

**LAWS AND REGULATIONS
ON THE REGIME OF THE HIGH SEAS
VOLUME ONE**

PART I. CONTINENTAL SHELF

CHAPTER 1. NATIONAL LEGISLATION

1. Argentina [1]

[No change]

2. Australia

- (a) PROCLAMATION BY THE GOVERNOR-GENERAL CONCERNING THE CONTINENTAL SHELF, 11 SEPTEMBER 1953. "COMMONWEALTH OF AUSTRALIA GAZETTE," No. 56 (11 SEPTEMBER 1953).

Whereas International Law recognizes that there appertain to a coastal state or territory sovereign rights over the sea-bed and subsoil of the continental shelf contiguous to its coasts for the purpose of exploring and exploiting the natural resources of that sea-bed and subsoil:

And whereas it is desirable to declare that Australia has those sovereign rights over the sea-bed and subsoil of the continental shelf contiguous to any part of its coasts and of the continental shelf contiguous to any part of the coasts of certain territories under its authority:

Now therefore I, Sir William Joseph Slim, the Governor-General aforesaid, acting with the advice of the Federal Executive Council, hereby declare that Australia has sovereign rights over the sea-bed and subsoil of:

(a) The continental shelf contiguous to any part of its coasts; and

(b) The continental shelf contiguous to any part of the coasts of territories under its authority other than territories administered under the trusteeship system of the United Nations,

for the purpose of exploring and exploiting the natural resources of that sea-bed and subsoil:

And I further declare that nothing in this Proclamation affects:

(a) The character as high seas of waters outside the limits of territorial waters; or

(b) The status of the sea-bed and subsoil that lie beneath territorial waters.

. . .

- (b) PROCLAMATION BY THE GOVERNOR-GENERAL CONCERNING THE CONTINENTAL SHELF OF THE TRUST TERRITORY OF NEW GUINEA, 11 SEPTEMBER 1953. "COMMONWEALTH OF AUSTRALIA GAZETTE," No. 56 (11 SEPTEMBER 1953).

Whereas International Law recognizes that there appertain to a coastal state or territory sovereign rights over the sea-bed and subsoil of the continental shelf contiguous to its coasts for the purpose of exploring and exploiting the natural resources of that sea-bed and subsoil:

And whereas it is desirable to declare that those sovereign rights exist in respect of the Territory of New Guinea:

And whereas the Territory of New Guinea is administered by the Government of Australia under the trusteeship system of the United Nations:

Now therefore I, Sir William Joseph Slim, the Governor-General aforesaid, acting with the advice of the Federal Executive Council, hereby declare that sovereign rights exist over the sea-bed and subsoil of the continental shelf con-

tiguous to any part of the coasts of the Territory of New Guinea for the purpose of exploring and exploiting the natural resources of that sea-bed and subsoil:

And I further declare that those rights are exercisable by the Government of Australia as the Administering Authority of the Territory of New Guinea:

And I also declare that nothing in this Proclamation affects:

- (a) The character as high seas of waters outside the limits of territorial waters; or
- (b) The status of the sea-bed and subsoil that lie beneath territorial waters.

. . .

(c) PEARL FISHERIES ACT, 1952-1953.¹

. . .

5. (1) In this Act, unless the contrary intention appears—"Australian waters" means:

- (a) Australian waters beyond territorial limits;
- (b) The waters adjacent to a Territory within territorial limits; and
- (c) The waters adjacent to a Territory not being part of the Commonwealth, and beyond territorial limits, being waters that are above the continental shelf;

. . .

(3) Subject to the next two succeeding sub-sections, a reference in this Act to the continental shelf is a reference to the sea-bed and subsoil of the submarine areas contiguous to the coasts of Australia and of the submarine areas contiguous to the coasts of the Territories, to a depth of not more than one hundred fathoms.

(4) Where a part of the continental shelf contiguous to the coasts of Australia or a Territory is also contiguous to the coasts of an adjacent country or extends to the coasts of another country, the Governor-General may, by Proclamation,² fix such limits as are, in his opinion, in accordance with the principles of International Law, as the limits to which that part of the continental shelf shall, for the purposes of this Act, be deemed to extend between Australia or that Territory, as the case requires, and that country.

(5) If the Governor-General is of opinion that it is reasonable that the sea-bed and subsoil of a submarine area, being an area that:

- (a) Is not more than one hundred fathoms below the surface of the sea; and
- (b) Is adjacent to any part of the coasts of Australia or of a Territory but is separated from the part of the continental shelf that is contiguous to that part of those coasts by an area that is more than one hundred fathoms below the surface of the sea,

should be deemed to be part of the continental shelf, the Governor-General may, by Proclamation, declare that that sea-bed and subsoil is part of the continental

¹ The Pearl Fisheries Act 1952-1953 comprises the Pearl Fisheries Act 1952 (Commonwealth Acts, 1952, Act No. 8) as amended by Pearl Fisheries Act 1953 (*ibid.*, 1953, Act No. 4) and the Pearl Fisheries Act (No. 2) 1953 (*ibid.*, 1953, Act No. 38). This Act came into operation on 12 October 1953; see *Commonwealth of Australia Gazette*, No. 59 (25 September 1953).

