Inter-American Legal Developments

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ARGENTINA

The new Law of Navigation (Law No. 20.094), replacing the corresponding provisions of the Commercial Code (1859), regulates relationships arising from maritime navigation (art. 1). It applies to Argentine vessels on the high seas or in waters under foreign sovereignty, including persons on board and events occurring there (art. 6), also to Argentine vessels during innocent passage through foreign territorial waters, subject to limitations imposed by international law (art. 7). Title II contains administrative rules dealing with navigable waters and public assets (art. 8), wrecks (art. 16 to 25), damages to port installations (art. 26 to 28), vessels in port (art. 29 to 40), and maritime authorities (art. 39 to 42). Chapter II deals with administrative aspects relating to vessels and other navigable objects, their registration (art. 43 to 58), building, modernization, repairs (art. 59 to 66), decommissions (art. 67 to 74), safety inspections (art. 74 to 82), and documentation carried on board (art. 83 to 88). Navigation generally is regulated in art. 89 to 103; personnel on board in art. 106 to 110 and on land (art. 111) and their qualifications in art. 112 to 119. The regime on board, specifically the rights and duties of the captain and the crew are dealt with in art. 120 to 147. The ship-building contract is regulated in art. 148 to 153, property in art. 154 to 163, and co-ownership in art. 164 to 169. The status of the operator (armador) is regulated in art. 170 to 182; partnerships in art. 183 to 192; maritime agency in art. 193 to 200, and the status of the captain as representative of the operator in art. 201 to 218. Various contracts involving the use of vessels appear in art. 219 to 258, transportation of cargo generally in art. 259 to 266, with common rules added in art. 267 to 269. Responsibility for loss and damage is regulated in art. 270 to 294, and bills of lading in art. 295 to 307. These contracts may be
reconciled under conditions set out in art. 315. Transportation of persons is regulated in art. 317 to 351 and gratuitous transportation in art. 352 to 353. Various maritime risks are dealt with in art. 358 to 370; assistance and salvage in art. 371 to 386, wearage in art. 387 to 402 and general average in art. 403 to 407. Maritime insurance is regulated in art. 408 to 470 and maritime credits in art. 471 to 516. Judicial jurisdiction is determined in art. 515 to 615 to belong to federal courts. Verification of cargo (art. 520 to 530) and attachment of vessels (art. 531 to 552) follow, including provisions setting up the ranking of privileged claims (art. 554 to 560). Limitation of liability is available under art. 561 to 576, followed by special proceedings (art. 578 to 596). Conflict provisions are contained in art. 597 to 621. Nationality of the vessel, determined by the law of the State which granted the right to fly the flag, governs interests in the vessel (art. 598); a change of nationality does not affect acquired rights (art. 599). Mortgages and other security interests in foreign vessels, properly established under the applicable law, are valid and are given effect in accordance with the previous articles, provided there is reciprocity (art. 600). Authority of the captain is determined by the law of the flag (art. 601), also charters and leases (art. 602). Contracts for transportation of goods are, in principle, governed by the law where they are to be performed, i.e., place of destination (art. 603). This law also governs transportation of passengers under contract entered into in Argentina or the performance of which starts or terminates there, regardless of the nationality of the vessel, or whenever Argentine tribunals have jurisdiction (art. 604). Collisions are governed by the law of the country in whose waters they occur and by the law of the flag whenever it is the same for both vessels (art. 605, para. 1). In case nationality is different, the Brussels Convention of 1910 applies between member-countries. If the collision occurs on the high seas, and vessels have different nationality, each is responsible according to its own law and recovery cannot exceed what each law allows (art. 605, para. 2). Further provisions deal with assistance and salvage (art. 606), and general and special averages (art. 607 to 608). Insurance contracts are subject to the law of the insurer’s domicile; in cases where the insurance was agreed through a subsidiary or agency, the law of its location applies (art. 609). Additional rules regarding jurisdiction are contained in art. 612 to 620. A forum selection clause (prorogation) regarding a cause of action which would otherwise be within the jurisdiction of domestic courts, may be brought before foreign courts after the cause of action arose, if “this be convenient” (art. 621). The final title contains additional and transitory provisions (art. 622 to 629).
The law to promote the domestic merchant marine (No. 20.447, 1973) affirms the right to transport in domestic vessels, 50% of foreign commerce (art. 1). In order to achieve this goal, the administration will set the necessary percentages (art. 2). In the absence of governmental treaties, maritime enterprises may enter into agreements with foreign maritime carriers (art. 4, para. 2), subject to administrative approval (art. 5). Domestic and foreign carriers operating without such approval may be excluded from Argentine ports (art. 6). An annex attached to the law contains general standards (normas). The law was implemented by two regulations (Decree No. 4.367, and No. 4.780, 1973).

An extensive reform of the Code of Civil and Commercial Procedure (Law No. 17.454, 1967.) was enacted by Law No. 20.497 (1973).

The Code of Criminal Procedure (Law No. 2372, 1881) was amended in art. 27, 30, 585 to 587; also art. 3 of Law No. 16.903, dealing with monetary equivalent of fines (Law No. 20.491, 1973).

Art. 157 of the Commercial Code, regulating damages in labor cases concerning dismissal, was amended by Law No. 20.163 (1973).

The Law on Business Associations (No. 19.550, 1972, 4 Law. Am. 476, 1972) was amended by Law No. 20.468 (1973) in regard to remunerations for members of the board of directors and of the control committee (consejo de vigilancia). Such remunerations must be established by the charter and may not exceed 25% of the profits; in case no dividends are distributed, remunerations are limited to 5%, except for such officers as have performed special work and whose remunerations have been expressly approved by the general assembly (art. 261). Amended art. 311 provides for representation of the minority in the board of directors and in the control committee. Finally, art. 369 as amended by Law No. 19.880 (1972 5 Law. Am. 42, 1973) prevents inscription in the commercial registers of changes in corporate charters adopted before this law entered into force and which contradict its provisions. Pursuant to the Law on Business Associations (No. 19.550, 1973) and the law dealing with the control of legal entities generally (No. 18.805, 1971, 3 Law. Am. 42, 1971), a resolution (No. 25, I.G.P.J., 1973) provides that corporations subject to the former law, constituted in the Republic or abroad, must supply to the General Inspection of Legal Entities information regarding such corporations and their participation in other entities, including their nominal value and costs of such participation (art. 1). Reports are to be submitted both by the corporations which participate and by those in which participation takes place (art. 3).
A statute for federal administrative personnel was enacted by Law No. 20.172 (1972), followed by a decree (No. 1.428, 1973). The National Institute of Public Administration was established (Law No. 20.173, 1973).

Law No. 20.216 (1973) regulates postal services.

A new law dealing with arms and explosives was enacted (No. 20.429, 1973) replacing Law No. 13.945.

A **Servicio Nacional del Menor** was created by Law No. 20.111 (1973) to provide various benefits and services for minors (art. 1 and 6), in cooperation with institutions having the same objective (art. 2).

The organization and functions of the National Educational Council are regulated by Law No. 20.014 (1973).

Law No. 20.480 (1973) amended a number of articles of Law No. 18.596 (1970, 2 Law. Am. 201, 1970) relating to salaries and wages. Amendments affect the time of payment (art. 3 and 5), advances on earnings (art. 8), deductions (art. 9 and 10), delay in payments (art. 14), the receipts in writing (art. 16), as well as attachments and assignments (art. 21 and 22). The provisions of this law apply also to other claims accruing to workers from the employment contracts, including their termination (art. 23).

Implementing legislation was passed for a number of conventions adopted by the International Labor Organization and ratified by Argentina (Law No. 20.392, 1973) pursuant to Convention No. 100 on equal remuneration for work by either sex; Law No. 20.400 (1973) implementing Convention No. 50 dealing with hiring of indigenous workers; and Convention No. 23 (Law No. 20.401, 1973) regarding repatriation of seamen.

Industrial development is extensively regulated by Decree No. 7.488 (1973), containing 448 articles. Law No. 17.741 on the movie industry, was amended by Law No. 20.170 (1973); subsidies provided for domestically produced (art. 7) films (art. 30 to 49); marketing abroad also is regulated (art. 51 to 55). The law is implemented by Decree No. 1.405 (1973).

The mining law (Law No. 19.938, 1972, 5 Law. Am. 308, 1973) has been implemented by a regulation (Decree No. 2.662, 1973).

Mutual institutions established to offer assistance without profit are regulated by Law No. 20.321 (1973); so are cooperatives by Law No. 20.337 (1973) replacing prior laws No. 11.386 and 19.219.
The law regulating horizontal property (No. 19.724, 4 Law. Am. 475, 1972) was implemented by Law No. 20.276 (1973).

An extensive regulation (Decree No. 4.907, 1973) to art. 45 to 51 of the Aviation Code (Law No. 17.285, 1967, 1 Law. Am. 105, 1969) deals with the national aircraft register. A pasavante is available for transfer of foreign aircraft from abroad to an Argentine airport (art. 46), resulting in a provisional immatriculation in the aircraft register.

Law No. 20.380 (1973) is designed to promote Argentine books. Law No. 20.285 (1973) deals with museums of arts and sciences.

A law to control air pollution was enacted (No. 20.284, 1973).

Decree No. 253 (1973) created a National Health Council to function within the Ministry of Social Welfare.

The law granting damages arising from terrorist acts (No. 20.007, 1973, 5 Law. Am. 310, 1973) was implemented by a decree (No. 2.109, 1973).

A number of professions are regulated by recently enacted laws: professional soccer players (Law No. 20.160, 1973); graphologes (Law No. 20.243, 1973); auctioneers (Law No. 20.266, 1973), and public translators (Law No. 20.305, 1973).

A law regulating seeds and related developments was enacted (No. 20.247, 1973).

Export insurance is covered by Law No. 20.299 (1973).

Sharing federal tax revenues with provinces is covered by Law No. 20.221 (1973).

