



AGREEMENT

BETWEEN

THE GOVERNMENT OF THE REPUBLIC

OF SOUTH AFRICA

AND

THE GOVERNMENT OF

THE FRENCH REPUBLIC

REGARDING

MERCHANT SHIPPING

AND RELATED MARITIME MATTERS

interests from the other Party. The treatment applied to these establishments shall be that of the most favoured nation or national treatment, if the latter is more favourable.

2. Either Party shall authorise companies controlled by interests from the other Party to acquire a holding in the capital of companies under national law or to participate in the creation of joint ventures.
3. Either Party shall authorise the companies of the other Party to exercise the following activities with regard to shipping agencies:
 - (a) marketing and sale of merchant shipping and related services;
 - (b) purchase and sale of any transport or related services, including inland transport services by whatever mode, in order to provide integrated services;
 - (c) issuing of bills of lading, and preparation of transport documents, customs documents or any other document relating to the origin and nature of goods transported;
 - (d) provision of business information by any means, including computerised information systems and electronic data transfer, subject to non-discriminatory restrictions concerning telecommunications;
 - (e) establishing business arrangements with other shipping agencies; and
 - (f) organising, on behalf of companies, a vessel's call at a port or taking over cargoes when required.
4. Either Party shall, subject to its domestic law, make every effort to facilitate the exercise of activities by shipping companies of the other Party established in its territory.

ARTICLE 6

SHIPWRECKS AND DAMAGE

1. If a vessel of either Party should be in distress in the search and rescue region of the other Party established in terms of the International Convention on Maritime Search and Rescue, 1979, or should suffer shipwreck, run aground, be cast ashore or suffer any other damage off the coast of the other Party, the competent authorities of that Party shall-

- (a) notify the diplomatic representative or the consular official of the flag State so that he can exercise the duties which are his responsibility; and
 - (b) extend to that vessel, its crew, passengers and cargo, the same aid and assistance as to a vessel flying its own flag.
2. If a vessel has suffered damage, its cargo and stores shall not be subject to customs duties if they are not delivered for consumption or use on the spot.

ARTICLE 7

ILLICIT ACTION AGAINST A VESSEL, HER CREW AND PASSENGERS

1. Either Party shall take the necessary measures to ensure security for vessels of the other Party as well as for persons and goods on board, against any illicit action such as piracy, while those vessels are in its territorial sea or ports.
2. If a Party is informed of any intended illicit action against a vessel of the other Party in its ports or territorial sea, it shall take the necessary measures to protect the vessel, its crew, cargo and other persons and goods on board.
3. If such illicit action takes place in the ports or territorial sea of a Party, that Party shall take the necessary measures to put an end to such action.

ARTICLE 8

RECOGNITION OF DOCUMENTS

1. Either Party shall recognise the nationality of vessels of the other Party on the basis of vessel documents issued or recognised by the competent authorities of that Party in accordance with its domestic law.
2. Either Party shall recognise the identity documents of seamen issued by the competent authorities of the other Party.