

PART XVII. GENERAL

Miscellaneous

513. (1) As from the commencement of this Part of this Act, no provision of the United Kingdom Merchant Shipping Act shall have effect as part of the law of New Zealand:

Provided that, subject to the provisions of this Act, all Orders in Council, rules, and regulations under the United Kingdom Merchant Shipping Act which immediately before the commencement of this Part of this Act had effect as part of the law of New Zealand shall continue so to have effect as if they had been made under the corresponding provisions of this Act, but the Governor-General may, by Order in Council, declare that any such first mentioned Order in Council or any such rules or regulations shall cease to have effect as part of the law of New Zealand, and every such declaration by the Governor-General shall have effect accordingly.

42. NicaraguaLAWS RELATING TO CUSTOMS AND HARBOURS ¹

CHAPTER X. NICARAGUAN SHIPS

Article 193. A ship which is not a Nicaraguan ship and has not acquired Nicaraguan nationality shall not use the Nicaraguan flag. . .

Article 194. A Nicaraguan ship shall not sail without a proper certificate and articles.

Acquisition of Nicaraguan nationality by ships

Article 195. A ship shall not be deemed to be a Nicaraguan ship unless—

1. It was built in the Republic for the service of the State or of a private person;
2. Having been built abroad, it was purchased by the Government for service in the Nicaraguan navy;
3. It was seized from the enemy or confiscated in accordance with the law; or
4. It has acquired Nicaraguan nationality in accordance with the law.

Article 199. An alien desiring to acquire nationality for a ship owned by him shall submit to the collector of customs an application written on the appropriate stamped paper, and shall undertake in such application to comply with all the provisions of these laws; and he shall have no right of action whatsoever not open in similar circumstances to the owner or managing owner of a Nicaraguan ship. The collector of customs shall transmit

¹ The source of the following text is a compilation of the maritime law of Nicaragua entitled: *Leyes de Aduanas y Puertos. Comercio marítimo et buques de la República de Nicaragua*. Recopiladas por Clifford D. Ham, Recaudador General de Aduanas, Edición Managua, 1928. The Spanish text was provided by the Government of Nicaragua. Translation by the Secretariat of the United Nations.

the application to the Ministry of Marine together with the proper covering documents in due form.

Certificate of nationality or navigation

Article 201. The owner of the ship shall exhibit the title deed and survey certificate, and give security in the amount and on the conditions determined by the collector of customs for proper use of the flag, to the Ministry of Marine, which shall then deliver the required certificate.

Article 202. Before delivering a certificate of nationality for a ship, the Ministry of Marine shall ascertain—

1. The name and nationality of the owner;
2. That the ship has been acquired in accordance with law;
3. The measurements, tonnage, class, name and place of construction of the ship, the flag under which it has sailed if not sailing for the first time, and the names of the owner and the master.

Article 203. If after the certificate has been issued any change takes place in any particular mentioned in the certificate or in the register as relating to the ship, the collector of customs shall amend either or both of those documents accordingly.

Article 207. Where it appears to the Government on a report from a port officer or collector of customs that the flag has been wrongfully used, the certificate shall be revoked and proceedings shall be taken against the master or his deputy in accordance with law, and the order shall be published in the official gazette.

Article 211. If the ship is wrecked, destroyed by fire or captured, the certificate shall (if recovered) be surrendered, as hereinbefore stipulated, within a reasonable period which shall be fixed by the collector of customs; if the certificate is not recovered, evidence of its loss shall be produced.

Article 217. The master of a ship required to carry a certificate issued in accordance with these laws shall be a person who, in the opinion of the port officer, is of good repute, able to speak, read and write Spanish, and adequately qualified to discharge his duties; . . .

43. Norway

(a) SHIPPING ACT OF 20 JULY 1893.¹

Article 1. (1) A ship is Norwegian if owned exclusively by Norwegian nationals. The competent department may also recognize as Norwegian a ship owned as to at least six-tenths by Norwegian nationals. Such recognition may be given conditionally and may be withdrawn at any time if the requirements are not satisfied.

(2) A ship is Norwegian if owned by a joint stock company whose business is navigation only, or navigation combined with the forwarding of

¹ *Norges Lovet*, 1682-1952, p. 303. Translation by the Secretariat of the United Nations.