The following treaties have been adopted: the statute of the International Institute for the Unification of Private Law (Rome, 1940) and of the Hague Conference on Private International Law (Hague, 1951) by Law No. 20.130 (1973); also the declaration of Madrid, signed in 1970 by the Ministers of Justice of Latin America and the Philippines (Law No. 20.236, 1973).

The new political regime emerging from recent elections is faced with legislation enacted by the military de facto government through decree-laws, i.e., the "so-called" (llamadas) laws. Those specifically listed have "lost their effect." Others, referred to as "provisions dictated by the de facto Executive Power between June 28, 1966 and May 24, 1973"
have been “converted into the law of the Nation.” According to Law No. 20.509 (1973) the following enactments have lost effectiveness (art. 7), listed here as arranged in the text: No. 17.567 (Law. Am. 51, 1969); No. 18.958 (Law. Am. 509, 1971); 17.401 (Law. Am. 61, 1969; Law. Am. 58, 1972); No. 18.234 (Law. Am. 61, 1969), No. 18.235; No. 17.671; No. 17.649; No. 17.192; No. 16.984; and No. 19.797 (Law. Am. 42, 1973). However the following provisions remain in force (art. 4): art. 173(7), 11, 12 (para. 2), 190, 194 and 198 of the Criminal Code, as amended by Law No. 17.567 (Law. Am. 51, 1969), and art. 175, enacted by Law No. 18.934; also Law No. 19.359 (1971) dealing with negotiable instruments; Law No. 20.184; furthermore Law No. 17.250 (art. 7, and 17 to 21), dealing with obligations to social security institutions and finally Law No. 18.247 (1969) punishing felonies related to sports (art. 26 to 28, Law. Am. 40, 1970). Other laws deprived of effect are listed in Law No. 20.510 (1973), namely laws No. 18.670 (3 Law. Am. 42, 1971); No. 18.799; No. 19.053 as amended by Law No. 19.959 (4 Law. Am. 58, 251, 1972); No. 19.110; No. 19.195; No. 19.583; No. 19.805; No. 19.959; No. 20.187; No. 18.232; No. 19.128; No. 19.081 (3 Law. Am. 508, 1971); No. 19.594; No. 20.032; No. 19.582 (4 Law. Am. 475, 1972); No. 19.863 (5 Law. Am. 42, 1973); No. 20.087, and Decree No. 3.721 (1956). According to art. 2 the Federal Criminal Court (Law. Am. 58, 1972) ceased to function immediately; all pending cases are transferred to regular courts (art. 3). Art. 6 established three new departments of the federal appellate criminal court.

A comission for reform of criminal legislation was established (art. 5, Law No. 20.509, 1973) to be appointed by the executive from representatives of both Chambers of the Congress, the judiciary, universities and scientific institutions as well as the Bar.

The new regime has granted extensive amnesty for crimes (Law No. 20.508, 1973) committed for “political, social, unionist, or student” objectives regardless of the object affected, the mode of commission or the final aim intended; also for participation in illicit political associations punishable under title VII, chapter II of the Criminal Code whenever committed for “political, social, unionist or student goals;” further, the acts committed by members of such associations; also for acts of demonstration or protest against authorities; and finally acts committed for the purpose or on occasion of strikes, lockouts, occupation of plants or the use of force in attaining such goals (art. 1).

Decree No. 250 (1973) contains commutations (shortening) of terms of imprisonment, imposed by federal courts for first offenders and re-
peaters (art. 1), with exceptions listed in art. 2, to be administered by the Ministry of Justice (art. 3). The decree was amended by Decree No. 293 (1973).

The Code of Criminal Procedure was further amended by Law No. 20.516 (1973), affecting art. 376 to 398.

Decrees No. 2.296 and No. 5.864 (1972), charging the Armed Forces with the control of penal institutions, have been found illegal and repealed by Decree No. 36 (1973).

Laws dealing with industrial and mining development (No. 19.375, 19.614, 19.904, and 20.242) have been suspended for 60 days (Decree No. 381, 1973) to enable the Congress to consider new legislation.

Interventors appointed to national universities under Law No. 17.245 shall appoint their delegates to particular faculties and departments (art. 2) with the power of deans or directors, respectively (art. 3). The functions of the general university assembly shall be exercised by the functions of the council of rectors (presidents) by the Minister of Culture and Education; (art. 5).

A new law to regulate foreign investments is before the legislature.

**Buenos Aires**


**Córdoba**

Law No. 5.432 and Decree No. 6.138 (1972) deal with the inspection of legal entities. An organic law for penal institutions was enacted (Law No. 5.473, 1972). Dealing in human blood (prohibiting commercial sales) is regulated by Law No. 5.448 (1972).

**Entre Ríos**

An *Instituto Autárquico de Seguro* was established (Law No. 5.288, 1973).

**San Juan**

Notarial fees are set by Law No. 3.777 (1973).
BAHAMAS

The Bahamas Registered Stock Act (No. 10, 1973) regulates governmental loans issued through registered stock (bonds). Such stock will be registered by the Monetary Authority (Monetary Authority Act, 1968). The act regulates transfers (art. 12 to 19), payment of interest (art. 20 to 23) and capital through a sinking fund (art. 24 to 30), and the conversion of other loans into stock (art. 31 to 33). Final provisions deal with duplicate, exchange, consolidation (art. 34 to 37) and miscellaneous provisions (art. 38 to 46).

Regulations for the Judicial and Legal Service Commission have been promulgated (S.I. No. 33, 1973).

Amendments to the following acts have been enacted: Emergency Tax Act (No. 5, 1973); Tariff Act (No. 9, 1973); and the Out Islands Electricity Act (No. 8, 1973).

BARBADOS

The Convention for the Suppression of Unlawful Seizure of Aircraft (Hague, 1970), ratified by Barbados, was implemented by the Hijacking Act (No. 2, 1973). The definition of the offense excludes mere attempts but covers offenders of any nationality, regardless where the aircraft is registered and whether the aircraft is in Barbados or elsewhere (art. 2, para. 1). However, it does not apply to military, customs, or police aircraft or when the place of takeoff and landing is in the state of registration, unless the act is committed in Barbados or the aircraft is a “Barbadian controlled aircraft”, or used as a military, customs or police aircraft of Barbados (art. 2, para. 2). The offender or a person who “in Barbados induces or assists in the commission elsewhere” of such an act is liable to imprisonment for life (art. 2, para. 3). Further provisions deal with the application of art. 4 of the Civil Aviation Tokyo Convention Act (1972) and includes this offense in the Extradition Act of 1870 (art. 4).

Laws related to housing have been consolidated in the National Housing Corporation Act (No. 8, 1973), repealing, in essence, the Housing Act of 1955 and the Urban Development Act of 1965.

The Land Tax Act (No. 1, 1973) was amended by Act No. 19 (1973).
BOLIVIA

Three important new codes became effective: the Criminal Code, the Code of Criminal Procedure, and the Family Code.

In preparation are a new Civil Code, a Code of Civil Procedure and a Commercial Code.

BRAZIL

Following previous attempts at reforming the Civil Code enacted in 1916, namely the draft of the law of obligations (1941) and the complete draft of 1964, the Comissão Elaboradora e Revisora do Código Civil submitted to the Minister of Justice in 1972 its draft, consisting of 2,256 articles. The basic guidelines followed in the preparation of the draft are, among others, the elimination of distinctions between civil and commercial obligations and the inclusion of traditional commercial law matters into the code. Nevertheless, the structure of the present code shall be retained and only its contents adjusted to scientific suggestions and advances adopted in implementing legislation. In any case, procedural rules shall be eliminated but rules related to prescription shall be retained. The draft is divided into two main parts: the general and special. The general part (art. 1 to 227) consisting of three books, deals with physical persons and legal entities, including foundations, also with domicile, followed by a classification of assets (bens), immovable, movable, public, and others. Book three deals with juristic facts: legal transactions, licit and illicit acts, prescription and proof. Conflict of laws rules will apparently remain outside of the code. The special part (art. 228 to 2,256) consists of five books which deal with obligations (art. 228 to 1,026), mercantile activities (actividade negocial), law related to things (art. 1,390 to 1,696), to family (art. 1,697 to 1,990), and finally succession (art. 1,991 to 2,238). The book on the law of obligations is drafted along traditional lines but emphasizes the social function of contracts; it also unifies provisions dealing with non-performance and modernizes rules applicable to sales, insurance, transportation, condominiums, banking transactions and negotiable instruments. The book starts with a classification of obligations and their transfer, and continues with rules applicable to their performance, extinction and breach. Turning to the two main sources of obligations, contracts and torts, the draft first sets out rules applicable to contracts in general and deals with various types of contracts, among them the traditional ones, for example, sales, gifts, bailment, agency,
surety, employment, and publishing and banking transactions. Unilateral transactions and negotiable instruments appear in separate titles. Obligations arising from torts and privileged claims conclude this book. Book two deals with mercantile activities, starting with the status of the entrepreneur (empresario), and turning then to various types of associations, both personal or corporate in nature. Among the latter appear the limited liability firm, the corporation and cooperatives. A special title deals with the establishment and supporting institutions such as registers, officers and accounting. Book three on things regulates possession and then interests in them, namely property, superficies, easements, usufruct, use, habitation as well as pledge, mortgage and antichresis. Book four contains family law, arranged in titles, the first on personal law (marriage, parental rights, filiation, legitimation, recognition of illegitimate children, adoption and paternal powers.) An innovation is presented by two kinds of adoption: full and limited. The second title regulates property matters between spouses (limited community of acquests with other regimes available), the administration of property of minors, alimony and family homestead. Provisions on guardianship and curatorship follow and provisions applicable to concubinage conclude the title. The last, fifth book, regulates succession, starting with redrafted general provisions and followed by rules for intestate and testate succession as well as inventory and partition. Changes are suggested in regard to succession by adopted persons and by illegitimate children and with regard to a simplification of formalities required by wills. Special wills, e.g. military and maritime wills, are expanded to include the aviation will executed on aircraft in flight. The institution of forced heirship (legitima) is retained, and includes half of the estate reserved not only to descendents and ascendants but also to the spouse. Final and transitory provisions conclude the draft.