² The Governor-General by Proclamation dated 25 September 1953, fixed the limits to which the continental shelf contiguous to the coasts of Australia and extending to the coasts of the Aru Islands and Netherlands New Guinea, the continental shelf contiguous to the coasts of the Territory of Papua and also contiguous to the coasts of Netherlands New Guinea, and the continental shelf contiguous to the coasts of the Territory of New Guinea and also contiguous to the coasts of Netherlands New Guinea, shall be deemed to extend between Australia and the Aru Islands and Netherlands New Guinea, between the Territory of Papua and Netherlands New Guinea and between the Territory of New Guinea and Netherlands New Guinea, respectively. *Commonwealth of Australia Gazette*, No. 59 (25 September 1953).

shelf for the purposes of this Act, and that sea-bed and subsoil shall thereupon be deemed to be part of the continental shelf for the purposes of this Act.

6. This Act extends to all the Territories and to all Australian waters and applies to all persons, including foreigners, and to all ships and boats, including foreign ships and boats.

. . .

8. The Governor-General may, by Proclamation,³ declare any Australian waters to be proclaimed waters for the purposes of this Act.

9. (1) The Minister may, by notice published in the *Gazette*:⁴

(a) Prohibit, either at all times or during a period specified in the notice, the taking, from proclaimed waters or from an area of proclaimed waters of pearl shell, trochus, bêche-de-mer or green snail;

(b) Prohibit the taking, from proclaimed waters or from an area of proclaimed waters, of pearl shell, trochus, bêche-de-mer or green snail not exceeding a size specified in the notice;

(c) Prohibit the taking, from proclaimed waters or from an area of proclaimed waters, of pearl shell, trochus, bêche-de-mer or green snail by a method or equipment specified in the notice;

(d) Prohibit the taking, by any one pearling ship, during a period and in an area of proclaimed waters specified in the notice, of pearl shell, trochus, bêche-de-mer or green snail in excess of a quantity so specified; and

(e) Prohibit the removal of live pearl shell, trochus, bêche-de-mer or green snail from proclaimed waters.

(2) A notice under this section may provide for exemptions from the prohibition contained in the notice.

10. (1) The Secretary or a prescribed authority may grant to a person a licence to search for and obtain pearl shell, trochus, bêche-de-mer or green snail in proclaimed waters or in an area of proclaimed waters.

(2) The Secretary or a prescribed authority may grant to a person a licence in respect of a ship authorizing the use of the ship in searching for and obtaining pearl shell, trochus, bêche-de-mer or green snail in proclaimed waters or in an area of proclaimed waters.

(3) A licence authorizing the use of a ship in searching for and obtaining pearl shell, trochus, bêche-de-mer or green snail extends, subject to the conditions of the licence, to authorizing the use of the ship for any of the purposes specified in sub-section (2) of section five of this Act in relation to or arising out of the first-mentioned use.

(4) The Secretary or a prescribed authority may grant a licence to or in respect of a diver, trail diver or diver's tender employed on a ship licensed under sub-section (2) of this section.

³ By Proclamation dated 20 May 1954 the Governor-General declared all Australian waters north of the parallel 27 degrees south latitude to be proclaimed waters for the purpose of this Act. *Commonwealth of Australia Gazette*, No. 33 (20 May 1954).

⁴ The Minister, by notices published in the *Gazette* on 12 October 1953 prohibited:

(a) The taking from the proclaimed waters of pearl shell, trochus and green snail the dimensions of which do not exceed the dimensions specified in the notice;

(b) The taking from the proclaimed waters of pearl shell, trochus, bêche-de-mer or green snail by trawling or dredging by a person not authorized by the Minister; and

(c) The removal of live pearl shell, trochus, bêche-de-mer or green snail from proclaimed waters.

See *Commonwealth of Australia Gazette*, No. 62 (12 October 1953).

By a further notice published in the *Gazette* on 9 May 1957 the Minister prohibited the taking of pearl shell, trochus, bêche-de-mer or green snail from two more areas of the proclaimed waters from the date of the notice until 31 January 1960: *Commonwealth of Australia Gazette*, No. 25 (9 May 1957).

(5) The Secretary or a prescribed authority may, in his discretion, grant or refuse an application for a licence under this section.

(6) A licence granted under this section:

(a) Is subject to such conditions as are specified in the licence; and

(b) Remains in force until the succeeding thirty-first day of January.

(7) The Secretary or a prescribed authority may, in his discretion, on the application of the holder of a licence in respect of a ship and of another person as proposed transferee, transfer the licence to that other person.

(8) Such fees (if any) as are prescribed are payable in respect of the grant of an application for a licence, or the transfer of a licence, under this section.

(9) Where the Secretary or a prescribed authority is satisfied that there has been a contravention of, or failure to comply with, a condition specified in a licence granted under this section, the Secretary or prescribed authority may cancel the licence.

(10) Registers showing the licences granted under this section and in force from time to time shall be kept at such places as the Minister directs.

