

CHAPTER 9—HOLIDAYS

Sec.

- 111. Legal holidays.
- 112. Business days.
- 113. Performance of acts under law or contract.

§ 111. Legal holidays

(a) The following are legal holidays:

- Every Sunday
- January 1 (New Year's Day)
- February 22 (George Washington's Birthday)
- Good Friday
- May 30 (Memorial Day)
- July 4 (Independence Day)
- First Monday in September (Labor Day)
- November 3 (Panamanian Independence Day)
- November 11 (Veterans Day)
- Thanksgiving Day
- December 25 (Christmas Day)

and such other days as may, pursuant to law, be declared to be holidays.

(b) As far as practicable, all public business shall be suspended on the holidays enumerated in subsection (a) of this section.

§ 112. Business days

All days other than those specified by section 111 of this title are business days for all purposes.

§ 113. Performance of acts under law or contract

An act of a secular nature, other than a work of necessity or mercy, appointed by law or contract to be performed upon a particular day, which day falls upon a holiday, may be performed upon the next business day, with the same effect as if it had been performed upon the day appointed.

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PART 1—ADMINISTRATION

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CHAPTER 1—CANAL ZONE

Sec.

- 1. Designation.
- 2. Acquisition of additional land; exchange of land.
- 3. Towns and subdivisions.

§ 1. Designation

The zone of land and land under water granted to the United States by the treaty with the Republic of Panama, dated March 18, 1903, as modified by subsequent treaties, shall be known and designated as the Canal Zone, and the canal constructed thereon shall be known and designated as the Panama Canal.

§ 2. Acquisition of additional land; exchange of land

The President, by treaty with the Republic of Panama, may:

(1) acquire additional land or land under water not already granted, or which was excepted from the grant, which he deems necessary for the maintenance, operation, sanitation or protection of the Panama Canal and the Canal Zone; and

(2) exchange land or land under water not deemed necessary for those purposes, for other land or land under water which he deems necessary for those purposes.

The additional land or land under water so acquired shall become part of the Canal Zone.

§ 3. Towns and subdivisions

The President shall:

(1) determine or cause to be determined what cities or towns shall exist in the Canal Zone; and

(2) subdivide and from time to time re-subdivide the zone into subdivisions with clearly defined boundaries, which he shall designate by name or number, so that at least one city or town will be situated in each subdivision.

CHAPTER 3—EXECUTIVE

Sec.

31. Canal Zone Government; administration and functions generally.

32. Appointment and term of Governor.

33. General powers and duties of Governor.

34. Army control in time of war or imminence of war.

35. Assistance of Armed Forces.

§ 31. Canal Zone Government; administration and functions generally

The Canal Zone Government, an independent agency of the United States, shall:

(1) be administered, under the supervision of the President or such officer of the United States as may be designated by him, by a Governor of the Canal Zone; and

(2) be charged, except as otherwise provided by law, with the performance of the various duties connected with the civil government, including health, sanitation, and protection, of the Canal Zone.

§ 32. Appointment and term of Governor

The President, by and with the advice and consent of the Senate, shall appoint the Governor of the Canal Zone. The Governor shall hold office for a term of four years and until his successor is appointed and has qualified.

§ 33. General powers and duties of Governor

The Governor of the Canal Zone shall:

(1) have official control and jurisdiction over the Canal Zone; and

(2) perform all duties in connection with the civil government of the Canal Zone, which is to be held, treated and governed as an adjunct of the Canal.

§ 34. Army control in time of war or imminence of war

In time of war in which the United States is engaged, or when, in the opinion of the President, war is imminent, such officer of the Army as the President may designate shall, upon order of the President, assume and have exclusive authority and jurisdiction over the operation of the Panama Canal and all its adjuncts, appendants and appurtenances, including the entire control and government of the Canal Zone. During a continuation of this condition, the Governor of the Canal Zone shall be subject to the order and direction of the officer so appointed, in all respects and particulars as to:

- (1) the operation of the Canal; and
- (2) all duties, matters and transactions affecting the Canal Zone.

§ 35. Assistance of Armed Forces

The Governor of the Canal Zone may call upon the Commander of the Armed Forces of the United States in the Canal Zone for military assistance, whenever the Governor deems the assistance of the Armed Forces necessary to:

- (1) protect the Canal Zone;
- (2) preserve the peace;
- (3) quell or disperse routs or riots; or
- (4) disperse unlawful assemblies.

CHAPTER 5—PANAMA CANAL COMPANY

Sec.

61. Continuation, purposes, offices and residence of the Company.
62. Investment of the United States.
63. Board of Directors; allowances; quorum; meetings.
64. President of the Company.
65. General powers of Company.
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72. Appropriations to cover losses.
73. Transfer of Canal and facilities to Company.
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75. Amendment or repeal.

§ 61. Continuation, purposes, offices and residence of the Company

(a) For the purposes of maintaining and operating the Panama Canal and of conducting business operations incident thereto and incident to the civil government of the Canal Zone, the Panama Canal Company is continued as a body corporate and as an agency and instrumentality of the United States.

(b) The Company shall have perpetual succession in its corporate name, unless dissolved by Act of Congress.

(c) The principal offices of the Company shall be in the Canal Zone, but the Company may establish agencies or branch offices in such other places as it deems necessary or appropriate in the conduct of its business. Within the meaning of the laws of the United States relating to venue in civil actions, the Company is an inhabitant and resident of the Canal Zone and of the District of Columbia.

§ 62. Investment of the United States

(a) The receipt issued as of July 1, 1948, to the United States and delivered to the Secretary of the Treasury, acknowledging the transfer to the Company, as then required by law, of the net assets of the

Panama Railroad Company, a corporation created by an Act of the Legislature of the State of New York passed on April 7, 1849, as amended by an Act of that legislature passed on April 12, 1855, and which was wholly owned by the United States, shall be, either in its original amount of \$1 or in the amount to which it subsequently has been or is increased as required by law, evidence of the ownership of the Panama Canal Company by the United States.

(b) The President of the United States or such officer of the United States as he designates, shall be known as the "stockholder", and shall represent the United States in its capacity as owner of the Company.

(c) The amount of the receipt referred to by subsection (a) of this section shall be increased by subsequent additional direct investments of the United States, in excess of repayments to the Treasury and extraordinary expenditures and losses applicable as offsets to such investments under the provisions of subsection (f) of this section, due to:

(1) funds advanced to the Panama Canal Company from the Treasury within such appropriations as the Congress from time to time may make for the purpose of meeting increased capital needs; and

(2) transfers to the Panama Canal Company from other Government agencies (or, conversely, decreased by transfers from the Company to other Government agencies), pursuant to applicable provisions of law, of business enterprises, facilities, appurtenances, and other assets, less liabilities assumed in connection with the transfers.

(d) Transfers of properties and other assets from or to other Government agencies pursuant to paragraph (2) of subsection (c) of this section shall be at such appropriate amounts as are agreed upon between the Panama Canal Company and the agencies concerned and approved by the Director of the Bureau of the Budget. In the determination thereof, due consideration shall be given to the cost and probable earning power of the transferred assets, or usable value to the transferee if clearly less than cost, and adequate provisions made for depreciation of properties and equipment, obsolete or otherwise unusable inventories and other reasonably determinable shrinkages in values, and, insofar as practicable, there shall be excluded from the amount any portion of the value of the transferred property which is properly allocable to national defense. The board of directors shall certify to the Secretary of the Treasury the amount of each transfer, the amount of any accumulated repayments to the Treasury or extraordinary expenditures or losses applicable as offsets to the amount of the transfer under the provisions of subsection (f) of this section, and the effective date of the transfer.

(e) In order to reimburse the Treasury, as nearly as possible, for the interest cost of the funds or other assets directly invested in it, the Panama Canal Company shall pay interest to the Treasury on the net direct investment of the Government in it as defined by subsections (a), (c) and (d) of this section, and shown by the receipt described therein, at a rate or rates determined by the Secretary of the Treasury as required to reimburse the Treasury for its cost. Payments of the interest charges shall be made annually to the extent earned, and if not earned shall be made from subsequent earnings.

(f) The Panama Canal Company shall account for its surplus, as follows:

(1) the total net income from operations from and after 1904 (when the Government acquired control of the Panama Canal Railroad Company), plus the undistributed net income prior to 1904; less

(2) payments to the Treasury as dividends from and after 1904, not applied as offsets to direct capital contributions as described below; and less

(3) extraordinary expenditures or losses incurred through directives based on national policy and not related to the operations of the Panama Canal Company, not reimbursed through specific appropriations by the Congress, and not applied as offsets to direct capital contributions as described below.

The Panama Canal Company may not be required to pay interest to the Treasury on any part of its surplus, as above defined. Repayments to the Treasury as dividends shall be applicable as offsets against directly contributed capital, past or future, in determining the base for the interest payments required by subsection (e) of this section. Extraordinary expenditures and losses, as defined by paragraph (3) of this subsection, to the extent that they are not reimbursed through specific appropriations, shall be considered as repayments to the Treasury analogous to dividends and similarly applicable as offsets against directly contributed capital.

The net costs of operation of the Canal Zone Government, which are deemed to form an integral part of the costs of operation of the Panama Canal enterprise as a whole, shall not include interest but shall include depreciation and the reimbursement of other Government agencies for expenditures made on behalf of the Canal Zone Government. The payments into the Treasury, referred to in this subsection, shall be made annually to the extent earned, and if not earned shall be made from subsequent earnings unless the Congress otherwise directs.

(g) The Panama Canal Company is further obligated to pay into the Treasury as miscellaneous receipts amounts sufficient to reimburse the Treasury, as nearly as possible, for the:

(1) annuity payments under article XIV of the convention of November 18, 1903, between the United States of America and the Republic of Panama, as modified by article VII of the treaty of March 2, 1936, between those Governments; and

(2) net costs of operation of the agency known as the Canal Zone Government.

§ 63. Board of Directors; allowances; quorum; meetings

(a) A board of directors shall manage the affairs of the Panama Canal Company. The board shall consist of not less than nine nor more than thirteen members, including:

- (1) the Governor, who shall serve as a director, ex officio; and
- (2) the stockholder, if he elects to serve as a director.

The stockholder shall appoint all other members of the board, and neither this chapter nor any other law prevents the appointment and service, as a director, of an officer or employee of the United States. Each director so appointed shall hold office at the pleasure of the stockholder, and, before entering upon his duties, shall take an oath faithfully to discharge the duties of his office.

(b) The directors may not be paid a salary for their services, but, under regulations and in amounts prescribed by the board of directors, with the approval of the stockholder, may be paid by the Company a reasonable per diem allowance in lieu of subsistence expenses in connection with attendance at meetings of the board or in connection with the time spent on special service of the Company, and their travel expenses to and from meetings or when on special service, without regard to the Travel Expense Act of 1949, as amended (5 U.S.C., sec. 835 et seq.), or the regulations promulgated by the Director of the Bureau of the Budget pursuant to section 7 of that Act (5 U.S.C., sec. 840).

(c) The directors, of whom a majority constitute a quorum for the transaction of business, shall hold meetings as provided by the bylaws of the Panama Canal Company.

§ 64. President of the Company

The Governor shall serve, ex officio, as president of the Panama Canal Company.

§ 65. General powers of Company

(a) The Panama Canal Company may:

(1) adopt, alter, and use a corporate seal, which shall be judicially noticed;

(2) adopt, amend, and repeal bylaws governing the conduct of its general business and the performance of the powers and duties granted to or imposed upon it by law;

(3) sue and be sued in its corporate name, but an attachment, garnishment, or similar process may not be issued against salaries or other moneys owed by the Company to its employees;

(4) enter into contracts, leases, agreements, or other transactions;

(5) determine the character of, and necessity for, its obligations and expenditures and the manner in which they shall be incurred, allowed, and paid, and incur, allow, and pay them, subject to pertinent provisions of law generally applicable to Government corporations; and

(6) purchase, lease, or otherwise acquire, and hold, own, maintain, work, develop, sell, lease, exchange, convey, mortgage, or otherwise dispose of, and deal in, lands, leaseholds, and any interest, estate, or rights in real, personal, or mixed property, and any franchises, concessions, rights, licenses, or privileges necessary or appropriate for any of the purposes expressed in this chapter.

(b) The Panama Canal Company has the priority of the United States in the payment of debts out of bankrupt estates.

