ARGENTINA

The Ley Declarativa Fundamental (Law No. 19.608, 1972) expresses the need for constitutional reform according to directives established therein. The main points are: the inclusion in art. 1 of the present Constitution (1853) of a programatic clause stressing an effective, just, social and solidaristic democracy and reaffirming the right of the people to make decisions in political and economic matters thus removing the obstacles which restrict freedom and equality and, consequently, impede their full actualization. Further changes shall equalize the elective process and the length of service of elective officers; increase the number of senators to three for each province and the Federal District; streamline the electoral process; strengthen the Legislature by providing for the power to call itself into session; make the work of the legislature more efficient, particularly with regard to legislation by providing for discussions by committees, by special proceedings for urgent matters and by the adoption of certain laws by implied consent; by a budget for a number of years; by terminating the ministries involved in particular bills; by a clear definition of a majority; and finally, by prohibiting enactment of legislation without providing for the necessary funding.

Simultaneously two additional laws have been passed: Law No. 19.609 (1972) sets elections for May 25, 1973, and Law No. 19.610 (1972) establishes a committee to study the transfer of the capital into the interior.

Law No. 19.569 (1972, 4 Law. Am. 252, 1972) created the Consejo Económico y Social (CONES), composed of 20 members representing organized labor and 20 members representing industrial, commercial, and agricultural entrepreneurs (art. 2), presided by a president, and assisted by a vice-president and a secretary general, all three appointed by the Executive. The Council shall advise the government in socio-economic
matters, particularly on prices, salaries, employment, social security, health, housing, production, foreign and domestic commerce, money, credit, financial markets and investments (art. 10). It acts on requests from the government as well as on its own initiative (art. 10, a, d).

A new chamber has been added to the appellate commercial court (Law No. 19.455, 1972). Proceedings before the Federal Criminal Chamber (4 Law. Am. 58, 1972) will be accelerated without impairing constitutional guarantees (Law No. 19.583, 1972); persons detained under Law No. 18.670 and Law No. 19.053 for subversion or terrorism, may be kept in places determined by administrative authorities (Law No. 19.582, 1972). Operations of the municipal court of Buenos Aires for misdemeanors have been affected by two laws: Law No. 19.691 (1972), dealing with the Code of Misdemeanors, and Law No. 19.690 (1972), regulating procedure.

Administrative proceedings are now regulated by Law No. 19.549 (1972). The law delineates the area of their application (art. 1 to 2); the competency of the administrative organ (art. 3 to 7); the essential requirements of an administrative act (art. 7 to 22), and the judicial control over administrative acts (art. 23 to 32). The law was implemented by an extensive regulation (Decree No. 1.759, 1972).

Interests in land, connected with apartment construction or ownership (propiedad horizontal) are regulated by Law No. 19.724 (1972). Land upon which such a building stands or is about to be erected may be transferred or otherwise disposed of for consideration only by a public document expressly stating that the land is or will be involved in such kind of construction (art. 1). The deed must contain the present state of occupancy; lack of tax or similar debts, and if the alienation is dependent on the number of apartments to be sold, such period, not to exceed one year, must be included (art. 2). The law aims at preventing improper practices during the period of prehorizontalidad. The law also regulates the sale of land after an apartment building has been constructed by providing, among others, that total or partial sale of such land to third persons does not affect the rights of purchasers of such apartments, provided their contracts have been recorded. Persons, participating in such transactions, must disclose their status, the name of the owner of the immovable, and the existence of encumbrances. However, the sale by an apartment owner of his interest does not relieve him of his obligations to the owner of the building. Violations are punishable by fines and imprisonment up to two years.
Art. 208 of the Aviation Code (Law No. 17.285, 1967, 1 Law. Am. 105, 1969) dealing with criminal matters was amended to include also violations of laws of aviation policies; the fine was reduced from one million to 10,000 pesos (art. 1).

Law No. 19.587 (1972) established uniform rules for health and safety of labor. Supervision of unions' financial activities is regulated by Decree No. 4.339 (1972).

Dealings in sugar and tobacco are regulated by Law No. 19.597 (1972) and Law No. 19.595 (1972), respectively.

Price and wage controls continue; among the former, Law. No. 19.432 (1972), and No. 19.436 (1972) may be noted; also Law No. 19.600 (1972), implemented by Decree No. 2.399 (1972), dealing with prices for water and electricity. Wages and salaries are affected, among others, by Laws No. 19.403, 19.598, 19.599 (Decrees No. 2.335, and 2.398, 1972) and Law No. 19.641; for civil service, Law No. 19.598 (1972) was enacted.

The Bar of the City of Buenos Aires received its charter by Law No. 19.649 (1972). The law regulates admission to the bar as well as ineligibilities (art. 4); furthermore, duties, elections, the Council, and the Tribunal de Conducta (art. 33), vested with disciplinary powers (art. 38) are also covered.


The new Law of Business Associations (No. 19.550, 1972, 4 Law Am. 250, 1972) shows no significant departures from the corresponding regulations in the Commercial Code (1889). Nevertheless, it adopted a number of significant innovations some of which shall be noted here. In its first chapter, the law contains rules applicable to all associations regarding their formation, nullity, also on irregular associations and membership (art. 1 to 57). No business association, except those exclusively engaged in financing and investment, may participate in other associations with amounts in excess of their reserves and half of capital, including legal reserves; prohibited also are reciprocal participations (art. 32). Relations between members and associations, including capital contributions, and relations between members and third persons are regulated in art. 36 to 57. Rules on administration and representation (art. 58 to 60), on bookkeeping (art. 61 to 73), transformation (art. 74 to 81), merger (art. 82 to 88) and various types of dissolution (art. 89 to 117) follow. Judicial intervention is allowed in cases listed in art. 113. In regard to business
associations established abroad, the law provides that such associations are regulated in regard to existence and form by the laws under which they have been established; in any case, such associations may engage in the Republic in isolated acts and appear in courts (art. 118). However, in order to qualify for regular business, to establish a subsidiary or any other type of permanent representation, the foreign association must prove its existence according to its domestic law, establish domicile in the Republic, and comply with the requirements of publication and registration like domestic associations; it also must substantiate the decision to establish a representation and appoint a representative. In case of a subsidiary, the amount of capital assigned to the subsidiary must be disclosed (art. 118). In case the type of foreign business association is unknown to Argentine law, the judge in charge of the register will make the determination adhering to the strict provision of Argentine law (art. 119). The foreign association must keep in Argentina separate bookkeeping, subject to controls according to the type of the association (art. 120). Their representatives and managers are responsible in the same manner as those of domestic associations; in cases of associations not contemplated by this law, their representative shall have the status of a corporate director (art. 121). Foreign business associations are amenable to Argentine courts for isolated acts through the person having the power of attorney (persona del apoderado), involved in the act or contract out of which the litigation arose; in case of a subsidiary, through its representatives (art. 122). In order to establish an association in Argentina (apparently to re-incorporate), the parent association must prove to the judge in charge of the register that it was established in accordance with the laws in force in the respective country and file in the proper register its charter and other related documentation, including the one regarding its representative (art. 123). A foreign business association having its seat in Argentina or whose main purpose shall be achieved there, will be treated as a local association in regard to the formalities of establishment and future changes, as well as to the control over its activities (art. 124). The second chapter of the law deals with various types of associations: partnerships (art. 125 to 133), commandit associations (art. 134 to 140); sociedades de capital e industria with two kinds of members, those who supply capital and those who supply services, the latter being liable only up to the amount of non-withdrawn profits (art. 141). The limited liability firm (art. 146 to 162) underwent significant changes, among them an increase in the allowed membership from 20 to 50 (art. 146), and an increase in the ceiling of capital of which 50% must be paid within two years (art. 149). Detailed rules apply to transfers of participations in these companies (art. 150), and special rules for those among members (art. 152). The regulation of corporations (art.
163 to 307) follows a few basic policies: far reaching regulation by law instead by contract; distinction between open and closed corporations; protection of shareholders, particularly minorities; stability of the management; intervention by the judiciary in corporate affairs; and the optional watch-dog committee (comisión de vigilancia). Among the important innovations a few may be mentioned. The idea of no-par shares has been rejected as was the issuance of shares in foreign currency (art. 185). The general power of administrative authorities to assure that the "purpose is not contrary to public interest" has been eliminated, but retained in well defined instances (art. 167). Cumulative voting is limited to five (art. 263). Incompatibilities imposed on directors are listed (art. 264). Special provisions apply to corporations with State participation (art. 308 to 314). Rules regulating commandit associations with shares (art. 315 to 344) are followed by extensive rules on debentures (art. 325 to 360), and concluded with regulations of fortuituous (accidental) associations and joint ventures (art. 361 to 366).