11. An officer may:

(a) Board or enter upon a ship or boat in proclaimed waters or a ship or boat which he has reason to believe has been used, is being used, or is intended to be used, for pearling in proclaimed waters and may search the boat for equipment used or capable of being used for pearling;

(b) Examine any equipment found in any place, being equipment which he has reason to believe has been used, is being used, or is intended to be used, for pearling in proclaimed waters;

(c) Seize, take, detain, remove and secure any ship, pearl shell, trochus, bêche-de-mer or green snail which the officer has reason to believe has been taken or used, is being used, or is intended to be used, in contravention of this Act;

(d) Without warrant, arrest a person whom the officer has reason to believe has committed an offence against this Act;

(e) Require the master or other person in charge of a ship which the officer has reason to believe has been used, is being used or is intended to be used in contravention of this Act to bring the ship to a place in Australia or a Territory specified by the officer and to remain in control of the ship at that place until an officer permits him to depart from that place;

(f) Bring a ship which the officer has reason to believe has been used, is being used or is intended to be used in contravention of this Act to a place in Australia or a Territory and may remain in control of that ship pending the taking of proceedings in respect of that contravention;

(g) Require the master or other person in charge of a ship required to be licensed under this Act to produce the licence for the ship and take copies of, or extracts from, the licence;

(h) Require the master or other person in charge of a ship required to be licensed under this Act to give information concerning the ship and the crew and any person on board the ship;

(i) Require a person who is on board a ship required to be licensed, under this Act, or is engaged in pearling in proclaimed waters, or whom he reasonably suspects of having committed an offence against this Act, to state his name and place of abode;

(j) Require a person engaged in pearling in proclaimed waters to state whether he is the holder of a licence under sub-section (1) of section ten of this Act and, if so, to produce the licence; and

(k) Sell any pearl shell, trochus, bêche-de-mer or green snail seized by him under this Act.

...

14. (1) A person shall not:

(a) In an area of proclaimed waters, engage in pearling otherwise than in pursuance of a licence in force under sub-section (1) of section ten of this Act of which he is the holder;

(b) In an area of proclaimed waters, use a ship for pearling otherwise than in pursuance of a licence in respect of the ship in force under this Act in his name or in the name of a person on whose behalf he is acting;

(c) Being the holder of a licence under this Act, contravene a condition of the licence;

(d) Do an act prohibited by a notice for the time being in force under section nine of this Act; or

(e) Employ, or have on board a ship, in proclaimed waters, for the purpose of pearling, a diver, trail diver or diver's tender who is not licensed under sub-section (4) of section ten of this Act.

Penalty: Five hundred pounds, and, if the Court so orders, the forfeiture of any ship or equipment used in the commission of the offence or any pearl shell, trochus, bêche-de-mer or green snail taken in contravention of this Act, or the proceeds of the sale of any such pearl shell, trochus, bêche-de-mer or green snail.

(2) For the purposes of paragraph (e) of the last preceding sub-section, "diver" does not include a person employed, or carried on board a ship, for the purpose of diving without the aid of mechanical breathing apparatus and not for the purpose of any other diving.

15. A person shall not:

(a) Fail to facilitate by all reasonable means the boarding of a ship by an officer;

(b) Refuse to allow a search to be made which is authorized by or under this Act;

(c) Refuse or neglect to comply with a requirement made by an officer under section eleven of this Act;

(d) When lawfully required to state his name and place of abode to an officer, state a false name or place of abode to the officer;

(e) When lawfully required by an officer to give information, give false or misleading information to the officer;

(f) Use abusive language to an officer;

(g) Assault, resist or obstruct an officer in the exercise of his powers under this Act;

(h) Impersonate an officer; or

(i) In an application under this Act, make a statement or furnish information which is false or misleading in any particular.

Penalty: Five hundred pounds.

...

17A. In a prosecution for an offence against this Act or the regulations, a certificate by the Minister or a person authorized in writing by the Minister to issue certificates under this section that waters specified in the certificate are Australian waters is evidence that those waters are Australian waters.

...

18. The Governor-General may make regulations, not inconsistent with this Act, prescribing all matters which are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular:

(a) For prescribing penalties not exceeding one hundred pounds for offences against the regulations;

(aa) For prescribing short methods of reference to areas of proclaimed waters, or areas of waters that include waters that are proclaimed waters, specified

in the regulations, and the purposes for which those methods of reference may be used;

(b) For prescribing signals and rules of navigation to be observed by persons in charge of pearling ships in proclaimed waters;

(c) For prescribing the method of marking of ships licensed under this Act;

(d) For providing for the sale or disposal of:

(i) Unclaimed ships or boats used, or capable of being used, for pearling; or

(ii) Pearling equipment,
found in proclaimed waters;

(e) For regulating the rights or priority as between pearl fishers in proclaimed waters and for prescribing the rules of pearling in proclaimed waters; and

(f) For providing for the furnishing of statistics in relation to pearling in proclaimed waters and to the sale or disposal of pearl shell, trochus, bêche-de-mer or green snail taken in proclaimed waters.

(d) PEARL FISHERIES REGULATIONS.⁵ "COMMONWEALTH STATUTORY RULES 1953", No. 84 AND 1954, No. 58.

...

12. (1) Where a licensing authority grants an application for a licence to use a ship in searching for and obtaining pearl shell, trochus, bêche-de-mer or green snail, he shall assign to the ship a distinguishing letter and number.

(2) If:

(a) A ship in respect of which a licence under sub-section (2) of section 10 of the Act is in force:

(i) Is being or has been used for pearling in proclaimed waters since the grant of the licence; and

(ii) Does not bear the distinguishing letter and number assigned to it under the last preceding sub-regulation conspicuously and legibly painted on each bow, above the water line, in dark letters and figures on a light ground, or in light letters and figures on a dark ground, each letter and figure being not less than twelve inches in depth;

(b) A ship in respect of which such a licence has been granted has ceased to be so licensed, and the distinguishing letter and number assigned to it under the last preceding sub-regulation has not been completely obliterated or removed; or

(c) A ship that is being used for pearling in proclaimed waters has painted or displayed upon a bow a letter or number not being:

(i) The letter and number assigned to it in pursuance of this regulation or under a law of a State; or

(ii) A letter or number assigned to it under a law of another country, the master and the owner of the ship shall each be deemed to be guilty of an offence against this regulation punishable by a fine not exceeding one hundred pounds.