A special commission charged with the preparation of a final draft of the Civil Code to be submitted to Congress this year has received over 700 suggested amendments. A revised Labor Law is also in preparation.

New minimum wages have been set by Decree No. 72.143 (1973); they vary by states from 213.60 to 312 cruzeiros per month. Domestic help (Law No. 5.859, 1972, 5 Law.Am. 314, 1973) is now included in social security (Decree No. 71.855, 1973). Labor relations of rural workers are regulated by Law No. 5.889 (1973).

Decree No. 17.615 (1972) regulates the colonization of free lands, including those in public ownership, to be carried out by agricultural enterprises and industries.
Portaria No. 5 (1973) requires registration of mining companies.

Decree No. 71.820 (1973) approved the establishment of Aeroportos do Rio de Janeiro (ARSA) as a mixed company to develop and operate the new international and three additional airports.

The Caixa Economica Federal, operating as a savings bank under Decree-Law No. 759 of 1969, has been reorganized by Decree-Law No. 1.259 (1973).

Trading companies (5 Law. Am. 48, 1973) engaged in exports are receiving additional benefits. Decree No. 71.866 (1973) grants them not only tax incentives but also special treatment in regard to warehousing. The Central Bank has issued special resolutions regulating, among others, the required capital of 20 million cruzeiros (No. 249, 1973), financed by domestic capital; the companies must be registered with the Foreign Trade Department of the Bank, and have voting capital represented by nominative shares.

Cabotage privileges may be granted to foreign vessels (Decree-Law No. 71.388, 1973) through a permit issued by the Superintendent of the National Merchant Marine for the transportation of frozen goods, bulk edible oils, industrial liquids, liquid petroleum gases and bulk or packaged grains, as well as other cargo provided the public interest so requires.

Decree No. 55.551 (1965) dealing with educational salaries has been amended by Decree No. 72.013 (1973), providing that the part of the salary designed to assist primary education shall be paid by all businesses covered by the social security scheme.

The Minister of Justice issued an ordinance regulating the payment of the alien registration tax under Decree-Law No. 941, to avoid a fine in the amount of 3% of the minimum salaries for each day of delay.

The Minister of Finance approved regulations of the Commission for the Granting of Tax Benefits to Export Programs (BEFIEX), to advise on incentives granted by Decree-Law No. 1.219 (1972). Resolution 1 (1973) contains guidelines for the presentation of such programs.

The metropolitan region including São Paulo, Belo Horizonte, Porto Alegre, Recife, Salvador, Curitiba, Belém, and Fortaleza have been given governing and consultative councils (Law No. 14, 1973), to prepare an integrated development plan for the region, particularly in regard to basic
sanitation, soil use, transportation, production and distribution of fuels, utilization of water and prevention of pollution.

Law No. 2.145 (1972), adopted in the state of Guanabara, established a council for economic development through governmental incentives, support of private incentives, opening of new markets, use of modern technology, and maintenance of high production standards.

The treaty with Paraguay regulating the use of hydroelectric resources of the Paraná River, signed at Brasilia (April 26, 1973), was approved by a legislative decree (No. 23, 1973). Decree No. 71.993 (1973) approved acts of the 12th annual meeting of LAFTA, putting into effect the first schedule of new tariffs.

The double taxation treaty with France entered into force; a similar treaty with Denmark is being negotiated.

BRITISH WEST INDIES

Antigua

General Orders regulating the service of civil servants, are being revised by a nine-man committee.

St. Vincent

The licensing and professional conduct of land surveyors is regulated by Act No. 2 (1973).

Amended have been the Bill of Exchange Act (sec. 92, a) by Act No. 20, 1972; also the Agriculture and Cooperative Bank Act (No. 16, 1966) by Act No. 3 (1973).

CANADA

Among consented legislation, the following acts may be listed: the Precious Metals Marketing Act and a number of amendments to existing federal legislation, among them the Pilotage Act; Unemployment Insurance Act; Labor Code Act; Emergency Gold Mining Assistance Act; Export Development Act; Old Age Security Act; Shipping Act; Judges Act, and the National Housing Act.

The law regulating foreign investments has not yet passed the Legislature.
Alberta

The Bill of Rights and the Individual Rights Protection Act took effect as did the Litter Act; the Perpetuities Act; and the Mental Health Act. Amendments refer, among others, to the following enactments: Clean Air Act; Communal Property Act; and the Land Titles Act.

British Columbia

The following acts took effect: the Ambulance Service Act; the Automobile Insurance Act; the Cattle Industry Development Act; the Companies Act; the Debt Collection Act; the Energy Act; the Sexual Sterilization (Repeal) Act; the Guaranteed Minimum Income Assistance Act; the Handicapped Persons Income Assistance Act; and the Housing Incentive Fund Act. Amendments have affected to following enactments: Bills of Sale Act; Conditional Sales Act; Constitution Act; Hospital Act; Evidence Act; Landlord and Tenant Act; Legal Profession Act; and the Sale of Goods Act.

Manitoba

The Health Science Centre Act and the Farm Machinery and Equipment Act (with amendment) took effect.

New Brunswick

The Transportation Authority Act and the Crown Construction Contracts Act came into force as did amendments to the Real Estate Agents Licensing Act; the Registry Act; and the Municipalities Act.

Newfoundland

Revised Statutes (1970) took effect; also amendments to the Fire Insurance Act; Insurance Contracts Act; and Survivorship Act.

Nova Scotia

The Labor Standards Code and the Power Corporation Act have been consented to. Also, amendments to the Executive Council Act and the Public Service Act.

Ontario

The Crown Employees Collective Bargaining Act; the Denture Therapist Act; and, the Wine Content Act took effect. Amendments to
the Public Service Act; the Administration of Justice Act; the Arbitration Act; the Consumer Protection Bureau Act; the Dentistry Act; the Limited Partnership Act; the Motor Vehicle Accident Claim Act; the Partnership Registration Act; the Proceedings against the Crown Act; and the Securities Act came into force.

Prince Edward Island

The Power Engineers Act took effect. Also, amendments to the Election Act; the Highway Traffic; and the Labor Act.

Quebec

The following enactments have been consented to: the Act to prevent Excessive increases of rent; the Public Works and Supply Department Act; the Act respecting certain investments of insurance companies, and the Act to authorize additional appropriations for farm loan purposes. Two amendments to the Education Act took effect, as did amendments to the Construction Industry Labor Relations Act.

Saskatchewan

The following acts, among others, came into force: The Department of Labor; the Ombudsman Act; the Insurance Act; and the Community Colleges Act. The Cancer Control Act was amended.

In its 1973 session, the Legislature passed, among others, the following bills: Children of Unmarried Parents Act; Cost of Credit Disclosure Act; Derelect Vehicles Act; Control and Prevention of Litter Act; Pesticide Control Act; and the Operation of Snowmobiles Act.

CHILE

The veto to the constitutional amendment adopted by Congress in 1972 (4 Law. Am. 262, 1972) was accompanied with a number of Presidential suggestions (art. 108 of the Constitution); however, Congress rejected them by simple majority in accordance with art. 100 of the Constitution, while the President insisted that a two third majority was necessary to override the veto. The issue was submitted to the Constitutional Tribunal (art. 78,a) which denied jurisdiction in this matter (art. 78,b). The President had the option to demand a plebiscite (art. 109); however, the time open for such move passed. Subsequently, the
President submitted to the Contralor General a decree containing those few provisions of the amendment which the President in his veto found acceptable. The Contralor disapproved the decree ruling that a partial promulgation of a constitutional amendment would be unconstitutional (D.O. June 2, 1973). At this stage, the President might have the amendment signed by all members of the Cabinet. By so doing the Contralor would have to approve the amendment, but also forward the matter to the Congress to decide whether there is any responsibility on the part of the members of the Cabinet for signing an unconstitutional amendment and, as a consequence, he dismissed from their offices. This did not happen nor did the President promulgate his version of the constitutional amendment.

Art. 10 of the Constitution, amended in 1971 (3 Law. Am. 525, 1971), and the object of an unsuccessful amendment in 1972 (4 Law Am. 262, 1972) was again involved in controversy when the opposition—in the absence of the minority supporting the present regime—adopted unanimously still another amendment which, when submitted to the President (No. 15.966, June 12, 1973) for approval, was also vetoed. The amendment deals with two matters: agrarian reform, (art. 10, No. 10), and transportation and marketing (art. 10, new No. 18). In essence, the part of the amendment dealing with agrarian reform favors individual or cooperative ownership of land affected by agrarian reform and limits such land to farms with less than 40 hectares (approx. 100 acres). Farms already acquired by the State or its dependencies shall be transferred to individual farmers who worked such lands on a permanent basis, or to farm cooperatives. This would also apply to agrarian lands not yet allocated to farmers' heads of families who worked these lands. Whatever agrarian lands have not yet been allocated to individual ownership, farmers who have worked permanently on such lands, may claim two hectares as individual owners. Farms of less than 40 hectares shall not be subject to expropriation nor may their owners be deprived of their use by administrative measures. Furthermore, wherever a farm includes more than 40 hectares, agrarian reform may take only land in excess of such maximum. A new No. 18, to be added to art. 10 of the Constitution, dealing with freedom of commerce and transportation, provides that free provisioning and transportation of all necessities for development, including free access to sources of production and distribution shall be guaranteed; and that controls may be instituted only by an act of the Congress. The same requirement should apply with regard to exclusive marketing or transportation of products by the State or its
dependencies. Free access to the acquisition and marketing of goods and services offered by enterprises operating in the social and mixed economy shall also be guaranteed and no discrimination shall be allowed except when inherent in the costs and other factors determined by law.