§ 66. Specific powers of Company

(a) Subject to the Government Corporation Control Act (31 U.S.C., sec. 841 et seq.), the Panama Canal Company may:

(1) maintain and operate the Panama Canal;

(2) construct, maintain, and operate a railroad across the Isthmus of Panama;

(3) construct or acquire, and operate, vessels for the transportation of passengers or freight, and for other purposes;

(4) construct or acquire, establish, maintain, and operate docks, wharves, piers, harbor terminal facilities, shops, yards, marine railways, salvage and towing facilities, fuel-handling facilities, motor-transportation facilities, power systems, water systems, a telephone system, construction facilities, living quarters and other buildings, guest houses, warehouses, storehouses, a printing plant, commissaries, and manufacturing, processing or service facilities in connection therewith, laundries, dairy facilities, restaurants, amusement and recreational facilities, and other business enterprises, facilities, and appurtenances necessary and appropriate for the accomplishment of the purposes of this chapter;

(5) make or furnish sales, services, equipment, supplies, and materials, as contemplated by this chapter, to:

(A) vessels;

(B) agencies of the Government of the United States;

(C) employees of the Government of the United States; and

(D) any other governments, agencies, persons, corporations, or associations eligible to make or receive such purchases, services, supplies, or materials under the laws prevailing at the time and the policies heretofore or hereafter adopted consistently with those laws;

(6) use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government; and

(7) take such actions as are necessary or appropriate to carry out the powers specifically conferred upon it.

(b) Subject to subsection (c) of this section, the Company may not undertake any new types of activities not included in the annual budget program prescribed by section 102 of the Government Corporation Control Act (31 U.S.C., sec. 847), except those which may be transferred to it pursuant to section 62(c) (2) of this title.

(c) If, during a period when the Congress is not in session, the board of directors, or the president of the Company, with the concurrence of as many of the directors as may be consulted without loss of time unreasonable in the circumstances, declares an emergency to exist, the Company may undertake recommended appropriate action within the scope of this chapter, without regard to the restriction imposed by subsection (b) of this section. A report on the emergency activity shall be presented promptly to the Congress, when it reconvenes, for its approval and such action as it may deem necessary or desirable with respect to reimbursement through supplemental appropriation of funds to cover costs or losses arising from the emergency.

§ 67. Subjection to treaties and laws applicable to Panama Railroad Company

As far as consistent with this chapter, the Panama Canal Company is subject to all treaties and Acts of the Congress relating or applying to the Panama Railroad Company, as long as they remain in force; and has all the rights, privileges, and exemptions, and is subject to all the obligations, liabilities, and responsibilities, applicable to the Panama Railroad Company under or by virtue of those treaties or Acts.

§ 68. Rights in assets taken over upon dissolution of Panama Railroad Company; liabilities

(a) The Panama Canal Company shall possess all the right, title, and interest in and to the assets taken over, as of July 1, 1948, from the Panama Railroad Company, since dissolved, which the United States then possessed or, by virtue of the convention of November 18, 1903, between the United States and the Republic of Panama, thereafter acquired or may hereafter acquire, and which, pursuant to law, were released and transferred, as of July 1, 1948, to the Company.

(b) Subsection (a) of this section does not apply to any right, title, or interest transferred or conveyed to the Republic of Panama after July 1, 1948, under applicable provisions of law or of any convention or treaty.

(c) The Company is responsible for the payment and discharge of all remaining liabilities of the Panama Railroad Company, which, as authorized by law, the Company assumed as of July 1, 1948.

§ 69. Reimbursement of other agencies

The Panama Canal Company shall reimburse the Employees' Compensation Fund, Bureau of Employees' Compensation, Department of Labor, for the benefit payments made to the Company's employees, and shall also reimburse other Government agencies for payments of a similar nature made on its behalf.

§ 70. Payment of excess funds into Treasury

The board of directors shall appraise, at least annually, its necessary working capital requirements, together with reasonable foreseeable requirements for authorized plant replacement and expansion and pay into the Treasury as dividends the amount of funds in excess thereof. The dividends shall be treated by the Treasury as miscellaneous receipts, but shall be treated on the books of the Company as applicable to reduction of past or future direct Government capital contributions (as provided by section 62(f) of this title) in determining the base for interest payments required by section 62(e) of this title.

§ 71. Borrowing from Treasury

The Panama Canal Company may borrow from the Treasury, for any of the purposes of the Company, not more than \$10,000,000 outstanding at any time. For this purpose, the Company may issue to the Secretary of the Treasury its notes, or other obligations, which shall have maturities agreed upon by the Company and the Secretary of the Treasury, but shall be redeemable at the option of the Company before maturity in such manner as may be stipulated in the obligations. Each obligation shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on current marketable obligations of the United States of comparable maturities as of the last day of the month preceding the issuance of the obligation of the Company. The Secretary of the Treasury shall purchase obligations of the Company to be issued under this section, and for such purpose the Secretary of the Treasury may use as a public-debt transaction the proceeds from the sale of any securities issued pursuant to the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued pursuant to the Second Liberty Bond Act, as amended, are extended to include any purchases of the Company's obligations pursuant to this section.

§ 72. Appropriations to cover losses

Appropriations are authorized for payment to the Panama Canal Company of such amounts as may be shown in its annual budget program as necessary to cover losses sustained in the conduct of its activities. Amounts appropriated to the Company under authority of this section may not be added to the amount of the receipt referred to in subsections (a) and (c) of section 62 of this title, and may not require payment of interest pursuant to section 62(e) of this title.

Repayments by the Company to the Treasury may not, in any case, be treated as dividends pursuant to section 62(f) and section 70 of this title, until all amounts appropriated to the Company under the authority of this section are repaid to the Treasury.

§ 73. Transfer of Canal and facilities to Company

The transfer to the Company, made by the President under authority of law, of:

- (1) the Panama Canal, together with the facilities and appurtenances related thereto;
- (2) the facilities and appurtenances maintained and operated, prior to the transfer, by the Panama Canal under authority of section 51 of Title 2 of the Canal Zone Code of 1934, as amended by section 2 of the Act of August 12, 1949, chapter 422, 63 Stat. 601 (since repealed); and
- (3) personnel, property, records, related assets, contracts, obligations, and liabilities of or appertaining to the Canal and such facilities or appurtenances—

shall be deemed to have been accepted and assumed by the Company without the necessity of any act on the part of the Company except as otherwise stipulated by section 62 of this title.

§ 74. Insurance coverage

The Panama Canal Company may not carry insurance to cover marine or fire losses.

This section does not apply to the matter, governed by the Act of July 8, 1937 (50 Stat. 480; 5 U.S.C., sec. 134c), of insurance against loss, destruction, or damage in the shipment of valuables.

§ 75. Amendment or repeal

The right to amend or repeal sections 61-73 of this title is expressly reserved.

CHAPTER 7—EMPLOYEES OF GOVERNMENT AGENCIES

SUBCHAPTER I—CANAL ZONE GOVERNMENT EMPLOYEES

Sec.

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Subchapter I—Canal Zone Government Employees

§ 101. Appointment and compensation of Government employees

(a) Except as otherwise provided by law, and subject to the supervision provided by section 31 of this title, the Governor shall:

(1) appoint all officers and employees of the Canal Zone Government; and

(2) prescribe the compensation of officers and employees of the Canal Zone Government, and establish their conditions of employment, including matters relating to transportation, medical care, leave, office hours, and hours of labor.

(b) Compensation prescribed by the Governor under this section may not exceed, in any case, by more than 25 percent, the compensation paid for the same or similar services to persons employed by the Government in the continental United States. The definition of "continental United States" contained in section 141 of this title applies to that term as used in this subsection.

(c) This section does not affect the application to employees of the Canal Zone Government of the provisions of section 23 of the Independent Offices Appropriation Act, 1935 (48 Stat. 522; 5 U.S.C., sec. 673c).

§ 102. Exemption of teachers with respect to dual offices and double salaries

Section 2 of the Legislative, Executive, and Judicial Appropriation Act, approved July 31, 1894, as amended (28 Stat. 205; 5 U.S.C., sec. 62), and section 6 of the Legislative, Executive, and Judicial Appropriation Act, approved May 10, 1916, as amended (39 Stat. 120; 5 U.S.C., sec. 58), do not apply to teachers in the public schools of the Canal Zone who are also employed in night schools or in vacation schools or programs.

§ 103. Deduction from compensation of amounts due for supplies or services

Amounts due from officers and employees, whether to the Canal Zone Government, Panama Canal Company, or contractor, for transportation, board, supplies or any other service, may be deducted from the compensation otherwise payable to them, and may be paid to the authorized parties or credited to the appropriation out of which the transportation, board, supplies, or other service was originally paid.

Subchapter II—Panama Canal Company Employees

§ 121. Appointment and compensation; duties; delegation of powers; bonds

(a) Except as provided by section 64 of this title, the Panama Canal Company may:

(1) appoint, fix the compensation of, and define the authority and duties of, officers, agents, attorneys, and employees necessary for the conduct of the business of the Company;

(2) require such of the persons appointed, whom it designates, to be bonded, and fix the penalties and pay the premiums of the bonds; and

(3) delegate to the persons appointed such of its powers as it deems necessary.

(b) Officers and employees of the United States, may, if appointed under this section, serve as officers or employees of the Company.

§ 122. Deduction from compensation of amounts due for supplies or services

Section 103 of this title applies to the Panama Canal Company and to its officers and employees.

§ 123. Hours of work for telegraph operators and train dispatchers

(a) Except as provided by subsection (b) of this section, the Panama Canal Company may not require or permit any employee of the Company who, by the use of the telegraph or telephone, dispatches, reports, transmits, receives, or delivers orders pertaining to or affecting train movements, to be or remain on duty for a longer period than:

- (1) nine hours in a twenty-four-hour period in a tower, office, place or station continuously operated night and day; or
 - (2) thirteen hours in a tower, office, place or station operated only during the daytime.
- (b) In case of emergency, the Panama Canal Company may permit the employees referred to in subsection (a) of this section to be and remain on duty for four additional hours in a twenty-four-hour period for not more than three days in a week.

Subchapter III—Wage and Employment Practices

§ 141. Definitions

As used in this subchapter:

“continental United States” means the several States of the United States of America existing on July 25, 1958, and the District of Columbia;

“department” means a department, agency, or independent establishment in the executive branch of the Government of the United States (including a corporation wholly owned or controlled by the United States) which conducts operations in the Canal Zone;

“employee” means an individual holding a position; and

“position” means those duties and responsibilities of a civilian nature under the jurisdiction of a department:

- (1) which are performed in the Canal Zone; or
- (2) with respect to which the exclusion of individuals from the Classification Act of 1949, as amended (5 U.S.C., ch. 21), is provided for by section 202(21)(B) of that Act, as amended (5 U.S.C., sec. 1082(21)(B)).

§ 142. General rules governing wage and employment practices

(a) The head of each department shall conduct the wage and employment practices in the Canal Zone of his department in accordance with the:

(1) principles established in item 1 of the Memorandum of Understandings set forth in section 1(b) of Public Law 85-550 (July 25, 1958, 72 Stat. 405);

(2) provisions of this subchapter;

(3) regulations promulgated by, or under the authority of, the President of the United States in accordance with this subchapter; and

(4) provisions of applicable law.

(b) To the extent he deems appropriate, the President may:

(1) exclude any employee or position from this subchapter or from any provision of this subchapter; and

(2) extend to any employee, whether or not the employee is a citizen of the United States, the same rights and privileges as are provided by applicable laws and regulations for citizens of the United States employed in the competitive civil service of the Government of the United States.

§ 143. Employment standards

The head of each department shall establish written standards for the:

(1) determination of the qualifications and fitness of employees and of individuals under consideration for appointment to positions; and

(2) selection of individuals for appointment, promotion, or transfer to positions.

The standards shall conform with this subchapter, the regulations referred to in section 155(a) of this title, and the Canal Zone Merit System referred to by section 149 of this title.

§ 144. Compensation

(a) The head of each department, in accordance with this subchapter, shall establish, and from time to time may revise, the rates of basic compensation for positions and employees under his jurisdiction.

(b) The rates of basic compensation may be established and revised in relation to the rates of compensation for the same or similar work performed in the continental United States or in such areas outside the continental United States as may be designated in the regulations referred to in section 155 (a) of this title.

(c) The head of each department may grant increases in rates of basic compensation in amounts not to exceed the amounts of the increases granted, from time to time, by Act of Congress in corresponding rates of compensation in the appropriate schedule or scale of pay. The head of the department concerned may make the increases effective as of such date as he designates but not earlier than the effective date of the corresponding increases provided by the Act of Congress.

(d) A rate of basic compensation established under this section may not exceed by more than 25 percent, when increased by the amounts of the allowance and the differential authorized by section 146 of this title, the rate of basic compensation for the same or similar work performed in the continental United States by employees of the Government of the United States.

§ 145. Uniform application of standards and rates

The established employment standards and rates of basic compensation established pursuant to sections 143 and 144 of this title shall be applied uniformly, irrespective of whether the employee or individual concerned is a citizen of the United States or a citizen of the Republic of Panama.

§ 146. Additional allowance and differential

In addition to established basic compensation, there shall be paid to each employee who is a citizen of the United States such amounts as the head of the department concerned determines to be payable, as follows:

(1) an allowance for taxes which operate to reduce his disposable income in comparison with the disposable incomes of those employees who are not citizens of the United States; and

(2) an overseas (tropical) differential not in excess of an amount equal to 25 percent of the aggregate amount of the rate of basic compensation so established and the amount of the allowance provided in accordance with paragraph (1) of this section.