13. The provisions of paragraphs (a) and (b) of sub-regulation (2) of the last preceding regulation do not apply to or in relation to a ship that:

(a) Is licensed under the law of a State to be used in searching for and obtaining pearl shell, trochus, bêche-de-mer or green snail; and

(b) Has painted or displayed on it an identification letter and number in accordance with that law.

...

⁵ These Regulations relate to the granting of licenses for pearl fishing. There are appended to these Regulations certain schedules which contain the forms of licences which may be issued under the Regulations and also short methods of Reference to areas of waters that are, or include, proclaimed waters.

15. (1) The areas of proclaimed waters, and the areas of waters that include waters that are proclaimed waters, described in full in the second column of the Third Schedule to these Regulations may be referred to by the short descriptions respectively specified in the first column of that Schedule.

Note. Reference should also be made to Section 6 of the Petroleum (Prospecting and Mining) Ordinance 1951 of the Territory of Papua and New Guinea and Section 4 of the Petroleum (Prospecting and Mining) Ordinance 1954 of the Northern Territory which contain the following definition of "land" in respect of which a licence or lease may be granted:

"Land' includes that portion of the sea-bed adjoining the coast of the Territory extending to the outer edge of the continental shelf, and the bed of any river, estuary, lake or swamp."

3. Chile [2]

[No change]

4. Costa Rica [3]

[No change]

5. Ecuador

(a) DECREE CONCERNING THE LIMITS OF THE TERRITORIAL SEA, 6 NOVEMBER 1950.
"REGISTRO OFICIAL DEL ECUADOR" No. 756, 6 MARCH 1951.⁶

Considering:

That it is imperative to determine the exact limits of the territorial sea under Ecuador's jurisdiction;

That the American community of nations adopted the resolutions concerning territorial waters submitted to the First and Second Meetings of Ministers of Foreign Affairs held at Panama and Havana in 1939 and 1940, respectively, in which it was recommended "that the American States should adopt in their respective legislation the principles and rules contained in the said Declarations"; and

That military considerations have led the nations to extend the limits of the territorial waters under their jurisdiction;

Decrees:

Article 1. The continental shelf adjacent to the Ecuadorian coast and each and all of the resources found therein shall belong to the State, which shall have the utilization and control necessary to ensure the conservation of the said resources and the control and protection of the corresponding fishing zones.

Article 2. The Ecuadorian continental shelf shall be understood to mean the underwater lands which are contiguous to the mainland and are covered by water to a maximum depth of 200 metres.

Article 3. The minimum breadth of the nation's territorial sea shall be twelve nautical miles, reckoned at twenty to one degree,⁷ measured from the outermost points of the Ecuadorian coast on the Pacific Ocean, as well as the internal waters of gulfs, bays, straits and channels situated within a line based on those points.

The internal sea situated within the perimeter of the twelve nautical miles measured from the outermost points of the farthest seaward of the Galápagos

⁶ Translation by the Secretariat of the United Nations.

⁷ In the original preparatory document prepared for the Conference on the law of the sea it was pointed out that in the Report of the International Law Commission covering the work of its eighth session, 23 April-4 July 1956, the term "mile" means nautical mile (1,852 metres) reckoned at sixty to one degree of latitude: *General Assembly, Official Records, Eleventh Session, Supplement No. 9 (A/3159)*, p. 4.

Islands shall likewise be designated as the territorial sea, the provisions of article 1 of this Decree being applicable in this case.

Article 4. If it should be apparent from International Agreements or Treaties on this subject, such as the Treaty of Reciprocal Assistance, that the zones delimited for maritime policing and protection are wider than those fixed in this Decree, the terms of the said Treaties shall predominate and shall be applied as part of this Decree within the limits and area fixed in the said Treaties.

Article 5. Within the limits laid down in this Decree the relevant provisions of the Civil Code, the Maritime Police Code and any other laws which may be in conflict with this Decree shall be amended. This Decree shall enter into force from the date of its promulgation in the Official Register.

6. Guatemala [4]

[No change]

7. Honduras [5]

(a) CONGRESSIONAL DECREE No. 102, 7 MARCH 1950

[No change]

(b) CONGRESSIONAL DECREE No. 103, 7 MARCH 1950

[No change]

(c) CONGRESSIONAL DECREE No. 21 OF THE CONSTITUENT NATIONAL ASSEMBLY, 19 DECEMBER 1957⁸

Article 6

(3) The following also belong to the State of Honduras and are subject to its jurisdiction and control: the subsoil, air space, stratosphere, territorial sea, and the seabed and subsoil of the continental shelf, the continental and insular terrace and other submarine areas adjacent to its territory outside the area of the territorial sea and to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the seabed and subsoil.

In the cases to which the preceding paragraphs refer, the dominion of the Nation is inalienable and imprescriptible.

(4) In accordance with the foregoing statements, the State reserves the right to determine the boundaries of areas for the control and protection of national resources in the continental and insular seas under the control of the Government of Honduras, and to modify such boundaries according to circumstances arising out of new discoveries, studies and national interests which may emerge in the future.

(5) This declaration of sovereignty is without prejudice to similar legitimate rights of other States exercised on a basis of reciprocity, and does not affect the right of all nations to freedom of navigation in conformity with international law.