The new Bankruptcy Law (No. 19.551, 1972, 4 Law. Am. 252, 1972) is divided into two parts: part one, dealing with commercial (art. 1 to 309) and part two with civil bankruptcies (art. 310), the former involving merchants and business associations, the latter subject to rules applicable to commercial bankruptcies unless expressly modified. Merchants and business associations domiciled abroad may be subject to bankruptcy in Argentina in regard to assets located in the Republic (art. 2, sec. 5). Among general principles, the law contains also provisions dealing with foreign bankruptcies and debts payable abroad (art. 4). Bankruptcy abroad is grounds for bankruptcy in Argentina on motion of the debtor or a creditor whose claim is payable in the Republic; unless there is a treaty provision to the contrary, a foreign bankruptcy cannot be used against credits payable in the Republic, to question interests creditors have in assets within the Argentine territory, or to annul acts executed with the bankrupt (art. 4, para. 17). Once bankruptcy proceedings have been instituted in Argentina, creditors to be paid there have priority over creditors payable exclusively abroad; they only may press their claims against assets remaining after the payment of the former (art. 4, para. 2). According to the motivos, the main principles underlying the new law are: protection of credit; protection of the enterprise insofar as it is useful to the community; expansion of preventive measures; action by the courts ex officio; salvage of assets belonging to a bona fide bankrupt; expansion of rules to protect commerce generally; and extension of liability to those who have been engaged in fraudulent acts with the bankrupt or have violated prohibitions and thus caused or aggravated insolvency. The
law has replaced book IV of the Commercial Code (1889), as amended by Law No. 11.719 (1933).

Law No. 19.151 on foreign investments (1971, 3 Law. Am. 510, 1971) was implemented by a regulation (Decree No. 2.400, 1972). After providing a definition of foreign investments as those originating from physical or legal persons domiciled abroad or having the principal seat of their operations there, and intended for new economic activities or expansion of existing activities (art. 7), the regulation deals with a number of issues. In essence, it regulates competing investment projects; whenever their conditions are equal, the regulation sets a number of criteria necessary for a decision. In any case, preference shall be given to projects with domestic participation. Foreign investments will be registered in a special register, in the currency or currencies in which the operation took place, or in the currency of the country of the origin of the goods supplied; provisions will be added regarding conversion of these assets. The value of capital goods involved must not exceed the price for similar exports from the foreign country or the price in the country of origin, if the latter is lower. In case these goods are produced by the foreign investor or an associated enterprise, not only the same rules apply but the foreign investor also is bound, on request, to substantiate the value and costs of production. The foreign investor may annually remit abroad the total amount of profits, unless the investor has agreed with the Secretaría de Planeamiento y Acción de Gobierno, in charge of administering these matters, to limit temporarily such remittances (art. 3). In such cases, the investor has the choice to reinvest the amounts in the same enterprise or deposit them in a special reserve fund to be remitted according to the particular agreement (art. 4). On liquidation of the enterprise, the repatriation of the investment or in the case of a sale of respective shares or participations to Argentine investors, repatriation is limited to the foreign exchange value of the originally invested capital, plus the reinvested and undistributed profits, minus tax (art. 5). Limitations on credits from domestic banks to enterprises with foreign participation and to the part of the capital of foreign origin, in accordance with Law No. 19.151 (1971) (art. 6).

Import restrictions continue. The ban on import of luxury and non-essential imports has been extended for another year (Decree No. 2.867, 1972); a circular issued by the Central Bank (RC No. 434) ruled that imports which could compete with local products must be purchased at the full financial exchange rate, instead of the previous 36% commercial and 64% financial rates.
Law No. 19.508 (1972) regulates the buying, selling, and leasing of movable and immovable assets destined for health, nutrition, clothing, housing and other purposes to satisfy the general needs of the public.

Maritime pilotage is regulated by Decree No. 5.207 (1972).

Spectators at sporting events must be group-insured (Law No. 19.628, 1972) with the *Caja Nacional de Ahorro Postal* (art. 1) for 2,000 pesos per person (art. 3).

Schools in frontier areas have been granted privileges by Law No. 19.524 (1972).

Some areas have been given significant support by the national Legislature, among them San Juan (Law No. 19.375, 1972), Tierra del Fuego (Law. No. 19.640 and No. 19.648, 1972), and particularly Tucumán (Law No. 19.605, 19.612, 19.614, 19.615, implemented by decrees).

Under consideration are, among others, the following bills: law of the merchant marine; oil law, and law on mining developments.


**Buenos Aires**

Activities of political parties are regulated by Law No. 7.818 (1972); taxation by Law. No. 7.839 (1972); registration of persons (Law. No. 7.842, 1972). The principle of orality (oral pleading at the trial) was introduced by Law No. 7.861 (1971) as an amendment to art. 827 to 844 to the Civil and Commercial Procedural Code (Law No. 7.425); the same law amended art. 4, 7, 123, 124, 126, 131, 137 and 140 of the Organic Law of the Judicial Power (Law No. 5.827).

**Catamarca**

A new regulation was promulgated to implement the national law (No. 8.204, 1963) by a decree (No. 1.528, 1972), dealing with registration of civil persons and their capacity.

**Chaco**

Law No. 1.062 (1972) contains the new Code of Criminal Procedure.
Chubut

Mining procedures are regulated by Decree No. 3.166 (1972). The multilateral (interprovincial) agreement of 1964 to avoid double taxation was approved by Law No. 905 (1972).

Cordoba

Law No. 5.325 (1972) regulates purchases of lots; Law No. 5.319 (1972); industrial development. Mining operations and marketing of minerals are subject to Law No. 5.322 (1972). Transfers of farms are regulated by Law No. 5.347 (1972); expropriations by Law No. 5.351 (1972).

Corrientes

Industrial development is dealt with by Decree No. 5.065 (1972); commutation of penalties by Decree No. 3.028 (1972).

Entre Rios

Registration of mining interests is regulated by Decree No. 4.467 (1972); legal entities by Law No. 5.113 (1972).

La Pampa

The multilateral convention (1964) to prevent double taxation was also adopted here (Law No. 594, 1972).

La Rioja

The same convention as in La Pampa above was adopted here (Law No. 3.365, 1972).

Mendoza

Law No. 3.811 (1972) deals with the oil industry; Law No. 3.800 (1972) with courts and proceedings, among them making orality in certain parts of criminal proceedings optional.
Neuquén

Justices of the peace and other judicial matters are regulated by Law No. 680 (1972).

San Luis

Modifications to the court system are contained in Law No. 3.414 (1972).

Santa Fe

Industrial parks are regulated by Law No. 6.758 (1972). Law No. 6.789 (1972) prohibits games of chance.

Tucumán

Notarial fees are set by Decree No. 5.108-14 (1972). National parks are created by Law No. 3.778 (1972).

BARBADOS

Central Bank of Barbados (Act No. 6, 1972) aims to regulate and supply foreign exchange; promote monetary stability and a sound financial structure; foster the development of money and capital markets, and credit and exchange conditions for an orderly and sustained economic growth of the island (art. 4). The administration is in the hands of a board of directors (art. 10), with a governor and a general manager (art. 11). The Bank will continue the present currency (East Caribbean dollar), until such time as a Barbados dollar will be introduced (art. 19). The Bank will be engaged in extensive foreign exchange operations (art. 27) and cooperate with domestic financial institutions (art. 31). Relations with the Government are laid out (art. 42).

Among recent enactments, amendments of a number of acts may be mentioned. The Wages Council Act of 1955 was amended by Act No. 2 (1972); the Factory Act of 1956 by Act No. 3 (1972); the Labor Department Act of 1943 by Act No. 4 (1972), and the Barbados Citizenship Act of 1967 (No. 50) by Act No. 193 (1971).

The Town and Country Planning Act (No. 60, 1965) was implemented by two orders (S.I. No. 75 and 76, 1972).
Price control regulations are promulgated in pursuance of the Miscellaneous Controls Act (No. 5, 1970).

The Tokyo Convention on Offenses and Certain Other Acts Committed on Board Aircraft (1963) was enacted as Civil Aviation (Tokyo Convention) Act (No. 1, 1972); it includes also art. 15 to 17 of the Convention on the High Seas (Geneva, 1958). The Warsaw Convention for the Unification of Certain Rules Relating to International Transportation by Air (Warsaw, 1929) was ratified in 1971.

In pursuance of art. 6 of the Diplomatic Immunities and Privileges Act of 1967 (No. 42, 1967) the Minister of External Affairs issued an order extending such immunities and privileges to the Commonwealth Caribbean Regional Secretariat (S.I. 1927, No. 113).

Barbados concluded with the United States an understanding concerning air transportation relations (1972).

BRAZIL

The Government took preparatory steps for agrarian reform by ordering its officials in three States (Ceara, Pernambuco, and Paraiba) to consider latifundia for possible subdivision and distribution.

Law No. 5.786 (June 27, 1972) made the illicit seizure of or control over an aircraft a crime against national security, punishable by imprisonment from 12 to 30 years; the same penalty applies to attempts to commit these acts triable by military tribunals.

In the area of labor law Decree No. 69.919 (1972) regulates aid to agricultural workers (PRORURAL). To avoid further accidents, a portaria of the Ministry of Labor and Social Security (No. 3.046, 1972) provides for change by the worker of the particular employment. A new minimum wage has been set by Decree No. 70.465 (1972), raising the previous by approximately 20 per cent.

The Fund for the Development of the Capital Market (FUMCAP), established by Decree No. 69.554 (1971), was implemented by a regulation (Resolution No. 213 of the Central Bank, 1972), aiming at increasing activities on the stock market; at a restructuring of Brazilian companies; at creating medium and long term financing; at increasing domestic production of capital goods; and at stimulating the mobilization of private resources. According to a portaria of the Minister of Finance (No. GB-379, 1971), profits of mutual investment funds will be considered fully dis-
tributed whenever they are immediately reinvested. The Central Bank has issued instructions to the effect that foreign loans undertaken by the National Bank for Economic Development may be transferred to industrial and commercial enterprises only in domestic currency (Circular No. 180, 1972).

