

(c) DECREE NO. 1,787 OF 25 JUNE 1925.¹

Article 1. A vessel in joint ownership shall be required to be owned by a Portuguese commercial company constituted in any of the forms provided by law; and the head office of the company shall be situated in Portuguese territory; and at least 51 per cent of the paid-up capital shall be owned by Portuguese-born or naturalized citizens; and the majority of the members of the board of directors shall be Portuguese-born or naturalized citizens; and the managing director or manager shall be a Portuguese-born or naturalized citizen.

Sole sub-paragraph. The provisions of this article shall not apply to vessels engaged in fishing or plying in harbours or rivers.

Article 2. All provisions of law contrary to this Decree are hereby repealed.

(d) LEGISLATIVE DECREE NO. 37,052 OF 9 SEPTEMBER 1948.²

Article 1. A shipping company which is constituted and has its head office and management in Portuguese territory and the majority of whose shareholders and of whose administrators, directors or managers are Portuguese nationals shall be a national shipping company.

Article 4. Services on shipping routes reserved to the Portuguese flag may be operated only by companies declared to be of national importance.

Article 27. Shipping companies of national importance may not purchase shares in their own or other companies without prior permission of the Ministry of Marine.

Sole paragraph. Where shares are acquired through distraint on or bankruptcy of debtors of such companies, or through winding-up or composition with creditors, the Ministry shall have power only to direct the disposal of those shares.

50. Romania

DECREE NO. 40 OF 14 FEBRUARY 1950, CONCERNING THE MERCHANT MARINE.³

CHAPTER III

Nationality of vessels

Article 7. Romanian nationality shall be granted—

(a) To vessels owned by the Romanian People's Republic or by Romanian State institutions or undertakings;

¹ *Diário de Governo*, No. 137. Translation by the Secretariat of the United Nations.

² Text of Decree provided by the Embassy of Portugal in Washington. Translation by the Secretariat of the United Nations.

³ *Buletinul oficial* No. 11 of 14 February 1950. Translation by the Secretariat of the United Nations.

(b) To vessels owned by companies which have their head offices in the territory of the Romanian People's Republic and in which the State holds not less than fifty per cent of the paid-up capital;

(c) To vessels owned by private companies which have their head offices in the territory of the Romanian People's Republic and in which not less than fifty per cent of the capital is Romanian;

(d) To vessels in category Ia owned by Romanian citizens.

Boats owned by Romanian citizens shall be entitled to Romanian nationality; and the "boat card" shall constitute proof of a boat's nationality.

Article 8. Where the name, port of registry, type or particulars of a vessel are changed, its certificate of nationality or boat card shall be withdrawn and a new certificate or card issued instead thereof.

The certificate of nationality or boat card of any vessel which loses Romanian nationality shall be cancelled.

Article 9. Any vessel sold to a foreign State or citizen shall lose Romanian nationality.

Article 10. Merchant vessels in category Ia shall be authorized by the certificate of nationality, and those in category IIa by the boat card, to wear the Romanian flag.

A provisional licence to wear the Romanian flag may be issued to vessels newly built or purchased abroad. The licence shall be issued by the Minister of Communications at the request of the Merchant Marine Department or by any Romanian consulate abroad, which shall notify the Minister of Communications accordingly.

The licence shall be valid for the period required to obtain Romanian nationality, or until the vessel enters a national port.

CHAPTER IV

Registration of vessels cancellation

Article 11. Every vessel of Romanian nationality shall be registered in the register of the port captain's office or port office of the port to which it belongs.

Romanian nationality shall be granted to vessels by the Minister of Communications, who shall issue a certificate of nationality in respect of vessels in category Ia.

Port captain's offices or port offices shall issue a boat card to each boat at the time of its registration.

The Minister of Communications shall prescribe the conditions required for grant of Romanian nationality.

Article 12. The registration of a vessel shall be cancelled—

(a) If it loses Romanian nationality;

(b) If it is lost because of a disaster or shipwreck or in other similar circumstances;

(c) If it has been broken up.

Cancellation of the registration of any vessel shall require the approval of the Minister of Communications.

Any vessel classified as a wreck on the advice of official experts shall be broken up in such manner as the Minister of Communications shall, through the Merchant Marine Department, prescribe.