8. Iceland [6]

(a) ARTICLE 3 OF LAW No. 44, CONCERNING THE SCIENTIFIC CONSERVATION OF THE CONTINENTAL SHELF FISHERIES, 5 APRIL 1948. "STJORNARTIDTINDI", 1948, A.4, P. 147 AS AMENDED BY LAW No. 81/1952.

Violations of the Regulations promulgated under Article 1 of this Law shall be punishable in accordance with the provisions of Law No. 5, 18 May 1920,

⁸Text of Decree provided by the delegation of Honduras to the United Nations Conference on the Law of the Sea held in Geneva, Feb.-Apr. 1958.

relative to prohibition of trawling, Law No. 45, 13 June 1937, relative to prohibition of Danish seine-netting, Law No. 33, 19 June 1922, concerning fisheries in territorial waters, as amended, or, in the case of other violations by fines from Kr. 1.000.00 to 100.000.00.

- (b) REGULATIONS No. 21/1952 CONCERNING CONSERVATION OF FISHERIES OFF THE ICELANDIC COASTS FOR THE PURPOSE OF IMPLEMENTING LAW No. 44, CONCERNING THE SCIENTIFIC CONSERVATION ON THE CONTINENTAL SHELF FISHERIES, 5 APRIL 1948.

[Repealed]

- (c) REGULATIONS No. 70/1958, 30 JUNE 1958, CONCERNING CONSERVATION OF FISHERIES OFF THE ICELANDIC COASTS FOR THE PURPOSE OF IMPLEMENTING LAW No. 44, 5 APRIL 1948

Article 1. The fisheries' limits off Iceland shall be drawn 12 nautical miles outside base lines drawn between the following points:

1. Horn	66°27'4	N., 22°24'5	W.
2. Irabodi	66°19'8	—	22°06'5 —
3. Drangasker	66°14'3	—	21°48'6 —
4. Selsker	66°07'5	—	21°31'2 —
5. Asbúðaríf	66°08'1	—	20°11'2 —
6. Siglunes	66°11'9	—	18°50'1 —
7. Flatey	66°10'3	—	17°50'5 —
8. Lágey	66°17'8	—	17°07'0 —
9. Raudínúpur	66°30'7	—	16°32'5 —
10. Rífstangi	66°32'3	—	16°11'9 —
11. Hraunhafnartangi	66°32'3	—	16°01'6 —
12. Langanes	66°22'6	—	14°32'0 —
13. Skálatóarsker	65°59'7	—	14°37'5 —
14. Bjarnarey	65°47'1	—	14°18'3 —
14. Almenningsfles	65°33'1	—	13°40'6 —
16. Glettinganes	65°30'6	—	13°36'4 —
17. Nordfjardarhorn	65°10'0	—	13°31'0 —
18. Gerpir	65°04'7	—	13°29'8 —
19. Hólmur	64°58'9	—	13°30'7 —
20. Setusker	64°57'7	—	13°31'6 —
21. Pursasker	64°54'1	—	13°36'9 —
22. Yztibodi	64°35'2	—	14°01'6 —
23. Selsker	64°32'8	—	14°07'1 —
24. Hvítugar	64°23'8	—	14°28'1 —
25. Stokksnes	64°14'1	—	14°58'5 —
26. Hrollaugseyjar	64°01'7	—	15°58'8 —
27. Tvísker	63°55'6	—	16°11'4 —
28. Ingólfshöfði	63°47'8	—	16°38'6 —
29. Hvalsíki	63°44'1	—	17°33'7 —
30. Medallandssandur I	63°32'4	—	17°56'0 —
31. Medallandssandur II	63°30'6	—	18°00'0 —
32. Myrnatangi	63°27'4	—	18°12'0 —
33. Kötutangi	63°23'4	—	18°43'0 —
34. Lundadrangur	63°23'5	—	19°07'6 —
35. Geirfuglasker	63°19'0	—	20°30'1 —
36. Einidrangur	63°27'4	—	20°37'2 —
37. Selvogur	63°49'1	—	21°39'4 —
38. Hópsnes	63°49'3	—	22°24'6 —
39. Eldeyjarangur	63°43'8	—	22°59'6 —
40. Gáluvíkurtangi	64°44'9	—	23°55'3 —

41. Hraunvör	64°49'6	N.,	24°01'0	W.
42. Skálasnagi	64°51'3	—	24°02'6	—
43. Bjargtangar	65°30'2	—	24°32'3	—
44. Kópanes	65°48'3	—	24°06'3	—
45. Bardi	66°03'7	—	23°47'6	—
46. Straumnes	66°25'7	—	23°08'5	—
47. Kögur	66°28'3	—	22°55'8	—
48. Horn	66°27'9	—	22°28'5	—

Besides, limits shall be drawn around the following points, 12 nautical miles outside:

49. Kolbeinsey	67°07'5	N.,	18°36'0	W.
50. Hvalbakur	64°35'8	—	13°16'7	—
51. Geirfugladrangur	63°40'6	—	23°17'3	—

Finally, limits shall be drawn around the island of Grimsey, 12 nautical miles outside its outermost points and rocks.

Each nautical mile shall be equal to 1852 metres.

Article 2. Within the fisheries' limits all fishing activities by foreign vessels shall be prohibited in accordance with the provisions of Act No. 33 of June 19, 1922, concerning Fishing in Territorial Waters.

Article 3. Icelandic vessels using bottom trawl, floating trawl or Danish seine-netting shall be allowed to fish within the fisheries' limits but outside the limits determined by Regulations No. 21 of March 19, 1952.

