



# BULLETIN OF THE REPUBLIC

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**NOTICE**

The material to be published in the “Bulletin of the Republic” must be sent in a duly authenticated copy, one for each subject, which must include, in addition to the necessary information for this purpose, the following endorsement, signed and authenticated: **For publication in the «Bulletin of the Republic».**

**SUMMARY**

Assembly of the Republic:

Law No. 20/2019:

Law Revision of Law No. 4/96, of January 4, Law of the Sea.

**ASSEMBLY OF THE REPUBLIC**

Law No. 20/2019

November 8th

Given the need to review Law No. 4/96 of 4 January – Law of the Sea, in order to adapt it to international instruments, with a view to ensuring the conservation, preservation and use for the sustainable development of the national maritime space, under the terms of paragraph 2 of article 6 in conjunction with paragraph 1 of article 178, both of the Constitution of the Republic, the Assembly of the Republic determines:

**CHAPTER I**

**General Provisions**

THEARTICLE1

**(Object)**

The purpose of this Law is to establish the legal regime applicable to the exercise of sovereign powers and jurisdiction over the national maritime space, the exploitation of living and non-living marine resources, as well as the use of the public maritime domain.

THEARTICLE2

**(Scope of application)**

1. This Law applies to:

*the*to the national maritime space, including the waters

bed and subsoil subject to maritime jurisdiction, as well as the public domain adjacent to said waters, in accordance with the law;

*b*)to national and foreign vessels, manned or not, that sail in the national maritime space and wherever they are located;  
*w*)to maritime objects, including cables, pipelines,

*d*)to maritime infrastructure, facilities and equipment,

*and*) installations, structures and equipment used in various activities, such as the exploration of living and non-living natural resources, investigation and research of any nature;  
*f*)to individual or collective entities linked to maritime activities that take place within the jurisdiction of the Mozambican State, without prejudice to the specific legislation applicable to activities that take place at sea.

2. Except in cases where it provides otherwise, This Law does not apply to vessels and personnel of the National Navy and foreign States.

THEARTICLE3

The terms and expressions used in this Law

THEARTICLE4

**(Interpretation)**

The provisions of this Law shall be interpreted in accordance with the principles and standards of domestic law and international law, in particular those provided for in the Convention on

Resolution No. 21/96 of 26 November, hereinafter referred to simply as the Convention, as well as other international instruments relating to the sea, ratified by the Republic of Mozambique.

THEARTICLE5

**(Principles)**

Without prejudice to other related principles, the following principles shall be observed in the application of this Law:

*the*) the complex and dynamic nature of ecosystems, with a view to preserving the good environmental status of the marine environment and coastal areas;  
*b*)international, regional and cross-border cooperation and coordination – which consists of ensuring cooperation and coordination of the various uses and activities carried out in the national maritime space, taking into account the potential effects on neighboring international maritime spaces or those of other States;

- w*) adaptive management – which takes into account the dynamics of ecosystems and the evolution of knowledge and activities carried out in them;
- d*) multidisciplinary, transversal and integrated management – which means ensuring the coordination and compatibility of the planning and management of maritime spaces with

with sectoral policies, ensuring that the public and private interests involved are adequately weighed up and that they are consistent with the planning of the national maritime space, in particular coastal areas;

- and*) sustainable management – which translates, on the one hand, into the imperative of preserving the national maritime space and, on the other, into the need for its exploration

who live from fishing;

- f*) maximum sustainable yield – which translates into the obligation of the State and other subjects not to

existing in the national maritime space;

- g*) the polluter pays – which consists of the obligation of the polluter to assume the costs of replacing the polluted marine environment, as a result of the development

- h*) precaution – which translates into the State's obligation to adopt measures for the protection, conservation and sustainability of biodiversity and ecosystems and to establish systems to prevent acts that are harmful to the environment;

- i*) user pays – according to which, access to and use of the sea and its marine and coastal resources are subject to the payment of a fee by the respective users;

- j*) – which consists, from a long-term perspective, in ensuring the effective use of the powers granted by private use titles, under the conditions established therein.

THEARTICLE6

#### (Maritime public domain)

The public maritime domain of the Republic of Mozambique comprises the maritime inland waters, the territorial sea, as well as measured from the high tide line.

THEARTICLE7

waters constitute respectively the public lake domains

THEARTICLE8

#### (Changing the boundaries of public domains)

The limits of the strips of land that border the maritime waters, Laws may be changed by law, based on reasons associated ecosystems, or for other compelling reasons.

THEARTICLE9

#### (Baseline)

1. The baseline of the Republic of Mozambique shall be formed by the combination of straight baselines and a normal baseline, in accordance with the provisions of Articles 5 and 7 of the Convention.