In his speech opening the current session of the National Congress, the President outlined the main features of a proposed new constitution. Among them a democratization and modernization of the legal system, expansion of the jurisdiction vested in the Constitutional Court, and a declaration of right and duties of citizens. Making work a social duty, and the principle that no one may take advantage of the social system unless he produces for the country were additional features proposed.

The Comité Económico de Ministros (Resolution, D.O. May 4, 1973) adopted the economic plan for 1974, to be binding on the public administration, its decentralized institutions and enterprises within the mixed economy with majority State participation. The plan applies to private enterprises as guidelines. Penalties will be provided for public officials for noncompliance with the plan which shall be democratic in its principles, centralized in its preparation and decentralized in its execution. The Committee also promulgated norms for the regulation of wages and salaries (D.O. May 7, 1973). In principle, these shall be tied to production and productivity, norms to be developed by a central labor committee composed of representatives of the Ministries involved. The Committee shall also provide for necessary controls through systems to “neutralize the exploitation by the capitalist organization of wages and salaries . . . through a constant increase of productivity and the use of legal means for the defense of labor in the private sector.”

Decree No. 553 (D.O. June 29, 1973) established investment priorities in agriculture, forestry, fishing, industry, mining, distribution, housing, water works, education, and health.

The Ministry of Education issued a decree (D.O. April 12, 1973) aiming at a real democratization of education through “participation of labor and the organized social forces to assume effective control of the economic, social, and political processes of the country.” In education the final aim is “full cooperation of labor, parents, and organized communities with the government and the administration.” Administrative decentralization shall be achieved through regional coordination. The decree provides for a trial setup through local and provincial educational councils.

Accident insurance has been expanded to include pupils at all levels (Decree No. 313, 1973).
The Labor Code was amended (art. 307, 309) by Law No. 17.928 (1973), extending maternity benefits from 6 to 12 weeks. Salaries of persons employed in the public and private sectors have been increased by 100% corresponding to the increase in the price index (Law No. 17.940, 1973).

Law No. 17.950 (1973) grants employees and workers who have worked for three or more years on expropriated farms which have not been taken over by the new management, a special indemnification in the amount of two monthly salaries for every year of work, and to workers in the amount of 60 minimum salaries for every 52 weeks of work.

Coverage under the social security scheme for merchants, small industrialists, transporters and independents has been expanded by Law No. 17.949 (1973) to include fishermen, small miners, various ecclesiastics, and others.

Amending the Criminal Code (art. 319, and art. 5 and 7 of Law No. 17.155) Law No. 17.934 (1973) aims at suppression of traffic in narcotics.


Exchange regulations regarding foreign tourists are regulated by an acuerdo of the Central Bank (D.O. July 11, 1973).

The Central Bank has fixed annual maximum interest rate for the second semester of 1973, at 60%.

Among ratified international conventions the following may be mentioned: the Universal Postal Convention (Decree No. 678, D.O. April 1, 1973); the INTELSAT convention (Decree No. 127, D.O. May 25, 1973); agreement between Argentina, Brazil, Chile, and Mexico, regarding coloring materials within LAFTA signed in 1973 (Decree No. 291, July 6, 1973); the International Sugar Convention, signed at Geneva in 1963 (Decree No. 149, D.O. July 9, 1973); with Spain on tourism, signed at Santiago in 1971 (D.O. May 26, 1973); the convention for the suppression of traffic in illicit drugs, signed at Lake Success (D.O. July 3, 1973); the acts of the Congress of the Postal Union of the Americas and Spain in Santiago in 1971 (D.O. July 25, 1973); and, the protocol amending the Montevideo Treaty, signed at Caracas in 1969 (D.O. July 24, 1973).
COLOMBIA

The President was given authority (Law No. 2, 1973) to reorganize the national administration. An extensive regulation regarding the administrative aspects of the national budget was promulgated by decree (No. 294, 1973).

Previous laws dealing with land reform (Law No. 200 of 1936; Law No. 135 of 1961, and Law No. 1 of 1968) have been amended by Law No. 4 and 5 (1973), aiming to revitalize the reform by providing additional methods of financing, particularly investments in agriculture. An *empresa comunitaria* was introduced (Law 4, art. 121) to organize farmers of small means into joint agricultural projects according to a statute to be promulgated by Presidential decree pursuant to directives outlined in the law (art. 122). The *Fondo Nacional de Adquisicion y Bienestar de Campo* (art. 124) shall provide means needed for agrarian operations, to be financed by surtaxes on land and inheritances (art. 125). The *Fondo de Bienestar Veredal* (Law No. 3, 124) shall provide mainly for social and educational purposes, to be financed by a surtax on income from land (art. 128). Functions of the *Fondo Financiero Agropecuario* are set out in Law No. 4 (1973).

Titles to immovables situated on San Andres and Prudencia are regulated by Decree No. 256 (1973).

Functions of saving and housing corporations are expanded by Decree No. 359 (1973). Mutual savings and loan associations are regulated by Decree No. 299 (1973).

Law No. 7 (1973) contains amendments regarding operations of the *Banco de la Republica* and of the *Junta Monetaria*, affecting mainly the capital and the profits of the former, and the composition of the latter.

Resolution No. 20 of the Junta Monetaria (1973) implements Law No. 5 providing for compulsory investments by banks in Agricultural Development Bonds issued by the *Banco de la Republica*, in amounts no less than 15 and no more than 25% of their deposits.

Measures against inflations continue, among them suspension of foreign loans (Resolution No. 22, *Junta Monetaria*, 1973); and suspension of payments on private foreign loans (Resolution No. 23, 1973); advance deposit of 10% of the value of imports (Resolution No. 21 and 24, 1973), with exceptions established in Resolution No. 015 (1973) of
the Consejo Directivo de Comercio Exterior. Additional resolutions deal with exports of agricultural products, imports not affected by limitations, and others.

To combat speculation in agricultural products through hoarding, a decree (No. 1.226, 1973) requires a permit from the Ministry of Agriculture for warehousing such products; storing of such products is controlled by a resolution issued by the Superintendencia de Precios (No. 111, 1973). To prevent financing of agricultural speculation, the Superintendencia de Bancos (Resolution No. 1.757, 1973) imposed control on related credit operations.

The Banco de le República has issued a circular (No. 16, 1973) explaining the prohibition against transactions in shares owned by aliens (5 Law. Am. 59, 1973). The prohibition is not intended to interfere with interests in shares acquired in accordance with existing legislation, particularly the Commercial Code, nor does it prohibit the purchase or sale of such shares or reinvestment of dividends earned. Unless shares representing foreign investment, are properly registered with the Bank and the transactions previously approved by the National Planning Department, holders of such shares will not obtain foreign exchange for remission of profits abroad or for the recovery of the investment.

The Superintendency of Industry and Commerce established (Resolution No. 450, 1973) a register for all domestic producers of automotive spare parts in order to safeguard minimum quality standards. Producers who fail to comply will lose their licenses.


Decree No. 548 (1973) of the Ministry of Economic Development has changed requirements regarding compulsory investments of technical reserves of insurance companies. These are increased by 40% to be invested in the bonds of the Vivienda Popular, and by 65% in the bonds of the Corporacion Financiera Popular, financing small and medium-sized industry.

Strict health requirements have been imposed on the food industry by Decree No. 1.061 (1973). A Council for Population and Environment has been established (Decree No. 1.040, 1973), also a National Council for Narcotics (Decree No. 1.206, 1973).

The status of seamen was defined by Decree No. 723 (1973), to apply in reference to the Convention (No. 33) of the International Labor Organization, adopted by Colombia (Decree No. 129, 1931).

Centers for human plasma are regulated by a decree promulgated by the Ministry of Public Health (No. 1.171, 1971); export of plasma is prohibited (Resolution No. 027, 1973).

Private enterprises offering security services are regulated by Decree No. 195 (1973); aliens engaged in such services must obtain a license (art. 5, para. 1).

The Congress approved the Subregional Andean Agreement, signed in Bogota in 1969 (Law No. 8, 1973). An agreement between the O.A.S. and the Colombian Ministries of Foreign Relations and Education for the preparation and production of educational and scientific materials, has been approved by Law No. 10 (1973).