Before these Regulations become effective special provisions about such licences shall be promulgated stating further about fishing zones and periods.

Article 4. Trawlers shall have all their fishing gear properly stowed aboard while staying at places where fishing is prohibited.

Article 5. Fisheries' statistics shall be forwarded to the Fiskifélag Islands (Fisheries Association of Iceland) in the manner prescribed by Act No. 55 of June 27, 1941, concerning Catch and Fisheries' Reports.

If the Ministry of Fisheries envisages the possibility of overfishing the Ministry may limit the number of fishing vessels and the maximum catch of each vessel.

Article 6. Violations of the provisions of these Regulations shall be subject to the penalties provided for by Act No. 5 of May 18, 1920, concerning Prohibition against Trawling, Act No. 45 of June 13, 1937, concerning Prohibition against Danish seine-netting in Territorial Waters, Act No. 33 of June 19, 1922, concerning Fishing in Territorial Waters, as amended, or, if the provisions of said Acts do not apply, to fines from Kr. 1000.00 to 100 000.00.

Article 7. These Regulations are promulgated in accordance with Act No. 44 of April 5, 1948, concerning the Scientific Conservation of the Continental Shelf Fisheries, as amended by Act No. 81 of December 8, 1952. As soon as it becomes operative Regulations No. 21 of March 19, 1952, concerning Conservation of Fisheries off the Icelandic Coasts shall cease to be effective.

Article 8. These Regulations become effective on September 1, 1958.

(d) REGULATIONS OF 29 AUGUST 1958 SUPPLEMENTING LAW No. 44, 5 APRIL 1948, AND REGULATIONS No. 70/1958, 30 JUNE 1958

Article 1. All trawling and Danish seine-netting shall be prohibited everywhere off the Icelandic coasts inside a line drawn four nautical miles outside the baselines laid down in Article 1 of Regulations No. 70, dated June 30th, 1958.

Icelandic vessels using bottom trawls, float trawls or Danish seine-nets shall be permitted to fish inside the fishery limits off Iceland after Sept. 1st, 1958, but not inside a line drawn four nautical miles outside baselines (see the above paragraph), with the following exceptions:

A. North and North-East Iceland.

From 21°20' W. to a line drawn due north-east from Osflæs, south of Heradsflo, all trawling and Danish seine-netting shall be prohibited inside a line drawn eight nautical miles from the baseline. Off Grimsey and Kolbeinsey such fishing shall also be prohibited inside eight nautical miles from baseline.

B. East Iceland.

From a line drawn due north-east from Osflæs to a line drawn due south-east from Hvitingar, all trawling and Danish seine-netting shall be prohibited inside the fishery limits in the period between May 1st and Nov. 30th.

C. South-East Iceland.

From a line drawn due south-east from Hvitingar to a line drawn due south from Ingolfshofdi all trawling and Danish seine-netting shall be prohibited inside the fishery limits from Jan. 1st until May 15th.

D. South Iceland.

From a line drawn due south from Ingolfshofdi to a line drawn due south from Kötlutangi all trawling and Danish seine-netting shall be prohibited inside a line drawn six nautical miles outside the baseline in the period between Jan. 1st and May 15th.

From 20° W. to 21° W. all trawling and Danish seine-netting shall be prohibited inside the fishery limits in the period between Jan 1st and May 15th. Such fishing shall also be prohibited in the same period inside a line drawn between the points 63° 19.5' N., 21° W. to 63° 30.7' N., 21° 15.3' W.

From 21°15.3' W. to 22°52' W. all trawling and Danish seine-netting shall be prohibited inside a line drawn eight nautical miles outside the baseline in the period between Jan. 1st and May 15th.

E. South-West Iceland, Fæxa Bay, and Breidafjord.

From 22°52' W. to a line drawn due west from Bjargtangar all trawling and Danish seine-netting shall be prohibited inside the fishery limits in the period between Jan. 1st and May 15th.

Such fishing shall also be prohibited inside the fishery limits from 64°52' N. to Bjargtangar in the period between Oct. 15th and Dec. 31st.

F. North-West Iceland.

From a line drawn due west from Bjargtangar to 21°20' W. all trawling and Danish seine-netting shall be prohibited inside the fishery limits all the year round.

Article 2. Violations of the provisions of these regulations shall be subject to penalties provided for by Article 6 of Regulations No. 70, dated June 30th, 1958, concerning the fishery limits off Iceland.

Article 3. These regulations are hereby promulgated in accordance with Act No. 44 of April 5th, 1948, concerning the Scientific Conservation of the Continental Shelf Fisheries, and the provisions of Article 3 of Regulations No. 70 of June 30th, 1958.

Article 4. These regulations become effective on Sept. 1st, 1958.

9. India

(a) PROCLAMATION CONCERNING THE CONTINENTAL SHELF, 30 AUGUST 1955. "GAZETTE OF INDIA", 1955, No. 260.

Whereas valuable natural resources are known to exist on the sea-bed and in the subsoil of the Continental Shelf and the utilization of such resources is being made practicable by modern technological progress:

And whereas it is established by international practice that for the purpose of exploring and exploiting such resources in an orderly manner every coastal State

has sovereign rights over the sea-bed and subsoil of the Continental Shelf adjoining its territory;

Now therefore, I, Rajendar Prasad, President of India, in the sixth year of the Republic do hereby proclaim that India has, and always had, full and exclusive sovereign right over the sea-bed and subsoil of the Continental Shelf adjoining its territory and beyond its territorial waters.

