

made to the registrar to return the original documents of title furnished for purposes of registration.

Article 10. It shall be the duty of the owner or of any person who . . . is bound to notify on behalf of the owner or, where there is more than one owner, the managing owner, and of the master, to ensure that a Norwegian ship subject to registration carries at sailing and at all times thereafter a valid Norwegian nationality certificate.

A ship of tonnage less than that specified in article 1 shall also, when sailing in foreign waters, carry a nationality certificate; but the King may exempt from this requirement ships fishing or hunting outside territorial waters.

The Crown may make regulations governing the issue of nationality certificates to ships not subject to registration.

44. Pakistan

(a) MERCHANT SHIPPING ACT, 1894. ¹

(b) THE REGISTRATION OF SHIPS ACT OF 5 JULY 1841. ²

It is hereby enacted that no ship or vessel shall be deemed a British ship under such Proclamation as aforesaid (except as regards ships or vessels registered before the passing of this Act, or having a pass at the time of passing thereof) unless the person or persons claiming property therein shall have caused the same to have been registered [at a place declared under section 2 to be a registering port], and shall have obtained a certificate of such registry from the person or persons authorized to make such registry and grant such certificate as hereinafter directed, the form of which certificate shall be as follows—

2. * * * The ports at which registration shall be made shall be [such ports or other places in the Provinces] as the Central Government may, from time to time, declare to be registering ports under this Act:

Provided that ships or vessels built at any place other than any of such ports shall be allowed to make their first voyage to any of such ports, being the ports at which it is intended they shall be registered under a certificate to be granted by the principal British officer at the place where the ship is built, or if there be no British officer in authority there, then by three merchants of such place, which certificate shall contain all the particulars with regard to the ownership and description of the ships or vessels contained in a certificate of registry, and shall specify the ports at which it is intended that they shall respectively be registered, and which certificate shall have all the effect of a certificate of registry under this Act, during the first voyage from the place of building to the ports at which the ships or vessels respectively shall be afterwards registered:

¹ This Act is applicable in Pakistan, according to information received by the Secretariat in a letter from the Ministry of Foreign Affairs of Pakistan dated 26 October 1954. For the text of this Act see *infra* under United Kingdom.

² Government of Pakistan, Ministry of Law, *The Unrepealed Central Acts*, 1952, Vol. I, p. 11.

Provided that such ships or vessels so proceeding on their first voyage as aforesaid shall be deemed British ships only whilst duly prosecuting such first voyage for the purpose of registry, and, if they be not registered within a reasonable time after their arrival at the port of registry, the owner or owners, or master or other person having or taking the command or charge of such ship or vessel, shall be liable, [on conviction before * * * a Magistrate of the first class,] to a penalty not exceeding five thousand rupees.

24. * * * When any ship or vessel duly registered under this Act, or sailing under the British Navigation Law, shall come to be owned by [an Acceding State or by the Ruler or any subject thereof], it shall be lawful [for the Central Government] to continue to such ship or vessel the privileges and advantages of a British ship for the purposes aforesaid by a pass to be subscribed by a Secretary to Government, stating the voyage, or voyages for which the same is to have effect, and the period for which it is to last; and it shall be lawful [for the Central Government] to issue a similar pass conferring the privileges and advantages of a British ship for the purposes aforesaid under this Act to any ship or vessel built within [any [Acceding State] and owned by that State or by the Ruler or any subject thereof]: Provided always that the ships belonging to [Acceding States or the Rulers or subjects thereof] in respect of which passes may be granted under this Act shall, during the voyage or voyages, or the period for which any such pass shall be granted, be commanded by [a British subject].

26. * * * All ships or vessels registered under this Act shall be deemed to belong to the ports at which they shall be respectively registered. And all ships or vessels being registered or in respect of which passes may have been granted which are unexpired at the time of passing this Act shall for the purpose of being deemed British ships be deemed to belong to the ports at which they may have been registered, or when passes shall have been granted which are unexpired, at which such passes may have been respectively granted. And such ships or vessels built and owned as required by the Statute 3 and 4 Vict., Cap. 56, shall continue subject to all the rules in force at the respective Presidencies before the passing of this Act, touching the registering, measurement, granting passes or other requisitions in respect of the same, and shall not be subject to the provisions of this Act; or any provisions of the Statute law, a compliance with which may heretofore have been necessary in order that ships or vessels built and owned as aforesaid might be deemed British ships for the purposes of trade.

27. [*Definition of "Local Government".*] *Rep. by the A. O., 1937.*

PROCLAMATION

The Governor General of India in Council hereby declares that all ships and vessels built or to be built within the limits of the Charter of the East India Company (as those limits are defined by the Statute 3rd and 4th of Queen Victoria, Cap. 56, entitled "An Act further to regulate the trade of ships built and trading within the limits of the East India Company's Charter"), being owned by Her Majesty's subjects for whom the said Governor General in Council has power to legislate, and belonging,

under the provisions of the Act passed by the Governor General in Council No. X of 1841, to any ports in the territories under the Government of the East India Company, shall be deemed to be British ships for all purposes of trade within the said limits including the Cape of Good Hope and the territories and dependencies thereof.

(c) REGISTRATION OF SHIPS AMENDMENT ACT NO. XI OF 15 MARCH 1850. ¹

AN ACT TO AMEND ACT X OF 1841

For amendment of Act X of 1841, it is enacted as follows—

1. [*Repeal of s. 13 of Act X of 1841.*] *Rep. by Act XIV of 1870.*

2. The passes which, under section 24 of the said Act, may be issued for conferring the privileges and advantages of a British ship, in certain cases, to any ship or vessel built within [any Acceding State] may, after the passing of this Act, be issued in the like cases, and under the same restrictions, to any ship or vessel belonging to any [Acceding State or the Ruler or a subject thereof] wherever the same may have been built.

3. All ships or vessels, of whatever rig and of whatever tonnage, owned by British subjects, entitled to registry under Act X of 1841, or owned by [an Acceding State or the Ruler or a subject thereof] entitled to passes under Act X of 1841, as amended by this Act, employed only in coasting voyages, or between any port of * * * [Pakistan and India, the Island of Ceylon] [or Burma] may be registered and obtain passes, and the tonnage may be marked, according to such rules as shall be made from time to time, by [Central Government].

5. This Act shall be construed with and as part of Act X of 1841.

45. Panama

(a) COMMERCIAL CODE OF 22 AUGUST 1916. ²

Article 1080. Merchant vessels which are wholly or partly the property of Panamanian citizens or of foreigners domiciled in the Republic with more than five years of residence therein, or of commercial societies having their headquarters in Panama shall be deemed to be Panamanian, provided that they are registered and enrolled as such and that the owners thereof submit expressly to the laws of the Republic concerning navigation.

In the case of partnership in the ownership of a vessel, this last circumstance must result from the unanimous and express declaration of the partners made before the official charged with the registration of vessels.

¹ *Ibid.*, p. 38.

² English text from C. Berguido and J. Fabrega: *Manual for Masters and Seamen on Ships Under the Panamanian Flag* (1949), p. 78.