§ 147. Security positions

Notwithstanding any other provision of this subchapter but subject to the regulations referred to in section 155 (a) of this title, the head of each department may designate any position under his jurisdiction as a position which for security reasons shall be filled by a citizen of the United States; including but not limited to, positions (a) involving security of property; (b) involving access to defense information not releasable to foreign nationals; or (c) requiring the use of United States citizens to insure continuity and capability of operation and administration of activities in the Canal Zone by the United States Government.

§ 148. Benefits based on compensation

For the purpose of determining:

(1) amounts of insurance under the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C., sec. 2091 et seq.);

- (2) amounts of compensation for death or disability under the Federal Employees' Compensation Act, as amended (5 U.S.C., sec. 751 et seq.);
- (3) amounts of overtime pay or other premium compensation;
- (4) benefits under the Civil Service Retirement Act, as amended (5 U.S.C., sec. 2251 et seq.);
- (5) annual leave benefits; and
- (6) other benefits related to basic compensation—

the basic compensation of each employee who is a citizen of the United States shall include the rate of basic compensation established for his position, and the amount of the allowance and the differential determined, in the manner respectively provided by sections 144 and 146 of this title.

§ 149. Canal Zone Merit System

(a) Subject to this subchapter, the President or his designee may, from time to time, amend or modify the provisions of the Canal Zone Merit System of selection for appointment, reappointment, reinstatement, re-employment, and retention, with respect to positions, employees, and individuals under consideration for appointment to positions, established by regulations under authority of the President.

(b) The Canal Zone Merit System, irrespective of whether the employees or individuals concerned are citizens of the United States or citizens of the Republic of Panama, shall:

- (1) be based solely on the merit of the employee or individual and upon his qualifications and fitness to hold the position concerned; and
- (2) apply uniformly within and among all departments to positions, employees, and individuals concerned.

(c) The Canal Zone Merit System shall:

- (1) conform generally to policies, principles, and standards established by or in accordance with the Civil Service Act of January 16, 1883, as amended and supplemented; and
- (2) include provision for appropriate interchange of citizens of the United States employed by the Government of the United States between the merit system and the competitive civil service of the Government of the United States.

§ 150. Salary protection upon conversion of compensation base

Whenever the rate of basic compensation of an employee heretofore or hereafter established in relation to rates of compensation for the same or similar work in the continental United States is converted under authority of section 144 of this title to a rate of basic compensation established in relation to rates in areas other than the continental United States in the manner provided by section 144(b) of this title, he shall, pending transfer to a position for which the rate of basic compensation is established in relation to rates of compensation in the continental United States in the manner provided by section 144(b) of this title, and as long as he remains in the same position or in a position of equal or higher grade, continue to receive a rate of basic compensation not less than that to which he was entitled immediately prior to the conversion.

§ 151. Review and adjustment of classifications, grades, and pay level; by department

An employee may request at any time that the department in which he is employed:

- (1) review the classification of his position or the grade or pay level for his position, or both; and
- (2) revise or adjust such classification, grade, and pay level, or any of them, as the case may be.

The request for review and revision or adjustment shall be submitted and adjudicated in accordance with the regularly established appeals procedure of the department.

§ 152. Same; Board of Appeals; duties

There shall be, in conformity with this subchapter, and as prescribed by regulations promulgated by the President or his designee, a Canal Zone Board of Appeals. The regulations shall provide for, in accordance with this subchapter, the number of members of the Board, and their appointment, compensation, and terms of office, the selection of a Chairman of the Board, and the appointment and compensation of the Board's employees, and for other relevant and appropriate matters.

The Board shall review and determine the appeals of employees in accordance with section 153 of this title, and its decisions shall conform with the provisions of this subchapter.

§ 153. Same; appeals to Board; procedure; finality of decisions

(a) An employee may appeal to the Canal Zone Board of Appeals from an adverse determination made under section 151 of this title. The appeal shall be made in writing within a reasonable time, as prescribed in regulations promulgated by, or under the authority of, the President, after the date of the transmittal by the department to the employee of written notice of the adverse determination.

(b) The Board may authorize, in connection with an appeal pursuant to subsection (a) of this section, a personal appearance before the Board by the employee, or by his representative designated for the purpose.

(c) After investigation and consideration of the evidence submitted, the Board shall:

- (1) prepare a written decision on the appeal;
- (2) transmit its decision to the department concerned; and
- (3) transmit copies of the decision to the employee concerned or to his designated representative.

(d) The decision of the Board on any question or other matter relating to an appeal is final and conclusive. The department concerned shall take action in accordance with the decision of the Board.

§ 154. Participation in training programs

Training programs established by a department shall be applied uniformly to each employee irrespective of whether he is a citizen of the United States or the Republic of Panama. Employees who are citizens of the Republic of Panama shall be afforded opportunity to participate in training programs on the same basis as that upon which opportunity to participate therein is afforded to employees who are citizens of the United States.

§ 155. Administration by President; regulations; delegation of authority

(a) The President shall coordinate the policies and activities of the respective departments under this subchapter, and may promulgate regulations necessary and appropriate to carry out the provisions and accomplish the purposes of this subchapter.

(b) The President may delegate any authority vested in him by this subchapter, and may provide for the redelegation of any such authority.

§ 156. Applicability of other laws

This subchapter does not affect the applicability of:

- (1) the Veterans' Preference Act of 1944, as amended (5 U.S.C., sec. 851 et seq.);
- (2) section 6 of the Act of August 24, 1912 (37 Stat. 555), as amended (5 U.S.C., sec. 652); and
- (3) section 23 of the Independent Offices Appropriation Act, 1935 (48 Stat. 522), as amended (5 U.S.C., sec. 673c), or section 205 of the Federal Employees Pay Act of 1945, as amended (5 U.S.C., sec. 913), to those classes of employees within the scope of those two sections on July 25, 1958.

Subchapter IV—Retirement and Other Benefits

§ 181. Cash relief to certain former employees; applicability of Civil Service Retirement Act to certain employees

(a) The Governor of the Canal Zone, under the regulations prescribed by the President pursuant to the Act of July 8, 1937, as amended (50 Stat. 478; 68 Stat. 17), may continue the payments of cash relief to those individual former employees of the Canal Zone Government not coming within the scope of the former Canal Zone Retirement Act whose services were terminated prior to October 5, 1958, because of unfitness for further useful service by reason of mental or physical disability resulting from age or disease. Subject to subsection (b) of this section, such cash relief may not exceed \$1.50 per month for each year of service of the employees so furnished relief, with a maximum of \$45 per month, nor be paid to any employee who, at the time of termination for disability prior to October 5, 1958, had less than ten years' service with the Canal Zone Government and its predecessor agencies, including any service with the Panama Canal Company and its predecessor agencies, on the Isthmus of Panama.

(b) An additional amount of \$10 per month, as authorized by the Public Law 86-672 (July 14, 1960, 74 Stat. 552), effective July 1, 1960, shall:

(1) be paid to each person who, on January 2, 1963, is receiving payment of cash relief under authority of the Act of July 8, 1937, as amended (50 Stat. 478; 68 Stat. 17); and

(2) be paid to each person who receives, or, after January 2, 1963, becomes entitled to receive, payment of cash relief under subsection (a) of this section.

The monthly payment of \$10 herein provided for shall be in addition to any payments received before January 2, 1963, under the Act of July 8, 1937, as amended, or received under subsection (a) of this section, and shall be made without regard to the limitations contained therein.

(c) The Civil Service Retirement Act applies with respect to those individuals who were in the service of the Canal Zone Government or the Panama Canal Company on October 5, 1958, and who, except for the operation of section 13 (a) (1) of the Act of July 25, 1958 (72 Stat. 410), would have been within the classes of individuals subject to the Act of July 8, 1937.

§ 182. Appliances for employees injured prior to September 7, 1916

The Governor may purchase artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or of the Panama Canal prior to September 7, 1916.

Subchapter V—Miscellaneous

§ 201. Compensation of persons in military, naval, or Public Health Service who serve Canal Zone Government or Panama Canal Company

(a) If the person appointed as Governor of the Canal Zone and President of the Panama Canal Company, or as Lieutenant Governor of the Canal Zone and Vice President of the Panama Canal Company, is in the military service of the United States, the amount of the official salary paid to him as a military officer shall be deducted from the amount of salary or compensation which is fixed by or pursuant to law for those respective offices.

(b) Except as provided in subsection (a) of this section, persons appointed to or employed in positions in the Canal Zone Government or the Panama Canal Company, who are under assignment for those purposes by the military, naval, or Public Health Service, shall not be paid by the Canal Zone Government or the Panama Canal Company any amount in excess of their military, naval, or Public Health Service pay for the period of that service.

(c) The Canal Zone Government and the Panama Canal Company shall annually pay to the military, naval, and Public Health services of the United States amounts sufficient to reimburse each of those services for the official salary paid to any person in their service for the period of appointment or employment by the Canal Zone Government or the Panama Canal Company.

(d) In the case of persons retired as members of a regular component of the armed forces or the Public Health Service of the United States who are appointed to or employed in positions in the Canal Zone Government or the Panama Canal Company, the amount of their retired pay shall be deducted from the amount of their civilian salary or compensation. This subsection does not require the deduction of the retired pay of any warrant officer or enlisted man.

CHAPTER 9—FUNDS AND ACCOUNTS

Sec.

231. Consolidation of functions in relation to certain funds.

232. Reimbursement of amounts expended in maintaining defense facilities and furnishing certain services.

233. Use of funds for free medical and hospital care prohibited.

234. Sale of water to Republic of Panama.

235. Disaster relief.

§ 231. Consolidation of functions in relation to certain funds

The consolidation of the functions of receiving, disbursing and accounting for the funds of the Canal Zone Government and the Panama Canal Company with the functions of receiving, disbursing and accounting for the funds appropriated for the Canal Zone Government is authorized insofar as may be practicable, but separate accounts shall be kept of the transactions under each fund.

§ 232. Reimbursement of amounts expended in maintaining defense facilities and furnishing certain services

(a) Notwithstanding any other law:

(1) the Department of Defense shall reimburse the Panama Canal Company for amounts expended by the Company in maintaining defense facilities in standby condition for the Department of Defense; and

(2) amounts expended by the Canal Zone Government for furnishing education, and hospital and medical care to employees of agencies of the United States and their dependents, other than the Panama Canal Company and Canal Zone Government, less

amounts payable by the employees and their dependents, shall be fully reimbursable to the Canal Zone Government by those agencies.

(b) The appropriation or fund of the agency bearing the cost of the compensation of the employee concerned is made available for reimbursements under subsection (a) (2) of this section.

(c) Appropriations of the Department of Defense available for medical care are made available for the reimbursement of the Canal Zone Government for the cost of providing medical care for dependents of military personnel (to the extent that the care is authorized by chapter 55 of title 10, U.S. Code) in facilities operated by the Canal Zone Government.

§ 233. Use of funds for free medical and hospital care prohibited

Funds of the Canal Zone Government or the Panama Canal Company may not be used for providing free medical and hospital care to employees of the Panama Canal Company or the Canal Zone Government.

§ 234. Sale of water to Republic of Panama

Pending the establishment by the Republic of Panama of an independent water-supply system, and as long as the Republic desires to utilize a supply of water from the Canal Zone, the Republic of Panama shall pay to the Panama Canal Company, for the water so supplied, at such reasonable rate as may be agreed upon by the United States and the Republic of Panama.

§ 235. Disaster relief

If an emergency arises because of disaster or calamity by flood, hurricane, earthquake, fire, pestilence, or like cause, not foreseen or otherwise provided for, and occurring in the Canal Zone, or occurring in the Republic of Panama in such circumstances as to constitute an actual or potential hazard to health, safety, security, or property in the Canal Zone, the Canal Zone Government and the Panama Canal Company may expend available funds and utilize or furnish materials, supplies, equipment, and services for relief, assistance, and protection.

CHAPTER 11—CLAIMS FOR INJURIES TO PERSONS OR PROPERTY

SUBCHAPTER I—CLAIMS ARISING FROM CIVIL GOVERNMENT

Sec.

271. Claims for losses of, or damages to, property.

SUBCHAPTER II—CLAIMS ARISING FROM OPERATIONS OF CANAL

291. Injuries in locks of Canal.

292. Injuries outside locks.

293. Measure of damages generally.

294. Delays for which no responsibility assumed.

295. Settlement of claims.

296. Actions on claims.

297. Investigation of accident or injury giving rise to claim.

Subchapter I—Claims Arising From Civil Government

§ 271. Claims for losses of, or damages to, property

The Governor, or his designee, may adjust and pay claims for losses of, or damages to, property arising from the civil government, including health, sanitation and protection, of the Canal Zone.

