

N° 2114.

ALLEMAGNE ET PORTUGAL

Accord concernant la reconnaissance
réciproque des lois et règlements
pour la sécurité de la navigation
maritime. Signé à Lisbonne, le
8 avril 1929.

GERMANY AND PORTUGAL

Agreement regarding the reciprocal
Recognition of Laws and Regula-
tions for the Security of Maritime
Navigation. Signed at Lisbon,
April 8, 1929.

¹ TRANSLATION.

NO. 2114. — AGREEMENT BETWEEN GERMANY AND PORTUGAL
REGARDING THE RECIPROCAL RECOGNITION OF LAWS AND
REGULATIONS FOR THE SECURITY OF MARITIME NAVIGATION.
SIGNED AT LISBON, APRIL 8, 1929.

THE GOVERNMENT OF THE PORTUGUESE REPUBLIC and THE GOVERNMENT OF THE GERMAN REICH, considering that the laws and regulations concerning the safety of navigation in force in their respective countries ensure adequate inspection of the seaworthiness of shipping, and desiring to develop reciprocal maritime relations between the two countries, have decided to conclude the following Agreement :

Article 1.

Each of the two Contracting Parties unreservedly recognises the other Party's laws and regulations for the proper inspection of safety conditions in vessels of every description and tonnage in their respective countries.

Article 2.

As a consequence of the provisions of Article 1, German port authorities shall recognise as legal and valid certificates of seaworthiness issued to Portuguese vessels by Portuguese maritime authorities in accordance with the provisions of Decrees No. 15-372 and 15-452 of the Government of the Portuguese Republic, dated April 9, 1928.

Portuguese maritime authorities in the continental ports of the Republic and in the ports of the neighbouring archipelagoes, shall recognise as legal and valid certificates of seaworthiness, or documentary evidence in lieu thereof, issued to German vessels by the competent German authorities.

Article 3.

German vessels in the continental ports of the Portuguese Republic and in the ports of the neighbouring archipelagoes shall only be subject, on the part of the Portuguese maritime authorities to such inspection as is necessary to ascertain that valid certificates of seaworthiness or documentary evidence in lieu thereof issued by the competent German authorities, are on board.

Portuguese vessels in German ports shall only be subject, on the part of the competent authorities of the above-mentioned ports, to such inspection as is necessary to ascertain that a valid certificate of seaworthiness, issued by the Portuguese maritime authorities, is on board.

Article 4.

Notwithstanding the provisions of the preceding Articles, the competent authorities of either Contracting Party shall have the right to prevent the departure of a vessel belonging to the other Contracting Party, even if that vessel possesses a valid certificate of seaworthiness or documentary evidence in lieu thereof, whenever they have reason to suppose that the life of the passengers would clearly be endangered if the vessel in question were allowed to proceed on its intended course.

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

In such case, the competent authorities of the port shall at once inform the consul of the country to which the vessel thus held up belongs, in order that he may take such steps as the circumstances warrant, unless, in the meantime, the master of the vessel has again rendered it seaworthy.

Article 5.

Portuguese or German vessels shall not be entitled to claim the benefits of this Agreement unless they are provided with a valid certificate of seaworthiness, or documentary evidence in lieu thereof, issued by the competent authorities of their respective countries.

Consequently, Portuguese or German vessels which only possess certificates issued by a "classifying institution", even when these are recognised by the two Contracting Parties, may not appeal to the terms of the present Agreement in order to obtain exemption from inspection by the competent authorities of the other Contracting Party, except on points where the certificates of the "classifying society" in question are recognised by the legislation of the country to which the ship belongs as valid and as the equivalent of official certificates.

Vessels which, under the law of their country, are exempted from having on board a certificate of seaworthiness or documentary evidence in lieu thereof shall, however, be entitled to claim all benefits provided by the present Agreement under the same conditions as vessels furnished with due and proper certificates of seaworthiness.

Article 6.

The competent authorities of the two Contracting Parties reserve the right to ascertain that the details contained in the certificates of seaworthiness, or documentary evidence in lieu thereof, of emigrant ships, in particular those concerning safety appliances, the number of passengers, and food and water supplies, are duly observed; as well as the rules and regulations of the country to which these authorities belong regarding the habitability, hygienic arrangements and sanitation of quarters intended for deck passengers; they reserve the right to ensure likewise that the installation of sick-bays and the supply of medical and chemical material are in conformity with the regulations in force in the country to which the above-mentioned authorities belong.

Article 7.

The regulations contained in Article 1 of the present Agreement shall not prevent either of the two Contracting Parties from altering as they may think necessary, the rules and regulations concerning safety conditions for shipping, but they shall at once communicate to the other Contracting Party any alterations made in the legislation in force.

The Contracting Parties may introduce into the present Agreement, through the diplomatic channel and at any time, such improvements as may be held to be desirable or necessary.

Article 8.

The present Agreement shall come into force on May 1, 1929, for an indefinite period. It may be denounced at any time by either Contracting Party.

Denunciation of the Agreement shall only take effect six months after the date on which it was notified to the other Contracting Party.

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

Done in duplicate at Lisbon, April 8, 1929.

Manuel Carlos QUINTÃO MEIRELES.
Ernst BUSCH.