10. Israel

(a) PROCLAMATION CONCERNING SUBMARINE AREAS, 3 AUGUST 1952.⁹

Whereas recent scientific investigations indicate the presence of mineral wealth and other natural resources in the submarine areas contiguous to the coasts of Israel;

And whereas it is desirable to take steps to preserve these resources and to assure their availability for the purpose of future research, utilization and development;

And whereas several other States have taken steps to exercise jurisdiction over the submarine areas contiguous to their coasts;

Therefore the Government of Israel hereby proclaims and publicly announces as follows:

(1) The territory of the State of Israel shall include the sea-bed and the subsoil of the submarine areas contiguous to the coasts of Israel and outside the territorial waters to the extent that the depth of the superjacent waters admits of the exploitation of the natural resources of those areas.

(2) Nothing contained in paragraph 1 shall affect the character as high seas of the waters as are above the said submarine areas and outside the territorial waters of Israel.

(b) SUBMARINE AREAS LAW, No. 21, 513-1953, 10 FEBRUARY 1953.¹⁰

1. (a) The territory of the State of Israel shall include the sea floor and underground of the submarine areas adjacent to the shores of Israel but outside Israel territorial waters, to the extent that the depth of the superjacent water permits the exploitation of the natural resources situate in such areas.

(b) Nothing in subsection (a) shall affect the character of the water superjacent on the said submarine areas, and outside Israel territorial waters, as waters of the high seas.

Note. By Section 1 of the Petroleum Law, 5712-1952, 26 August 1952 (Laws of the State of Israel, Vol. 6, 5712-1951/2, p. 129) "land" includes "land intermittently or permanently submerged beneath inland waters or the sea"; s.s. 68 and 74 impose penalties for contravention of this law.

11. Korea (Republic of)

(a) PRESIDENTIAL PROCLAMATION OF SOVEREIGNTY OVER ADJACENT SEAS, 18 JANUARY 1952¹¹

Supported by well-established international precedents and urged by the impelling need of safeguarding, once and for all, the interests of national welfare and defence, the President of the Republic of Korea hereby proclaims:

⁹ Translation taken from United Nations Doc. A/CN.4/99/Add.1 p. 15; official text in Yalkut Hapirsumim No. 244, 11 August 1952, p. 989.

¹⁰ Translation taken from United Nations Doc. A/CN.4/99/Add.1 p. 15; Official text in Sefer-ha-Chukkin No. 120, 20 February 1953, p. 53.

¹¹ Text provided by the Ministry of Foreign Affairs of the Republic of Korea and transmitted through the Office of the Permanent Observer of the Republic of Korea to the United Nations.

1. The Government of the Republic of Korea holds and exercises the national sovereignty over the shelf adjacent to the peninsular and insular coasts of the national territory, no matter how deep it may be, protecting, preserving and utilizing, therefore, to the best advantage of national interests, all the natural resources, mineral and marine, that exist over the said shelf, on it and beneath it, known, or which may be discovered in the future.

2. The Government of the Republic of Korea holds and exercises the national sovereignty over the seas adjacent to the coasts of the peninsula and islands of the national territory, no matter what their depths may be, throughout the extension, as herebelow delineated, deemed necessary to reserve, protect, conserve and utilize the resources and natural wealth of all kinds that may be found on, in, or under the said seas, placing under the Government supervisions particularly the fishing and marine hunting industries in order to prevent this exhaustible type of resources and natural wealth from being exploited to the disadvantage of the inhabitants of Korea, or decreased or destroyed to the detriment of the country.

3. The Government of the Republic of Korea hereby declares and maintains the lines of demarcation, as given below, which shall define and delineate the zone of control and protection of the national resources and wealth on, in or beneath the said seas placed under the jurisdiction and control of the Republic of Korea and which shall be liable to modification, in accordance with the circumstances arising from new discoveries, studies or interests that may come to light in future. The zone to be placed under the sovereignty and protection of the Republic of Korea shall consist of seas lying between the coasts of the peninsular and insular territories of Korea and the line of demarcation made from the continuity of the following lines:

(a) From the highest peak of U-Am-Ryung, Kyung-Hung-Kun, Ham-Kyong-Pukdo to the point (42°15'N-130°45'E);

(b) From the point (42°15'N-130°45'E) to the point (38°00'N-132°50'E);

(c) From the point (38°00'N-132°50'E) to the point (35°00'N-130°00'E);

(d) From the point (35°00'N-130°00'E) to the point (34°40'N-129°10'E);

(e) From the point (34°40'N-129°10'E) to the point (32°00'N-127°00'E);

(f) From the point (32°00'N-127°00'E) to the point (32°00'N-124°00'E);

(g) From the point (32°00'N-124°00'E) to the point (39°45'N-124°00'E);

(h) From the point (39°45'N-124°00'E) to the western point of Ma-An-Do, Sin-Do-Yuldo, Yong-Chun-Kun, Pyungan-Pukdo;

(i) From the western point of Ma-An-Do to the point where a straight line drawn north meets with the western end of the Korean-Manchurian borderline.

4. This declaration of sovereignty over the adjacent seas does not interfere with the rights of free navigation on the high seas.

12. Mexico [7]

[No change]

13. Nicaragua [8]

[No change]

14. Panama [9]

[No change]

15. Peru [10]

[No change]

16. Philippines [11]

[No change]

17. Portugal [12]

(a) DECREE REGULATING FISHING BY STEAM VESSELS, 9 NOVEMBER 1910.

