

Every ship entered in the Vatican shipping register shall in addition be marked conspicuously, on each side of the bow and the stern, with the colours of the flag, white and yellow.

*Article 10.* On the entry of a ship in the Vatican shipping register a document attesting the same, signed by the Governor, shall be issued, and shall constitute the ship's certificate of nationality and shall be kept on board at all times.

*Article 11.* Every ship shall also be furnished with a log-book, a crew list, an engine-room log and a wireless telegraphy log.

*Article 12.* The ship's master and the technical staff shall be required to hold certificates of competency issued by the appropriate authorities of the States of which they are nationals or of another State engaging in shipping.

*Article 13.* Ships belonging to the State shall at all times be deemed to be territory of the State of Vatican City.

Ships belonging to private owners shall be deemed when on the high seas to be territory of the State of Vatican City.

*Article 14.* The crew of a ship managed directly by the State of Vatican City shall be subject to the same regulations as other employees of that State.

#### CHAPTER IV

##### *Management of ship*

*Article 19.* The management of a ship may, by order of the Papal Commission for the State of Vatican City, be delegated to a ship's operator.

A ship's operator need not be a citizen of Vatican City.

### **63. Venezuela**

#### SHIPPING ACT OF 9 AUGUST 1944.<sup>1</sup>

#### CHAPTER II

##### *Vessels or ships*

*Article 9.* In this Act the term "ship" or "vessel" means any craft with integrated means of propulsion intended to sail in territorial waters or inland waterways or on the high seas between national or foreign ports or both.

Lighters, cranes, boats, floating docks, houseboats, floating piers and dredges and other structures having no independent means of self-propulsion are not ships but auxiliary craft.

#### CHAPTER III

##### *National merchant ships*

*Article 12.* Venezuelan merchant ships shall register with the National Merchant Marine.

<sup>1</sup> *Compilación Legislativa de Venezuela*, 1944. Translation by the Secretariat of the United Nations.

*Article 13.* National merchant ships may be owned by Venezuelan citizens or by national or legally-naturalized undertakings established in Venezuela. . .

A vessel in joint ownership is not Venezuelan and may not be registered as such unless a half share or more is absolutely owned by Venezuelan citizens domiciled in Venezuela.

*Article 14.* The following shall be evidence of title to a merchant ship—

1. In the case of a ship built in Venezuela, the builder's certificate, giving particulars of the ship's dimensions and other characteristics and the name of the owner;

2. In the case of a ship built abroad, the deed of transfer to the person, persons or undertaking applying for entry of the ship in the National Register;

3. In the case of a ship that has been seized, arrested or sold at auction, a certified copy of the court order;

4. On all subsequent transfers of title to a ship, the deed of transfer.

Documents to which this article applies shall be registered at the branch registry office of the ship's place of registry, which is its home port, and shall be entered not later than thirty days thereafter in the book kept for that purpose by the port office.

#### CHAPTER IV

##### *Entry, registry and documents authorizing a ship to navigate*

*Article 15.* A ship shall not be Venezuelan unless entered in the register of the national merchant marine. On completion of registration the port officer shall issue a certificate of registration.

*Article 16.* A ship may not in any circumstances be registered with the national merchant marine until security has been given for the proper use of the flag. The security shall be given jointly by two persons of substance approved by the port officer, and its amount shall be fixed with due regard to the type of traffic in which the ship is to engage and its market value.

(1) The security referred to in this article may be applied in particular to the payment of fines imposed by administrative or judicial authorities on the owner, master or agent of the ship, in accordance with the penal provisions of this Act or of regulations made thereunder, for offences committed in or in connexion with the use of the ship.

*Article 17.* The certificate of registration shall be the document which, subject to regulation, attests the Venezuelan nationality of a ship.

*Article 18.* The ship's certificate (*patente de navegación*) shall be issued by the President of the United States of Venezuela and countersigned by the Minister of War and the Navy, and shall authorize a national ship to navigate all waters for five years under the Venezuelan flag.

Sole paragraph—A ship's certificate shall be carried by—

(a) Ships of more than three hundred register tons;

(b) Ships of three hundred register tons or less sailing to foreign ports other than those specified in article 19.

*Article 19.* The navigation permit shall be issued by the Ministry of War and the Navy and shall authorize the employment of a national ship of

less than three hundred register tons for two years solely for navigation between national ports or between a national port and the Antilles islands of Aruba, Bonaire, Curaçao, Trinidad, Grenada, Barbados, Guadeloupe, Martinique or the Dominican Republic and Haiti, or between a national port and the Guianas, or between a national port and Colombian ports on the Atlantic or on the tributaries of the Orinoco.

*Article 21.* The procedure for entry of a ship built or acquired abroad in the register of the national merchant marine shall be carried out through the local Venezuelan consul, who shall communicate all the necessary particulars to the port office in which the ship is to be registered. On completion of the procedure the Venezuelan consul shall deliver to the ship a pass, which shall have the effect of a navigation licence or permit until the ship reaches a national port. A ship holding a pass shall wear the Venezuelan flag when proceeding to Venezuela from the foreign country in which the pass was issued by the consul. On arrival at the Venezuelan port the ship shall be registered in the port office and application shall be made in accordance with the provisions of this chapter for a ship's certificate, navigation permit or special permit, as the case may be.

#### CHAPTER V

##### *Lapse of registration and of documents authorizing navigation*

##### *Article 23.*

(a) Registration shall become void—

- (1) If the ship is transferred to a person not a national. . . ;
- (2) If the owner of the ship changes his nationality. . . ;
- (3) If the ship is destroyed intentionally, even if it is later rebuilt with the same materials;
- (4) If the ship is seized or confiscated abroad;
- (5) If the ship fails to put in at a national port for one year or its owner, agent or master makes no report concerning it to the port office for six months;
- (6) If the ship becomes a total loss.

(b) A ship's certificate or navigation permit shall become void—

- (1) On any of the grounds mentioned in paragraph (a);
- (2) On expiry of the term for which it was issued;
- (3) If there is a change in the ship's ownership, name, class, dimensions or tonnage;
- (4) If the vessel is declared to be totally unseaworthy;
- (5) If the ship is used in unlawful trade or is declared in due form to be a pirate ship.

(c) A special permit shall become void on any of the grounds specified in paragraph (a) (3, 6) and in paragraph (b), (2, 3, 4, 5).

#### CHAPTER XIII

##### *Ship's company: order aboard ship*

*Article 60.* The master of a national merchant ship and not less than 50 per cent of the crew shall be Venezuelan nationals.