

the agreement with the crew, the law of the country of registration should follow the ship ; but this principle should be subject to the following exceptions :—

- (a) If a ship registered in one part of the British Commonwealth is engaged wholly or mainly in the coasting trade of another part, the law of that latter part should govern matters relating to the internal discipline of the ship and matters relating to the agreement with the crew.
- (b) In the case of a ship registered in one part of the Commonwealth, if an agreement with the crew is opened in another part of the Commonwealth the law of that latter part as regards the agreement with the crew should apply.

102. *Certificates of Competency and Service.*—Subject to any special arrangement as to the coasting trade, certificates granted by one part of the Commonwealth should be recognized as valid throughout the Commonwealth for all ships registered in that part. It is recommended that there should be such uniform qualifications throughout the Commonwealth for certificates of competency as will facilitate a mutual recognition of such certificates for all purposes.

103. *Courts of Inquiry.*—(a) Investigations with regard to casualties to ships registered in any part of the Commonwealth will be held by that part of the Commonwealth in which the ship is registered, no matter where the casualty takes place, if that part so desires. Each part of the Commonwealth will, if it so desires, hold investigations into casualties to any ships, no matter where registered, if the casualty occurs on or near the coasts of that part or while the ship is engaged in the coasting trade of that part. With regard, however, to casualties to ships registered in one part of the Commonwealth which take place elsewhere than on or near the coasts of another part of the Commonwealth, or while the ship is engaged otherwise than in the coasting trade of that other part, it is recommended that an agreement be made based upon the general principle (from which agreed exceptions may be necessary) that no inquiry should be held by any part other than the part in which the ship is registered, except with the consent or at the request of that part. It is also recommended that an agreement be made that the principles governing the constitution and procedure of Courts of formal investigation should be uniform throughout the Commonwealth, and should provide such safeguards as are at present furnished by Part VI of the Merchant Shipping Act, 1894. It is also recommended that a right of appeal from a Court of formal investigation should exist, and that such appeal should lie to the appropriate Court in that part of the Commonwealth in which the investigation takes place.

(b) Every Court of formal investigation constituted under the authority of one part of the Commonwealth should have power to cancel or suspend a certificate granted by any other part of the Commonwealth. Such cancellation or suspension will have effect only within the jurisdiction of that part of the Commonwealth under whose authority the Court was constituted, but will, if adopted by the granting authority, have the effect of a cancellation or suspension by that authority.

(c) With regard to Courts which deal with questions of misconduct and incompetency other than would be ordinarily dealt with by Courts of formal investigation, it is recommended that the procedure of these Courts and the principles upon which such Courts should be constituted and on which certificates should be dealt with should be those recommended above with regard to Courts of formal investigation.

104. *Naval Courts.*—Naval Courts are *ad hoc* Courts summoned under the authority of the Merchant Shipping Act, 1894, by a naval or consular officer in a foreign port to deal with casualties and other matters relating to a ship, her owners, master, or crew. The position of these Courts does not, having regard to their constitution, seem to be one in which any question of reciprocal agreement arises. Under the new position each part of the Commonwealth will be able to take steps, if it so desires, either to continue the facilities at present offered by these Courts or to discontinue them with regard to its own registered ships and substitute other facilities.