COSTA RICA

The General Law of Civil Aviation, originally vetoed (5 Law. Am. 323, 1973), entered into force without changes (Law No. 5.150, 1973). Administrative matters are within the jurisdiction of the Consejo Técnico de Aviación Civil consisting of five members appointed by the administration (art. 5 to 9), with powers listed in art. 10, and the Dirección General de Aviación Civil (art. 11) with authority defined in art. 12, among others, to prepare regulations for adoption by the Consejo Técnico (art. 14). Subject to Costa Rican laws and to courts are (art. 22) events occurring on Costa Rican aircraft in flight over national territory or over areas under no sovereignty; or in flight over foreign territory, except those which may affect legitimate interests of the subjacent state or persons there domiciled, or whenever the aircraft lands in another country after the event occurred. In regard to foreign aircraft (art. 23) Costa Rican laws will apply and its courts will have jurisdiction whenever, during the flight over Costa Rican territory, acts occurring on board violate laws relating to public and financial security, or traffic, or affect the security and public order of Costa Rica and persons there domiciled, provided the aircraft
lands first in Costa Rica and there is no demand for extradition. Matters listed in art. 26 are to be registered in the National Register of Aircraft; matters listed in art. 27 in the Administrative Aviation Register. Aircraft nationality (art. 32), must be made visible by markings (art. 33) and the aircraft registered (art. 35). Foreign aircraft may be registered in Costa Rica after their foreign registrations have been cancelled, except when a provisional license to operate is granted (art. 36). Only Costa Ricans may inscribe Costa Rican aircraft intended for public service; domiciled aliens may inscribe aircraft for private use only (art. 37). Flying personnel employed in Costa Rican aircraft must have Costa Rican nationality (art. 63); personnel employed on the ground by foreign air carriers must be 95% Costa Rican; aliens may not be appointed to positions denied to nationals and every advantage granted to alien employees are deemed to accrue automatically to nationals who perform or are able to perform the same work (art. 63). Other provisions define rights and duties of the captain (art. 65 to 67). Air traffic is regulated in art. 68 to 82; among others some deal with foreign aircraft (art. 69, 71, 72, 79, and 80). Still other provisions deal with airports (art. 83 to 94), and with various types of air services (art. 95 to 125), including rules governing accidents (art. 126 to 137). Operating permits are issued by the Consejo Técnico (art. 138) on proper application (art. 142 and 143). Regulations of air carriers (art. 162 to 182) and contracts involving air transportation (art. 183 to 212) are followed by provisions dealing with charters and leases (art. 213 to 219). Property as well as other interests in aircraft, among them mortgages and pledges, are regulated in art. 225 to 240. The next title of the law contains provisions on liability arising from operations of air carriers. Domestic and foreign air carriers are liable according to (a) this law, (b) international conventions, and (c) rules of general law whenever the accident happened in Costa Rican territory (art. 243). Claims arising from accidents in international air transportation, as defined, performed by domestic or foreign carriers, are "governed by international conventions in force in the Republic" (art. 254). Special provisions apply to damages due to delay (art. 262 to 264), or occur on the ground (art. 265 to 280), and for damages sustained by cargo (art. 281 to 287). Penal provisions (art. 288 to 297) and concluding provisions (art. 295 to 310) complete the law.

With regard to foreign carriers, the following provisions may be mentioned. Foreign air carriers may apply for permits by complying with requirements demanded of national carriers in art. 142 and 143. Furthermore, they must show that their government allows them to apply
for such service; that the foreign government grants reciprocity; and that the applicant expressly accepts the provisions of this law and the jurisdiction of Costa Rican authorities in cases of injury to passengers, damage to baggage or cargo, or to persons or goods on the ground, waiving diplomatic intervention (art. 145). The permit for international transportation will be granted after a hearing (art. 146). However, the license will not be issued unless the requirements listed in art. 151 are met, with additional requirements for foreign carriers (art. 151, para. 4). Only Costa Rican carriers may operate local services (art. 173), i.e., individuals or legal entities with 51% of the capital held by nationals and the “effective control and management of the enterprise are in the hands of the same” (art. 174). Foreign enterprises operating in Costa Rica must appoint a representative with a general power of attorney sufficient to attend to the business in Costa Rica; the fact that such enterprise operates in Costa Rica “implies that it submits to the laws of the country and waives diplomatic intervention” (art. 178). Foreign enterprises having no license to operate in Costa Rica but maintain an agency there must have a permit issued by the Consejo Técnico (art. 182).

The Code of Civil Procedure (Law No. 2.859, 1961) was amended by Law No. 5.180 and Law No. 5.181 (1973), affecting art. 89, 510, 524, 531, 550, 555, 559, 560, 561, and 562.

Law No. 5.193 (1973) divides the educational system into three phases: preschool, elementary, and diversified. A subsequent law (No. 5.202, 1973) amended art. 78 of the Constitution making elementary education compulsory, free and supported by the State; the same principle applies also to preschool and diversified education (i.e., pre-university). The State will aid higher studies with scholarship.

Law No. 5.219 (1973) regulating private and public foundations established for cultural, scientific or welfare purposes or for economic development and not for profit enjoy tax privileges.

Law No. 5.222 (1973) created the National Meteorological Institute attached to the Ministry of Agriculture.

Two articles of the Commercial Code (No. 3284, 1964) were amended. Law No. 5.216 (1973) amended art. 135 dealing with provisional share certificates. Art. 325 was amended by Law No. 5.217 (1973); it deals with the rescission of transportation contracts and provides, in the new version, that the carrier is entitled to half of the amount involved in case the contract is rescinded before the transportation started, and to the whole amount if the rescission came later.
A regulation regarding representatives of foreign firms was promulgated by an executive decree (No. 2.037-H-MEIC, 1973). A permit has to be obtained from the Ministry of Economy, Industry and Commerce on the basis of documents meeting the requirements set in art. 361 of the Commercial Code. In case the application is filed by an alien, his immigration status must be shown (art. 3). The Ministry will keep a register of such permits (art. 4). Acting without a permit will result in prohibition of operations, as well as closure of the establishment (art. 6). The permit may be revoked whenever the representative has acted in bad faith, fraudulently or contrary to mercantile standards (art. 7).

Law No. 5.188 (1973) amending Law No. 1.367 (1951), modified the existing monetary system by fixing the gold parity of the colon.

Domestic financing was secured for the Technological Institute of Costa Rica (Law No. 5.224, 1973). International financing has been made available for railways. (Law No. 5.208, 1973), regulation of rivers (Law No. 5.212, 1973); additional funds were secured for the Technological Institute (Law No. 5.224, 1973).

Law No. 5.173 (1973) contains an authentic interpretation of art. 85 of the Labor Code, granting severance pay in a number of particular situations.

Amended have been the Law on the national saving and loan system of 1969, by Law No. 5.177 (1973); and the Law regulating investment and non-banking companies (1972), by Law No. 5.091 (1972).

Law No. 5.201 (1973) approved the agreement between the Government and the Interamerican Institute of Agricultural Sciences (O.A.S.) establishing an association in Costa Rica to engage in research and education in tropical agriculture. The Hague Protocol to the Warsaw Convention (1955) and the Guatemala amendments (1971) were adopted.

ECUADOR

Recent legislation concentrated on administrative matters. A Comité Nacional de Presupuesto has been established (Decreto Supremo No. 293, 1973) to formulate tax policies, coordinate these with existing plans and budgetary procedures, and to adjust them to the monetary and fiscal policies. The Ley Orgánica de Hacienda was amended (D.S. No. 332, 1973), and the organization and functions of the Ministry of Industries,

The monetary law was amended (D.S. No. 421-A, 1973).

The Superintendency for Prices was regulated by D.S. No. 442 (1973), and a National Council for Housing established (D.S. No. 599, 1973).

The status of professions and their privileges, abrogated by D.S. No. 176 (1970), has been reinstated by D.S. No. 302 (1973).

Social security benefits have been extended to certain classes of the rural population, to be administered by the Ecuadorian Institute of Social Security (IESS) on a trial basis (D.S. No. 307, 1973). Salaries of nurses are now regulated by D.S. No. 340 (1973).

A fund for electrification has been established by D.S. No. 319 (1973).

Rules regulating diplomatic privileges and immunities have been codified by D.S. No. 682 (1973).

A uniform register of taxpayers has been established (D.S. No. 350, 1973).

Among ratified international conventions the following may be mentioned: decisions of the Cartagena Commission No. 57 and 57-A (D.S. No. 365, 1973); convention on technical cooperation with West Germany (D.S. No. 332 and 821, 1973) and with Venezuela (D.S. No. 822, 1973); a credit agreement with Switzerland and the Mobessco Consortium (D.S. No. 332, 1973); finally, an agreement on technical assistance with the O.A.S. for a developmental study of the Esmeraldas and Santiago Rivers (D.S. No. 337, 1973).

The Legislative Commission (5 Law. Am. 324, 1973) has prepared drafts for a law on higher education and on agrarian reform; also on civil and commercial proceedings.

EL SALVADOR

The recently enacted Criminal Code (Decree No. 270, 1973, 5 Law. Am. 327, 1973), replacing the Code enacted in 1904, consists of three books: the first containing general provisions, the second dealing with crimes, and the third with misdemeanors. The first book contains in title I general provisions (art. 1 to 5), conflict rules (art. 6 to 11), and inter-temporal provisions (art. 12 to 19). The Code applies to crimes committed
within Salvadorean territory, also on Salvadorean vessels and aircraft located in foreign territory (art. 6); air piracy is punishable wherever committed, within or without national territory (art. 491). Outside of national territory the Code applies to crimes committed against El Salvador or against public peace, the national economy or public health; to crimes of corruption of public officials abroad by persons in the service of the State; and crimes committed abroad against Salvadoreans (art. 7). Furthermore, the Code applies to crimes committed by El Salvador nationals abroad when their extradition is requested but has been denied because of nationality; to crimes committed abroad by persons in the service of the State provided there was no prosecution abroad because of privileges connected with their functions (art. 8). The Code, finally, applies to crimes of international character committed abroad. Nevertheless, jurisdictional preference will be given to the state where the crime was committed provided it decides to prosecute (art. 9). Title II deals with punishable acts and criminal responsibility (art. 20 to 35). Grounds excluding responsibility are regulated in art. 36 to 40, and these are followed by circumstances modifying responsibility (art. 41 to 43). Title III deals with multiplicity of criminal acts (art. 44 to 57). Penalties (death, imprisonment, fines, disabilities) are set out in art. 58 to 65; their adjustment in art. 66 to 78, and execution in art. 79 to 86. Suspended sentences and probation are regulated in art. 87 to 100; security measures in art. 101 to 118; statutes of limitations in art. 119 to 139, followed by rules establishing civil responsibility (art. 130 to 147). The first book concludes with provisions on rehabilitation (art. 148 to 151). The second book of the Code, divided into three parts, defines various types of crimes and sets penalties (art. 152 to 495). Part one deals with crimes against persons: against life (art. 152 to 160), abortion (art. 161 to 169), injuries (art. 170 to 176), and those endangering life and integrity (art. 177 to 180). The following title covers crimes against honor (art. 181 to 191), followed by sexual crimes (art. 192 to 217). Title four contains crimes against personal freedom (art. 218 to 222), moral freedom (various types of coercion, art. 223 to 227), violation of residence and place of work (art. 228 to 230) and crimes violating secrecy (art. 231 to 236). The next title (V) deals with crimes against property (art. 237 to 264). The second part of this book contains crimes against the family (art. 265 to 280) and includes adultery (art. 265 and 266), bigamy (art. 267), and crimes involving civil status and duty to support (art. 272 to 280). The third part regulates crimes against society: crimes against collective security (art. 281 to 309), which includes arson, destruction of means of transportation, and against health. Crimes against public faith (various
kinds of counterfeiting, art. 310 to 331), and crimes against the economic order follow (art. 332 to 372). Part four (art. 373 to 420) provides for the protection of the State against subversive associations, espionage, treason, rebellion, sedition and mutiny, followed by crimes against public peace (terrorism) and crimes against religious beliefs (art. 421 to 422). Crimes against the public administration (art. 428 to 459) and against the judiciary follow (art. 460 to 485). Part five covers international crimes (art. 486 to 495). The third book of the Code deals with misdemeanors (art. 496 to 523). Transitory provisions (art. 524 to 530) conclude the Code.

