

SABATINO PIZZOLANTE

Circular for P & I Clubs

DATE: 28th FEBRUARY 2007

Correspondents for:

North of England (through Globalpandi), Steamship Mutual, American Club (through Globalpandi), Nordisk Defence Club, British Marine Managers (through Globalpandi), Charterers Mutual Assurance Association Limited, Axa Corporate Solutions (through Globalpandi), Through Transport Club (TTC), ITIC, Raets P&I and InterCoastal P&I.

Shipping and Port legislation to be amended

On 31st January the National Assembly approved the “Law enabling the President of the Republic to issue Decrees with force of Law in the delegated matters”, special instrument through which the President during 18 months will be able to issue laws related to eleven strategic areas such as those transforming institutions of the State, rules for public servants, those establishing a new economical and social model, security and defense, territorial organization, oil and mining sectors, among others. This is the third time the Venezuelan Parliament empowers President Chávez to dictate decree-laws since he took office in 1999; however, this time such special powers will be in force longer than any time before. The extinct Congress of the Republic in 1999 gave President Chávez special powers to legislate in the economic and financial fields for six months.

It is important to point out that the President Chavez will be also entitled to issue laws on infrastructure, transport and services, which in practice means that the existing laws on land, railway, aquatic and air transportation will be reviewed, including those applicable to aquatic spaces, ports, coastal zones and maritime commerce.

It is expected, therefore, that the set of aquatic laws enacted in 2001, i.e. Organic Law of Aquatic Spaces, General Law on Merchant Marine and related Activities, General Law on Ports, Law on Maritime Commerce, Law on Maritime Procedures, Fishing Law and Coastal Zone Law will be amended and perhaps some new legal instruments for the sector will be enacted, inspired in

the principles governing the socialist orientation of the re-elected President Chavez. As a matter of fact, the National Institute of Aquatic Spaces (INEA) has organized commissions to discuss this new orientation and to set up the principles to be incorporated in the amended legislation.

Should you need any assistance or further information regarding the topic stated above, please feel free to contact:

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