2. The baseline referred to in paragraph 1 of this Article

the normal baseline and the straight closing and baseline lines that supplement the normal baseline.

of the points that define the baseline of the Republic of Mozambique.

## CHAPTER II

### National Maritime Space

#### SECTION I

Composition of maritime space

THEARTICLE10

#### (Enumeration)

The maritime space under the sovereignty and jurisdiction of the Mozambican State comprises the following maritime zones:

*the*) coastal zone;

*b*) maritime inland waters;

*w*) territorial sea;

*d*) contiguous zone;

*and*)

*f*) continental shelf.

#### SECTION II

Delimitation of maritime zones

#### Subsection I

#### General provisions

THEARTICLE11

1. Baselines for measuring the breadth of the territorial sea and contiguous zone determined in accordance with the provisions of Articles 7, 9 and 10 of the Convention or the limits resulting therefrom, and the delimitation lines drawn in accordance with the provisions of Articles 12 and 15 of the Convention, shall be shown on charts of a scale or scales suitable for determining their position, which may be replaced by

and the lines of delimitation drawn in accordance with the provisions of Article 74 of the Convention, must be indicated on charts of a scale or scales suitable for determining their position, which may be replaced by lists of geographical coordinates of points showing,

3. The line of the outer limit of the continental shelf and the delimitation lines, drawn in accordance with the provisions of paragraphs 1 and 2 of Article 76 of the Convention, are indicated on charts of a scale or scales suitable for determining their position, which may be replaced by

United and publish in *Bulletin of the Republic* the sea charts

measuring lines of the width of the territorial sea and contiguous zone,

continental under the terms set forth in paragraphs 1, 2 and 3 of this article.

#### Subsection II

##### **Coastal area**

THEARTICLE12

##### **(Extension)**

The coastal zone constitutes the land strip between the limit of the maritime inland waters, at sea, which includes the seafront strip and the contours of islands, bays and estuaries,

is established on a case-by-case basis by law.

#### Subsection III

##### **Maritime inland waters and territorial sea**

THEARTICLE13

##### **(Maritime inland waters)**

Inland maritime waters are those located within the baseline from which the breadth of the territorial sea is measured, in accordance with the provisions of Article 8 of the Convention.

THEARTICLE14

##### **(Extent of the territorial sea)**

The territorial sea of the Republic of Mozambique comprises

measurements from baselines, in accordance with the provisions of Articles 3 and 4 of the Convention.

#### Subsection IV

##### **Contiguous zone**

THEARTICLE15

##### **(Extension of the contiguous zone)**

24 nautical miles, measured from the baseline.

#### Subsection V

##### **Exclusive economic zone**

THEARTICLE16

##### **(Extension of the exclusive economic zone)**

measured from the baseline from which the territorial sea is measured, in accordance with the provisions of Article 57 of the Convention.

THEARTICLE17

##### **(Limits of the continental shelf)**

1. The continental shelf of the Republic of Mozambique must include the bed of the underwater areas, which extend

nautical miles from the baseline from which the breadth of the territorial sea is measured, in accordance with the provisions of paragraph 1 of Article 76 of the Convention.

2. The continental margin must include the extension

continental shelf and by the continental slope and elevation, not including the large ocean floors with their oceanic ridges, nor their subsoil, in accordance with the provisions of paragraph 3 of article 76 of the Convention.

3. The limit of the continental shelf referred to in paragraph 2 of this article may vary depending on the admissible extension

of Article 76 of the Convention.

4. The continental shelf of the Republic of Mozambique

the latter being where the Country must delimit the extension of the outer limit of the continental shelf as described in number 3 of this article.

#### SECTION III

##### Maritime borders

THEARTICLE18

##### **(Delimitation of maritime boundaries)**

when delimiting maritime boundaries, account is taken of the existence of overlapping zones with other coastal States, both adjacent and opposite.

2. The delimitation of maritime boundaries must be done by agreement between the Republic of Mozambique and each of the coastal States concerned, in accordance with the law

3. In the absence of an agreement, the procedures shall be used provided for in Part XV of the Convention.

THEARTICLE19

##### **(Delimitation of the continental shelf)**

1. The delimitation of the continental shelf between the Republic of Mozambique and adjacent, overlapping coastal States

of international law.

2. In the absence of an agreement, the procedures shall be used provided for in Part XV of the Convention.

#### CHAPTER III

##### **Powers of Sovereignty and Jurisdiction of the State Mozambican**

##### SECTION I

##### Scope of powers and competent entities

THEARTICLE20

##### **(Scope of powers)**

The powers to be exercised by the Mozambican State in the national maritime space include, without prejudice to what is established in special legislation, those enshrined in:

*the* in norms and principles of international law that bind the Mozambican State;  
*b* in the provisions of this Law and complementary legislation.

