

entitled to wear the Danish flag, or that arrangements have been made for the sale of the share outright by auction within one month. In the latter case the result of the sale shall be awaited.

16. Dominican Republic

(a) PORT AUTHORITIES ACT NO. 1084 OF 12 JANUARY 1946.¹

NATIONALITY OF SHIPS

Article 69. A ship shall be a national ship if—

(a) It is so registered in a port office;

(b) It has been captured from an enemy in wartime or confiscated by judicial order.

Article 70. A ship may not be granted Dominican nationality unless its foreign registration has been cancelled.

Article 71. A Dominican consul may, in case of need, issue a provisional ship's certificate in respect of a vessel which has been acquired abroad by a Dominican national and for which grant of the flag is desired. For this purpose the consul shall require compliance with the following conditions:

(a) The owner shall submit a written application for grant of the flag and shall append thereto a certified declaration that the ship is in Dominican ownership;

(b) The application shall specify the route which it is proposed that the ship shall take and which must end at an approved port of the Republic for the purpose of survey, registration and enrolment.

Article 72. The Secretary of State for War and Shipping shall keep a register of all ships which have acquired nationality and shall record therein the name of the owner, the tonnage, the particulars required by the later provisions of this chapter, and the date on which the certificate was issued. On the entry into force of this Act all registers at present kept by other departments shall be delivered up to the Secretary of State for War and Shipping.

Article 73. The provisional ship's certificate shall indicate the port of destination of the vessel and the contract concluded by the owner, and shall state that it is valid only for the voyage specified.

(b) CONTROL OF PORTS AND COASTS ACT, NO. 3003 OF 12 JULY 1951.²

Article 56. All tugs, launches, boats and other vessels, irrespective of class and tonnage, intended for towing, carriage of passengers, loading and discharging ships in port, or river traffic within the Republic shall be national vessels.

Paragraph 1. Only national vessels may engage in the coastwise trade.

¹ Text from *Gaceta Oficial*, No. 6387, 26 January 1946, pp. 3-34. Translation by the Secretariat of the United Nations.

² Text of Act provided by the Secretariat of State for External Relations of the Dominican Republic. Translation by the Secretariat of the United Nations.

Article 70. A Dominican corporate body or individual owning a ship which is duly registered or listed as entitled to wear the national flag may not sell the ship to an alien corporate body or individual, or exchange the national flag for the flag of another country, unless—

(a) The owner proves by certified documents that the ship is not the subject of a charge and that no official proceedings are pending;

(b) The ship's papers are in order;

(c) Documents permitting the sale of the ship and showing whether the ship belongs to a corporate body or to more than one person shall be exhibited.

Article 71. After the requirements of the preceding article have been complied with, the change of flag shall be permitted.

17. Ecuador

SHIPPING CODE, 1945.¹

SECTION II. NATIONALITY OF VESSELS

Article 122. The nationality of an Ecuadorian vessel shall be evidenced by its ship's certificate or pass (*patente, pasavante*), and its port of register by its registry certificate (*matricula*); and these two documents shall together constitute its obligatory certificate of registration of nationality.

SECTION III. REGISTRY CERTIFICATE OF VESSEL

Paragraph 1. Registry certificate

Article 123. No national vessel, irrespective of tonnage and class, may wear the Ecuadorian flag or benefit by the protection of the laws of the Republic unless it is registered in a port of the Republic, or engage in any traffic in national or foreign waters unless it carries a proper ship's certificate or pass.

Article 124. The registry certificate of a vessel is a certificate issued to it by the port officer in virtue of this Code and attesting that the vessel has been entered on a specified page of one of the registers of the national merchant marine kept by port offices of the Republic for that purpose.

Article 125. Any vessel found in jurisdictional waters of the Republic without a registry certificate or without a ship's certificate shall be seized and its company arrested; and on proof that no registry certificate or ship's certificate has been issued in respect of the vessel, or that either certificate has not been renewed within the time allowed by statute, the port officer shall order the master and operator (*armador*) of the vessel to pay severally a fine of 1,000 to 10,000 sucres according to the tonnage of the vessel, and shall oblige the operator to obtain a ship's certificate and a registry certificate therefor.

Article 126. A vessel found plying with an Ecuadorian registry certificate and also a registry certificate of another nationality shall be seized and its master arrested, and he shall be ordered to pay a fine of 500 sucres and

¹ *Registro Oficial*, No. 342, 25 July 1945. Text of Code provided by the Permanent Delegation of Ecuador. Translation by the Secretariat of the United Nations.