A new forestry law (Decree No. 268, 1973) regulates conservation, national parks and reserves. A law for the control of pesticides, fertilizers and other products used in agriculture was enacted as Decree No. 315 (1973).

The law of the commercial register (1973, 5 Law. Am. 327, 1973) was implemented by a regulation (Decree No. 33, 1973).

The Banco de Fomento Agropecuario was established by Decree No. 312 (1973) to provide financing for the development of agriculture, to be financed by the State and the Central Reserve Bank (art. 4).

Another law (Decree No. 328, 1973) created the Fondo Social para la Vivienda, to provide inexpensive housing for workers. Financing will be provided by State contributions over a five year period and by contributions from workers and employers: the former to pay half percent of their salaries, while the latter will contribute five percent (art. 6). The board of directors will have, in addition to representatives from various ministries, two representatives from employers and two from workers also (art. 10). The executive committee will consist of members appointed by the President of the Republic: one from the employers, one from labor, and two representing the public sector (art. 17).

The Fondo de Financiamiento y Garantía para la Pequeña Empresa was established by Decree No. 324 (1973), to provide credits for enterprises with a capital from 3,000 to 100,000 colones (art. 1), financing to be provided mainly by the previous Fondo de Garantía and contributions from the State (art. 3). The administration will be entrusted to a council four members of which will be appointed by the Ministry of Economy, the Central Reserve Bank, the Mortgage Bank and the Institute for Industrial Development; three members will be elected by organizations of small businessmen (art. 5).

The convention on consular relations (Vienna, 1963) was adopted.
FRENCH ANTILLES AND GUYANA

Art. 248 of the Civil Code dealing with judgments for support and related art. 864, para. (1) and (5) of the Code of Civil Procedure were amended (Decree No. 73-216, 1973).

Administrative circuits in Guadeloupe and Martinique established by Decree No. 60-516 (1960) have been changed (Decree No. 73-232 and No. 73-234, 1973).

Decree No. 67-236 (1967) regulating the exclusion of preferred shareholders from subscribing new shares has been amended (Decree No. 72-244, 1973) and takes effect also in overseas territories (art. 4).

Decree No. 67-451 (1967) establishing a fishing zone prohibited to foreign fishing vessels has been extended to Saint Pierre and Miquelon (Decree No. 73.171, 1973).

The Hague air piracy convention (1970) was ratified (Decree No. 73-171, 1973). The Aviation Code was amended prohibiting aerial photography of prohibited zones (Decree No. 73-420, 1973); the provision applies also to overseas territories (art. 2).

Chambers of artisanat in Martinique have been reorganized by decree (No. 73-409, 1973).

The management of water courses and the policy regarding surface waters in Guadeloupe, Martinique, and Guyana is now regulated by Decree No. 73-428 (1973).

Decree No. 73-541 (1973), dealing with official appraisers applies also to overseas departments, subject to art. 37.

France has ratified the Convention for the establishment of an Inter-American Tropical Tuna Commission (Washington, 1949).

GUATEMALA

A new Criminal Code was enacted (Decree No. 17-73, 1973), to be followed by a Code of Criminal Procedure. In order to safeguard the official text as well as to cover costs, the Government has retained the exclusive right to the first edition of the publication of the Criminal Code for a period of one year (Decree No. 20-73, 1973). The new codes will be summarized in the next issue of the Lawyer.
The Banco Nacional de la Vivienda was established by Decree No. 2-73 (1973), as a decentralized state institution to finance urban development and provide for inexpensive housing (art. 2), in cooperation with municipal governments, the Ministry of Communications and Public Works, the Banco de Guatemala, the General National Secretariat of Economic Planning, the National Institute of Electrification, the Institute for Municipal Development, and the Institute of Insured Mortgages (art. 6). The Bank shall take over the National Institute of Housing (art. 65) and its assets; additional financing shall come from bonds to be issued by the Government (art. 7), and from other sources (art. 9).

A new law regulating salaries of public officials has been enacted (Decree No. 11-73, 1973).

The Ministry of Economy has promulgated an acuerdo (No. 82, 1973) establishing the Comisión Coordinadora Petrolera to undertake studies, technical as well as legal.

The same Ministry has issued an acuerdo regulating agencies and agents of insurance and guaranty enterprises (M. de E. No. 5-73, 1973). They are dependent agents when bound by a contract of employment (art. 2), or independent when acting for their own account (art. 4). Both require a license issued by the Superintendencia de Bancos (art. 11), under conditions set out in art. 12.

A free zone was created in the department of Izabal by Decree No. 22-73, (1973) as Zona Libre de Industria y Comercio Santo Tomas de Castilla (art. 1), with privileges listed in art. 2. The free zone is to be administered by a Junta Directiva, a Gerencia General, and a Subgerencia General (art. 6). The necessary land will be supplied by the State in usufruct (art. 23). Financing to be provided by contributions from the State, by the income from its operations and the land, and other assets contributed by the State (art. 24). Income derived from its operations will be divided by the schedule in art. 26. Accounting and operations are regulated by art. 28 to 46.

The law regulating the Guatemalan Institute of Tourism was amended by Decree No. 23-73 (1973), affecting art. 21 and 22.

The law regulating the diplomatic service (Decree No. 148) was amended (art. 1, chapter XX) dealing with entry into the diplomatic career.

Among ratified international agreements the following may be mentioned: on consular privileges, Vienna, 1963 (1973); with Venezuela on
cultural exchanges (1973); with Spain on technical and economic cooperation (Decree No. 34-73, 1973) and on diplomatic and official visas (Decree No. 33-73, 1973); the Central American Convention of Protection of Industrial Property, signed in Guatemala in 1968 (Decree No. 26-73, 1973); with the United States on radio “hams” of 1971 (Decree No. 19-73); and with a representative of the food program of the United Nations, signed in Guatemala in 1971 (Decree No. 18-73, 1973).

An agreement with El Salvador regarding joint diplomatic missions was signed in Guatemala on March 16, 1973.

JAMAICA

Act No. 17 (1972) amended the Loan Act of 1964; also amended was the Canadian and United States General Loan Act (No. 2, 1972) by Act No. 18 (1972).

A number of bills submitted by the Governor-General are pending in the Legislature.

MEXICO

Provisions of the federal Civil Code dealing with the civil register have been amended by decree (D.O. March 14, 1973) replacing the original oficiales del Registro Civil, with jueces (judges).

Extensive amendments have been introduced (D.O. March 14, 1973) in the Code of Civil Procedure for the Federal District and Territories (1932) regarding, among others, eviction proceedings, evidentiary rules, appellate proceedings, also those dealing with the confinement of mentally defective persons, and with family matters (art. 940 to 956).


A new social security law was enacted (March 12, 1973), superseding the law adopted in 1942.

The new Health Code (D. O. March 13, 1973), replacing the previous code enacted in 1954, contains an extensive chapter on environment (art. 44 to 100); also rules dealing with transplants (art. 196 to 211), to be implemented by administrative regulations; with narcotics (art. 290 to 329); and with international health problems (art. 338 to 381).
The law on environmental pollution (3 Law. Am. 303, 1971) has been implemented by a regulation dealing with water pollution (D.O. March 29, 1973).

The law dealing with forest resources (1967, as amended in 1968) was again amended (art. 2, 4, and 10) by decree (D.O. April 9, 1973).

Committees for economic development as auxiliary and consultative organs of the Comisión Intersecretarial para el Fomento Económico de la Franja Fronteriza Norte y las Zonas y Perifetros Libres del País have been established (D.O. June 26, 1973).


The law dealing with free ports enacted in 1946 was repealed (D.O. April 3, 1973) and these ports transferred to state jurisdiction (art. 2).

The federal law dealing with radio and television (1960) was implemented by a regulation (April 4, 1973). It sets basic guidelines for their activities (art. 3 to 7), and provides for administrative control by the Dirección General de Información of the Interior Secretariat (art. 8 to 11). Various aspects of programming are regulated, including those transmitted directly from abroad (art. 14 to 17) and those in foreign languages (art. 22). Art. 36 lists prohibited matters, particularly those involving violence (art. 37), language (art. 38) or those contrary to good morals (art. 39). Art. 41 to 48 deal with commercial publicity. Art. 49 to 54 provide for a National Council for Radio and Television.

Among ratified international agreements the following may be mentioned: the Vienna convention on the law of treaties of 1969 (D.O. March 28, 1973); on responsibility for damages caused by space objects signed in 1972 (D.O. April 2, 1973); on illegal use of recorded materials, signed in Geneva in 1971 (D.O. April 2, 1973); amendments to the conventions for the safety of human life on the seas signed in 1960 (D.O. April 3, 1973); on import, export and which deal with cultural assets, signed in Paris (UNESCO) in 1970 (D.O. April 4, 1973); on conventions and agreements adopted by the Tokyo Congress of the Universal Postal Union in 1969 (D.O. April 4, 1973) as well as similar documents adopted in Santiago in 1971, by the Congress of the Postal Union of the Americas and Spain (D.O. April 4, 1973); and on cultural interchanges with the Philippines, signed in 1969 (D.O. April 9, 1973).