[No change]

(b) ACT NO. 2080 RELATING TO THE CONTINENTAL SHELF, 21 MARCH 1956. "DIARIO DO GOVERNO", No. 60, 21 MARCH 1956. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS

Section I. The sea-bed and the corresponding subsoil of the submarine platforms adjacent to the Portuguese sea-coast, whether of the mainland or of the islands, which are known as continental shelves, belong, even beyond the limits of the territorial sea, to the public domain of the State.

Section II. Except as otherwise provided by special legislation, concessions shall not be granted in the continental shelves beyond the part bounded by the line at which the water attains a depth of 200 metres.

Sole paragraph. In any case in which the continental shelf extends to the sea-coast of another State, concessions shall not be granted until after the line of demarcation has been determined.

Section III. The exploration of the continental shelf shall not imply any additional limitations of the regime of the high seas concerning the epicontinental sea which are not authorized by international law.

Section IV. Concessions relating to the natural resources of the public domains as defined in this Act shall be subject to the consent of the Council of Ministers, whose authorization shall likewise be required for any transfer of the rights conferred by a concession.

Sole paragraph. The concessionaire shall pledge security to guarantee indemnity for any losses and damage occasioned by a violation of the provisions of section III.

Section V. This Act shall be applicable to the whole of Portuguese territory. The provisions of this Act shall be published and carried into effect.

18. Saudi Arabia [13]

[No change]

19. United Kingdom [14]

(a) ARAB STATES UNDER THE PROTECTION OF THE UNITED KINGDOM

[No change]

(b) BAHAMAS

(i) Petroleum Act, 3 April 1945.

Note. Article 7 of the above Act, dealing with the granting of licences, has been amended by the Petroleum Amendment Act 1954. "Bahamas, Acts passed in the year 1954," No. 17, p. 18.

Article 28 of the above Act, dealing with regulations, was originally supplemented by Schedules dated 20 June 1945; these Schedules have now been replaced (see Government Notice 169, Gazette Supplement of 4 November 1954).

(ii) Bahamas (Alteration of Boundaries) Order-in-Council (No. 2574), 26 November 1948.

[No change]

(c) BRITISH HONDURAS

[No change]

(d) JAMAICA

[No. change]

(e) TRINIDAD AND TOBAGO

(i) Submarine (Oil Mining) Regulations, 22 May 1945.

Note. By the Submarine (Oil Mining) (Amendment) Regulations, 1954 (Trinidad and Tobago Ordinances, Government Notice No. 138, Gazette Supplement, 19 August 1954) the following amendments are made:

Regulation 4 (2) is revoked,

Regulation 9 is revoked,

Regulation 13 is amended.

(a) By re-numbering the same as 13 (1); and

(b) By adding thereto the following new sub-regulation to be numbered (2):

"(2) (a) Where any alien or company incorporated outside the Commonwealth countries applies for a licence, the Governor may make it a condition of any licence so granted that at any time after the expiration of five years from the date of the first commercial export of oil from the Colony by the Licensee, the Licensee, unless he can show to the satisfaction of the Governor that he will incur substantial tax disabilities through being required to do so, may be required by the Governor to form a locally incorporated subsidiary company to conduct all operations in pursuance of the said licence, and that if so required the Licensee shall comply with such requirement within one year after being notified thereof in writing.

"(b) Where any Licensee applies for the Governor's consent to the assignment of a licence to an alien or a company incorporated outside the Commonwealth countries, the Governor may make it a condition of his consent that there shall be inserted in the licence to be transferred a provision to the effect that at any time after the expiration of five years from the date of the first commercial export of oil from the Colony by the Licensee, the Licensee, unless he can show to the satisfaction of the Governor that he will incur substantial tax disabilities through being required to do so, may be required by the Governor to form a locally incorporated subsidiary company to conduct all operations in pursuance of the said licence, and that if so required the Licensee shall comply with such requirement within one year after being notified thereof in writing."

Paragraph 2 of Part VI of Schedule 1 to the Principal Regulations is also revoked.

By the Submarine (Oil Mining) Amendment Regulations, 1954 (Government Notice No. 179, Gazette Supplement, 9 December 1954) the following further amendments were made:

Regulations 2 and 10 are amended by substituting the expression "Her Majesty's Dominions" for the expression "Commonwealth Countries" wherever the latter expression appears therein.

Parts IV, VI, VII, and IX of the Schedule I are amended.

(f) SARAWAK

(i) Sarawak (Alteration of Boundaries), Order-in-Council, 1954. "Sarawak Government Gazette Extraordinary", Part II, Vol. IX, 30 June 1954, No. 18, p. 200.

...

2. The boundaries of the Colony of Sarawak are hereby extended to include the area of the continental shelf being the sea-bed and the subsoil which lies beneath the high seas contiguous to the territorial waters of Sarawak.

3. Nothing in this order shall be deemed to affect the character as high seas of any waters above the said area of the continental shelf.

Note. Similar enactments have been made on behalf of British Guiana (S.I. 1954, No. 1372, Colonies, Protectorates, and Trust Territories), North Borneo (Laws of North Borneo, Supplement to the Revised Edition, 1953, Vol. VII, p. 637), and Brunei (Government Gazette, Supplement No. 9, 31 July 1954, p. 159).

18

20. United States of America [15]

[No change]

CHAPTER 2. INTERNATIONAL TREATIES AND SUPPLEMENTARY LEGISLATION

[No change]