The Central Bank has set maximum interest rates (Resolution No. 207, 1971), ruling that commercial banks may not charge interest in excess of 1.4% per month for loans up to 60 days, provided the loan is secured; and not in excess of 1.6% for loans beyond 60 days.

The Commission on Mergers and Consolidation of Companies (COFIE) of the Ministry of Finance issued new rules regarding requests for mergers and consolidations of insurance companies to qualify for tax privileges (Resolution No. 3, 1971). According to an information issued by the Instituto de Resseguros do Brazil persons residing in Brazil cannot take out insurance abroad (Decree-Law No. 2.063 and 2.073, 1940, and 1966, respectively); however, remittance of premiums abroad will be permitted to aliens who, on moving to Brazil, already had individual life insurance abroad.

Portaria No. 27 (1972) issued by the Ministry of Health aims at controlling drugs.

Decree No. 70.050 (1972) regulates the investigation and prevention of aviation accidents; a portaria (No. 030/GM-5, 1972) deals with air traffic.

The capital of Electrobras, established by Law No. 3.890 (1961), was increased by Decree No. 70.295 (1972).

A program for an increase of rubber production was set up by Decree-Law No. 1.232 (1972), with a considerable appropriation, aiming primarily at the western Amazon region and southern Bahia.

Law No. 5.792 (1972) authorizes the administration to establish TELEBRAS, S.A., to operate telecommunication services within the country, with the power to organize subsidiaries and cooperate with other companies in the field.

Regulations for the Brazilian Commission for Space (COBAE) have been promulgated (Decree No. 70.328, 1972).

The National Sports Council has ruled that no team may have more than one foreign player in each game and no more than one such player under contract (Ruling No. 6, 1972).
Decree No. 69.918 (1972) provides for jurisdiction in administrative appellate tax litigation, jurisdiction being distributed between the Superior Tax Council and two types of Taxpayers Councils. Decree No. 70.162 (1972) introduces tax on industrial products. Administrative proceedings in tax matters are regulated by Decree No. 70.235 (1972).

Among international conventions, the following may be noted: convention on wheat (1971, Decree No. 70.222, 1972); convention on international transportation by land with Argentina and Uruguay, signed at Buenos Aires in 1966 (Decree No. 70.042, 1972); aviation convention with Uruguay signed in 1956 (Decree No. 70.210, 1972); sanitary convention with Paraguay of 1961 (Decree No. 70.335, 1972); convention on prevention of double taxation with France signed at Brasilia in 1961 (Decree No. 70.506, 1972); the convention to discourage acts of violence against civil aircraft signed at Montreal in 1971 (Legislative Decree No. 33, 1972); also the convention on international liability for damage caused by space objects (1972).

The provision contained in constitutional amendment No. 1 of 1969, granting equal national treatment to Portuguese nationals, has been implemented by a regulation (Decree No. 70.436, 1972), giving equal civil and political rights to Portuguese, except those reserved by the constitution to native born Brazilians. Such status will be granted on petition. The registration of such Portuguese nationals in voting registers is regulated by a resolution (No. 9.195, 1972).

A number of bills are pending before the Legislature, among them the draft for a new labor code; a law granting workers share in the profits of the enterprises where they work; and some dealing with various health, particularly pharmaceutical, matters.

The Ministry of Justice is concluding studies of the new company law regulating all types of business associations.

The Federal Supreme Court (extraord. appeal No. 69.873, 1972) ruled that the Uniform Check Law (Geneva, 1930 and 1937) is in force in Brazil and is not restricted to international transaction but is also applicable to domestic transactions.

BRITISH WEST INDIES

The convention on service abroad of judicial and extrajudicial documents signed at The Hague in 1965 (ratified by the United States in 1969, 20 U.S.T. 361) has been extended to apply in Antigua, British
Virgin Islands, British Honduras, Cayman Islands, Falkland Islands, Montserrat, St. Lucia, St. Vincent, and Turks and Caicos Islands.

Grenada, St. Lucia, and St. Vincent have agreed to remove the requirement of passports between these islands and allow freedom of movement for nationals and permanent residents as well as for admitted visitors. Nationals will also be permitted to work in any of these islands without restrictions.


Antigua

The law requiring an administrative permit to start a newspaper, and providing for an annual license fee and a deposit or other guarantee as security for damages for libel or slander, was found unconstitutional. The Minister of Home Affairs declared that the government will appeal the decision.

Bahamas

A number of amendments to existing legislation took effect, among them to the Lotteries and Gaming Act of 1969 (No. 2, 1972); the Pensions Act (No. 3, 1972); the Stamp Act (No. 4, 1972); the Public Service Act of 1969 (No. 8, 1972); the Prisons Act (No. 9, 1972); the Firearms Act of 1969 (No. 10, 1972); the Wild Birds Act (No. 12, 1972), and the Housing Act of 1967 (No. 13, 1972).

St. Kitts

The Licenses of Businesses and Occupation Act of 1972 took effect and requires an annual application by specific persons to the Minister of Finance to carry on their occupation, profession or trade. The Minister has the power to grant or withhold, revoke or suspend a license or reduce or increase the fee, grant free licenses and impose conditions in addition to the legal requirements.

In an action for libel against the Premier by a local attorney the English Master of the Rolls ordered the case to be tried in England on the allegation by plaintiff that he could not get justice in St. Kitts where the
Premier might put pressure on the local High Court. Local newspapers comment that the action, consequently, will be "tried on foreign soil."

St. Vincent

Among recent enactments, a regulation to the National Provident Fund Act of 1971 may be mentioned; also the Hotel Aid (Inventory) Regulations of 1972, and the Vienna Convention on consular relations (Act. No. 18, 1971). The latter law provides (art. 6), that the Governor, by order, may exclude or limit the jurisdiction of local courts regarding the "remuneration or any contract of service of the master or commander, or a member of a crew of any ship or aircraft belonging to a State specified in the order, except where a consular officer of that State has been notified . . ." In regard to criminal acts committed on board ship by the master or a member of the crew of a ship belonging to a State specified in the order, proceedings will not be entertained by local courts unless—in essence—the offence has been committed by or against a person, citizen of the United Kingdom and colonies; or the offence affects the tranquility or safety of a port; or the offence is a "grave crime" (art. 7).

CANADA

Assented have been the Federal-Provincial Fiscal Agreements Act; the Territorial Supreme Courts Act and the St. Lawrence Ports Operations Act; also, among others, the following amendments to existing legislation: the Farm Credit Act; Income Tax Act; Labor Code; Adult Occupational Training Act; Representation Commissioner Act; Wheat Board Act; Old Age Security Act, and various pension acts.

The Criminal Code and related enactments have been amended and given assent. Among the provisions a few may be summarized. Section 6 deals with jurisdiction over offenses committed on aircraft to include acts on or in respect to aircraft registered in Canada; or leased without crew and operated by a person qualified to be registered as owner, while the aircraft is in flight; or on any aircraft while it is in flight provided the flight terminates in Canada. The offense, i.e., any act punishable by indictment, is deemed to have been committed in Canada. Added are definitions of flight and in-service. Three types of crimes relating to aircraft are included: hijacking, endangering safety of an aircraft, and taking of weapons and explosives on airplanes. Hijacking is defined as exercising by force or threat control of an aircraft with the intent to confine there any person
against his will, to cause to be transported against his will to any place other than the next scheduled place of landing, to hold a person on board for ransom, or to cause an aircraft to deviate from its flight plan. Endangering the safety of the aircraft includes assaults, damage, and false information. Other provisions of the amendment deal with obstructing justice and public mischief (art. 127, 128); escape after apprehension (art. 137); disturbing the peace (art. 171), and vagrancy, particularly prostitution (art. 179, 195). An attempt to commit suicide ceased to be an offense (art. 125). Additional provisions deal with dangerous operation of vessels, including water skis (art. 240); also operating a vessel when under the influence of alcohol (art. 241). Art. 309 (para. 1) proscribes possession of housebreaking instruments without lawful excuse, the proof of which is upon the possessor. Also punishable is the obliteration of serial numbers on motor vehicles (art. 312).

Among others, Canada has ratified the Agreement establishing the Inter-American Development Bank (1959); the Convention on suppression of unlawful seizure of aircraft (Hague, 1970), and the Montreal Convention (1971); with the United States the Agreement extending the application of the agreement of April 24, 1970, on reciprocal fishing privileges in certain areas off the coasts of United States and Canada, signed in 1972.

Alberta

The Department of the Attorney General (Amendment) Act took effect.

British Columbia

Proclaimed have been the All Terrain Vehicle Act (1971); the Criminal Injuries Compensation Act (1972); the Family Relations Act (1972), and the Archeological and Historic Sites Protection Act (1972). Amended have been, among others, the Administration Act, Legal Professions Act, Motor Vehicle Act, Public Schools Act, and Income Tax Act.

Manitoba

The following acts took effect: Statistics Act (1971); Farm Machinery and Equipment Act (1971); Private Investigators and Security Guards Act (1970); and the Mortgage Brokers and Mortgage Dealers Act (1971). Amended have been the Real Estate Brokers Act; and the Legislative Library Act.
New Brunswick

The Industrial Relations Act (1971) took effect.

Newfoundland

The Hospitals Act (1971) came into force.

