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Mr. 1 Law on
registering as
marking of fisher
vessels

- 5. Act of 5th December, 1917, relating to registration and marking of fishing-vessels.

In accordance with the provisions of this Act all fishing vessels shall be entered into a special register and shall be marked in the prescribed manner. The regulations laid down by the Act are based on similar principles which are in use in the majority of European fishing nations, and which have been expressed in the North Sea Convention of 6th May, 1882.

The provisions of the Act are as follows:

Section 1.

Vessels and boats which are employed in fishing or catching must be entered in a Register of Norwegian fishing-vessels with marking duty, and must be marked in accordance with the provisions of the present Act irrespective of the provisions of the Ships-registering Act of 4th May, 1901, (cfr. supplementary Act of 14th July, 1909).

Marking duty also applies to fishing and catching boats which belong to the above mentioned vessels.

Section 2.

The register and marking duty shall include the following vessels and boats which are employed in professional fishing and catching along the Norwegian coast and in Northern waters:

1. All decked vessels.
2. All open boats with mechanical means of propulsion.
3. Other open boats - with the exception of six-oared and smaller boats - which take part in fishery for which special police supervision has been established.

By professional fishing shall be understood that the user of the vessel or boat in question has fishing as his means of livelihood, solely or in conjunction with other occupations.

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The King can decide whether the provisions of the present Act during certain fisheries shall also include other groupes of vessels than those mentioned in the present paragraph.

Section 3.

The Register of Norwegian fishing-vessels with marking-duty shall be kept for the entire country by the Directorate of Fisheries on the basis of district registers.

The district registers shall be kept for each marking-district by the supervisors appointed by the Ministry concerned. Each city or country municipality constitutes a marking district.

The Ministry concerned prescribes regulations regarding the contents etc. of the registers, and issues instructions to the supervisors.

Section 4.

The vessel or boat shall be notified to the supervisor at the home port.

For the purpose of the present Act the home port shall be the place of domicile of registree, or if there are several registrees the place of domicile of one of them according to their own choice.

The notification can take place orally or in writing, and (the request for registration) must contain all the information which is required for the registration and the issue of a marking-writ. If registration is requested in writing, it must be done on a form specially prepared thereto by the Ministry. Such forms can be obtained from the supervisors.

Section 5.

The duty to give notice rests with the owner of the vessel, or boat, or in cases of a limited company as owner, with the business manager of the company; if no such manager is appointed, the duty rests with all the shareholders. If the vessel or boat belongs to another company, the duty to give notice rests with the fully responsible members of the company, if it is a liable company, a limited partnership or a limited share-company, and otherwise with the board of the company.

The notificature duty comprises both primary notificatura and notificature of every change regarding the vessel or boat such as sale, removal from the district, more extensive rebuilding, loss at sea, etc.

If the vessel or boat is removed from the district it shall be deleted from that district's register and entered in the register of the new district.

Owners and users of vessels and boats as mentioned in section 2 are when requested to do so by the supervisor concerned bound to render him the necessary information so that he can judge whether or not registration-duty exists, and so that all the details which the resister pursuant to rules in force shall contain (cfr. section 3, last paragraph), can be entered in the register.

Section 6.

Each vessel or boat which is entered in the district register receives from the supervisor a mark which consists of the district-mark of the vessel's or boat's home port and the vessel's or boat's registered number.

District-marks are determined by the Ministry concerned and shall consist of letters which represent the district or county (or city) in question.

Such fishing-boats as are mentioned in section 1, last paragraph, receive the same district-mark and registered number as the mothervessel, with the addition of a figure which shows the position of the boat within the line of the mother-vessels's boats.

The supervisor shall issue a registration certificate, called marking letter, on a form prepared by the Ministry concerned. The marking-letter shall contain information concerning the mark given to the vessel or boat, its type, its rigging, its size and its home port, the owner's name and place of domicile, and, apart from that, any other details determined by the Ministry.

Section 7.

When reporting the removal of a vessel or a boat to another marking-district the person whose duty it is to give notice must send the marking-letter to the supervisor

of his former place of domicile, accompanied by details of the removal. When the supervisor has deleted the vessel or boat from his register he shall send the marking-letter together with the information received concerning the removal, to the supervisor at the vessel's new home port where it shall be registered and where a new marking-letter shall be issued.

Likewise when notifying other changes (section 5, §2) the marking-letter must be sent to the supervisor for correction.

Section 8.

The mark which a vessel or boat receives in the marking-letter must be placed on each side of the forepart of the vessel or boat in such a way as to be clearly visible, in white letters on a black background.

He (or they) with whom the duty to give notice rests - cfr. section 5 - shall see to it that the mark is painted on the vessel or boat and is responsible for the maintenance of the mark in such condition that it is always clearly visible and decipherable.

The King can determine that during certain fisheries or in certain waters the mark shall also be placed on the vessel's or boat's sails or on its fishing-gear.

Detailed regulations regarding the placing of the mark, its size, appearance, etc. shall be laid down by the Ministry concerned. The Ministry may also decide that instead of marks painted on the vessel, reflex marks may be used.

Section 9.

Vessels or boats covered by the present Act may neither on the hull nor sail carry names, letters or figures which are in contravention with the present Act or with any other valid regulations.

Section 10.

It is prohibited to obliterate, alter, make indecipherable, cover or in any way hide marks which pursuant to the present Act are placed on the hull or sails of a vessel or boat.

Section 11.

When a vessel or boat which by virtue of the present Act has marking-duty, takes part in a fishery for which special inspection authorities have been established in accordance with valid fisheries legislation, the marks issued pursuant to the present Act shall take the place of marks issued in accordance with the said fisheries legislation.

In cases where the said legislation contains rules regarding the delivery of marks, their return or their alteration by moving during the fishery in question, the present regulations shall not apply. The skipper of the vessel or boat must, however, at once report to the inspection authorities. In case of removal he shall report both at the place from which he has moved and at the place to which he has moved.

Section 12.

The Ministry concerned can decide that during fisheries for which special inspection authorities have been established, loose supplementary marks shall be used in addition to the permanent marks issued by virtue of the present Act. In that case the Ministry lays down rules regarding the appearance of the supplementary marks, and their placing. Otherwise the regulations of the fisheries legislation presently in force regarding boat-marks shall apply to them.

Section 13.

When pilot vessels and small boats (six-oared and smaller) as described in sections 1 and 2, take part in a fishery for which special police inspection has been established, without being marked as prescribed by the present Act, they shall be marked with loose boat-marks in accordance with the fisheries legislation presently in force.

Section 14.

Supervision of the observance of the provisions of the present Act devolves on the police, the customs authorities, the harbour police, the supervisors and the fisheries inspection authorities.

Section 15.

Any person who takes part in fishing with a vessel or boat with marking-duty, without it being marked as prescribed by the present Act, or who in any other way contravenes the regulations of the present Act or such regulations as may be laid down by virtue of the Act, shall be punished by fines.

Section 16.

This Act comes into force on 15th October, 1920.