An award made to a claimant pursuant to this section shall be payable out of any moneys appropriated or made available for the civil government, including health, sanitation and protection, of the Canal

Zone; and the acceptance by the claimant of the award shall be final and conclusive on the claimant, and shall constitute a complete release by him of his claim against the United States.

This section does not apply to tort claims cognizable under section 1346(b) of Title 28, United States Code.

Subchapter II—Claims Arising From Operations of Canal

§ 291. Injuries in locks of Canal

The Panama Canal Company shall promptly adjust and pay damages for injuries to vessels, or to the cargo, crew, or passengers of vessels, which may arise by reason of their passage through the locks of the Panama Canal under the control of officers or employees of the company. Damages may not be paid where the injury was proximately caused by the negligence or fault of the vessel, master, crew, or passengers. If the negligence or fault of the vessel, master, crew, or passengers proximately contributed to the injury, the award of damages shall be diminished in proportion to the negligence or fault attributable to the vessel, master, crew, or passengers. Damages may not be allowed and paid for injuries to any protrusion beyond the side of a vessel, whether it is permanent or temporary in character. A vessel is considered to be passing through the locks of the Canal, under the control of officers or employees of the Company, from the time the first towing line is made fast on board before entrance into the locks and until the towing lines are cast off upon, or immediately prior to, departure from the lock chamber.

§ 292. Injuries outside locks

The Panama Canal Company shall promptly adjust and pay damages for injuries to vessels, or to the cargo, crew, or passengers of vessels which may arise by reason of their presence in the waters of the Canal Zone, other than the locks, when the injury was proximately caused by negligence or fault on the part of an officer or employee of the Company acting within the scope of his employment and in the line of his duties in connection with the operation of the canal. If the negligence or fault of the vessel, master, crew, or passengers proximately contributed to the injury, the award of damages shall be diminished in proportion to the negligence or fault attributable to the vessel, master, crew, or passengers. In the case of a vessel which is required by or pursuant to regulations prescribed pursuant to section 1331 of this title to have a Panama Canal pilot on duty aboard, damages may not be adjusted and paid for injuries to the vessel, or its cargo, crew, or passengers, incurred while the vessel was under way and in motion, unless at the time the injuries were incurred the navigation or movement of the vessel was under the control of a Panama Canal pilot.

§ 293. Measure of damages generally

In determining the amount of the award of damages for injuries to a vessel for which the Panama Canal Company is determined to be liable, there may be included:

- (1) actual or estimated cost of repairs;
- (2) charter hire actually lost by the owners, or charter hire actually paid, depending upon the terms of the charter party, for the time the vessel is undergoing repairs;
- (3) maintenance of the vessel and wages of the crew, if they are found to be actual additional expenses or losses incurred outside of the charter hire; and
- (4) other expenses which are definitely and accurately shown to have been incurred necessarily and by reason of the accident or injuries.

Agent's fees, or commissions, or other incidental expenses of similar character, or any items which are indefinite, indeterminable, speculative, or conjectural may not be allowed. The Panama Canal Company shall be furnished such vouchers, receipts, or other evidence as may be necessary in support of any item of a claim. If a vessel is not operated under charter but by the owner directly, evidence shall be secured if available as to the sum for which vessels of the same size and class can be chartered in the market. If the charter value can not be determined, the value of the use of the vessel to its owners in the business in which it was engaged at the time of the injuries shall be used as a basis for estimating the damages for the vessel's detention; and the books of the owners showing the vessel's earnings about the time of the accident or injuries shall be considered as evidence of probable earnings during the time of detention. If the books are unavailable, such other evidence shall be furnished as may be necessary.

§ 294. Delays for which no responsibility assumed

The Panama Canal Company is not responsible, and may not consider any claim, for demurrage or delays caused by:

- (1) landslides or other natural causes;
- (2) necessary construction or maintenance work on Canal locks, terminals, or equipment;
- (3) obstructions arising from accidents;
- (4) time necessary for admeasurement;
- (5) congestion of traffic; or
- (6) except as specially set forth in this subchapter, any other cause.

§ 295. Settlement of claims

The Panama Canal Company, by mutual agreement, compromise, or otherwise, may adjust and determine the amounts of the respective awards of damages pursuant to sections 291-293 of this title. Acceptance by a claimant of the amount awarded to him shall be deemed to be in full settlement of his claims.

§ 296. Actions on claims

A claimant for damages pursuant to section 291 or 292 of this title who considers himself aggrieved by the findings, determination, or award of the Panama Canal Company in reference to his claim may bring an action on the claim against the Company in the United States District Court for the District of the Canal Zone. In the action, the provisions of this subchapter, relative to the determination, adjustment, and payment of claims, and the provisions of the regulations established pursuant to section 1331 of this title, relative to navigation of Canal Zone waters and to transiting the Panama Canal, shall apply. An action for damages cognizable under this section shall not lie against the Company, otherwise, nor in any other court, than as provided in this section; nor may it lie against any officer or employee of the Company.

This section does not prohibit actions against the Company's officers or employees for damages for injuries resulting from their acts outside the scope of their employment or not in the line of their duties, or from their acts committed with intent to injure the person or property of another.

Actions under this section shall be tried by the court without a jury.

§ 297. Investigation of accident or injury giving rise to claim

Notwithstanding any other law, a claim may not be considered under this subchapter, or an action for damages lie thereon, unless, prior to the departure from Canal Zone waters of the vessel involved:

- (1) the investigation by the competent authorities of the accident or injury giving rise to the claim has been completed; and
- (2) the basis for the claim has been laid before the Panama Canal Company.

CHAPTER 13—PUBLIC LANDS

Sec.

331. Acquisition by United States of title to land in Canal Zone.

332. Withdrawal of certain tract from effect of section 331.

333. Revocable licenses for lands outside town sites.

334. Revocable licenses for lots in town sites.

§ 331. Acquisition by United States of title to land in Canal Zone

The President may declare by executive order that land and land under water within the limits of the Canal Zone is necessary for the construction, maintenance, operation, sanitation or protection of the Panama Canal, and extinguish, by agreement when advisable, claims and titles of adverse claimants and occupants. Upon failure to secure by agreement title to such a parcel of land or land under water the adverse claim or occupancy shall be disposed of and title thereto secured in the United States and compensation therefor fixed and paid in the manner provided in the convention with the Republic of Panama signed November 18, 1903, or such modification of that convention as may be made.

§ 332. Withdrawal of certain tract from effect of section 331

The tract of land situated within the Canal Zone, and more particularly described as lots numbered 641, 643, 645, and 647, in the town of Cristobal, Canal Zone, bounded on the north by Eleventh Street, on the east by Bolivar Street, on the south by lot numbered 649, and on the west by a vacant lot, having an extension from north to south of 120 feet and from east to west of 100 feet, and measuring in superficial area 12,000 square feet, is withdrawn from the operation of section 331 of this title and the Executive Order of December 5, 1912, relating thereto.

§ 333. Revocable licenses for lands outside town sites

(a) Whenever the Governor deems the action to be necessary to, or in the interest of, the Government of the United States and of the efficient maintenance, operation, sanitation, government, and protection of the Panama Canal and the Canal Zone, he or his designee may issue revocable licenses covering the use of tracts of land situated outside of town sites in the Canal Zone.

(b) The Governor shall prescribe the terms and conditions of licenses issued under this section, except that the licenses shall be revocable at the pleasure of the Governor and except that, upon revocation of a license hereunder, the licensee shall, immediately or upon such reasonable notice as the Governor prescribes, vacate the licensed area, remove therefrom all improvements which he may have placed upon the licensed area, and restore the licensed area to a condition satisfactory to the Governor, and the licensee may not be entitled to indemnification for the value of the improvements.

(c) Licenses issued by authority of the Governor prior to August 10, 1949, and still in force, covering the use of tracts of land for agricultural purposes are ratified and confirmed in accordance with the terms and conditions applicable to them, respectively. Upon the rev-

ocation of any of such licenses the terms and conditions applicable to which are such as to provide for compensation to the licensee in the reasonable value of the improvements made by him on said tract, to be determined in such manner as the Governor may direct, the compensation is authorized so to be determined and to be paid out of any moneys appropriated for that purpose, except that no compensation may be paid in the case of a license revoked on account of a material breach by the licensee of the terms and conditions applicable to his license, or where the licensee has abandoned the license, or in case of the death of the licensee.

§ 334. Revocable licenses for lots in town sites

The Governor or his designee may execute licenses for lots in town sites in the Canal Zone, revocable at the pleasure of the Governor. Upon revocation of a license, the licensee shall vacate and remove improvements at once without indemnity.

CHAPTER 15—PUBLIC PROPERTY AND PROCUREMENT

Sec.

371. Acquisition or construction of structures, equipment, and improvements.

372. Transfers of properties between departments and agencies.

§ 371. Acquisition or construction of structures, equipment, and improvements

Within the limits of available funds, the Governor may:

- (1) purchase or otherwise acquire equipment; and
- (2) within the Canal Zone, purchase or otherwise acquire, construct, repair, replace, alter, or enlarge any building, structure, or other improvement—

when in his judgment the action is necessary for the civil government, including health, sanitation, and protection of the Canal Zone.

§ 372. Transfers of properties between departments and agencies

(a) In the interest of economy and maximum efficiency in the utilization of Government property and facilities, there are authorized to be transferred between departments and agencies, with or without exchange of funds, all or so much of the facilities, buildings, structures, improvements, stock and equipment, of their activities located in the Canal Zone, as may be mutually agreed upon by the departments and agencies involved and approved by the Director of the Bureau of the Budget.

(b) With respect to transfers without exchange of funds, transfers:

(1) to or from the Panama Canal Company are subject to section 62 of this title; and

(2) to or from the Canal Zone Government shall be at such appropriate amounts as are agreed upon between the Canal Zone Government and the departments or agencies concerned and approved by the Director of the Bureau of the Budget.

(c) In determining the amounts referred to in paragraph (2) of subsection (b) of this section, due consideration must be given to the cost of the transferred assets, or usable value to the transferee if clearly less than cost, and adequate provision made for depreciation of properties and equipment, obsolete or otherwise unusable inventories, and other reasonably determinable shrinkages in values. The amounts shall be added to or deducted from the investment of the United States in the Canal Zone Government as applicable.

CHAPTER 17—TOLLS FOR USE OF CANAL

Sec.

411. Prescription of measurement rules and tolls.

412. Bases of tolls.

§ 411. Prescription of measurement rules and tolls

The Panama Canal Company may prescribe, and from time to time change:

(1) the rules for the measurement of vessels for the Panama Canal; and

(2) subject to section 412 of this title, the tolls that shall be levied for the use of the Canal.

The rules of measurement and the tolls prevailing on January 2, 1963, shall continue in effect until changed as provided in this section.

The Company shall give six months' notice, by publication in the Federal Register, of proposed changes in basic rules of measurement and of changes in rates of tolls, during which period a public hearing shall be conducted.

Changes in basic rules of measurement and changes in rates of tolls shall be subject to, and shall take effect upon, the approval of the President of the United States, whose action in such matters shall be final.

§ 412. Bases of tolls

(a) Tolls on merchant vessels, army and navy transports, colliers, tankers, hospital ships, supply ships, and yachts shall be based on net vessel-tons of one hundred cubic feet each of actual earning capacity determined in accordance with the rules for the measurement of vessels for the Panama Canal, and tolls on other floating craft shall be based on displacement tonnage. The tolls on vessels in ballast without passengers or cargo may be less than the tolls for vessels with passengers or cargo.

(b) Tolls shall be prescribed at rates calculated to cover, as nearly as practicable, all costs of maintaining and operating the Panama Canal, together with the facilities and appurtenances related thereto, including interest and depreciation, and an appropriate share of the net costs of operation of the agency known as the Canal Zone Government. In the determination of the appropriate share, substantial weight shall be given to the ratio of the estimated gross revenues from tolls to the estimated total gross revenues of the Panama Canal Company exclusive of the cost of commodities resold, and exclusive of revenues arising from transactions within the Company or from transactions with the Canal Zone Government.

(c) The President of the United States may require vessels operated by the United States, including warships, naval tenders, colliers, tankers, transports, hospital ships, and other vessels owned or chartered by the United States for transporting troops or supplies, and ocean-going training ships owned by the United States and operated by State nautical schools, to pay tolls. If, however, they are not required to pay tolls, the tolls thereon shall nevertheless be computed and the amounts thereof shall be treated as revenues of the Panama Canal Company for the purpose of prescribing the rates of tolls, and shall be offset against the obligations of the Company under subsections (e) and (g) of section 62 of this title.

(d) The levy of tolls is subject to the provisions of section 1 of article III of the treaty between the United States of America and Great Britain signed November 18, 1901, of articles XVIII and XIX of the convention between the United States of America and the Republic of Panama concluded on November 18, 1903, and of article I of the treaty between the United States of America and the Republic of Colombia signed April 6, 1914.

(e) Capital investment for interest purposes shall not include any interest during construction.

CHAPTER 19—PUBLIC WRITINGS AND RECORDS

Sec.