Nova Scotia

The Industrial Estates Limited Act (1970/71) and the Drug Dependency Act (1972) took effect as did the amendment to the Motor Vehicle Act.

Ontario

The following acts came into force: the Judicature Act (1970); Judicial Review Procedure Act (1971); Public Inquiries Act (1971); Statutory Powers Procedure Act (1971); Pits and Quarries Control Act (1971), and the Protection of Persons in Industrial Establishments Act (1971); also amendments to the Civil Rights Statute Act; Jurors Act; Justices of the Peace Act; and the Crown Witnesses Act (1971).

Prince Edward Island

Into force came the School Act (1971); the Gasoline and Diesel Oil Tax Act (1971); the Age of Majority Act (1972); the Innkeepers Act (1972); and the Probation Act. Proclaimed amendments affect the Landlord and Tenant Act and the Roads Act.

Quebec

Among the acts recently assented may be mentioned the Farm Producers Act (1972) securing free organizational affiliation and regulating such organizations. The Mental Patients Protection Act (1972) revises the Mental Patients Institutions Act as well as the Detained Persons Psychiatric Institutions Act; no person shall be admitted without an examination by a qualified psychiatrist or against his will except under court order. The Legal Aid Act provides for free legal service by attorneys and notaries.
The Cultural Property Act establishes a commission to identify and classify such property. The Transport Act represents a complete revision of the Transportation Board Act, giving the administration wide regulatory powers.

Among numerous amendments to existing legislation, the Civil Code was adjusted to the change of majority from 21 to 18 years; judgments against minors must be reported to the public curator. Additional provisions adjust the Civil Code to the Act to promote access to justice (4 Law. Am. 71, 1972); they also require that agreements on matrimonial property regimes be accompanied with a list of creditors of each party. Other provisions deal with the abolition of the petition of right and prescription. Another act amended art. 1979 (a) of the Civil Code dealing with agricultural pledges.

The Code of Civil Procedure underwent numerous changes.

The Act amending the Companies Act deals mainly with administrative functions; it also provides that anybody may act as proxy, provided that the instrument is dated, contains the name of the proxy and the revocation of a prior proxy, if any.

Saskatchewan

The Act of Majority; the Liquor Licensing Act; the Executive Council Act; the Statistics Act; the Urban Advisory Commission Act, and a number of enactments organizing various departments, took effect. Amended are the Court of Appeal Act; the Queen's Bench Act, and the Queen's Printer's Act.

CHILE

Law No. 17.699 (D.O. August 14, 1972) authorizes municipalities, state institutions and enterprises as well as all legal institutions in which the State is participating with capital, to donate any type of assets to the Treasury (Fisco). Such gifts shall be unqualified (art. 2) and may be, like other fiscal property, used for housing (art. 16) and other purposes. The President is given broad powers to deal with the application of the law.

Law No. 17.665 (D.O. June 3, 1972) postponed (art. 1) for one year the application of art. 2 and 3 of Law No. 16.346, 1965, regarding the maximum age required for legitimation by adoption according to art. 2
Under the terms of Law No. 7.613 (1943), adoption by persons with legitimate descendants, provided they have reached majority and consented to adoption in writing. In case of their death, consent will be given by their descendants in a public document (art. 2). In art. 203 of the Civil Code, the sentence "except if either of the spouses has descendants from a previous marriage" was stricken (art. 3). Corresponding provisions contained in art. 20 of Law No. 4.808 (1930), regarding the civil register, have been adjusted to the new provisions (art. 4).

Law 7.821 (1944) regarding suspended sentences has been amended by Law No. 17.642 (D.O. May 4, 1972).

National awards for literary, artistic, periodical and scientific achievements are regulated by a decree issued by the Ministry of Education (D.O. July 13, 1972). The Escuela Técnica de Investigaciones will, according to a regulation (D.O. May 16, 1972), also offer courses in law, social sciences, criminology and police science.

Law No. 17.654 (D.O. May 12, 1972) adjusted salaries of civil service. The status of the personnel employed in the internal revenue service has been regulated by Law No. 17.652 (D.O. May 15, 1972). The Ministry of the Interior has issued a regulation dealing with saluting, honors, ceremonial, and protocol of the Carabineros de Chile (D.O. June 12, 1972).

Art. 609 of the Labor Code (1945) dealing with the conciliation commission was amended by Law No. 17.641 (D.O. April 20, 1972). The Ministry of National Defense shall provide (Regulation to art. 40 of the Law No. 17.276, 1970) enterprises with more than 100 workers with sport equipment.

In the area of nationalized mining an administrative organization was established for the Compañía de Cobre Salvador (D.O. July 14, 1972), and for other enterprises by an analogous decree (D.O. July 15, 1972). The Ministry of Mines has approved the administrative structure, including salaries, of the personnel employed by the Empresa Nacional de Minería (ENAMI, D.O. June 9, 1972). Security measures for mines have been modified by Decree No. 16 (D.O. June 8, 1972).

A sworn statement is required from merchants regarding merchandise in inventory (D.O. May 18, 1972). A regulation for the Caja de Previsión Social de los Comerciantes, Pequeños Industriales, Transportistas e Independientes, established by Law No. 17.666 (1969), was promulgated (D.O. June 28, 1972).

Law No. 16.741 regarding the Corporación de Servicios Habitacionales, was amended by Law No. 17.645 (D.O. May 8, 1972).
The number of interventions in private enterprises is increasing. An example (D.O. June 10, 1972) shows that an establishment closed "in open affront against governmental policies" and was, consequently, requisitioned under art. 2 of the Supreme Decree No. 338 (1945).

A governmental commission will "coordinate" the work of foreign volunteers (Decree No. 869, 1971, D.O. March 6, 1972).

The following international conventions have been adopted: Convention regarding the Intergovernmental Consultative Maritime Organization signed at Geneva in 1948 (D.O. April 20, 1972); the Hague Convention for the suppression of unlawful seizure of aircraft, 1970 (Decree No. 147, D.O. April 19, 1972); the Convention on psychotropic substances, signed at Vienna in 1971; the Convention regarding the reciprocal recognition of firearms for training, with two additional regulations, signed at Brussels in 1969 (D.O. April 12, 1972); the United Nations sponsored Convention on the status of refugees and the Protocol (Decree No. 287 and 293, D.O. July 19 and July 20, 1972); the Andean regime of multinational enterprises with the regulation (Decree No. 281, D.O. July 21, 1972); a cultural convention with the United Kingdom, signed in 1968 (D.O. July 31, 1972); a convention with Argentina dealing with labor and social security matters, signed in 1971 (D.O. May 31, 1972); and the commercial treaty with the People's Republic of China signed on April 20, 1971 (D.O. July 13, 1972).


COLOMBIA

Serious attempts are being made to mobilize domestic capital to further economic development. Decree No. 937 (1972) points out that channeling of savings into public and private investments shall be planned by the Junta Monetaria by preparing plans for investments of capitals held by reinsurance companies, savings institutions, banks, fiduciary corporations, investment funds and generally in institutions performing intermediate functions on the money market (art. 1). In regard to savings institutions, Decree No. 677 (1972) has declared as governmental policy the furthering of savings in order to provide for capital to be used in housing (art. 1). The work of savings institutions and corporations dealing with savings and loans shall be coordinated and strengthened by providing
for stability in savings and loans used for housing through periodical adjustment of amounts deposited and then invested in housing, to the purchasing power of such moneys (art. 3), according to consumer indices officially prepared by the Junta de Ahorro y Vivienda (art. 5). Investments in housing shall be by private corporations as regulated by Decree No. 678 (1972). The technique of adjustment is outlined in Decree No. 1229 (1972), providing for a unidad de poder adquisitivo constante (UPAC) to be used by the corporations mentioned in the previous decree, in their accounts, though based on legal currency (art. 1). The decree expressly provides that in regard to art. 1518 of the Civil Code, the transactions in legal currency will be determined by UPAC (art. 2). A study of the monetary market shall be undertaken by the Junta Monetaria (Decree No. 1.211, 1972).

Also stimulated shall be investments in mining according to Decree No. 769 (1972).

Fishing resources have been proclaimed to be of prime necessity (Superintendencia de Precios, Resolution No. 093 de 1972) and as such subject to price regulations.

In insurance, the Superintendencia Bancaria (Circular No. DS-030, 1972) stressed that insurance companies must establish boards of directors according to the new Commercial Code (3 Law. Am. 528, 1971). A regulation of insurance brokers has appeared as Decree No. 361 (1972).

New minimum wages have been set by the Consejo Nacional de Salarios (Law No. 187, 1959) and proclaimed by Acuerdo No. 1 (1972). The new regime maintains diversity of wages by branches of the economy and classifications within them. The main innovation is an increase of minimum wages in some geographic areas and for some economic branches, dependent of the net worth of the employer. Decree No. 671 (1972) prohibited employers to enter into collective agreements with non-unionized workers in view of art. 481 of the Labor Code providing that only "sindicatized workers may negotiate" such agreements. Decree No. 1.036 (1972) established new schedule for contributions to the Instituto Colombiano de Seguros Sociales.

Implementing Law No. 60 (1968) on tourism, a regulation was promulgated as Decree No. 757 (1972), identifying touristical assets.

