UNDER THE SHIPPING ACT OF
29 OCTOBER 1952.¹

Article 1. Preliminary provisions. Sea-going ships to which the Act applies (hereinafter referred to as "ships") means all vessels other than warships intended for and regularly employed in shipping for any purpose whatsoever.

Section 1. Right to wear Czechoslovak flag

Article 2. (1) The right to wear the Czechoslovak flag may not be granted to a ship registered in a foreign shipping register. The manager of a ship not previously registered in any shipping register shall be required to make a solemn declaration that he does not intend to have the ship registered in a foreign shipping register. If the ship has at any time been registered in such a register, evidence of cancellation of that registration must be produced.

(2) The right to wear the Czechoslovak flag may be granted to a ship owned jointly by Czechoslovak citizens and foreign nationals only if there is satisfactory evidence that the ship is to be employed for the purpose recited in article 1 of the Act.²

Article 3. (1) The term "Czechoslovak flag" means the Czechoslovak State flag.

(2) Czechoslovak ships shall wear the Czechoslovak flag on a flagstaff at the stern, or at the aftermost mast, or in any other usual manner. No other flag or signal of any kind may at any time be hoisted in the place reserved for the Czechoslovak flag.

Article 4. (1) The right to wear the Czechoslovak flag imports a duty to use the flag loyally and honourably, to hoist it wherever international law or custom so requires, and to observe that law and custom on the high seas, in coastal waters and in port.

(2) The right to wear the Czechoslovak flag shall be evidenced by a valid ship's certificate or by a temporary permit.

(3) The consulates of the Czechoslovak Republic established at seaports shall supervise the observance of these provisions.

Article 5. (1) An application for the issue of a ship's certificate shall be accompanied by an application for the registration of the ship in the Czechoslovak shipping register (hereinafter referred to as "the register"), unless the ship is exempt from registration therein.

¹ *Sbírka Zákonů*, 14 September 1953, No. 44, p. 311. Translation by the Secretariat of the United Nations.

² "The principal purpose of Czechoslovak shipping is to promote the planned development of the Czechoslovak economy and to raise the standard of living of the Czechoslovak people . . ."

Article 6. (1) A temporary permit may be issued only where a ship which otherwise satisfies the requirements for grant of the right to wear the Czechoslovak flag is unable for urgent reasons to await the issue of a ship's certificate.

(2) Application for the issue of a temporary permit or for the recording of a change in any particular entered therein shall be made to the consulate of the Czechoslovak Republic in whose area of jurisdiction the vessel has arrived or is to arrive.

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(4) If the ship receives a ship's certificate, or its right to wear the Czechoslovak flag expires or is revoked, or the temporary permit expires, the temporary permit shall be returned forthwith to the office which issued it.

Article 7. (1) The Ministry of Transport may revoke the right to wear the Czechoslovak flag for economic reasons or in the general public interest, or if the manager of the ship—

(a) Fails to comply with the conditions and requirements laid down at the time of issue of the ship's certificate or temporary permit;

(b) Navigates the ship in a manner contravening any provision of law;

(c) Fails to perform a duty which under article 4 (1) is imported by the right to wear the Czechoslovak flag;

(d) Has made an incorrect statement in the application for issue of a ship's certificate or temporary permit, or for registration of the ship, or has neglected to notify a change in any material particular or legal incident entered in the register;

(e) Permanently ceases to use the ship for sea traffic.

(2) If the right to wear the Czechoslovak flag expires or is withdrawn from the ship, its manager shall return the ship's certificate to the Ministry of Transport.

Section 2. Registration of ship

Article 8. A ship may not be entered in the register unless—

(a) It has a ship's certificate;

(b) It has a certificate of seaworthiness in accordance with article 13 of the Act;

(c) It has been surveyed and its measurements can be given in the survey certificate issued under article 14 of the Act.

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Article 12. (1) Every ship, whether registered or not, shall bear its name on each side of the bow, and its name and that of its home port at the stern.

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Article 14. A change in the particulars or legal incidents entered in the register shall also be recorded without delay in the ship's papers.

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