451. Inspection by persons having legitimate interest; judicial records.

452. Public officers must give copies.

453. Removal of public records.

471. Declaration and findings.

472. Construction, maintenance, and operation of bridge.

§ 451. Inspection by persons having legitimate interest; judicial records

(a) Except as otherwise provided by subsection (b) of this section, section 271(b) of Title 3, or any other law, every person, who has a legitimate interest therein, has the right to inspect and take a copy of any public writing or record of the Canal Zone.

(b) Attorneys admitted to practice in the Canal Zone and other officers of the court may examine judicial records without the necessity for showing a legitimate interest therein.

§ 452. Public officers must give copies

Every public officer having the custody of a public writing or record that a person has a right to inspect pursuant to section 451 of this title must give him, on demand, a certified copy of it, on payment of the legal fees therefor.

§ 453. Removal of public records

The record of a conveyance of real property, or any other record, a transcript of which is admissible in evidence, must not be removed from the office where it is kept, except upon the order of a court, in cases where the inspection of the record is shown to be essential to the just determination of the cause of proceeding pending, or where the court is held in the same building with such office.

CHAPTER 21—BRIDGES

§ 471. Declaration and findings

It is declared that:

(1) the United States is obligated under the terms of point 4 of the General Relations Agreement between the United States and the Republic of Panama, effected by an exchange of notes signed at Washington on May 18, 1942 (Executive Agreement Series Numbered 452), to construct a tunnel under, or a bridge over, the Panama Canal at Balboa;

(2) a high-level bridge at that point would be more desirable than a tunnel;

(3) the Panama Canal Company should administer the construction, maintenance, and operation of the bridge and the approaches thereto; and

(4) the expenses of construction, maintenance, and operation of the bridge and the approaches thereto should be treated as extraordinary expenses incurred through a direction based on national policy and not related to the operations of the Panama Canal Company.

§ 472. Construction, maintenance, and operation of bridge

The Panama Canal Company shall construct, maintain, and operate a high-level bridge, including approaches, over the Panama Canal at Balboa, Canal Zone.

PART 2—REGULATION

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51. AERONAUTICS.....	701
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CHAPTER 51—AERONAUTICS

Sec.

- 701. Air navigation; regulations.
- 702. Penalties for violation.

§ 701. Air navigation; regulations

The Government of the United States possesses, to the exclusion of all foreign nations, sovereign rights, power, and authority over the air space above the lands and waters of the Canal Zone. Until Congress otherwise provides, the President shall prescribe, and from time to time may amend, regulations governing aircraft, air navigation, air-navigation facilities, and aeronautical activities within the Canal Zone.

§ 702. Penalties for violation

Whoever violates a regulation issued under section 701 of this title shall be fined not more than \$500 or imprisoned in jail not more than one year, or both.

CHAPTER 53—ALCOHOLIC BEVERAGES

Sec.

- 731. Regulation of manufacture, sale, etc.
- 732. Penalties for violation.

§ 731. Regulation of manufacture, sale, etc.

The President shall prescribe, and from time to time may amend, regulations relating to the:

- (1) manufacture and sale of alcoholic beverages in the Canal Zone, and licenses and fees therefor; and
- (2) importation of alcoholic beverages into, and exportation thereof from, the Canal Zone.

§ 732. Penalties for violation

Whoever violates a regulation issued pursuant to section 731 of this title shall be fined not more than \$500 or imprisoned in jail not more than six months, or both, and, in addition, his license may be revoked or suspended as the President may prescribe by the regulations so issued.

CHAPTER 55—CUSTOMS SERVICE

SUBCHAPTER I—GENERALLY

Sec.

761. Control, by Governor, of articles or merchandise; regulations.

762. Powers of customs officers.

763. Fees of customs officers.

SUBCHAPTER II—OFFENSES AND PENALTIES; OTHER ENFORCEMENT PROVISIONS

781. Customs offenses generally; penalties.

782. Seizure and confiscation of articles illegally imported or obtained.

783. Penalty for omitting merchandise from manifest; forfeiture; exception.

784. Penalty for omission of sea stores from list or landing of sea stores; forfeiture.

Subchapter I—Generally

§ 761. Control, by Governor, of articles or merchandise; regulations

The Governor has control, for customs purposes, over all articles introduced into the Canal Zone, including passengers' baggage, and shall establish, and from time to time may amend, regulations governing the:

- (1) entry and importation of goods into the Canal Zone; and
- (2) disposition of goods brought into the Canal Zone in violation of the regulations.

§ 762. Powers of customs officers

Customs officers in the Canal Zone, including deputy shipping commissioners and boarding officers when performing duties in relation to customs, have general powers of search, seizure, and arrest. In the exercise of these powers, they may:

- (1) enter any building other than a dwelling house;
- (2) stop vessels and vehicles;
- (3) search vessels, vehicles, and their contents; and
- (4) stop and search persons and packages carried by them.

Rights of entry, stopping, search, seizure, and arrest conferred by this section shall be exercised only when there are reasonable grounds for suspecting violations of the customs regulations issued pursuant to section 761 of this title or of the United States applicable in the Canal Zone.

§ 763. Fees of customs officers

A customs officer of the Canal Zone may collect a fee, equivalent to the fee prescribed by the United States consular regulations for the same act or service when performed by consular officials, whenever he:

- (1) certifies an invoice, landing certificate, or other similar document;
- (2) registers a marine note of protest; or
- (3) performs any notarial service.

Subchapter II—Offenses and Penalties; Other Enforcement Provisions

§ 781. Customs offenses generally; penalties

Whoever:

- (1) enters or imports, or attempts to enter or import, any articles or merchandise into the Canal Zone before the entry or importation thereof has been approved by the proper officers of the Canal Zone; or
- (2) passes, or attempts to pass, a false, forged, or fraudulent invoice, bill, or other paper, for the purpose of securing the entry

or importation of any articles or merchandise into the Canal Zone in violation of the regulations issued pursuant to section 761 of this title; or

(3) violates a regulation issued pursuant to section 761 of this title—shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

§ 782. Seizure and confiscation of articles illegally imported or obtained

Articles brought into or obtained in the Canal Zone in violation of regulations issued pursuant to section 761 of this title may be seized and held, and, unless entered in conformity with the regulations within a period of 30 days from the date of seizure, may be confiscated and disposed of as provided in the regulations.

§ 783. Penalty for omitting merchandise from manifest; forfeiture; exception

If a vessel arriving at the Canal Zone from a port, other than a port in the Canal Zone or the Republic of Panama, is found to have on board merchandise not manifested, the master of the vessel shall be liable to a penalty equal in amount to the value of the merchandise not manifested, and the merchandise belonging to or consigned to or for the officers or crew of the vessel shall be forfeited. The penalty may not be imposed if it is made to appear to the customs officers, or to the court in which the trial is held, that no part of the cargo has been unloaded except as accounted for in the master's report, and that the errors and omissions in the manifest were made without fraud or collusion. In that case the master may be allowed to correct his manifest by means of a post entry. A permit may not be granted to unload merchandise so omitted from the manifest before post entry or addition to report or manifest has been made.

§ 784. Penalty for omission of sea stores from list or landing of sea stores; forfeiture

If sea stores are found on board a vessel from a port, other than a port in the Canal Zone or the Republic of Panama, which are not specified in the list furnished the boarding officer, or if a greater quantity of sea stores is found than that specified in the list, or if sea stores are landed without a permit being first obtained from the customs officer for that purpose, the master of the vessel shall be liable to a penalty treble the value of the sea stores so omitted or landed, and the sea stores so omitted or landed shall be seized and forfeited.

CHAPTER 57—DOMESTIC ANIMALS

Sec.

811. Regulations relating to the keeping and impounding of domestic animals.

812. Penalties for violation.

§ 811. Regulations relating to the keeping and impounding of domestic animals

The Governor shall prescribe, and from time to time may amend, regulations:

(1) governing the keeping of domestic animals within the Canal Zone;

(2) prescribing where and under what conditions domestic animals may be permitted to be at large, and when, where and under what conditions domestic animals shall be confined; and

(3) providing for the:

(A) impounding of animals;

(B) charges to be paid for the impounding and care of animals if claimed by the owner;

(C) disposition of unclaimed animals; and

(D) disposition of the proceeds of the sale of unclaimed animals, if sold.

§ 812. Penalties for violation

Whoever violates a regulation issued pursuant to section 811 of this title shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

CHAPTER 59—EXCLUSION AND DEPORTATION OF PERSONS

Sec.

841. Regulations governing entry, passage, detention, and deportation of persons; penalties.

842. Punishment for returning after imprisonment and deportation.

843. Revocation of deportation order or permission to re-enter temporarily; punishment for violation.

§ 841. Regulations governing entry, passage, detention, and deportation of persons; penalties

(a) The President shall prescribe, and from time to time may amend, regulations governing the:

(1) rights of persons to enter, remain upon or pass over any part of the Canal Zone; and

(2) detention of persons entering the Canal Zone in violation of the regulations, and their return to the countries whence they came, on the vessels bringing them to the Canal Zone, or other vessels belonging to the same owners or interests, and at the expense of the owners or interests.

(b) Whoever violates a regulation issued pursuant to this section shall be fined not more than \$500 or imprisoned in jail not more than one year, or both.

(c) The Canal Zone Government may withhold the clearance of a vessel referred to in subsection (a) (2) of this section until any fine imposed pursuant to subsection (b) of this section and the cost of maintenance of the person convicted are paid.

§ 842. Punishment for returning after imprisonment and deportation

Except as provided by section 843 of this title, whoever, after having served a sentence of imprisonment in the Canal Zone and having been deported therefrom, voluntarily enters the Canal Zone for any purpose, shall be imprisoned in the penitentiary not more than two years, or in jail not more than one year.

§ 843. Revocation of deportation order or permission to re-enter temporarily; punishment for violation

(a) The Governor may:

(1) at any time, for good cause shown, revoke an order deporting a person following service of a sentence of imprisonment in the Canal Zone; or

(2) by permit or regulations, authorize a person who has been deported following service of a sentence of imprisonment in the Canal Zone to pass through or return temporarily to the Canal Zone, and prescribe the route over which he must travel while in the Canal Zone.

(b) Whoever violates the terms of a permit or of a regulation issued pursuant to subsection (a) (2) of this section, or remains in the Canal Zone after the expiration of his permit, shall be punished as provided by section 842 of this title.

CHAPTER 61—FOREIGN CORPORATIONS GENERALLY

Sec.

- 871. Corporation; joint stock company.
- 872. Application for license to do business; service of process; filing fee.
- 873. Additional requirements for insurance companies.
- 874. Annual statement and license tax for insurance companies.
- 875. Issuance of license.
- 876. Continuance after first license period.
- 877. Revocation of license.
- 878. Loss of benefit of statute of limitations.
- 879. Penalties for violation; validity of contracts.
- 880. Corporations dealing in securities.
- 881. Surrender of license to do business.
- 882. Service of process after revocation or surrender of license.

§ 871. Corporation; joint stock company

As used in this chapter, "corporation" includes joint stock companies.

§ 872. Application for license to do business; service of process; filing fee

(a) A corporation organized under the laws of a State of the United States or of a foreign country may not do business in the Canal Zone or maintain an office therein until it has filed with the executive secretary of the Canal Zone Government:

(1) an application for a license setting forth:

(A) the name of the corporation;

(B) the names of its officers and directors; and

(C) the general nature of the business in which it desires to engage in the Canal Zone;

(2) a copy, duly certified by the officer authorized by law to certify it, of the:

(A) articles of incorporation;

(B) charter; or

(C) statutory, executive, or governmental acts creating the corporation, when it has been so created;

(3) an affidavit sworn by an authorized officer of the corporation stating the amount of its authorized capital stock at or within 60 days prior to the filing.

(4) a designation of a person residing within the Canal Zone upon whom process issued under any law of the Canal Zone may be served, and his place of business or residence, and a certified copy of the minutes of the board of directors of the corporation authorizing the designation.

(b) Process served on the person designated by the corporation or, if he can not be found at the place designated, or if a person is not designated, on the executive secretary of the Canal Zone Government, is a valid service on the corporation. When the executive secretary is served with process he shall without delay communicate the same to the corporation concerned at its last known address. A default judgment may not be entered against the corporation in an action in which process is served on the executive secretary until at least 60 days after the date of the service.

(c) A corporation licensed pursuant to this chapter shall also file with the executive secretary any change in the provisions of its original articles of incorporation.

(d) With the application for license there shall also be paid \$10, which shall cover the filing fee and annual license fee for the remainder of the calendar year during which the license is issued.

§ 873. Additional requirements for insurance companies

In addition to the other requirements of this chapter, an insurance company organized under the laws of a State of the United States or of a foreign country shall file the following documents:

(1) a certificate of an authorized official, showing that the company is authorized to transact business in the State or country under whose laws the company is organized;

(2) a duly certified copy of the last annual statement of the insurance company to an authorized official in the State or country where the company is organized;

(3) a deposit with the executive secretary of the Canal Zone Government of \$10,000 in cash or current marketable securities, which shall be held in trust by the executive secretary for the account of the company, to satisfy any judgment that may be rendered against the company, under insurance policies that it may issue.