The need for foreign capital persists. The authority of the Government to borrow abroad has been expanded by Law No. 3 (1972). Additional regulations have appeared regulating private loans as Resolution No. 37 (1972) of the Junta Monetaria. Such loans run for two years at a maximum
interest of 9 and 9½%, a rate lowered by Resolution No. 38 (1972). The former resolution also regulates registration of loans with the office of exchange of the Banco de la República; for the sale of foreign exchange to the Bank, and for the payment of such loans. An instruction was issued by the Oficina de Cambios (Circular No. 25, 1972) clarifying certain points.

Chambers of Commerce have been the object of two regulations. One in the form of a resolution by the Superintendencia de Industria y Comercio (No. 0535, 1972) prescribing books to be kept by them, and another establishing their internal organization (Decree No. 695, 1972).

The charter of the National Coffeegrowers Federation was approved (Resolución Executiva No. 29, 1972).

The activities of the Fondo de Inmuebles Nacionales (4 Law. Am. 267, 1972) are regulated by a decree issued by the Ministry of Public Works (No. 369, 1972); a Dirección General was provided in Decree (No. 1.053, 1972).

A new free zone is established in Cucuta (Decree No. 584, 1972); a temporary zone is foreseen for the International Exposition of Bogotá (Decree No. 961, 1972).

Decree No. 763 (1972) regulates applications for patents, trademarks, models and designs.

The ruling by the Supreme Court (4 Law. Am. 260, 1972) that the adoption of the Cartagena Agreement was ineffective, prompted the Government to submit the Agreement to Congress for adoption; in the meantime it promulgated piecemeal particular provisions contained in decisions adopted by the Andean Commission. Resolution No. 17, issued by the National Council of Economic and Social Policy (July 19, 1972), patterned closely after Decision No. 24 of the Andean Commission, eliminated the requirement that new foreign investors be required to sell a part of their investment to domestic investors. A decree (No. 1.234, 1972) was promulgated by the Ministry of Economic Development regulating payments for license fees related to trademark licenses, services and technological know-how. Here too, rules of Decision No. 24 have been closely followed, except in regard to payments of license fee by subsidiaries to their foreign parent corporations.

The Government has submitted to Congress a bill to reform the tax law. Among other proposals it calls for the elimination of excess profit tax imposed presently on corporations, to be offset by a raise in the corporate
income tax from 36% to 41%. The rate for limited liability firms should be increased from the present 4.8% to 20%.

The Supreme Court opinion regarding the Andean Foreign Investment Code (January 20, 1972, 4 Law. Am. 269, 1972) appears in 11 Int'l Leg. Mat. 574 (1972).

COSTA RICA

Art. 2 of the Monetary Law (No. 1.367, 1951) was amended by Law No. 4.972 (1972), changing the gold parity of the national currency (colón). Under the new enactment, the colón will have a gold parity of 123.549 grams of fine gold. However, whenever the economic situation warrants, or in order to correct an imbalance in the economy, this parity may be changed in accordance with international obligations, by the Board of the Central Bank which notifies Congress through the administration.

Art. 29 and 47 of the Notarial Code have been amended by Law No. 5.020 (1972) allowing the notarial protocol in loose-leaf form. Penalties shall prevent misuses.

Law No. 5.016 (1972) provides that certificates issued by the Central Bank regarding the indebtedness of exporters to this Bank will have the authority of título ejecutivo, i.e., document qualified for immediate enforcement. In this way, the Central Bank will be in a position to attach debtor’s assets without the need to obtain a final judgment.

Costa Rica ratified the Convention on the high seas and the Convention on the continental shelf (Geneva, 1958); also the Agreement relating to the International Telecommunications Satellite Organization (INTELSAT), signed in 1971.

DOMINICAN REPUBLIC

Law No. 314 (1972) defined (4 Law. Am. 272, 1972), in principle, a latifundio as land held by an individual or legal entity, including a decedent’s estate, in excess of a statutory maximum according to seven classes depending on its size, productivity and topography (art. 3). Exempt are the following holdings: land for cultivation of sugar for the Consejo Estatal del Azúcar (Law No. 7, 1966), also such land owned by private persons or enterprises; developed land with systems of irrigation, and plantation lands managed under optimal conditions whenever this is in the national economic interest and recommended for exemption by
a special commission composed of representatives of the administration and one representative from the association of land owners (art. 2). Land not qualified for agriculture may be declared to be in the national interest for ecological reasons (art. 4).

In regard to repatriation of profits from foreign investments, a new resolution (April 26, 1972) has amended the one issued in January 1972 (4 Law. Am. 273, 1972) to the effect that a registration of investments in foreign currency will be allowed only for investments in agriculture, livestock, industry, mining, tourism, transportation, communications and financial institutions organized under Law No. 292 (1966). Nevertheless, the Junta Monetaria may order the registration of other foreign investments whenever they contribute to the economic development. These new provisions do not affect individuals or legal entities established in the Republic on January 13, 1972, even though their investments are not in areas listed above. The 18% limitation on repatriation of profits remains, the percentage based on the net value of the investment, both the initial capital as well as additions in foreign currency and reinvestments of profits free for repatriation, minus amounts of repatriated capital (sec. 2). Exceptionally may the Junta allow remittance of profits over 19% whenever the investment is in the national interest, involves special risks or by its nature is slow to produce profits. Enterprises may enter into special agreements with the State allowing higher remittances (sec. 1, para. 2).

An amendment of art. 55 of Law No. 659 (1944), as modified by Law No. 3.931 (1954) is before the Justice Commission of the Senate. The amendment aims at clarifying the possibility of proxy marriages in the Republic by nationals and aliens.

Law No. 324 (1972) imposed tax on sugar and honey destined for export. Items charged with less than 10% import tariff will be charged with the full 10% according to Law No. 346 (1972); exempt are, among others, paper, printed matters, periodicals and fertilizers (art. 3).

The Dominican Republic has ratified the Convention on international liability for damage caused by space objects (1972); the Warsaw Convention of 1929 (1972); also the Convention on suppression of unlawful acts against the safety of civil aviation (Montreal, 1971).

ECUADOR

The Petroleum Law of October 1, 1971, was implemented by a decree, dated June 6, 1972. Declaring the 1971 law expressive of public
policy and imposing upon concessioners with prior contracts the duty to comply with it, the law takes into account the policy of the revolutionary government, based on the "inalienable interests of the State," in petroleum exploration and conservation. The decree adds the following transitory provisions binding present concessioners. They shall comply with obligations under the prior law, in proportion to the time needed to complete the period there stated and retain the contracted areas until their time expires; upon expiration of the period of exploration, they may retain 40% of the contracted area for a period of two years, but later only an area equal to the "mathematical average between the retained 40% and the maximum area" established by the 1971 law (art. 18 and 19). Concessioners at this time in the exploration period shall return to the State by December 31, 1962, 60% of the contract areas in excess over the maximum provided in art. 18 and 19 of the 1971 law and pay, accordingly, surface fees due (Sec. 2). The area thus returned must be in rectangular shapes of no less than 20,000 hectares each; with sides in proportion of one to two (Sec. 3). The fourth section of the decree deals with the payment of fees; the fifth provides that concession contracts executed prior to September 30, 1971, retain their "original legal form," subject to provisions of this decree as well as of Decree No. 1.321 of 1969. To assure full compliance with these provisions, contractors, concessioners and their associates shall execute new contracts within one year, following a model which shall be uniform for all (Sec. 6). The Minister of Natural Resources and Tourism will declare the forfeiture of contracts of concessioners or associates who "oppose in part or in whole the application of these rules or hinder the normal development of petroleum operations, without prejudice to civil, criminal and administrative actions available to the Attorney General" (Sec. 7).

Special tribunals have been set up by a governmental decree to cope with two serious problems: corruption in the public administration and guerilla actions. The tribunals will consist of two army officers and a civilian lawyer. Among crimes against "morality," the decree lists misuse of public funds and of official authority. Spreading false propaganda at home or abroad designed to disturb public order or national honor is punishable by fines and imprisonment up to two years. Persons who organize, lead or participate in guerilla or terrorist groups bent on subversion will be punished by imprisonment up to eight years; an aggravating circumstance is the fact that such acts have been executed on orders from abroad.
The law for the regulation of the term and rent of farm leases (Legislative Decree No. 509, 1972) was enacted because of rising rents. In order to freeze rents through 1973, the law requires that all leases be executed in writing in the form of a public (notarial) document (art. 2), to be filed with the municipal authority which has to forward it to the Ministry of Agriculture and Livestock (art. 2). Changes in ownership on the lessor's part will not affect the lease, nor will a change on the part of the lessee, since the lease will continue with members of the family to be listed in the lease (art. 4 and 5). Lack of required formalities does not affect the validity of the lease but will be held against the lessor (art. 6). The rent cannot be higher than that agreed upon for 1971-1972 (art. 7). The lessor may, nevertheless, increase the rent for major improvements not provided for in the lease or for the other valid reason, provided the increase is approved by the Ministry (art. 8). On his part, the lessee may demand a lowering of the rent in case the area of the lease has been restricted or the lessor has not made promised improvements (art. 9). Conflicts arising from these two possibilities will be decided by courts (art. 10 to 12). Leases are extended through March 1973 (art. 13). Rights of the lessee under this law may not be waived (art. 19); violations are punishable by fine (art. 20). Lessees who have performed their contractual obligations during 1971-1972, have a preferred right to continue working on the leased lands through the period of 1972-1973 (art. 21). The law is temporary and will expire on March 31, 1973 (art. 24).