THEARTICLE21

##### **(Competent entities and cooperation)**

1. Entities, services, organizations and agents are responsible for public authorities to exercise the power of the Maritime Authority of the Mozambican State in the maritime space under its sovereignty and jurisdiction

and complementary legislation.

2. The entities, services, bodies or public agents of the State, referred to in paragraph 1 of this article, have the duty to

and inspection, including the provision and/or sharing of resources to fulfil their respective missions.

SECTION II

Coastal area

THEARTICLE22

(Legal nature of powers)

1. The Mozambican State fully exercises its sovereignty in the coastal zone, in accordance with the rules of domestic law and international law.

2. The Government entity responsible for the area is responsible for from the sea to manage and organize the coastal zone.

3. The Government entity responsible for the maritime area,

within the scope of the management and planning of the coastal zone, taking into account the applicable legislation.

SECTION III

Maritime inland waters

THEARTICLE23

(Legal nature of powers)

1. The Mozambican State fully exercises its jurisdiction in inland maritime waters, in accordance with the rules of domestic law and international law.

2. The Mozambican State, through the competent entities of the Government, exercises full jurisdiction and sovereignty over the actions of national and foreign vessels, the individual actions of their crews, investigation, prospecting and research

marine, the installation of infrastructure and other activities in maritime inland waters, in accordance with domestic law.

THEARTICLE24

(Entry of foreign ships)

1. Entry, passage and stay of warships foreigners and other vessels of a foreign State, not

of the Republic of Mozambique, is carried out through entry authorization granted by the Government, through diplomatic channels, to the State whose flag the ship is on.

2. Any entry, passage and stay of a ship not authorized by the Government is subject to the application of civil and criminal rules, in accordance with the provisions of articles 26, 27 and 35 and this Law.

THEARTICLE25

(Input Types)

1. The Government of the Republic of Mozambique grants the following type of inputs:

the)

b)

studies or similar activities;

w)entry for operational reasons – granted for the purpose of resupply, personnel rest or for tactical-operational reasons;

d)entry for reasons of force majeure – that which takes place

Mozambicans from the port of entry, based on

provided that, four hours before the ship enters territorial waters, the authorities of the port of call are notified of the occurrence and the reasons for this procedure.

2. It is the Government's responsibility to establish the rules for entry of foreign ships in the national maritime space.

SECTION IV

territorial sea

THEARTICLE26

(Powers of the State)

1. The Mozambican State exercises sovereignty in the territorial sea,

terms of the provisions of Article 2 of the Convention.

2. The Mozambican State, through the competent entities of the Government, exercises full jurisdiction and sovereignty over the actions of national and foreign vessels, as well as over the individual actions of their crews, investigation, prospecting and scientific research of any nature, the protection and preservation of the marine environment, installation of infrastructure - structures and other activities in maritime inland waters, in accordance with domestic and international law.

THEARTICLE27

(Personal criteria)

The Mozambican State, under the terms of articles 27 and 28 of the Convention, exercises jurisdiction over the individual actions of crew members of non-national vessels and boats that

provided that the offence committed:

the)has consequences for the Mozambican State;

b)may disturb the peace in the country or order in the territorial sea;

w)the intervention of local authorities has been requested by the ship's captain, the diplomatic representative or the consular officer of the flag State;

d)

or of another nature.

THEARTICLE28

(Material criterion)

1. The Mozambican State exercises civil jurisdiction over foreign vessel that transits through its territorial sea in cases

obligations assumed by the ship, or liabilities that it has incurred during navigation or due to it, when passing through Mozambican jurisdictional waters.

2. The Mozambican State exercises criminal jurisdiction over ships passing through its territorial sea, in accordance with the provisions of Articles 19, 20, 21, 22, 23 and 27 of the Convention, for violations of the right of innocent passage and in cases where the same regime is applicable, in accordance with the provisions of Articles 21, 22, 23 and 27 of the Convention.

## THEARTICLE29

The Mozambican State, within the scope of its activities international, the right of visit in the territorial sea to all or foreigners, with the exception of those who enjoy immunity, when there are well-founded reasons to assume that the passage national.

## THEARTICLE30

**(Harmless passage)**

1. Under the terms set forth in this Law, vessels of any Coastal, island or landlocked States enjoy the right of harmless passage through the territorial sea of the Mozambican State, which consists of:

*a)* cross the territorial sea continuously and quickly, without entering the maritime inland waters of the Mozambican State, nor anchoring, making a stopover on an island

other facilities, structures located outside inland waters;

*b)* head towards or leave inland maritime waters or make a stopover at one of these anchorages or port facilities.