§ 874. Annual statement and license tax for insurance companies

An insurance company licensed pursuant to this chapter shall file with the executive secretary of the Canal Zone Government before March 1 of each year a verified statement showing the business transacted within the Canal Zone by the company during the previous calendar year and a duly certified copy of its annual report to an authorized official of the State or country in which the company is organized. Upon a showing of good cause therefor, the executive secretary may extend the time for filing the statement for a period not exceeding two months after March 1.

An insurance company licensed pursuant to this chapter shall pay before March 1 of each year, in lieu of all other taxes except the annual fee provided for by section 876 of this title, a license tax equal to 1½ percent of its net premium receipts in the Canal Zone for the preceding calendar year.

§ 875. Issuance of license

Upon compliance by a corporation with the conditions prescribed by sections 872-874 of this title, and if the Governor is satisfied that the business desired to be transacted is proper, legitimate and permissible under the laws of the Canal Zone, and not in conflict with the policy of administering the Canal Zone as an adjunct of the Panama Canal, he may issue a license to do business in the Canal Zone.

§ 876. Continuance after first license period

The right of a corporation to continue to do business for the calendar year, and the successive calendar years, after the calendar year during which the original license was issued, shall be contingent upon:

(1) compliance with the provisions of this chapter applicable to corporations licensed under it;

(2) payment of a license fee of \$10, payable in advance, on January 1 of each year; and

(3) designation of a new process agent before March 1, if the process agent previously designated has ceased during a preceding calendar year to reside within the Canal Zone.

§ 877. Revocation of license

The Governor may revoke a license issued pursuant to this chapter if, upon examination, he is satisfied that the operations of the corporation are conducted in an illegal manner, or in a manner contrary to public policy or to the policy of administering the Canal Zone as an adjunct of the Panama Canal.

§ 878. Loss of benefit of statute of limitations

Corporations doing business in the Canal Zone which fail to comply with this chapter are not entitled to the benefit of the laws of the Canal Zone limiting the time for the commencement of civil actions.

§ 879. Penalties for violation; validity of contracts

(a) A corporation which does business in the Canal Zone without having complied with this chapter shall be fined not more than \$500.

(b) Whoever acts as an officer of, or agent for, a corporation which has not complied with this chapter, shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

(c) Every contract made by or on behalf of such a corporation affecting the liability thereof or relating to property within the Canal Zone is void on its behalf and on behalf of its assigns, but is enforceable against it or them.

§ 880. Corporations dealing in securities

A corporation licensed pursuant to chapter 79 of this title is not required to comply with sections 871-879 of this title.

§ 881. Surrender of license to do business

(a) A corporation licensed to do business in the Canal Zone may surrender its license by filing with the executive secretary of the Canal Zone Government a certificate signed and acknowledged by its president or a vice president and its secretary or an assistant secretary or treasurer, setting forth:

(1) the name of the corporation as shown on the records of the executive secretary, and the State or place of incorporation;

(2) that it revokes its designation of agent for the service of process;

(3) that it surrenders its authority to do business in the Canal Zone and returns its license for cancellation, or that the license has been lost or destroyed, if such is the fact;

(4) that it consents that process against it in any action upon a liability or obligation incurred within the Canal Zone prior to the filing of the certificate of surrender may be served upon the executive secretary of the Canal Zone Government;

(5) a post office address to which the executive secretary may mail a copy of any process served upon him, which address may be changed from time to time by filing a certificate entitled "certificate of change of address of surrendered foreign corporation" signed and acknowledged by the president, a vice president, secretary, assistant secretary, or treasurer.

(b) The license shall be attached to the certificate of surrender unless the license has been lost or destroyed, in which case there shall be attached an affidavit of the president, vice president, secretary, assistant secretary, or treasurer to that effect.

(c) Mere retirement from doing business in the Canal Zone without filing a certificate of surrender of license does not revoke the appointment of any agent for the service of process within the Canal Zone.

§ 882. Service of process after revocation or surrender of license

(a) After the license of a corporation has been revoked or surrendered, process against the corporation may be served upon the executive secretary of the Canal Zone Government in any action upon a liability or obligation incurred within the Canal Zone prior to the revocation or the filing of the certificate of surrender.

(b) Section 872(b) of this title applies to service of process upon the executive secretary pursuant to this section.

(c) The revocation or surrender of a license does not affect any action pending at the time.

CHAPTER 63—HEALTH AND SAFETY

SUBCHAPTER I—HEALTH, SANITATION, AND QUARANTINE

Sec.

911. Regulations of the President.

912. Penalties for violation.

SUBCHAPTER II—FIRE PREVENTION

931. Regulations for fire protection.

932. Penalties for violation.

SUBCHAPTER III—FIREWORKS

951. Regulations prohibiting or governing sale or use of fireworks.

952. Penalties for violation.

Subchapter I—Health, Sanitation, and Quarantine

§ 911. Regulations of the President

The President shall prescribe, and from time to time may amend, regulations governing matters of health, sanitation and quarantine for the Canal Zone.

§ 912. Penalties for violation

Whoever violates a regulation issued pursuant to section 911 of this title shall:

(1) if it is a health or sanitation regulation, be fined not more than \$100 or imprisoned in jail not more than 30 days, or both; or

(2) if it is a quarantine regulation, be fined not more than \$500 or imprisoned in jail not more than 90 days, or both.

Each day the violation continues constitutes a separate offense.

Subchapter II—Fire Prevention

§ 931. Regulations for fire protection

The Governor shall prescribe, and from time to time may amend, regulations for the prevention of, and protection against, fires in the Canal Zone.

Regulations issued pursuant to this section have no force within the boundaries of military or naval reservations in the Canal Zone, unless they are prescribed with the concurrence of the officers commanding the military and naval forces in the Canal Zone, as to the reservations within their respective jurisdictions.

§ 932. Penalties for violation

Whoever violates a regulation issued pursuant to section 931 of this title shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

Subchapter III—Fireworks

§ 951. Regulations prohibiting or governing sale or use of fireworks

The Governor may prescribe, and from time to time amend, such regulations prohibiting, limiting, or otherwise governing the sale and use of fireworks within the Canal Zone, or any parts thereof, as he deems necessary to public safety.

§ 952. Penalties for violation

Whoever violates a regulation issued pursuant to section 951 of this title shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

CHAPTER 65—HIGHWAYS, ROADS, AND VEHICLES

Sec.

- 1001. Regulations by the President.
- 1002. Agreements with Panama for reciprocal regulations.
- 1003. Penalties for violation.

§ 1001. Regulations by the President

(a) Until otherwise provided by the Congress, the President may make, publish, and enforce, and from time to time amend, rules and regulations for the use of the public highways and roads in the Canal Zone, and for the regulation, licensing, and taxing of the use and operation of all self-propelled vehicles using the public highways and roads, including speed limit, signals, tags, license fees, and all detailed regulations which may, from time to time, be deemed necessary in the exercise of the authority hereby conferred.

(b) The taxes on automobiles may be graded according to the value or the power of the machine.

§ 1002. Agreements with Panama for reciprocal regulations

The President may make mutual agreements with the Republic of Panama concerning:

- (1) the reciprocal use of the public highways and roads of the Canal Zone and the Republic of Panama by self-propelled vehicles;
- (2) taxes and license fees; and
- (3) other matters of regulation to establish comity for the convenience of the residents of the two jurisdictions.

§ 1003. Penalties for violation

Whoever violates a regulation issued pursuant to section 1001 or 1002 of this title shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

CHAPTER 67—INTERNAL SECURITY

Sec.

- 1051. Photographing, etc., and possession of cameras in Canal Zone areas.
- 1052. Penalties for violating regulations pursuant to section 1051.

§ 1051. Photographing, etc., and possession of cameras in Canal Zone areas

Whenever, in the interests of the protection of the Panama Canal and the Canal Zone, the Governor determines that a part or feature of the Panama Canal, or an area, object, installation, or structure within the Canal Zone, requires protection against the general dissemination of information relative thereto, he may prescribe, and from time to time amend, regulations prohibiting or restricting the:

- (1) making of a photograph, sketch, drawing, map, or graphical representation of, within, or upon that part or feature of the Panama Canal, or that area, object, installation, or structure within the Canal Zone; and
- (2) possession of a camera within any area in the Canal Zone which the Governor designates.

Regulations issued pursuant to this section do not apply to activities of the kind covered by this section which are conducted or performed in the course of their official duties by persons in the service or employ of the United States.

§ 1052. Penalties for violating regulations pursuant to section 1051

Whoever violates a regulation issued pursuant to section 1051 of this title shall be fined not more than \$1,000 or imprisoned in jail not more than one year, or both.

CHAPTER 69—NOTARIES PUBLIC

Sec.

1071. Appointment and regulation by Governor.

§ 1071. Appointment and regulation by Governor

The Governor shall:

- (1) appoint all notaries public; and
- (2) prescribe their powers and duties, their official seal, and the fees to be charged and collected by them.

CHAPTER 71—OATHS AND WITNESSES

Sec.

1101. Powers of certain officers and boards with respect to oaths, witnesses, etc.

1102. Compelling attendance of witnesses and production of papers.

§ 1101. Powers of certain officers and boards with respect to oaths, witnesses, etc.

Members of the board of local inspectors, customs officers, quarantine officers, admeasurers, the coroner and deputy coroners, officers designated by the Governor or his designee to conduct hearings in reference to the exclusion and deportation of persons from the Canal Zone, and all administrative boards or officers authorized to take testimony, may, in connection with any investigation, hearing or inquest held by them, or with any other performance of their official duties:

- (1) summon witnesses to testify in matters within their respective jurisdictions;
- (2) administer oaths; and
- (3) require the production of books and papers necessary thereto.

§ 1102. Compelling attendance of witnesses and production of papers

The district court may:

- (1) issue process at the request of the officers or boards designated by section 1101 of this title to compel the attendance of witnesses and the production of books and papers; and
- (2) punish for contempt of court a person who refuses to obey the process, or who refuses to be sworn or to answer a material or proper question after being duly sworn.

CHAPTER 73—POSTAL SERVICE

Sec.

1131. Application of Federal laws, rules, etc.; additional regulations.

1132. Maintenance and operation of postal service.

1133. Acceptance of postal-savings deposits.

1134. Rate of interest on postal-savings certificates.

1135. Faith of United States pledged to payment of deposits.

1136. Control of money-order and postal-savings fees.

1137. Deposit of money-order and postal-savings funds in the United States Treasury.

1138. Deposit of money-order and postal-savings funds in banks; security.

1139. Investment of money-order and postal-savings funds in securities of United States.

1140. Interest and profits on money-order and postal-savings funds.

1141. Application of chapter to prior deposit money orders.

1142. Money orders unpaid after twenty years.

1143. Payment of revenues into Treasury.

§ 1131. Application of Federal laws, rules, etc.; additional regulations

(a) Except as otherwise provided by this Code, the postal service of the Canal Zone is governed by:

- (1) the laws, rules, regulations, and conventions of the postal service of the United States which by their terms apply in the Canal Zone; and

(2) such additional laws, rules, and regulations as the Governor determines to be applicable to conditions existing in the Canal Zone.

(b) The Governor may prescribe regulations necessary for the maintenance and operation of the Canal Zone postal service.

§ 1132. Maintenance and operation of postal service

(a) The Governor shall:

(1) maintain and operate a postal service in the Canal Zone, including a money-order system, a parcel-post system, a postal-saving system, and other services necessary or convenient in connection with the postal service;

(2) establish and discontinue post offices;

(3) except as provided by subsection (b) of this section, prescribe the postage rates; and

(4) prescribe the postage stamps and other stamped paper which shall be used in the service.

(b) Domestic postage rates in the United States are applicable in the Canal Zone to regular mail exchanged with the United States.

§ 1133. Acceptance of postal-savings deposits

Under regulations prescribed by the Governor, post offices in the Canal Zone designated by him may receive postal-savings deposits, and issue therefor postal-savings certificates in the form prescribed by him.

§ 1134. Rate of interest on postal-savings certificates

Postal-savings certificates issued as provided by this chapter shall bear interest at such rate, not exceeding 3 percent per annum, as shall be established by the President.

§ 1135. Faith of United States pledged to payment of deposits

The faith of the United States is pledged to the payment of postal-savings certificates issued as provided by this chapter, with accrued interest thereon, in the same manner as such faith is pledged by law with respect to deposits made in postal-savings depository offices in the United States.

§ 1136. Control of money-order and postal-savings fees

The Governor shall control the funds, exclusive of fees, received from the issuance of money orders and postal-savings certificates by the Canal Zone postal service.