A new Labor Code was enacted and will be summarized in the forthcoming issue.

An issue of 23 million colones of government bonds for general governmental purposes has been approved (Legislative Decree No. 516, 1972). The colón was adjusted to the changes in the official price of gold (Legislative Decree No. 527, 1972).

The International Wheat Agreement (1971) was approved.

**FRENCH ANTILLES AND GUYANA**

Family allowances have been increased (Arrêté, April 14, 1972).

Title II of Decree No. 72-66 (1972), regarding building and housing has been expanded to apply to overseas departments (Arrêté, March 25, 1972); equally applicable became Arrêté of December 5, 1969, regarding
commercial registers, except art. 11 (2), 12, 25, and 26 while art. 28 was amended (Arrêté, March 27, 1972).

Provisions of Decree No. 67-27, regarding required insurance reserves, have also been extended to overseas departments (Avis, February 26, 1972).

The Birth Control Law, passed by the French Parliament in 1967, was discussed by the General Council of Martinique. The law provides that minor girls in the overseas departments may be provided with contraceptives free of cost from the age of 15 on without the consent of their parents; in France the age limit is 18 years. In the Council strong protests have been voiced not only from Catholic associations but also from leftist parties which branded the provision as genocide and amounting to an "assassination of the Antillean womanhood."

GUATEMALA

The Notarial Code was amended by Decree No. 15 (1972) regarding reporting of notarial activities to courts (art. 37) and penalties for defaulting on these duties (art. 100).

Art. 5 of the Sanitary Code (No. 92, 1970) was amended (Decree No. 19, 1972) making punishable the culture of plants used in the production of narcotics.

Decree No. 40 (1972) has extended the time for inscriptions in the commercial register, with additional rules regarding business associations established under the previous Commercial Code.

Irregularities in banking operations when found by the Junta Monetaria will be dealt with according to Decree No. 7 (1972) by suspension or dismissal of members of the board of directors or managers; by appointment of an additional member of the board; by restriction, regulation or prohibition to pay dividends or of certain investments; or recapitalization by the Banco de Guatemala (art. 1).

By Decree No. 22 (1972) the Monetary Law (Decree No. 203) was amended (art. 13), lowering the gold parity of the quetzal by 7.9% (now 0.8185 g.).

The Coffee Law was amended by Decree No. 34 (1972). Export of meat is regulated by Decree No. 13 (1972).

The Central American Power Company, held by the Boise Cascade Corporation will be nationalized by an issue of treasury bonds in the
amount of 18 million quetzales to be used for the acquisition of shares. The bonds will be bearer bonds, with 8% interest when held locally and 12% annually if held abroad (Decree No. 21, 1972).

The Instituto Técnico de Capacitación y Productividad (INTECAP) has been established by Decree No. 17 (1972).


The Council of State has charged one of its committees to study the draft law regarding dangers arising from criminality and related social rehabilitation.

Guatemala has adopted the Convention on suppression of unlawful acts against the safety of civil aviation (Montreal, 1971).

GUAYANA

In the Law Revision Bill of 1972, the Government proposes, among others, an increase of 300% in support for illegitimate children. Increased also shall be the bond required from publishers prior to starting a publication from $1,500 to $5,000.

An agreement with the United States related to the sale of agricultural commodities under an agreement of 1968 entered into force (1972).

HAITI

A law signed on April 5, 1972, provides significant benefits for new hotels which meet requirements under the law (art. 7). Privileges consist of exemption from import duties for construction materials and equipment (art. 8). Applications will be handled by a special commission in the Ministry of Commerce and Industry (art. 4). Hotels with more than 125 rooms may operate a casino under a special arrangement with the Government (art. 15).

HONDURAS

Recently the Congress has passed a law on the Institute for Tourism. It makes tourism a matter of national interest and provides for aid, protection and development of this industry. The Institute will establish the national policy in this area and foster private initiative in its development.
In addition to the Institute, tourism will be administered by a Consejo de Turismo, a Consejo General de Turismo, as well as by Consejos Departamentales, Locales and Delegaciones, to function throughout the country. The Council will be composed of representatives of the Ministry of State, the Central Bank, travel agencies, association of hotel operators and air carriers operating in the country. Additional provisions deal with the authority of a general director and with the status of tourists, particularly tourist cards; it also has penalties for tourists who engage in lucrative activities in the country without proper authorization.

The treaty regarding the Swan Islands (3 Law. Am. 64, 1971) with related documents, signed in 1971, was ratified by the United States.

JAMAICA

The Government is drafting legislation to license and control non-resident ownership of land in view of speculations resulting in abnormal price increases.

An agreement with the United Kingdom on reciprocal social security benefits is being completed. The agreement is designed to give Jamaicans who worked in England but did not qualify for benefits, the possibility to transfer such expectations into the domestic social insurance scheme. The same possibility shall also be provided for British nationals employed in Jamaica.

MEXICO

Art. 97, 110, 136 to 151 and 782 of the Federal Labor Law (2 Law. Am. 386, 1970) have been amended by a decree (D.O. April 24, 1972), dealing mainly with housing. A law has established the Instituto del Fondo Nacional de la Vivienda para los Trabajadores (D.O. April 24, 1972). The regulation regarding personnel employed in credit and auxiliary institutions has been amended by a decree (D.O. July 14, 1972).

A federal law regulates archeological, artistic and historical zones (D.O. May 6, 1972). They are national property (art. 27) and their export is limited (art. 16). Dealers must file prescribed reports (art. 15).

The federal law on firearms and explosives (1972, 4 Law. Am. 278, 1972) has been implemented by a regulation (D.O. May 6, 1972).

The law regarding acquisitions (D.O. May 6, 1972) regulates the acquisition of merchandise and other materials by federal authorities as well as by national institutions, to be enforced by the Secretaria del Patrimonio Nacional (art. 1, para. 2) within its statutory powers (art. 5).

The law for the development of fishing (D.O. May 25, 1972) applies to domestic waters, territorial waters and outside of them to Mexican vessels, to exclusive and preferential zones established by the Government, to waters above the continental shelf and to high seas (art. 5). Fishing is divided into four classes: for domestic consumption, for commerce, for scientific research, and for sport (art. 6). The executive branch of the Government, through the Ministry of Industry and Commerce, will administer the law (art. 12 and 13) with the advice of a National Consultative Fisheries Commission (art. 19). A national fisheries register has been created where fishermen, individual or associative, their vessels and equipment, research institutions, sport associations and plants for cultivation of fishes will be inscribed (art. 21). Permits are required for commercial and sport fishing as well as for cultivation of maritime species (art. 25). Such permits will be issued only to Mexican nationals, cooperatives, public enterprises, and business associations provided they are established under Mexican laws with nominative shares and with at least 51% voting capital held by Mexicans or Mexican associations which exclude aliens, and the charter provides that a majority of the management is composed of Mexicans and appointed by Mexicans (art. 27). Aliens may be given permits for sport and research fishing (art. 30); for commercial fishing only exceptionally (art. 37), provided they leave territorial waters after the expiration of the time granted; they do not land their catch in Mexico; their crews are at least 50% Mexican with pay equal to that of foreign crews; that tonnage of the vessel is properly evidenced; they do not fish for sardines as bait in prohibited zones; they do not fish in zones reserved by this law; and post a performance bond. Violations are punishable by fines from 10,000 to 25,000 pesos (art. 89, IV); however, fishing by alien vessels in exclusive zones without proper permit is punishable by fines from 75,000 to 300,000 pesos (art. 93); the vessels will be detained in port until the fine is paid. Fishing cooperatives enjoy special privileges (art. 49 to 69); among others, they have a monopoly to fish for maritime species listed in art. 40. A National Fisheries Fund is created (art. 73 to 77). The law contains a list of violations (art. 78), penalties (art. 88 to 95), administrative controls (art. 80 to 87) and proceedings (art. 96 to 101). The new law has replaced the one enacted in 1950.

A decree (D.O. June 30, 1972) established a free zone in Quintana Roo.
An agreement was concluded with Brazil (D.O. July 19, 1972) exempting judicial documents from fees for consular authentication; also a Convention on cultural, scientific and technical interchange with Poland (D.O. July 11, 1972). In relation to the United States, Mexico has adopted a treaty to resolve pending boundary differences and to maintain the Rio Grande and Colorado River as international boundaries (1970). An amendment to the 1968 agreement establishing a mixed commission for assistance in cases of disaster (1972), and an agreement for scientific and technical cooperation (1972) have also been concluded.

**Durango**

A law regulating the execution of penalties involving deprivation of freedom was enacted (Decree No. 465, 1971); also a law regulating earnings of inmates, and a regulation implementing art. 75 of the Criminal Code.

**Guanajuato**

Decree No. 313 (1971) added a new paragraph to art. 2.505 of the Civil Code dealing with public register.

**Jalisco**

Art. 445 of the Civil Code, dealing with adoption, was amended by a decree (No. 8.725, 1971); so was art 1.027 of the Code of Civil Procedure on requirements for adoption.

**Mexico**

The Constitution was amended by a decree (No. 116, 1971) in art. 28 and 89, sec. V, dealing with the legislative and administrative powers.

