

Ordinary

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GOVERNMENT OF ADEN

IOR: R/20/B/939

SUBJECT

Registration of Dhows

PREVIOUS

SUBSEQUENT

344/52 Registration of ~~Notes~~ Dhows in Aden.

CONNECTED.

537/41 - Admance to provide for the Registration of ~~Notes~~ Vessels.

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THE COLONY OF ADEN.



[12th July, 1941.]

No. 21 of 1941.

I assent

J. HATHORN HALL,

Governor.

11th July, 1941. Date of assent.

AN ORDINANCE TO PROVIDE FOR THE
REGISTRATION OF NATIVE VESSELS.

BE IT ENACTED by the Governor of the Colony
of Aden as follows:—

1. This Ordinance may be cited as the Registration of Native Vessels Ordinance, 1941. Short title.

2. For the purposes of this Ordinance the words "Native Vessel" shall mean any vessel fulfilling one of the two following conditions:— Definition.

- (a) It shall present the outward appearance of native build or rig provided that this Ordinance shall not apply to open or partially decked boats or canoes not exceeding 5 feet in beam;
- (b) It shall be manned by a crew of whom the master and majority of the seamen belong by

origin to the Colony or Protectorate of Aden or to some other country on the Indian Ocean, Gulf of Aden, Red Sea or Persian Gulf.

Registration.

3. (a) Every native vessel of which the owner is a British subject and resident in the Colony, shall upon payment of the fees prescribed in Schedule I to this Ordinance, be registered by the Port Officer in the form specified in Schedule II to this Ordinance, and no such native vessel shall be navigated or otherwise used within the territorial waters of the Colony except the same shall have been registered in accordance with the provisions of this Ordinance;

(b) The name and tonnage of every native vessel so registered shall be inlaid and painted in characters on the stern and the letter "A" as well as the registration number, shall be printed in black on the sails.

Licence to fly
British
Ensign.

4. (1) A licence to fly the British Ensign shall be granted by the Port Officer registering a native vessel, provided that the owner of such vessel can satisfy such Port Officer that:—

(a) Such owner is a British subject, resident in the Colony;

(b) Such owner possesses real estate situated in the Colony, or can supply solvent security as a guarantee of the payment of such fines as might be incurred; and

(c) Such owner as well as the master of the vessel, enjoy a good reputation and that, in particular, they have never been condemned for acts of slave trade.

(2) Such licence shall be in the form specified in Schedule III to this Ordinance.

Fishing
boats.

5. Sections 3 and 4 of this Ordinance shall not apply to open boats, canoes, or partially decked vessels fulfilling one of the following conditions:—

(a) That they are exclusively employed in fishing within the territorial waters of the Colony and Protectorate;

THE COLONY OF ADEN.



- (b) That they are plied for hire in or about the harbours of the Colony and Protectorate ;
- (c) That they are engaged in interportal trade within the Colony and Protectorate.

6. (a) The licence granted under Section 4 of this Ordinance shall remain in force for one year from the date of its issue, and thereafter shall be subject to renewal annually on payment of the fees specified in Schedule I to this Ordinance, provided that the Port Officer, subject to the approval of the Governor, may at any time suspend or cancel the licence;

Validity of the licence.

(b) The master of a native vessel failing to renew the licence in respect thereof upon the date of its expiry, shall be liable, in addition to the renewal fees due, to a fine equal to the amount payable for the renewal thereof;

(c) The master of a native vessel wishing to lay up such vessel, after the expiration of the annual licence, shall give notice thereof to the Port Officer. Upon failure to give such notice as aforesaid full fees shall be charged for the licence as if such vessel had not been laid up;

(d) Should the licence be stolen, lost or destroyed the Port Officer, may after having caused enquiry to be made into the circumstances, issue a duplicate licence on payment of a fee specified in Schedule I to this Ordinance;

(e) The licence shall have the indication necessary to establish the identity of the vessel and shall be kept in the custody of the master of the vessel.

7. In the event of any change in the ownership of a native vessel registered and licensed to fly the British Ensign under the provisions of this Ordinance the Registration and the licence granted under Sections 3 and 4 shall be deemed to be cancelled unless a notice of such change of ownership shall have immediately been given to the Port Officer, who shall on payment of fees specified in Schedule I to this Ordinance cause the Certificate of Registry and the Licence to be transferred by substituting the name of the new owner, provided that the transferee be a British subject resident in the Colony possessing the qualifications required by Section 4 of this Ordinance.

Change of
mastership
and other
particulars.

8. In the event of any change in the mastership or any particulars of a native vessel registered and licenced to fly the British Ensign under Sections 3 and 4 of this Ordinance, the owner of such vessel shall immediately give notice of such change to the Port Officer who shall, upon payment of the fees specified in Schedule I to this Ordinance, cause the Certificate of Registry and the Licence to be amended accordingly.

9. The owners, fitter-out and master of any native vessel, which flies a British Ensign, shall be guilty of an offence, unless such vessel shall be authorized to fly such flag by virtue of this Ordinance and shall be liable on summary conviction to a fine not exceeding Rs. 500/- or imprisonment not exceeding 3 months or to both such fine and imprisonment.

Crew List.

10. A crew list shall be issued to the master of a native vessel registered under this Ordinance, by the Port Officer upon the payment of the fees prescribed in Schedule I; such crew list shall be renewed each time the vessel is fitted out, or whenever there is any change in the crew, or whenever the vessel is registered and in conformity with the following provisions:—

- (a) The list shall be visaed at the moment of departure by the Port Officer. In the event of the number of the crew in the vessel being in excess of the number shown in the crew list, such list shall be amended accordingly;
- (b) No native shall be permitted to engage as seaman on a vessel unless and until the Port Officer shall have been satisfied that such engagement is a voluntary one;
- (c) The Port Officer shall, in his discretion, have power to decide the number of the crew any native vessel may or shall carry in proportion to the tonnage and rig thereof;
- (d) The crew shall be inscribed, after due interrogation, in the crew list and a short description of each member of the crew shall be given against his name;

THE COLONY OF ADEN.

(e) In the event of a master engaging a seaman or seamen at any port outside the Colony, such seaman or seamen shall be engaged with the consent of the territorial authorities and be by them inscribed on the crew list.

11. Every native vessel registered under this Ordinance shall fly the British Ensign on her arrival in, and departure from, as well as throughout the whole time during which she remains in the harbour, from sunrise to sunset; and when at sea such flag shall be hoisted immediately on the approach of a man-of-war or any boat thereof.

Flying the Colours.

12. Any person who contravenes any of the provisions of this Ordinance or who shall resist or obstruct any officer in the execution of his duty in relation thereto shall, on summary conviction, be liable to a fine not exceeding two thousand rupees or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Penalties.

Annual renewal of licence
Change of name of owner
Change of licensing
Change of any other particulars
Duplicate licence
Crew list
Amendment of crew list

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