2. The act of harmless passage also includes stopping and anchoring, only when these result from common navigation incidents or are imposed for reasons of force majeure

to the order and security of the Mozambican State, whenever it carries out activities against order and good customs in accordance with the provisions of paragraph 2 of article 19 of the Convention.

4. In the act of harmless passage, vessels must observe all national laws, regulations and standards on the following

*a)* safety of navigation and maritime traffic;  
*b)* protection of existing facilities and assistance

*c)* cable and duct protection;  
*d)* fishing and conservation of the sea's living resources;  
*e)* environmental preservation and biodiversity conservation;  
*f)* marine pollution control;  
*g)*

*h)* maritime work;  
*i)*

and sanitary.

The government responsible for the sea area may require foreign vessels exercising the right of innocent passage through Mozambican territorial waters to use the sea routes and traffic separation systems designated or prescribed in the passage regulations.

6. In particular, it may be required that tankers, ships nuclear-powered ships and other vessels carrying substances

dangerous or harmful, use only the sea routes referred to in paragraph 5 of this article.

## THEARTICLE31

**(Foreign nuclear-powered ships and ships carrying radioactive or other intrinsically dangerous substances or harmful)**

When exercising the right of innocent passage through the territorial sea, foreign nuclear-powered ships and ships carrying radioactive or other intrinsically dangerous or noxious substances must, in any case, carry on board the relevant documents and observe the special precautionary measures laid down in international agreements.

## THEARTICLE32

**(Foreign warships and other vessels not employed in commerce)**

1. Without prejudice to the provisions of paragraphs 2 and 3 of this article, foreign warships and other vessels of a foreign State not used for commercial purposes,

under international law.

2. When a foreign warship, or other vessel

Mozambican law or does not take into account any request for its observance, such ship or vessel is required to immediately leave Mozambican territorial waters.

3. When a foreign warship, or other vessel of a foreign State, does not comply with Mozambican law relating to

or damage to the Mozambican State, the flag State of that vessel is responsible for repairing the damage caused.

## THEARTICLE33

**(Submarines)**

1. Submarines and other submersible vehicles must, when they are in Mozambican territorial waters, sail on the surface and fly the respective flag.

of the provisions of paragraph 1 of this article considers that the submarines in question are subject to the provisions of paragraph 2 of article 19 of the Convention.

3. The Mozambican State, through the competent entities of the Government, must require that the submarines referred to in paragraph 2 of this article immediately leave the territorial sea.

## THEARTICLE34

**(Right of persecution)**

1. The Mozambican State has the right to undertake pursuit of a ship or vessel, when there are well-founded grounds for believing that it has infringed the legislation in force in the Republic of Mozambique, in any of the maritime zones of the national maritime space, in accordance with the provisions of Article 111 of the Convention.

2. For the purposes of the provisions of paragraph 1 of this article, - it is also found that a ship or vessel has infringed the legislation in force in the Republic of Mozambique when, even if they have not entered Mozambican maritime waters, they are in collusion or have contributed to the violation of Mozambican legislation.



## SECTION V

Contiguous zone

THEARTICLE35

**(Limit of powers)**

1. The Mozambican State exercises full jurisdiction over the actions of non-national vessels, as well as the individual actions of their crews, in the contiguous zone, in accordance with international law.

2. In the area adjacent to the territorial sea, the Mozambican State exercises control necessary to:

*the* the prevention of violation of laws and regulations

*b)* the repression of infringements of the laws and regulations referred to in paragraph *the* of number 2 of this article.

THEARTICLE36

**(Personal criteria)**

The Mozambican State, under the terms of paragraph *b)* of number 1 of article 33 of the Convention, exercises criminal jurisdiction over the crew members on board a foreign ship in its contiguous zone, if the actions of the ship's crew member constitute an infringement of Mozambican legislation.

THEARTICLE37

**(Material criterion)**

1. The Mozambican State exercises civil jurisdiction over foreign vessels that are in its contiguous zone, under the terms of the provisions of paragraph *the* of number 1 of article 33 of the

health regulations in force in the Republic of Mozambique.

2. The Mozambican State, under the terms of the provisions of paragraph *b)* of Article 33, paragraph 1, and Article 303, both of the Convention, exercises criminal jurisdiction over vessels that are in the

violations of the legislation in force, its laws or regulations

and 27 of the Convention.