Aguascalientes

A regulation for police and good government was promulgated (1972).

Baja California

Art. 398 of the Criminal Code dealing with frauds involving interests in land has been enacted (Decree No. 19, 1972).

A number of provisions contained in the Organic Law of the Judiciary have been amended (Decree No. 17, 1972).

Highways and related rights have been regulated by law (1972).

Coahuila

The law on notaries (art. 96) has been amended (Decree No. 160, 1972).

Guanajuato

Urban development has been regulated by Decree No. 87 (1972).

México

Art. 38 and 39 of the Constitution dealing with election of representatives have been amended (Decree No. 133, 1972).

Michoacán

Art. 2172, 2174, 2259, and 2408 of the Civil Code, dealing with the sale of immovables have been amended by Decree No. 25 (1972).

Nuevo León

A new regulation for the public property register and commerce has been promulgated (Decree No. 101, 1972), derogating the regulation enacted in 1963.

Oaxaca

Decree No. 32 (1972) establishes the Institute for the Protection of Youth.
San Luis Potosí

Decree No. 200 (1972) repealed art. 189 to 192 of the Criminal Code dealing with arms.

Sonora

A new planification and building law was enacted (Decree No. 47, 1972); it replaces the one enacted in 1951.

Tabasco

Decree No. 1038 (1972) declared industrial development to be in the public interest.

Veracruz

A law dealing with development and protection of new industrial cities was enacted (Law No. 2, 1972).

Zacatecas

Title XII of the Organic Law of the Legislative Power, dealing with the Congress acting as a grand jury in cases of indictment of public officials, was amended.

PARAGUAY

Among administrative measures, a few promulgated by the Banco Central may be mentioned: Resolution No. 2 (1973) expanded the free market for foreign currency; and Resolution No. 49 (1973) set the requirements concerning the minimum capital for insurance companies.

In foreign relations an agreement with Italy (1973) was concluded regulating export of Paraguayan meat; also an agreement of technical cooperation with the Republic of China (1973); and, a treaty with Brazil (1973) dealing with hydroelectrical resources of the Paraná River. An extradition convention with the United States was signed on May 24, 1973.

PERU

Art. 31 of the Civil Code was amended by Decree-Law No. 19.983 (1973) requiring that witnesses to marriages be of age.
The Code of Criminal Procedure as amended by Decree-Law No. 19.030, dealing with default judgments, was amended in art. 210 and 265 by Decree-Law No. 19.962 (1973).

In pursuance of the General Education Law (No. 19.326, 1972) a number of implementing regulations have been promulgated, among them, a regulation regarding the re-evaluation of women, co-education, religious education, and education in rural areas, all included in Decreto Supremo No. 16-72-ED (1973). Other decrees regulate the association of fathers (No. 006-73-ED, 1973) and the coordination of educational activities (No. 07-ED-73, 1973).

In the area of fishing, Decree-Law No. 20.000 (1973) has declared the fishing and industrial use of anchovies to be “of social interest and a public necessity” and therefore the shares of enterprises engaged in such activities “expropriated in favor of the State” (art. 1). Also included in this measure, are movable and immovable assets belonging to third persons but held by such enterprises (art. 2). The value of such shares, as determined (art. 4), will be paid (art. 5): 10% in cash and the rest in bonds to be issued by the PESCA-PERU (art. 6 to 8). Decree-Law No. 20.201 (1973) established a public enterprise for the production of fish meal and oil, PESCA-PERU (art. 1). The capital will be subscribed by the State (art. 6). The enterprise will be administered by a directorio and a comité ejecutivo (art. 9), the former including two representatives of the respective comunidad (art. 10), with functions listed in art. 12. The comité ejecutivo is a governmental organ (art. 17).

Industrial enterprises may not use the words “national” or “regional” or other qualifications indicating a representative nature in the firms’ name unless authorized by the Ministry of Industry and Commerce (Decree-Law No. 19.981, 1973).

MINERO-PERU (Decree-Law No. 18.880, 3 Law. Am. 522, 1971) has taken over the Corporación Peruana del Santa (Decree-Law No. 19.937, 1973). The organization and functions of the MINERO-PERU are regulated by Decree-Law No. 20.035 (1973), repealing Decree-Law No. 18.436 (1971). Its capital will be supplied by the State (art. 7); the administration is entrusted to a directorio and a comité ejecutivo (art. 11), the former consisting of representatives of various administrative agencies and two representatives of the comunidad (art. 12). The enterprise may cooperate abroad with individuals and entities in order to develop its operations outside of Peru; in such case the directorio will propose to administrative authorities persons or institutions “taking into account their technical, financial and commercial capacity” (art. 23, e, h).
Similar measures have been introduced in regard to industrial and commercial activities related to oil, by establishing PETRO-PERU (Decree-Law No. 17.753, 1969). This enterprise has now been organized (Decree-Law No. 20.036, 1973). It is to be financed by the State (art. 7) and administered by a directorio and a comité ejecutivo (art. 11), the latter including two representatives of the comunidad (art. 12, e).


Workers' comunidades may operate bankrupt enterprises for 90 days whenever a comunidad so moves before the bankruptcy judge (art. 1). The trustee in bankruptcy will, in agreement with the comunidad, submit to the competent Ministry a program for the continuation of the enterprise (art. 2) showing the feasibility of such plan. In case an agreement is reached with the creditors regarding reduction or cancellation of their claims and other benefits, the comunidad may take over the assets and debts (art. 3), provided the holders of 60% of debts agree (art. 4), and administrative approval is obtained (art. 5).

In the transportation industry the following enactments may be mentioned. Bankrupt transportation enterprises may be forced to continue their services (Decree-Law No. 20.016, 1973). In maritime transportation the entry and exit of vessels into and from Peruvian ports are regulated by a supreme decree (No. 026-73 TC, 1973). In aviation, Decree-Law No. 20.030 (1973) created the Empresa de Transporte Aéreo del Perú (AEROPERU) as a public enterprise designed to assure "efficient and economic transportation services" (art. 5), primarily in domestic transportation of passengers, cargo and mails, but also in international air services to act as a priority air carrier whenever it so desires, but it may enter into reciprocal commercial agreements with foreign air carriers on international services (art. 6). The enterprise shall be administrated by a directorio and a gerencia general (art. 11), the former composed of representatives of various administrative agencies and "one worker of AEROPERU" (art. 13). The capital shall be provided by the State (art. 7); administrative authorities are empowered to contract, directly or through its financial agencies, for credits within and without the Republic (art. 22).
The law regarding the movie industry (Decree-Law No. 19.327, 1972) has been implemented by a regulation (Supreme Decree No. 002-73 IC/DS, 1973).

Price controls regulated by Decree-Law No. 19.885 (1973), have been amended by Decree-Law No. 19.978 (1973).

International commerce has been affected, among others, by regulations covering non-traditional exports (Supreme Resolution No. 084-73-EF/11, 1973), and by a decree-law (No. 20.019, 1973) reserving insurance for the transportation of imports exclusively to domestic insurers.

Provisions relating to foreign currencies (Decree-Law No. 17.710, 1970) have been amended (Decree-Law No. 20.031, 1973).

A uniform system of retirement and related benefits guaranteed as social security has been introduced by Decree-Law No. 19.900 (1973). The law lists beneficiaries (art. 3) and various types of benefits (art. 24 to 69). Contributions are based on salaries, two thirds to be paid by employers and one third by the insured (art. 7). The amount of remunerations will not include extraordinary bonuses nor those accruing from participation in the profits (art. 9).

A supreme decree (No. 006-73-IC/DS, 1973) regulates the hotel and related industries (art. 1). Art. 113 contains a list of rights and duties of both guests and operators.


The rebuilding of the earthquake zone continues. Decree-Law No. 19.967 (1973) provides for the administrative development of the affected zone.

Entry and exit of aliens is regulated by a supreme decree (No. 004-73-RE, 1973).

Decree No. 19.956 (1973) is designed to facilitate, within the scope of the Andean Pact, investments and reinvestments. Decision No. 51 was adopted by a decree law (No. 19.852, 1973).

TRINIDAD and TOBAGO

Among laws recently enacted the following may be mentioned: the Students’ Revolving Loan Fund Act (No. 3, 1973); the Minister of Finance
Amendments deal with British West Indian Airways Ltd. (Guarantee of Loans) Act (No. 2 and 18, 1973); the Constitution (Prescribed Matters) (Amendment) Act (No. 17, 1973); the Cane-Farmers Incorporation and Cess Act (No. 14, 1973); and the Gambling and Betting Act (No. 22, 1973).

Before the Legislature is, among others, an amended Minimum Wage Act, to repeal the Wages Councils Ordinance (Ch. 22, No. 18).


Act No. 23 (1973) adjusted the Customs Ordinance to the Caribbean Common Market pursuant to the treaty establishing the Caribbean Community signed at Chaguaramas on July 7, 1973, with a list of territories whose goods enjoy preferential treatment (schedule No. 1) and the common external tariff (schedule No. 2).

UNITED STATES

The Economic Stabilization Act of 1970 was amended (87 Stat. 27, 1973), regarding allocation of petroleum products, definition of substandard earnings as well as wages and salaries, public disclosure and agency hearings.

The public debt limit was temporarily increased (87 Stat. 134, 1973).

The Rural Electrification Act of 1936 was amended (87 Stat. 65, 1973), establishing a Rural Electrification and Telephone Revolving Fund.

Extensive amendments have been enacted (87 Stat. 30) to the Older Americans Act of 1965.

The Renegotiations Act of 1951 was amended (87 Stat. 152, 1973), increasing social security benefits, providing for supplemental security income and regulating coverage of Medicaid.