§ 1137. Deposit of money-order and postal-savings funds in the United States Treasury

The Governor may cause to be deposited in the United States Treasury for safekeeping, but subject to his control, any of the funds, excluding interest and fees therefrom, received from the issuance of money orders and postal-savings certificates. Under regulations prescribed by the Governor, the funds so deposited may be withdrawn from time to time.

§ 1138. Deposit of money-order and postal-savings funds in banks; security

The Secretary of the Treasury shall designate one or more national-banking associations to be depositories, under regulations prescribed by him, of funds received from the issuance of money orders and postal-savings certificates, excluding interest and fees therefrom, and shall require the associations thus designated to give satisfactory security, by the deposit of United States bonds or otherwise, for the safekeeping and prompt payment of the funds deposited with them. The associations shall give the security required.

§ 1139. Investment of money-order and postal-savings funds in securities of United States

(a) The Governor may:

(1) invest any of the funds specified by sections 1137 and 1138 of this title in securities of the United States;

(2) deposit the securities with the Treasurer of the United States for safekeeping; and

(3) sell any of the securities when the sale is necessary or desirable in the interest of the postal service.

(b) Before making purchases or sales of securities, the Governor shall request the advice of the Secretary of the Treasury.

§ 1140. Interest and profits on money-order and postal-savings funds

The interest and profits received from the deposit in banks or the investment, as provided by this chapter, of money-order and postal-savings fund form a part of the Canal Zone postal revenues.

§ 1141. Application of chapter to prior deposit money orders

The provisions of this chapter relating to postal-savings certificates and the funds received therefrom apply equally to money orders issued in lieu of postal-savings certificates prior to August 12, 1940, and to the funds received therefrom.

§ 1142. Money orders unpaid after twenty years

Money orders issued by the Canal Zone postal service may not be paid after 20 years from the last day of the month of original issue. Claims for unpaid money orders are forever barred unless received by the Canal Zone postal service within the 20-year period. Funds accrued because of money orders remaining unpaid shall be treated as revenues of the Canal Zone postal service. The records of the service shall serve as the basis for adjudicating claims for payment of money orders.

§ 1143. Payment of revenues into Treasury

Revenues from operation of the Canal Zone postal service shall be paid into miscellaneous receipts of the United States Treasury.

CHAPTER 75—PROFESSIONS AND OCCUPATIONS

SUBCHAPTER I—ARCHITECTS AND ENGINEERS

Sec.

1171. Practice of architecture and engineering as subject to regulation.

1172. Regulations authorized.

1173. Investigations; subpoenas; witness fees.

1174. Injunctions to restrain violations.

1175. Penalties for violation of regulations.

SUBCHAPTER II—HEALING ART

1191. Regulations as to practice of healing art.

1192. Penalties for violation.

Subchapter I—Architects and Engineers

§ 1171. Practice of architecture and engineering as subject to regulation

To safeguard life, health, and property and to promote the public welfare, the practice of architecture and engineering in the Canal Zone is subject to regulation in the public interest. It is further a matter of public interest and concern that the professions of architecture and engineering merit and receive the confidence of the public and that only qualified persons be permitted to engage in the practice of architecture and engineering.

§ 1172. Regulations authorized

The Governor shall prescribe, and from time to time may amend, regulations for the Canal Zone governing the registration and practice of architects and professional engineers. The regulations may cover the:

- (1) issuance, suspension, revocation, and reissuance of certificates of registration;
- (2) certification of architects-in-training and engineers-in-training; and
- (3) levying of appropriate fees.

§ 1173. Investigations; subpoenas; witness fees

(a) In the administration and enforcement of this subchapter and of the regulations prescribed thereunder, the Governor or his designee may:

- (1) investigate for unauthorized and unlawful practice;
- (2) require the attendance of witnesses and the production of books and papers;
- (3) require the witnesses to testify as to matters within his jurisdiction; and
- (4) issue subpoenas and administer oaths.

(b) Upon failure of a person to attend as a witness when duly subpoenaed, or to produce documents or to testify when duly directed, the Governor or his designee may refer the matter to the district court, and the court may order the attendance of the witnesses or the production of the documents or require the witnesses to testify, as the case may be. Upon failure to comply with the order of the district court, the witness may be punished for contempt of court as for failure to obey a subpoena issued, or to testify, in a case pending before the court.

(c) Witnesses in proceedings before the Governor or his designee shall be paid the same fees that are paid witnesses in the district court.

§ 1174. Injunctions to restrain violations

The United States attorney may apply for relief by injunction to restrain a person from the commission of any act prohibited by the regulations established pursuant to section 1172 of this title. He need not allege or prove either that an adequate remedy at law does not exist, or that substantial or irreparable damage would result from the continued violation of the regulations.

§ 1175. Penalties for violation of regulations

Whoever violates a regulation issued pursuant to section 1172 of this title shall be fined not more than \$500 or imprisoned in jail not more than one year, or both.

Subchapter II—Healing Art

§ 1191. Regulations as to practice of healing art

The President shall prescribe, and from time to time may amend, regulations governing the issuance of licenses to practice the healing art, and the conditions under which the licenses may be revoked for cause.

§ 1192. Penalties for violation

Whoever violates a regulation issued pursuant to section 1191 of this title shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both. Each day the violation continues constitutes a separate offense.

CHAPTER 77—RAILROADS

Sec.

1261. Application of Safety Appliance Acts.

1262. Running boards, ladders, sill steps, roof handholds, and brake shafts.

1263. Maintenance of appliances in good and working order.

§ 1261. Application of Safety Appliance Acts

The requirements of the Safety Appliance Acts (45 U.S.C., secs. 1-10), relating to the use on trains of certain described and approved driving-wheel and train brakes, couplers, handholds, and draw bars of required height for freight cars, apply in the Canal Zone.

§ 1262. Running boards, ladders, sill steps, roof handholds, and brake shafts

The various appliances for the protection of trainmen on freight train cars, with reference to running boards, ladders, sill steps, roof handholds, and the position of brake shafts, as designated in the standards of the Association of American Railroads—Mechanical Division, shall be used by all carriers in the Canal Zone.

§ 1263. Maintenance of appliances in good and working order

The equipment and appliances required by sections 1261 and 1262 of this title to be used shall be maintained in good and working order, at all times, by every railroad engaged in the business of a common carrier and operating in the Canal Zone.

CHAPTER 79—SECURITIES SALES LAW

Sec.

1291. Definitions.

1292. Permit to sell securities.

1293. Process agent; service of process; surrender of permit.

1294. Examination of application; issuance and revocation of permit.

1295. Certificate of agent or broker.

1296. Issuance and revocation of broker's or agent's certificate.

1297. Report on sale of securities.

1298. Fees.

1299. Penalties for violation.

§ 1291. Definitions

In this chapter unless otherwise provided or apparent from the context:

"agent" includes every person or company employed or appointed by a company or broker who, within the Canal Zone, either as an employee or otherwise, for a compensation, sells, offers for sale, negotiates for the sale of, or takes a subscription for the sale of a security;

"broker" includes every person or company, other than an agent, who for a commission in the Canal Zone engages either wholly or in part in the business of:

(1) selling, offering for sale, negotiating for the sale of, or otherwise dealing in securities issued by others;

(2) underwriting an issue of securities; or

(3) purchasing securities for the purpose of reselling them or offering them for sale to the public;

"company" includes corporations, associations, joint stock companies, and partnerships;

"security" includes stocks, bonds, or other evidences of property or interest in a company.

§ 1292. Permit to sell securities

(a) A company may not sell, offer for sale, negotiate for the sale of, or take subscriptions for a security of its own issue until it applies for and secures from the Governor a permit to do so.

(b) The application for the permit shall be in writing, verified, and shall set forth:

- (1) the names and addresses of its officers;
- (2) the location of its principal office;
- (3) the name of its Canal Zone representative;
- (4) an itemized account of its financial condition;
- (5) the amount and character of its assets and liabilities;
- (6) a detailed statement of the plan upon which it proposes to transact business;
- (7) a copy of any prospectus or advertisement, or other description of the securities, then prepared by or for it, for distribution or publication; and
- (8) additional information required by the Governor concerning the company, its condition, or affairs.

(c) If the applicant is a partnership, an unincorporated association, or joint stock company, it shall file with its application a copy of its articles of partnership or association, and all other papers pertaining to its organization.

(d) If the applicant is a corporation, it shall file with its application:

- (1) a copy of all minutes of proceedings of its directors, stockholders, or members relating to or affecting the issue of the securities;
- (2) a copy of its articles of incorporation and bylaws, and amendments thereto; and
- (3) a certificate, dated not more than 60 days before the filing of the application, executed by the proper officer of the State or country in which the corporation is organized, showing that the applicant is authorized to transact business there.

§ 1293. Process agent; service of process; surrender of permit

(a) At the time of filing its application, a company shall file with the executive secretary of the Canal Zone Government a designation of a person residing within the Canal Zone upon whom process issued under a law of the Canal Zone may be served and his place of business or residence, and a certified copy of the minutes of the board of directors of the company authorizing the designation.

(b) Process may be served on the person designated by the company or, if he can not be found at the place designated, or if no person is designated, on the executive secretary of the Canal Zone Government, and it shall be a valid service on the company. When the executive secretary has been served with process he shall without delay communicate the same to the company concerned at its last known address. A default judgment may not be entered against the company in an action in which process is served on the executive secretary until at least 60 days after the date of the service.

(c) Sections 881 and 882 of this title apply to the surrender of the permit of a company issued pursuant to this chapter, and to service of process upon a company after revocation or surrender of its permit.

§ 1294. Examination of application; issuance and revocation of permit

(a) Upon the filing of an application, the Governor shall examine or cause to be examined the application and the papers and documents filed with it. He may make or cause to be made a detailed examination, audit and investigation of the applicant and its affairs.

(b) The Governor may issue to the applicant a permit authorizing it to issue and dispose of securities in the Canal Zone as therein provided, if he finds that:

(1) the proposed plan of business of the applicant is not unfair, unjust, inequitable, or contrary to the policy of administering the Canal Zone as an adjunct of the Panama Canal;

(2) the applicant intends to transact its business fairly and honestly; and

(3) the securities that the applicant proposes to issue and the methods to be used in issuing or disposing of them will not, in the Governor's opinion, work a fraud on the purchaser.

Otherwise the Governor shall deny the application, refuse the permit, and notify the applicant in writing of his decision.

(c) Each permit shall expire on December 31 next following its issuance unless sooner revoked.

(d) Each permit shall recite that the issuance thereof is permissive only and not a recommendation or indorsement of the securities permitted to be sold.

(e) The Governor may impose the conditions he deems necessary to the issue of the securities. He may establish reasonable or necessary rules and regulations to insure the disposition of the proceeds of the securities in the manner and for the purposes provided in the permit. From time to time for cause, the Governor may amend or revoke a permit issued by him, or temporarily suspend the rights of the applicant under the permit.

§ 1295. Certificate of agent or broker

(a) A person or company may not act as an agent or broker, other than for a company holding a permit pursuant to section 1294 of this title before securing from the Governor a certificate, then in effect, authorizing the person or company to do so. Each certificate expires on December 31 next following its issuance, unless sooner revoked.

(b) To secure the certificate, the applicant shall make and file in the office of the Governor an application in writing, verified by or in behalf of the applicant. The application shall set forth, in addition to other information that the Governor may require:

(1) the name and address of the applicant; and, if it is a corporation, association, or joint stock company, the name and address of each of its managing officers and agents; and, if it is a partnership, the name and address of each of the partners;

(2) a succinct statement of facts showing that the applicant, and its managing officers and agents, if it is a corporation, or members, if it is a partnership, have a good business reputation; and

(3) if the applicant is a broker, the general plan and character of the business.

(c) If the applicant is a corporation or association it shall file with its application a designation of a process agent, as provided by section 1293 of this title.

§ 1296. Issuance and revocation of broker's or agent's certificate

(a) The Governor shall examine or cause to be examined the application for a broker's or agent's certificate and shall make any further investigation that he deems advisable of the applicant or its affairs.

(b) The Governor may issue the certificate only if he is satisfied from his examination that:

(1) the business reputation of the applicant and of its officers and members, if any, is good; and

(2) the conduct of the business will not conflict with the policy of administering the Canal Zone as an adjunct of the Panama Canal.

If the Governor denies the application and refuses the certificate, he shall notify the applicant of his decision.

(c) The Governor at any time may revoke a broker's or agent's certificate issued by him if he finds that:

(1) the conduct of the business conflicts with the policy of administering the Canal Zone as an adjunct of the Panama Canal;

or

(2) the holder of the certificate:

(A) is of bad business repute;

(B) has violated a provision of this chapter; or

(C) has engaged, or is about to engage, in any fraudulent transaction.

