

N° 2383.

NORVÈGE ET PORTUGAL

Accord concernant la reconnaissance
réciproque des certificats de navi-
gabilité entre les deux pays. Signé
à Lisbonne, le 7 février 1929.

NORWAY AND PORTUGAL

Agreement regarding the reciprocal
Recognition of Certificates of
Seaworthiness between the two
Countries. Signed at Lisbon, Fe-
bruary 7, 1929.

¹ TRADUCTION. — TRANSLATION.

No. 2383. — AGREEMENT BETWEEN NORWAY AND PORTUGAL REGARDING THE RECIPROCAL RECOGNITION OF CERTIFICATES OF SEAWORTHINESS BETWEEN THE TWO COUNTRIES. SIGNED AT LISBON, FEBRUARY 7, 1929.

French official text communicated by the Norwegian Minister for Foreign Affairs. The registration of this Agreement took place July 10, 1930.

THE GOVERNMENT OF THE KINGDOM OF NORWAY and THE GOVERNMENT OF THE PORTUGUESE REPUBLIC, recognising that the laws and regulations on the safety of navigation in force in the two countries guarantee effective control over the conditions of seaworthiness of vessels ;
Desiring to facilitate mutual maritime relations between the two countries ;
Have decided to conclude the following Agreement :

Article 1.

Each of the two Contracting States fully recognises the legal provisions and the regulations established by the other State in its laws with a view to ensuring sufficient control over the conditions of safety of vessels having its nationality, whatever their type or dimensions.

Article 2.

In virtue of Article 1, the authorities of Norwegian ports shall recognise as valid and legal certificates of seaworthiness issued by Portuguese maritime authorities in accordance with Decrees Nos. 15,372 and 15,452 of the Government of the Portuguese Republic, dated April 9, 1928.

The Portuguese maritime authorities at ports of the mainland of the Republic and of the adjacent archipelagos shall recognise certificates of seaworthiness issued to Norwegian vessels by competent Norwegian authorities as legal and valid and as evidence that such vessels are in a seaworthy condition and comply with the requirements of Norwegian law on this subject as regards their construction and equipment, including embarkation equipment and safety appliances.

The Norwegian certificates of seaworthiness are the "*Passasjer-certifikat*" (certificate for transport of passengers) and the "*Farts-certifikat*" (navigation certificate).

The former is issued to vessels carrying more than twelve passengers and the latter to all other vessels.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

Article 3.

Norwegian vessels, when in ports of the mainland of the Republic or of the adjacent archipelagos, shall be liable to supervision by the Portuguese maritime authorities only in order that the latter may ascertain whether the vessels have on board certificates of seaworthiness issued by the Norwegian competent authorities and still valid.

Portuguese vessels, when in Norwegian ports, shall be liable to supervision by the competent authorities of those ports only in order that such authorities may ascertain whether the vessels have on board certificates of seaworthiness issued by the Portuguese maritime authorities and still valid.

Article 4.

Notwithstanding the provisions of the preceding Articles, the competent authorities of either of the Contracting States may prevent the departure of a vessel having the nationality of the other State even if it is provided with a valid certificate of seaworthiness, should they have reason to fear that the life of persons on board would clearly be endangered if the vessel were authorised to make the proposed voyage.

In such case the competent port authorities shall at once bring the incident to the notice of the consul of the country to which the vessel belongs, in order to enable him to take any steps necessitated by the circumstances, unless the master of the vessel in question has in the meantime rendered it seaworthy.

Article 5.

Vessels having the nationality of either of the Contracting States cannot claim the advantages derivable from this Agreement unless they are provided with certificates of seaworthiness issued by the competent authorities of their country and still valid. Consequently, vessels having the nationality of either of the Contracting States provided only with certificates issued by a classification society, even though the latter be recognised by the two Governments, may not cite the present Agreement in order to obtain exemption from the supervision exercised by the competent authorities of the other State, except in matters in respect of which the laws of the country to which the vessel belongs recognise the certificates of the classification society in question as valid and equivalent to official certificates.

Vessels which are not obliged by the laws of their country to have on board a certificate of seaworthiness shall, on the other hand, enjoy all the advantages granted by the present Agreement under the same conditions as vessels provided with proper certificates of seaworthiness.

Article 6.

The Portuguese maritime authorities reserve the right, in the case of Norwegian vessels transporting emigrants from a port on the mainland of the Republic or in the adjacent archipelagos to some other part of the world (outside Europe), to ascertain whether the provisions contained in such vessels' certificates of seaworthiness are duly observed, particularly those referring to safety appliances, the number of passengers, victuals and water, and the regulations relating to the habitability, hygiene and sanitation of the quarters allocated to steerage passengers, and also whether the sick berth arrangements and the medical and pharmaceutical stores are in accordance with the provisions in force.

The Norwegian maritime authorities reserve the right, in the case of Portuguese vessels transporting emigrants from a Norwegian port to some other part of the world (outside Europe), with the exception of Mediterranean ports, to make the special inspection before sailing prescribed in similar cases for Norwegian vessels, in accordance with Norwegian law on the subject.

Article 7.

The provisions contained in Article 1 of the present Agreement shall not prevent either of the Contracting States, if it thinks fit, from amending its legal provisions or its regulations regarding the safety of navigation, but the amending State shall immediately inform the other State of such amendments to existing laws.

The Contracting States may at any time, through the diplomatic channel, make such improvements in the present Agreement as may be found desirable or necessary.

Article 8.

The present Agreement shall come into force on March 1, 1929, and shall remain in force for an indeterminate period, and may be denounced at any time by either of the Contracting States.

The denunciation of the Agreement shall not come into effect until six months after it has been communicated to the other State.

In faith whereof the respective Plenipotentiaries have signed the present Agreement.

Done in duplicate at Lisbon on February 7, 1929.

(Signed) Finn KOREN.

(Signed) Manuel Carlos QUINTAO MAIRELES.