

*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.<sup>1</sup>

### 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

<sup>1</sup> *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.

to be imprisoned in the public jail for 30 to 120 days, and shall not be entitled to appeal against such order. . . .

*Paragraph 2. Registration procedure*

*Article 128.* The owner of a vessel of whatever tonnage or class which is to be registered for the first time shall submit to the port officer his documents of title thereto . . . and a certificate of his own nationality and the other documents required by the Commercial Code for the granting of nationality to a vessel. . . . If the port officer finds the application in order, he shall forward it by the ordinary channel to the proper authority for issue of a ship's certificate, and on the issue thereof he shall proceed to register the vessel . . . and shall issue to the vessel a certificate in the prescribed form attesting such registration.

*Article 129.* A vessel of 50 tons or more may, pending the issue of its ship's certificate, be registered provisionally and ply in virtue of a pass which shall be obtained from the governor of the province and on presentation of which the vessel shall be registered for a period of three months in a register of the port office.

## 18. Egypte

a) LOI N° 84 DU 14 JUILLET 1949 RELATIVE À L'ENREGISTREMENT DES BATEAUX DE COMMERCE. <sup>1</sup>

*Article 1.* Aucun bateau battant pavillon égyptien n'est autorisé à naviguer s'il n'est immatriculé au préalable, conformément aux dispositions qui suivent. — En sont exemptés les bateaux à voile affectés à la pêche <sup>2</sup> et les yachts de plaisance jaugeant dix tonnes au maximum et qui ne s'éloignent pas ordinairement des côtes de plus de trois milles marins; il en est de même des mahonnes, canots, remorqueurs, barques, grues, dragues, scaphandres et autres engins flottants qui opèrent généralement à l'intérieur du port. — Il est cependant permis d'immatriculer ces bateaux et floteurs si leur propriétaire le requiert.

*Article 2.* Le Service d'inspection maritime à l'Administration des transports est chargé de l'immatriculation des bateaux. Le bureau principal d'immatriculation est institué à Alexandrie. Le Ministre des communications désignera par arrêté les autres ports où des bureaux similaires pourront être installés.

*Article 3.* Il sera tenu dans les dits bureaux un registre spécial dénommé: « Matricule des bateaux ». Un exemplaire en sera conservé au bureau principal d'Alexandrie.

*Article 4.* Aucun bateau ne sera immatriculé s'il n'est préalablement mesuré par le Service d'inspection maritime pour en évaluer le tonnage. Les règles de ce mesurage et les taxes y relatives seront fixées par décret.

*Article 5.* Avant l'immatriculation, le propriétaire du bateau obtiendra de l'Administration des transports l'approbation du nom qu'il entend lui donner.

<sup>1</sup> *Répertoire permanent de Législation égyptienne, Marine marchande, 1949, p. 37.*

<sup>2</sup> Les bateaux de pêche à moteur sont assujettis à cette loi.