THEARTICLE38

**(Supervision, inspection and exercise of the right to visit)**

1. In accordance with domestic law and international law, it is the responsibility of the Mozambican Government entities that exercise the power of maritime authority, within the limits of their mandate,

the right to visit, over vessels or other devices

enjoy immunity, when necessary, to:

*the* prevent or suppress violations of customs legislation,

national;

*b)*

and underwater cultural events, occurring in that area or in the territorial sea.

2. The entities referred to in paragraph 1 of this article,

and under the provisions of Article 110 of the Convention, have in mind

imminent practice of any violation of Mozambican legislation or that the ship intends to call at any of its ports.

## SECTION VI

Exclusive economic zone

THEARTICLE39

**(Legal nature of powers)**

The Mozambican State, under the provisions of paragraphs *the* and *b)* of paragraph 1 of Article 56 of the Convention has over the zone

*the*)

monitoring, conservation and management of living and non-living natural resources existing in the water column covered by the area, as well as on the

*b)* jurisdictional rights over the use and placement

and marine research of any nature;

*w)* jurisdictional rights regarding the creation of nature reserves

THEARTICLE40

**(Jurisdiction rights)**

1. The Mozambican State, based on the provisions in Article 27(5) of the Convention, exercises criminal jurisdiction

when they violate Part XII of the Convention or violate legislation adopted in accordance with Part V of the Convention.

2. The Mozambican State exercises criminal jurisdiction, with the limitations imposed in Articles 73 and 220, both of the Convention, which, in general, do not allow for the application of custodial sentences.

THEARTICLE41

**(Rights of other States)**

coastal and landlocked, enjoy, without prejudice to the provisions of this Law, freedom of navigation, overflight and laying of submarine cables and pipelines, as well as other lawful uses of the sea, related to such freedoms.

2. In the exercise of the rights referred to in paragraph 1 of this article, States have the duty to comply with the legislation adopted by the Mozambican State, in accordance with the provisions of paragraph 3 of article 58 of the Convention.

THEARTICLE42

**(Protection and preservation of the marine environment)**

1. The Mozambican State adopts legislation of a nature international to prevent, reduce and control pollution of the marine environment.

2. The Government, aiming at the protection and sustainable preservation of natural resources in the national maritime space, establishes, among others, the following prohibitions, in the marine environment:

*the*)

especially non-degradable ones, originating from

or by jettisoning;

*b)* pollution from vessels, including that resulting from the transshipment and transshipment of dangerous cargoes;

*w)* intentional or unintentional discharges of garbage;

*d)* pollution from facilities and structures used in the exploration or exploitation of natural resources on the seabed and its subsoil;

and) pollution from installations and devices operating in the marine environment;

f) carry on board the ship or vessel equipment for the detection and continuous observation of mammals, within a radius of 500 meters;

g) in the event of detection of the presence of mammals within the radius indicated in paragraph f) of this number, without taking preventive measures.

suspect that a particular vessel in national maritime space has violated applicable international rules and standards to prevent, reduce and control pollution of the marine environment, as well as the degradation of ecosystems, *inter alia*, in the exercise of its powers of civil or criminal jurisdiction:

the) require the captain or commander of the vessel to provide information about the identity of the vessel

scales, as well as other relevant information to determine whether any infringement has been committed;

b) carry out a material inspection of the vessel, when

any of the offences referred to in Article 220, paragraph 3, of the Convention, which has resulted in a substantial discharge causing or threatening to cause serious pollution of the marine environment and that vessel has refused to provide information, or if the information provided is in manifest contradiction with the evident factual situation;

w) initiate procedures, including the detention of the vessel, in accordance with its domestic law and respecting the guarantees for the exercise of its police powers provided for in Articles 223 to 232 of the Convention, when there is clear and objective evidence that the vessel has committed one of the offences referred to in Article 220, paragraph 3, of the Convention and that it has resulted in a discharge that has caused or threatens to cause considerable damage to the coastline or to the related interests of the Mozambican State or to any other

exclusive.

4. The Government is also responsible, under the terms of article 221 of the Convention, take and implement measures proportionate to the actual or potential damage to a polluting vessel or ship, or to the threat of pollution in the national maritime space, resulting from a maritime accident.

5. For the purposes of this article, an accident shall be understood as maritime collision, grounding or navigational incident or event on board or outside a vessel, resulting in material damage or imminent threat of material damage to the vessel or its cargo.

6. The civil and criminal jurisdiction of the Mozambican State referred to in paragraph 3 of this article applies, with the necessary adaptations, to pollution originating from installations,

that operate in the marine environment.