§ 1297. Report on sale of securities

A company or broker authorized under this chapter to sell securities shall, at the times required by the executive secretary and in the form prescribed by him, make and file in the office of the executive secretary a report setting forth:

(1) the securities sold under the authority of a permit issued by the Governor;

(2) the proceeds derived from the securities;

(3) the disposition of the proceeds; and

(4) other information required by the executive secretary concerning its property, officers, or affairs, relating to or affecting the value of the securities.

§ 1298. Fees

With its application for a permit or certificate, a company or broker shall remit \$10, which shall cover the filing fee and the annual license fee for the remainder of the calendar year during which the permit or certificate is issued. No part of the fee may be returned if the application is disapproved.

The annual fee for renewal of a permit or certificate issued under this chapter is \$10, payable in advance on or before January 1 of each year.

§ 1299. Penalties for violation

(a) A company, agent, or broker, which directly or indirectly issues or causes to be issued, or solicits the sale of a security contrary to this chapter, shall be fined not more than \$500.

(b) Whoever acts as an officer of, or agent for, a company, agent or broker, in the issuance, or solicitation for the sale, of a security contrary to this chapter, shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

(c) In addition to the penalties provided for in this section, every contract made by or on behalf of such a company, agent, or broker affecting the liability thereof is void on its behalf and on behalf of its assigns, but enforceable against it or them.

CHAPTER 81—SHIPPING AND NAVIGATION

SUBCHAPTER I—GENERAL PROVISIONS

See.

1331. Regulations governing navigation, transiting, pilotage, and licensing of officers; penalties for violation.

SUBCHAPTER II—INSPECTION OF VESSELS

1351. Vessels subject to inspection generally.

1352. Inspection of foreign vessels.

1353. Regulations governing inspection.

1354. Issuance and display of certificate of inspection.

1355. Refusal of certificate of inspection.

1356. Fines for failing to have or display certificate, or for receiving excess passengers; recovery.

1357. Revocation of certificate for changes in conditions of vessel.

1358. Registration, etc., of small vessels propelled by machinery; licensing of operators; fine for violation.

1359. Registration and numbering of small vessels not propelled by machinery; fine for violation.

SUBCHAPTER III—SEAMEN

1381. Laws applicable to seamen of vessels of United States.

1382. Powers of shipping commissioner and deputies.

Subchapter I—General Provisions

§ 1331. Regulations governing navigation, transiting, pilotage, and licensing of officers; penalties for violation

The President may prescribe, and from time to time amend, regulations governing:

(1) the navigation of the harbors and other waters of the Canal Zone;

(2) the passage and control of vessels through the Panama Canal or any part thereof, including the locks and approaches thereto;

(3) pilotage in the Canal or the approaches thereto through the adjacent waters; and

(4) the licensing of officers or other operators of vessels navigating the waters of the Canal Zone.

Whoever violates a regulation issued pursuant to this section shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

Subchapter II—Inspection of Vessels

§ 1351. Vessels subject to inspection generally

With the exception of private vessels merely transiting the Panama Canal, and of public vessels of all nations, vessels navigating the waters of the Canal Zone are subject to an annual inspection of hulls, boilers, machinery, equipment, and passenger accommodations.

§ 1352. Inspection of foreign vessels

A foreign vessel of a country which has inspection laws approximating those of the United States, having an unexpired certificate of inspection duly issued by the authorities of that country, is not subject to an inspection other than that necessary to determine whether the vessel, boilers and lifesaving equipment are as stated in the certificate of inspection. A certificate of inspection may not be accepted as evidence of lawful inspection unless like privileges are granted to vessels of the United States under the laws of the country to which the vessel belongs.

§ 1353. Regulations governing inspection

The Governor shall prescribe, and from time to time may amend, regulations concerning the inspection of vessels conforming as nearly as practicable to the laws and regulations governing marine inspection by the United States Coast Guard.

§ 1354. Issuance and display of certificate of inspection

When the board of local inspectors of the Canal Zone Government approves a vessel and its equipment, a certificate of inspection, in triplicate, shall be issued by the Canal Zone Government. Two copies of the certificate shall be displayed in conspicuous places in the vessel where they are most likely to be observed by passengers and others, and there kept at all times framed under glass.

§ 1355. Refusal of certificate of inspection

When the board of local inspectors does not approve a vessel or its equipment, a certificate of inspection shall be refused, and the board of local inspectors shall make a statement in writing giving the reason for refusal to approve, filing the statement in the records of the board, and giving a copy thereof to the owner, agent or master of the vessel.

§ 1356. Fines for failing to have or display certificate, or for receiving excess passengers; recovery

(a) A vessel, other than one excepted by section 1351 of this title, that navigates the waters of the Canal Zone without having an unexpired certificate of inspection issued by the Canal Zone Government or by the United States Coast Guard, or an unexpired certificate accepted by the Canal Zone Government pursuant to section 1352 of this title, shall be fined not more than \$1,000.

(b) If a passenger is received on board a vessel not having certified copies of the certificate of inspection placed and kept as required by section 1354 of this title, or if passengers are received on board a vessel in excess of the number authorized by the certificate of inspection, the vessel shall be fined not more than \$100 for each passenger so received.

(c) Fines may be recovered in the district court, and the amount so recovered shall be a lien upon the vessel, and it may be seized and sold to satisfy the lien, as well as the costs of the court proceedings.

§ 1357. Revocation of certificate for changes in conditions of vessel

If a vessel holding an unexpired certificate issued by the Canal Zone Government changes its condition as to hull, boilers, machinery, equipment or accommodations for passengers in such manner as not to conform to the regulations under which the certificate was issued, the board of local inspectors shall make an inspection and may recommend revocation of the certificate of inspection. Upon approval of the recommendation by the supervising inspector or such other person as the Governor designates, a notice of revocation shall be issued to the owner, agent or master of the vessel. After the notice of revocation the navigation of Canal Zone waters by the vessel shall subject it to the penalty prescribed by section 1356 of this title.

§ 1358. Registration, etc., of small vessels propelled by machinery; licensing of operators; fine for violation

Vessels not more than sixty-five feet in length, measuring from end to end over the deck excluding sheer, and propelled in whole or in part by machinery, shall be registered, certificated, and numbered, and shall display the numbers assigned in a conspicuous place in prescribed form. Such vessels are subject to annual inspection, and the cer-

tificate referred to herein shall be issued for a term of one year and shall specify the number of passengers which the vessel may carry, and the number of life preservers and the fire-fighting apparatus and other equipment which the vessel shall carry.

Such vessels may be operated only by persons holding operators' licenses, issued after examination by the board of local inspectors and approved by the supervising inspector or such other person as the Governor designates.

Whoever, as owner, hirer, or borrower of such a vessel, causes or permits it to be operated in Canal Zone waters in violation of a requirement of this section or of the certificate issued hereunder, shall be fined not more than \$100.

This section does not apply to public vessels of the United States or of the Republic of Panama, or to tugboats or towboats propelled by steam.

§ 1359. Registration and numbering of small vessels not propelled by machinery; fine for violation

Vessels not more than sixty-five feet in length and not propelled in whole or in part by machinery, shall be registered and numbered, and when numbers have been assigned they shall be displayed in a conspicuous place in prescribed form.

Whoever, as owner, hirer, or borrower of such a vessel, causes or permits it to be operated in Canal Zone waters in violation of a requirement of this section shall be fined not more than \$100.

Subchapter III—Seamen

§ 1381. Laws applicable to seamen of vessels of United States

The laws relating to seamen of vessels of the United States on foreign voyages apply to seamen of all vessels of the United States at the Canal Zone, whether the vessels are registered or enrolled and licensed.

§ 1382. Powers of shipping commissioner and deputies

The shipping commissioner and deputy shipping commissioners in the Canal Zone have the same powers with respect to the seamen referred to in section 1381 of this title as the powers conferred by law upon consular officers of the United States in foreign ports and upon United States Coast Guard officials to whom the duties of shipping commissioner have been delegated in ports of the United States.

CHAPTER 83—SPORTS AND AMUSEMENTS

Sec.

1411. Regulations governing swimming.

1412. Penalties for violation.

§ 1411. Regulations governing swimming

The Governor may prescribe, and from time to time amend, regulations governing swimming in the Canal Zone.

§ 1412. Penalties for violation

Whoever violates a regulation issued pursuant to section 1411 of this title shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

CHAPTER 85—TAXES AND LICENSES

Sec.

1441. Regulations for levying, assessing, and collecting taxes.

1442. Penalties for violation.

§ 1441. Regulations for levying, assessing, and collecting taxes

The President may prescribe, and from time to time amend, regulations for levying, assessing and collecting ad valorem, excise, license and franchise taxes in the Canal Zone. Ad valorem taxes imposed may not exceed one per centum of the value of the property, nor shall franchise or excise taxes exceed two per centum of gross earnings.

§ 1442. Penalties for violation

Whoever commits an act or carries on a business, trade, or occupation in the Canal Zone without complying with the regulations issued pursuant to section 1441 of this title shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

CHAPTER 87—WILDLIFE; HUNTING AND FISHING

SUBCHAPTER I—PROTECTION OF WILDLIFE; HUNTING

Sec.

- 1471. Regulations governing protection of wildlife and hunting.
- 1472. Granting and revocation of hunting permits.
- 1473. Hunting pursuant to permit.
- 1474. Prohibited acts.

SUBCHAPTER II—FISHING

- 1491. Regulations governing fishing.

SUBCHAPTER III—OFFENSES AND PENALTIES

- 1511. Enumeration of offenses; punishment.

Subchapter I—Protection of Wildlife; Hunting

§ 1471. Regulations governing protection of wildlife and hunting

- (a) The Governor shall:
 - (1) prescribe, and from time to time may amend, general or special regulations for the protection of wild animals and birds and their nests in the Canal Zone; and
 - (2) prescribe the form and manner in which wild animals and birds may be hunted in the Canal Zone, and the kinds thereof which may be hunted and which may not be molested.
- (b) In the regulations issued pursuant to subsection (a) of this section, the Governor may:
 - (1) designate the areas of the Canal Zone in which hunting is permitted;
 - (2) designate the class or type of arms that may be used in hunting in the areas designated by paragraph (1) of this subsection; and
 - (3) impose such other conditions with respect to hunting as he deems necessary in the interests of public order and to prevent injury to persons or property.

§ 1472. Granting and revocation of hunting permits

When an application for a permit to hunt is granted under this chapter, the Governor shall indorse his approval thereon, file the application, and cause a permit to be issued to the applicant upon payment by him of a fee of \$1. The permit shall run for the fiscal year in which it is issued except that it may be revoked by the Governor for cause.

§ 1473. Hunting pursuant to permit

Hunting permits issued under this chapter shall allow the holder thereof to have, carry and use firearms in the areas prescribed by the Governor, and on the conditions imposed by him in the regulations issued pursuant to section 1471 of this title.

§ 1474. Prohibited acts

A person may not:

- (1) hunt outside the areas designated in the regulations issued pursuant to section 1471 of this title; or
- (2) hunt between the hours of sunset and sunrise with the use of an artificial light; or
- (3) hunt by the use of a gun or other firearm intended to be discharged by an animal or bird by means of a spring, trap, or other similar mechanical device; or
- (4) except in the form and manner permitted by regulations issued pursuant to this chapter, hunt, trap, capture, willfully disturb, or kill a bird, or take the eggs of a bird.

Subchapter II—Fishing

§ 1491. Regulations governing fishing

The Governor may prescribe, and from time to time amend, regulations governing fishing in the Canal Zone.

Subchapter III—Offenses and Penalties

§ 1511. Enumeration of offenses; punishment

(a) Whoever:

- (1) engages in hunting without first obtaining the permit provided for by this chapter; or
- (2) after obtaining a hunting permit, engages in hunting in violation of this chapter; or
- (3) violates a regulation issued by the Governor pursuant to this chapter; or
- (4) commits any other act prohibited by this chapter —

shall be fined not more than \$100 or imprisoned in jail not more than 30 days, or both.

(b) The penalties imposed by this section are in addition to the punishments authorized by the law against carrying arms without a permit.

CHAPTER 89—PUBLICATION OF REGULATIONS

Sec.

1541. Manner of publishing regulations; constructive notice; effective date.

§ 1541. Manner of publishing regulations; constructive notice; effective date

(a) Regulations issued under the authority of sections 701, 731, 761, 841, 911, 1131, 1172, 1191, 1331, 1353, and 1441 of this title shall be published in accordance with, and shall be subject to, the provisions of the Federal Register Act, as amended (44 U.S.C. sec. 301 et seq.).

(b) Regulations issued under the authority of sections 811, 931, 951, 1001, 1051, 1071, 1411, 1471 and 1491 of this title, and sections 1281, 1601, 2061, 4782, 6501 and 6225 of Title 6, shall, when issued, be published in one or more of the daily newspapers having a general circulation in the Canal Zone. The publication shall be deemed to give notice of the contents of the regulations to all persons subject thereto or affected thereby. Unless a later date is specified, the regulations shall be effective upon such publication, but a penalty prescribed for violation of a regulation may not be enforced until 30 days after publication.