Decree No. 97 (1971) amended art. 1431, 1464, 1465, 1466, 1555, and 1574 of the Civil Code dealing with succession; corresponding changes have been made in art. 929, 965, and 993 of the Code of Civil Procedure.

**Michoacán**

Family law provisions of the Civil Code (art. 144, 196, 306, 389, 394, 402, 558, 571, 573, and 577) have been amended by a decree (No. 125, 1971).
Morelos

Decree (1971) regulates small land holdings.

Querétaro

Law (1971) amended art. 78 and 81 of the Criminal Code regarding parole.

Sinaloa

The Constitution, art. 115 and 117 dealing with municipal governments was amended (Decree No. 273, 1971).

Tabasco

Art. 31, 41, 49, 52, 68, 87, 88, and 123 of the Constitution have been amended by Decree No. 966 (1971), dealing with the form of government, the legislative and executive branches, and public finances.

Tlaxcala

The federal Health Code was enacted by Decree No. 134 (1971).

Veracruz

Art. 252 of the Constitution was amended (Law No. 53, 1971), granting citizenship to 18 year olds.

Art. 2944 of the Civil Code was amended by Law No. 27 (1971), dealing with titles subject to registration; also art. 87, 111 (II), 279, 572 (para. 2), 576, 577, and 787, regarding marriage, emancipation, majority and homestead (Law No. 48, 1971).

Zacatecas

A law on municipal governments was enacted (Decree No. 270, 1971); also the Fundamental Law for the Legislative Power (Decree No. 277, 1971).
NETHERLANDS WEST INDIES

The Council of Ministers in Surinam is about to introduce a bill establishing general health insurance, based on a report submitted by a committee of experts. General retirement insurance and other types of social benefits also are being considered.

NICARAGUA

On September 3, 1971, a complete reform of the Constitution was promulgated, implying also the abrogation of the one presently in force (4 Law. Am. 279, 1972). Subsequently, special provisions were issued regarding the election of representatives to an Asamblea Nacional Constituyente which convened in April. The Asamblea appointed a committee to draft the new Constitution; however, the text of the draft is unknown even though rumors persist that the draft has been completed and will be submitted to the Assemblea any day.

PARAGUAY

A law regulating amparo has been enacted (Law No. 340, 1971).

Law No. 295 (1971) approved Decree-Law No. 43 (1971) reserving maritime and fluvial cargos to vessels flying the domestic flag.

A Savings and Loan Bank for Housing has been established by Law No. 325 (1971). Cooperatives are regulated by Law No. 349 (1972).

General warehousing is subject to Law No. 215 (1970), as implemented by a regulation (Decree No. 22.620, 1971).

An Institute for Municipal Development has been created (Law No. 291, 1971).

Law No. 353 (1972) has decreed a national census of the population and of housing.

The National Administration of Civil Airports (ANAC) has been reorganized (Law No. 310, 1971). A Caja de Jubilaciones y Pensiones for civil servants employed by the central administration has been established (Decree-Law No. 55, 1972).

Tariffs have been lowered on imports needed by the domestic industry (Decree No. 26.729, 1972). Taxes related to the export of domestic products have been changed by decree (No. 23.011, 1971).
Consular fees are regulated by Decree-Law No. 46 (1971); a form of the consular *factura* has been approved (Decree No. 25,696, 1972).

Among international conventions approved the following may be mentioned: the Vienna convention 1961 on the law of treaties (Law No. 289, 1971); the convention on narcotic drugs, signed at New York (1961); convention of psychotic substances, signed at Vienna (1971); the Hague convention on illegal seizure of aircraft (Law No. 290, 1971); furthermore, conventions with Spain on economic cooperation (Law No. 260, 1971); with the Federal Republic of Germany on economic aid (Law No. 261, 1971); with Switzerland on technical and scientific cooperation (Law No. 269, 1971); with the United States on agricultural products (Law No. 293, 1971); and with Brazil on health matters (Law No. 341, 1971). Two conventions with neighboring countries deal with the *Río Paraná* (Law No. 270 and 271, 1971).

**PERU**

The *Sistema Nacional de Apoyo a la Movilización Social* (SINAMOS), established by Decree-Law No. 18,896 (1971, 4 Law. Am. 86, 1972) was implemented by Decree-Law 19.352 (1972), giving it an organizational structure. At the national level a national office shall function (ONAMS); at the regional, a number of regional offices (ORAMSO); at the zonal level zonal offices (OZAMS), and at the local level teams advancing popular participation (art. 7). ONAMS shall function under the direction of a chief and a director, with added control office (*Inspectoría General*) and offices for planning, legal work, and administrative and technical matters (art. 12). Regional (art. 24), and zonal (art. 29) offices function within their respective areas. At the local level (art. 33) the teams, organized according to the characteristic of the respective localities, shall stimulate the creative energies of the population; further its organization; develop a dialogue between the government and the population; and inform the population about the activities of the government.

Financial statements must be issued by all enterprises with a capital in excess of 10 million *soles* or with an income of more than 50 million *soles* (Decree-Law No. 19.402, 1972). Decree-Law No. 19.459 (1972) provides incentives for the export of Peruvian products.

A new regime for assembly plants has been instituted by Decree-Law No. 19.289 (1972). The establishment and function of associations of industrial enterprises, regulated by art. 31 of the General Industrial law (Decree-Law No. 18.350, 1970, 3 Law. Am. 68, 1971) and Supreme
Decree No. 00-71-IC-DS (1971), has been modified regarding its art. 263, by Supreme Decree No. 018-72-ICDS (1972).

In mining an extensive regulation regarding mining comunidades has been issued (Supreme Decree No. 025-72-EM/DS, 1972), implementing art. 275 to 325 of the General Mining Law (Decree-Law No. 18.880, 1971, 3 Law. Am. 552, 1972). It contains general provisions (art. 1 to 4), the name, domicile and members (art. 5 to 10), their formation and registration (art. 11 to 20), organization (art. 21 to 46), the extent of workers' participation in management and profits (art. 47 to 66), and the status of various types of enterprises (art. 67 to 99). Part three of the decree deals with the comunidad de compensación minera, i.e., an organization of the particular comunidad (art. 100 to 144), its formation, domicile and membership (art. 100 to 109), organization and administration (art. 110 to 127), and liquidation (art. 128 to 144). A model statute for elections in these comunidades was published by the Office of Worker's Communities in the Ministry of Energy and Mines (OCLA-MEM, 1972). Art. 109 of the General Mining Law was amended by Decree-Law No. 19.441 (1972), providing that mining rights forfeited because of breach of duties imposed by law may be, in case they have been financed by the Banco Minero del Perú, assigned to this bank.

In the area of fishing, financing is foreseen by Decree-Law No. 19.290 (1972), implemented by Supreme Decree (No. 099-72-EF, 1972), regulating an interbank committee and the contingency fund. The basic law establishing the Empresa Pública de Certificaciones Pesqueras del Perú (CERPER, Decree-Law No. 18.829, 1971, 3 Law. Am. 552, 1971) has been implemented by a regulation (Decreto Supremo No. 016-72-PE, 1972).

A regulation (Supreme Decree No. 015-72-EM/DGH, 1972) has been promulgated concerning the law regarding oil contracts and contractors (Decree-Law No. 19.038, 1972).

In agriculture the following enactments may be mentioned. Commerce with pesticides is regulated by Resolución Suprema (No. 187-72-AG, 1972); the structure and functioning of agrarian organizations by Decree-Law No. 19.400 (1972). No less than 40% of the farm land in the departments of Lima, Ancash, and Ica must be used for certain agricultural products (Decree-Law No. 19.416, 1972); similar duties are imposed on farmers throughout the Republic (art. 1).

Labor matters have been dealt with in a number of acts: a regulation regarding work accidents and professional illness (Supreme Decree No.

Among financial institutions COFIDE (Corporación Financiera de Desarrollo, 3 Law. Am. 554, 1971) has been affected by a number of new rules, among them those regarding reinvestments to be held in a special fund (Decree-Law No. 19.311, 1972); and those regarding financial resources (Decree-Law No. 19.346, 1972); also by Decree-Law No. 19.332 (1972) amending the decree-law which created it.

A Junta Nacional de Precios de Bienes Esenciales (JUNAPRE) was established (Decree-Law No. 19.300, 1972), followed by another decree-law to lower prices by eliminating various impositions (Decree-Law No. 19.359, 1972). Complicated formulas shall indicate reasonable margins in marketing (Ministerial Resolution No. 356-72-AG, 1972).

Advertising on radio and TV has been regulated by two supreme decrees (No. 05-ED/72 and 06-ED/72, 1972).

The movie industry shall develop under the incentives provided for in Decree-Law No. 19.327 (1972).

Rules regarding the forthcoming census of population and housing have been issued (Supreme Decree No. 011-72-PM, 1972).

Among international conventions the following may be noted: on economic cooperation with the Soviet Union (Decree-Law No. 19.354,
1972) and People's Republic of China (Decree-Law No. 19.356, 1972); on financial credit with Bulgaria (Decree-Law No. 19.355, 1972), and Hungary (Decree-Law No. 19.391, 1972).

A new tariff code is being prepared.

TRINIDAD AND TOBAGO

Law revision and law reform is being planned. A Statute Revision Commission is charged with revising statutory laws in force, eliminating repealed and amended laws and unifying the terminology used. The Law Reform Commission contemplates substantial, even radical changes in the law which is felt to be too closely tied in with British law. Areas most in need of fundamental reform and adjustment to the existing society are property and landlord and tenant law; conveyancing and succession; family law; company law and criminal law. Neither commission has yet started to function because of lack of personnel and funds.