#### THEARTICLE43

##### (Transfer and transshipment of dangerous cargo)

With a view to safeguarding the marine environment, transshipment and transshipment operations of dangerous cargo in maritime space

responsible for the sea area, taking into account domestic and international law.

#### THEARTICLE44

##### (Conservation and management of living resources)

1. The Government is responsible for setting permitted catches of living resources and the quantity of fish that can be caught, with a view to the sustainable exploitation of resources, ensuring fish reproduction and avoiding extinction

the principles enshrined in Article 61(2) of the Convention,

3. For the purposes of paragraph 2 of this article, the Government, respects international agreements, exchanges of information

regional, international or global, in accordance with the provisions of paragraphs 3 and 5 of Article 61 of the Convention.

#### THEARTICLE45

##### (Conservation and management of straddling fish populations and highly migratory)

1. The Mozambican State observes the special regimes provided for in Article 63 et seq. of the Convention and, additionally, the provisions of Articles 116, 117, 118 and 119 of the Convention.

2. The Mozambican State directly coordinates

the measures necessary to coordinate and ensure the conservation and development of the aforementioned populations.

#### THEARTICLE46

##### (Mechanisms for exploiting living resources)

1. The Mozambican State, for the exercise of rights

of Article 62, paragraph 4, of the Convention, laws and regulations that *inter alia*

the) granting of fishing licenses, including payment of fees and other charges;

b)

w)

size and number of devices, as well as the type, size and number of fishing vessels that can be used;

d)

that can be captured;

and) indication of information to be provided by fishing vessels, including statistics on catches and fishing effort and information on the position of vessels;

f) authorisation and control of the implementation of certain research programmes in the field of fisheries and the regulation of research, including sampling of catches, destination of samples and

g) boarding of observers or trainees on board such vessels;

h) terms and conditions relating to partnerships in corporate and non-corporate association regimes of companies engaged in fishing, or other forms of cooperation;

i) establishment of quotas that must be unloaded in Mozambican ports;

j) transfer of fishing technology, including strengthening the capacity of the Mozambican State, to

2. The Mozambican State to ensure compliance compliance with the legislation referred to in paragraph 1 of this article, within the scope of its civil, administrative and criminal jurisdiction, enforcement measures for the seizure of vessels, including the establishment of judicial and procedural mechanisms that it deems necessary.

THEARTICLE47

(Mechanisms for exploiting non-living resources) to that established for the private use of national maritime space, under the terms set forth in articles 80 and 81 of this Law.

2. Granting of rights for research and production specific, in accordance with the provisions of Article 82 of this Law.

3. Information and data obtained within the scope of the research provided by the operator to the Government entity that authorized research or prospecting.

4. Mozambican State entities with jurisdiction to grant licenses for the right to research and produce resources responsible for the sea area, information and data referred to in number 3 of this article, in the format and size that are of the national maritime space.

THEARTICLE48

1. The Mozambican State has the exclusive right to build, authorize and regulate the construction, operation and use of: the)

the) of the number

b)facilities and structures that may interfere with the exercise to conditions and procedures established by the Government. and equipment are installed under maritime safety conditions, taking into account the requirements contained in the regulations.

THEARTICLE49

1. The Mozambican State has exclusive jurisdiction over the islands, inter alia security and immigration.

2. The Mozambican State may, when it deems it necessary, necessary, create, around artificial islands, platforms, installations and structures, reasonable safety zones, within which it may take appropriate measures to ensure both the safety of navigation and that of the artificial islands, platforms, installations and structures.

3. The Mozambican State defines the extension of the zones of safety and is designed to respond to nature and of structures, not exceeding a distance of 500 meters around them, measured from each point on their outer edge, unless otherwise authorized or recommended by customary or conventional international standards.

4. The Mozambican State shall provide due notification the extension of the security zones.

THEARTICLE50

The Mozambican State, within the scope of its activities

foreigners, with the exception of those who enjoy immunity, within the framework:

the)the right of sovereignty relating to the exploration, exploitation, conservation and management of natural resources, whether living or non-living, and to the exploration and exploitation

b)the exercise of jurisdiction with regard to the protection and preservation of the marine environment, scientific research, artificial islands, installations and other structures.

SECTION VII

Continental shelf

THEARTICLE51

(Legal nature of the powers exercised on the platform) continental)

1. The Mozambican State, in accordance with the provisions of set out in Article 77, paragraph 1, of the Convention, exercises, on

as well as the living and non-living resources that exist therein. 2. The Mozambican State exercises the rights referred to in paragraph 1 of this article, taking into account the rights of other States and always in compliance with the provisions of the Convention.