An Act (87 Stat. 91, 1973) has extended health programs.

Funds have been authorized for maritime programs (87 Stat. 168, 1973), providing for ship construction and modernization, operating subsidies, research, development, and education. An act (87 Stat. 169, 1973) provides for construction subsidies. The National Sea Grant College Program was extended (87 Stat. 170, 1973), providing also for study of international marine technology.

In pursuance of the recent changes in the federal Criminal Code (5 Law. Am. 88, 1973), part 2 of title 22 of the Code of Federal Regulations was amended (§ 2.2) by adding to the list of protected persons foreign officials (§ 2.3) and official guests (§ 2.4).

Among ratified treaties the following may be listed: extradition treaty with Argentina (Washington, 1972); agreement with Mexico on FM broadcasting signed in 1972; the Vienna convention on diplomatic relations (1961); and the acts adopted by the Postal Union of the Americas and Spain in Santiago in 1971.

A number of bills are pending before Congress, among them: the Foreign Military Sales and Assistance Act; the Federal Financing Bank Act; the Northeast Railroad Restructuring Act; the Emergency Medical Services Systems Development Act; the Motor Vehicle Defect Remedy Act; the United Nations Environment Program Participation Act; and the Federal Lands Right-of-Way Act, involving the Alaska pipeline.

URUGUAY

A National Security Council consisting of the Cabinet Ministers and Chiefs of the armed forces was established by decree (No. 163, 1973) to deal with national resources in all their forms, as well as with the realization of national goals, without interference or aggression. The Council is primarily an advisory body to the President.

In view of the tense political situation, constitutional guarantees were suspended by Decree No. 140 and No. 231 (1973). The latter decree authorized the government to detain persons for ten days before charging or releasing them; it also prohibited any communication mentioning subversive activities.

The national budget on salaries, expenditures, and investments for the next fiscal year was approved by Law No. 14.106 (1973).
The Resolution of the Central Bank (March 2, 1972) dealing with foreign exchange was implemented by a circular (No. 261, 1973), regulating, among others, the amortization of foreign loans, their interest rates and the requirements that such loans must be negotiated through the local banking system.

Decree No. 245 (1973) promulgated by the Ministry of Economy and Finance has extended exemptions from import duties to some necessities, among them raw sugar, unground coffee, road machinery and medicines.

The Ministry of the Interior and the Ministry of Defense have closed a number of newspapers because of publications dealing with subversive activities (Resolution No. 45, and No. 626, 1973).

The Ministry of Economy and Finance has published a regulation dealing with the value-added tax (Decree No. 39, 1973).

VENEZUELA

Congress has adopted (5 Law. Am. 97, 1973) amendment No. 1 to the 1971 Constitution affecting art. 149, 152, 182, and 213. The amendment provides that persons found guilty of crimes and punished with imprisonment for more than three years for crimes committed in their performance of public functions or in connection therewith, are ineligible for the office of President, Senator, Representative, or Justice of the Supreme Court. Disputes arising from this provision are within the jurisdiction of the Supreme Court of Justice.

The office of the Attorney General has been regulated by decree (No. 1.269, 1973); the organization of the Contraloría General by a regulation (D.O. No. 1.572, 1973). Salaries of some classes of civil servants are set by Decree No. 1.310 (1973).

Domestic marketing of oil products, among them gasoline, lubricants, and gases is reserved to the State under a new law (D.O. No. 1.591, 1973), including their importation, transportation, supply, warehousing and distribution (art. 1). These activities are declared to be public service (utilidad pública) (art. 2), to be performed by the Corporación Venezolana de Petróleos which may do it directly or through contracts with persons or legal entities domiciled in Venezuela; persons and institutions engaged presently in these activities shall be given preference (art. 3). The products involved are declared to be of prime necessity and, consequently, subject
to prices to be fixed by administrative authorities (art. 4). Enterprises
directly or indirectly engaged in refining or the manufacture of oil products
must supply to the Corporation the products required by the latter, in
proportion to the volume of their production (art. 5), as determined by
administrative authorities (art. 6). Individuals and legal entities interested
in performing the functions now reserved to the State under art. 1 must
apply for a permit from the Ministry of Mines and Oil and enter into a
contract with the Corporation (art. 7). Any construction, modification,
extension or dismantling of establishments related to internal marketing
under art. 1 must be approved by the same Ministry (art. 8). All permits
required by this law will have to meet requirements established by regula-
tions issued by the same Ministry (art. 9). Registrars, notaries, judges
and any other authority shall abstain from taking part in any act which
may affect the provisions contained in art. 8 (art. 11). Violations of these
provisions are punishable by fines (art. 12). Transitory provisions deal
with the liquidation or adjustment of presently operating facilities (art. 15
to 23). They may also be expropriated (art. 24 to 28). Among its final
provisions the law declares null all clauses in contracts presently in force
with suppliers of products listed in art. 1, or which may be entered into in
the future, and which contain a promise to purchase and use such items
(art. 29). These provisions have been implemented by two ministerial

Art. 16 of the law regarding reversion of oil concessions (1971, 3
Law. Am. 559, 1971) has been implemented by a ministerial resolution

A law for the protection of the national merchant marine (G.O. No.
30.161, 1973) allows transportation of reserved cargo (mainly oil and
iron ore) only in vessels meeting the requirements in the law. In order
to qualify, vessels must not only be inscribed in the marine register but
also comply with additional requirements (art. 7) relating to the nationality
of the crew and qualifications of the owner. The owner must be Vene-
zuelan; in the case the vessel is jointly owned, more than 80% of its
value must belong to Venezuelans domiciled in the Republic. With regard
to vessels owned by associations, the association must be established under
Venezuelan laws, have its principal domicile, its true seat and the object
of its operations in the country. Further, not only the president and the
manager, but also three fourths of other officers must be Venezuelans,
and more than 80% of the capital must belong to Venezuelan nationals
or domestic associations of which at least 80% of the capital is owned
by Venezuelans. Reserved cargo may be handled by foreign vessels
provided they are chartered or leased to Venezuelans who must obtain a permit from the Ministry of Transportation (art. 8). Exceptions may be made with regard to transportation of oil or iron ore (art. 8, last para.). Vessels qualified under art. 7 will transport at least 10% of oil, the quota to be increased gradually to 50%, a provision applicable also to transport of iron ore and wheat, both in import and export (art. 9). Nevertheless, the State may allocate wholly or partly the transport of oil and iron ore to its own vessels or to those belonging to enterprises with prevailing state participation (art. 10). Generally, all imports and exports for public entities (national, state, municipal, autonomous, including enterprises with decisive state participation) must be handled by state owned vessels or vessels owned by enterprises with decisive state participation (art. 12). Treaties entered into by the Republic, as well as agreements concluded — with the approval of administrative authorities — with foreign maritime carriers may allow foreign vessels to share in the transportation of reserved cargo, provided the respective foreign country grants equal treatment to Venezuelan vessels (art. 14). Shipbuilding is declared to be in the national interest; the government may reserve to locally built vessels certain domestic maritime operations (art. 17). Repairs of Venezuelan vessels must take place in the country, except in emergencies (art. 19). Penal provisions appear in art. 20. In a general sense, in supporting and defending the national merchant marine, the government will take reciprocal or compensatory measures, as indicated (art. 21).

A number of educational institutions have been approved (Decrees No. 1.278 to 1.280, 1973), namely the Instituto Universitario Jesús Obrero; Instituto Universitario Nueva Esperta, specializing in tourism; Instituto Universitario de Nuevas Profesiones for tourism, foreign commerce, and recreation; and, Instituto Universitario de Mercadotecnia, specializing in marketing. All these Institutes are located in Caracas.

Decree No. 1.365 (1973) created the Centro Nacional para el Mejoramiento de la Enseñanza de la Ciencia.

The movie industry is regulated by a ministerial resolution (No. 1.666, G.O. No. 30.083, 1973).

A new law on tourism was enacted (G.O. No. 1.591, 1973), to be administered by the Corporación de Turismo, an independent entity (art. 6), with an advisory National Council (art. 17). Among other provisions, the law regulates the entry of tourists (art. 18 to 20); conservation of tourist assets (art. 25); and contains penal provisions (art. 26 to 32).
A law regulating the functions and qualifications of medical technicians (bioanalisis) was enacted (G.O. No. 30.160, 1973).

A Commission for Professional Rehabilitation has been established (Decree No. 1.313, G.O. No. 30.128, 1973).

Ministerial Resolution No. 211 (G.O. No. 30.156, 1973) regulates activities of the National Council for Agrarian Research, established in 1959 (Decree No. 566).

A regulation for social protection of attorneys was promulgated (D.O. No. 1.587, 1973).


Presidential decree No. 1.316 (G.O. No. 30.155, 1973) provides price support for milk.

Among the international agreements adopted the following may be mentioned: the convention establishing the Caribbean Development Bank (G.O. No. 1.579, 1973). The agreement with the Panamerican Health Organization on privileges and immunities was approved by law (G.O. No. 30.169, 1973).

A meeting of attorneys discussing social problems resulted in a resolution dealing with family law and aiming at strengthening the respect, stability and protection of the family as a basic entity of society. In consequence, changes in the Civil Code have been suggested, among them, equal treatment for legitimate and illegitimate children; paternal authority to be exercised by both parents, and in case of divorce allocated according to the best interests of the child; in any case, contact of the child with parents shall be maintained. In regard to community property no spouse shall dispose of it without the consent of the other. Art. 185 of the Civil Code dealing with grounds for divorce shall be amended and spouses given equal status with regard to adultery. Effective protection shall be given to children with regard to support. Finally, legal provisions dealing with homestead (patrimonio familiar) and homes are to be made effective.

A reform of the election law is before the Legislature.

The final act regarding the entry of Venezuela into the Cartagena Group (Lima, 1973) appears in 12 Int'l Leg. Mat. 344 (1973).