The new Industrial Relations Act (IRA), replacing the Industrial Stabilization Act, entered into force and will be reported in the forthcoming issue.

The constitutional reform is being discussed at local meetings.

The Workmen's Compensation Ordinance is to be revised. Studies have been initiated by a ministerial commission.

The Solicitors (Amendment) Act of 1972 passed the Senate but is criticized, particularly in regard to the number of articled clerks permitted to public offices and solicitors; also permitting lawyers admitted to practice in the United Kingdom to practice here and the increase in the number of universities whose degrees exempt graduates from examinations before the local Law Society.

The proclamation of the Matrimonial Proceedings and Property Act of 1971 (4 Law. Am. 285, 1971) was delayed in order that the Rules Committee may prepare necessary regulations.

The status of illegitimate children is being considered, but with little result. In 1970 legislation was promised to remove disabilities of such children and a bill was introduced in the 1971 legislature, discussed and allowed to lapse. In the following legislative session this policy was again reiterated by the Government, but again in vain.

Trinidad and Tobago ratified in 1972 the Tokyo Convention on offences and certain acts committed on board aircraft (1963).
UNITED STATES

Congress passed on March 22, 1972, and submitted to the states for ratification a new constitutional provision that "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex," adding that Congress shall have the power to enforce this provision by appropriate legislation.

A non-voting delegate from Guam and the Virgin Islands will represent these territories in the House of Representatives (86 Stat. 118).

The Equal Employment Opportunity Act of 1972 (86 Stat. 103) amended the Civil Rights Act of 1964 to prevent unlawful discrimination by employers or unions on account of race, color, religion, sex or national origin; the act empowered the respective commission to bring actions in federal courts to restrain violations and obtain affirmative relief.

A law (86 Stat. 117) has lowered the minimum age for jurors in federal courts from 21 to 18 years.

The Education Amendments Act of 1972 (86 Stat. 235) amended a number of previous acts dealing with education and authorized $18.5 billion for the next three years as federal aid to higher education.

In the area of health the Drug Abuse Office and Treatment Act of 1972 (86 Stat. 65) provides for an administrative organization to combat drug addiction; also enacted have been the National Sickle Cell Anemic Control Act (86 Stat. 136) and the Black Lung Benefits Act of 1972 (86 Stat. 150) as an extensive amendment to the Federal Coal Mine Health and Safety Act of 1969.

The Older Americans Act of 1965 was amended (86 Stat. 88) by providing financial means for low cost and nutritionally sound meals through State programs and community centers.

In transportation the Rail Passenger Service Act of 1970, under which AMTRAC operates, was amended (86 Stat. 227). The sale abroad of government subsidized (five) vessels was authorized (86 Stat. 140). In aviation a traffic career program to improve the employment conditions of air traffic controllers took effect (86 Stat. 141). The Federal Aviation Act of 1958 was amended in sec. 404 (a), 801 (a, b) and 1002 (86 Stat. 95), imposing on domestic and foreign air carriers engaged in international air transportation the duty to establish, observe and enforce reasonable rates and practices and authorizing the Civil Aeronautical Board to suspend and to reject or cancel new or existing tariffs for foreign air transportation to or from the United States.
The Atomic Energy Act of 1954 was amended in regard to temporary operating licenses (86 Stat. 191).

The Federal Government has assumed risks of fidelity losses caused by its employees thus eliminating surety bonds (86 Stat. 201).

The Public Building Act of 1958 was amended (86 Stat. 216).

The Senate consented to the Kansas-Nebraska Big Blue River Compact (86 Stat. 193).

The International Coffee Agreement Act of 1968 is to continue through October 1, 1973 (86 Stat. 113).

Three acts approving the United States contribution to international financial institutions (Asian Development Bank, 86 Stat. 57; Inter-American Bank, 86 Stat. 59; and International Development Association, 86 Stat. 160) provide that United States representatives in these institutions shall vote against loans to any country which expropriates property owned or controlled by United States nationals or repudiates or nullifies existing contracts with United States nationals or corporations no less than 50% of which is beneficially owned by United States citizens; or if the country concerned fails to take adequate steps to combat narcotic drugs from reaching this country unlawfully.

**URUGUAY**

The President declared a state of internal war (Decree No. 277, and No. 278, 1972) suspending individual constitutional guarantees. Following widely publicized escapes, Decree No. 276 (1972) turned the control of the jails to military authorities. In July 1972, a new Law for the Security of the State entered into force, suspending constitutional guarantees, allowing searches without warrants and increasing penalties for seditious activity to 6 and 30 years, triable by military courts.

In view of misuses in connection with insurance payments, a decree issued by the Ministry of Economy and Finance (No. 887, 1971) requires that foreign remittances shall be controlled by the Ministry in all cases involving family remittances, dividends and profits, royalties, administrative expenses, insurance and reinsurance payments, movie rentals, earnings, payments on foreign loans, and interests and commissions.

New Regulations have been issued for the control of capital imports and immigration (Ministry of Interior, May 16, 1972), with privileges in case they are designed to improve agriculture. The same Ministry has
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issued a decree (No. 97, 1972) regulating the issuance of tourist cards to facilitate tourism; however, hotels may be closed in case they do not verify an alien has a current tourist card.

Since literary works have been repeatedly “mutilated” and “adapted to inject ideas foreign to their authors,” a decree (No. 62, 1972) requires that anyone who translates or adapts such works must first obtain a permit from the Council of Author’s Rights prior to the theatrical production of such works.

The prohibition of imports of non-essential and luxury items has been extended (Decree No. 884, 1971, and 237, 1972), except imports arising from pre-existing contracts.

VENEZUELA

The new law on adoption (3 Law. Am. 562, 1971) was promulgated (G.O. 29.859, 1972). It distinguishes between full and simple adoption; it may be joint by a married (but not separated) couple or by individuals, male or female (art. 2). Regularly, males over 30 years and females over 28 years may adopt, provided there is a difference in age as compared with the adopted person of 17 years for male adoptors and 15 years for female (art. 7). The law lists impediments to adoption (art. 8 to 17) and requires mandatory consent and optional consultation (art. 18 to 25). In no case may a person be adopted unless such person has lived with the prospective adoptor on a trial basis for at least three months (art. 26). Adoption is granted by the court of adoptor’s residence (art. 28), in accordance with extensive procedural rules (art. 29 to 44). The adoption is inscribed in the civil register (art. 45 to 50). Foreign adoptions must be confirmed by Venezuelan courts in accordance with art. 754 of the Code of Civil Procedure and properly registered (art. 51). The effects of adoption depend on its nature, full or simple (art. 52). In both cases, the adopted person takes the adopter’s name (art. 53 to 56). Full adoption gives the status of a legitimate child (art. 57), also in relation to adopter’s family (art. 58), but not vice versa (art. 59). The simple adoption only creates a “civil relationship (vínculo) of a special nature,” without affecting other members of adopter’s family (art. 62). A change (conversión) of a simple into a full adoption is possible, subject to certain conditions (art. 68 to 77). The extinction of adoption may be decreed by courts on the ground of nullity or by revocation (art. 78). Nullity is based on the violation of rules involving ability, impediments or consent, the requirement for a trial period according to
art. 26 or of provisions expressing public policy (art. 82). An adoption may be revoked on grounds listed in the Civil Code for the forfeiture of paternal authority or guardianship, and for any other serious reason (art. 91), as, for example, ingratitude (art. 92). It may be demanded only within one year from the date the act occurred (art. 96).

Pertinent regulations have been partially amended by introducing social security for members of the Congress (art. 105 to 111; G. O. No. 29.808, 1972).

A number of institutes at the University in Caracas have been authorized (G. O. No. 29.772, 1972). A regulation for the Academy of Physical, Mathematical, and Natural Sciences has been issued (G. O. No. 29.789, 1972), also for the Educational Institute in Caracas (G. O. No. 29.810, 1972).

An extensive regulation concerning administrative decentralization (regionalización) is contained in Decree No. 929 (G. O. No. 29.783, 1972).

The law regulating pilotage has been implemented by a regulation (Decree No. 956, 1972, G. O. No. 29.798, 1972), with a number of additional regulations for particular ports.

A regulation for the traffic police (Cuerpo de Vigilancia del Tránsito Terrestre) has been issued (G. O. No. 29.842, 1972).

A law (G. O. No. 29.846, 1972) authorizes the Superior Election Council to purchase voting machines.

Veterinary medicine is regulated by a decree (G. O. No. 29.860, 1972).

The Convention on wheat, signed at Washington in 1971, was approved by decree (G. O. No. 29.856, 1972); also, an aviation convention with the Netherlands by a resolution (G. O. No. 29.856, 1972), and the Convention on psychotropic substances (Vienna, 1971). With the United States an agreement terminating in part the reciprocal trade agreement of 1934 entered into force (1972).

Congress has, in its last session, debated a number of important bills, among them those dealing with journalism, tariffs, foreign investments, and transplants. Some have passed both Chambers and are waiting presidential signature.

This report summarizes a select number of statutory enactments and other developments. Therefore, no decision should be made without consulting the complete texts and related materials. Moreover, consultation with a competent local attorney is recommended.