3. The rights of the Mozambican State over its platform continental, in accordance with the provisions of paragraph 3 of Article 77 of the Convention, are independent of their occupation

4. The rights of the Mozambican State over the platform continental shelf, in accordance with the provisions of paragraph 2 of article 77 of the Convention, are exclusive in the sense that, if the Mozambican State does not exploit the shelf or

these activities without your express consent. 5. The natural resources referred to in paragraph 1 of this living organisms of the seabed and subsoil, the living organisms belonging



bed or subsoil.

#### THEARTICLE52

### The Mozambican State has jurisdictional rights

~~the~~the laying of submarine cables and pipelines;  
b)

and structures;

~~w~~its continental shelf;

~~d~~drilling on its continental shelf;

~~and~~the excavation of tunnels;

~~f~~the protection and preservation of the marine environment;

g)

of any nature, under the terms set forth in the following articles of this Law.

#### THEARTICLE53

##### (Protection and preservation of the marine environment)

1. The Government shall be responsible for taking preventive measures to prevent pollution accidents covered by the Convention, using for this purpose the most feasible means at its disposal and in accordance with its capabilities, and shall endeavour to - to harmonize their policies in this regard.

2. The Mozambican State, under the provisions of paragraph 1 of Article 208 of the Convention, adopts legislation to prevent, reduce and control pollution of the marine environment, arising directly or indirectly from activities relating to the seabed of its continental shelf and from islands

3. Aiming at the protection and preservation of the marine environment, Under the provisions of Article 208(2) of the Convention, the following prohibitions are established, among others:

~~the~~pollution of the marine environment, resulting directly or indirectly from activities relating to the seabed of the continental shelf and that resulting from

existing on the continental shelf;

b)

especially non-degradable ones, coming from

~~w~~carrying out the dumping without authorization from the competent national Maritime Administration Authority;  
~~d~~pollution of the marine environment from any source.

4. The Mozambican State, under the terms of the provisions of paragraph

competent international organizations or a diplomatic conference, establishes rules, standards, recommended practices and procedures, of a regional or international nature, to prevent, reduce and control pollution by dumping, which should be reviewed at necessary intervals.

#### THEARTICLE54

##### (Laying of submarine cables and pipelines)

1. The Mozambican State, under the provisions of paragraph 3 of Article 79 of the Convention, has the power to authorize the laying of the line for the laying of cables or pipelines on its continental shelf.

2. The laying and maintenance of submarine cables and pipelines in

must observe current legislation, as well as take into account the submarine cables and pipelines already installed.

3. The provisions of paragraph 2 of this article shall not It undermines the right of the Mozambican State to take reasonable measures to explore the continental shelf, exploit the natural resources found therein, and prevent and control pollution caused by submarine pipelines.

4. The Government is responsible, under the terms of paragraph 4,

conditions for the installation of cables and pipelines that penetrate its territorial sea, as well as ensuring the exercise of jurisdictional powers over cables and pipelines built or used in relation to the exploration of its continental shelf or the exploitation of its resources, or the operation

of the Mozambican State.

#### THEARTICLE55

##### and furniture)

1. The Mozambican State, under the provisions of article 80 and in conjunction with paragraph ~~the~~ of number 1 of article 60, both of the Convention, has the exclusive right to construct, authorize and regulate the construction, operation and use of islands

~~the~~ of the

on its continental shelf.

2. The Mozambican State, under the terms of the provisions combined with Article 80 and Article 60.2 of the Convention, shall have exclusive jurisdiction over the said artificial islands, platforms, installations and structures, including, among others,

security and immigration.

3. The Mozambican State, under the provisions of art. tigo 80 in conjunction with paragraph 4 of Article 60 of the Convention may, when it considers it necessary, create, around artificial islands, platforms, installations and structures, zones of reasonable safety, in which it may take appropriate measures

facilities and structures.

and structures at sea produces effects similar to those of the registration of national vessels.

5. The Mozambican State, under the provisions of art. tigo 80 in conjunction with paragraph 5 of Article 60 of the Convention,

and designed to respond to the nature and functions of the islands

a distance of 500 metres around it, measured from each point on its outer edge, unless otherwise authorized or recommended by customary or conventional international standards.

6. For the purposes of the provisions of this article, the State of security.

#### THEARTICLE56

##### (Perforations)

The Mozambican State, under the provisions of Article 81 of the Convention, has the exclusive right to authorize and regulate drilling on its continental shelf, whatever it may be.

THEARTICLE57

(Tunneling)

The Mozambican State, under the provisions of Article 85 of the Convention, has the right to exploit the subsoil of its continental shelf by means of tunnel excavations, regardless of the depth of the waters in the location in question.

THEARTICLE58

(Jurisdictional mechanisms for the control of marine pollution)

1. The Government is responsible, under the terms of Article 214 of the Convention, ensure the implementation of the legislation adopted

to prevent, reduce and control pollution of the marine environment, arising directly or indirectly from activities relating to the seabed of its continental shelf and originating from

continental.

2. The Government is responsible, under the terms of Article 221 of the Convention, take measures proportionate to the actual damage or

its continental shelf against pollution or in the face of the threat of pollution resulting from a maritime accident.

3. For the purposes of this article, an accident shall be understood as maritime collision, grounding or other incident of

structures on the continental shelf that result in material damage or imminent threat of material damage to the vessel or its cargo.

4. The Mozambican State exercises criminal jurisdiction over islands

military aircraft, or other ships or aircraft that have

Mozambican State, and authorized for that purpose, and to which the Convention grants powers to exercise police powers in relation to foreign vessels for the execution of such measures, in compliance with Part XII of the Convention.

SECTION VIII

THEARTICLE59

(Scope)

THEARTICLE60

from the sea authorize and monitor the development of activities in Mozambican maritime waters, as well as on the continental shelf, under the provisions of paragraphs 1, 2 and 3 of article 246 of the Convention.

navy, requested by foreigners, individuals or legal entities, governmental or private organizations or by international organizations, are granted only when resulting from contracts or agreements entered into with national institutions.

3. The provisions of paragraph 2 of this article shall not apply. when the requesting entity proves that no national entity and/or institution has shown interest in concluding

requested navy.

THEARTICLE61

national, including the transfer of knowledge to the country,

deals with article 60 of this Law, and the interested entity must

of research that unequivocally states the concrete advantages for the country.

THEARTICLE62

Marine scientific research in Mozambican maritime waters as well as on the continental shelf must be

the provisions of this Law and other applicable national legislation, as well as international acts to which the Republic of Mozambique is bound.

THEARTICLE63

Institutions and entities interested in carrying out research

as, on the continental shelf, they must satisfy, among others, the following conditions:

*the* ensure that spaces are reserved on board ships and/or aircraft that will be used during the work,

of the Government responsible for the maritime area and, at least, one scientist indicated by one of the interested sectors and institutions, participate and monitor

*b)* intended, without any expense to the State;

*w)* all data, information and results obtained, accompanied by a detailed and complete evaluation, as well as, whenever requested by applicable, providing all collected samples that can be

*d)* responsible for the sea area and the Mozambican scientists appointed to monitor the work on ships and/or aircraft, broad access to all compartments, equipment, instruments and on-board records; *and* ensure the inclusion of nationals in joint studies,

carried out; *f)* remove, unless otherwise agreed, all structures and equipment installed in Mozambican maritime waters, as soon as the research or investigation is completed.

g) disseminate, at national and international level, through  
by the sea area, the results of the investigation  
and use of living and non-living natural resources

THEARTICLE64

**(Authorized ships and aircraft)**

**1. Vessels and aircraft authorized to conduct research**

must, among other obligations:

*the)*

of the Government responsible for the maritime area;

*b)*

of the Government responsible for the sea area, its position

and speeds to be adopted every 24 hours.

in the sea area, foreign ships and aircraft must carry on  
board a crew member who is fluent in Portuguese,

THEARTICLE65

**(Ships in transit)**

To vessels in transit through Mozambican maritime waters

THEARTICLE66

that request the data for analysis, when applicable.  
forward to other interested national institutions,  
navy.

THEARTICLE67

explanations that have been granted in the meantime for the realization

*the)* the investigation activities are not carried out in  
accordance with the information transmitted, in  
accordance with the provisions of Article 248 of the  
Convention and on which the consent of the  
Mozambican State was based;

*b)* the State or the competent international organization  
carrying out the investigation activities does not comply  
with the provisions of this Law and Article 249 of the  
Convention, with regard to the rights of the State

navy.

THEARTICLE68

**(Civil liability insurance)**

Shipowners, owners or managers of national and/or  
foreign ships or vessels and aircraft

Navy personnel are required to have civil liability insurance  
that covers any damage caused to third parties and the  
State as a result of navigation during research activities

**CHAPTER IV**

**Vessels**

**SECTION I**

THEARTICLE69

**(Legal nature)**

under the terms of this Law and other applicable legislation.

THEARTICLE70

**SECTION II**

THEARTICLE71

The construction, acquisition or sale of vessels requires authorization  
from the Government, under the terms established in the diploma.

THEARTICLE72

**1. The registration and certification of vessels comply with**

established by the Government.

**2. Rules relating to the granting of nationality**  
to vessels, resulting from their registration and certification,  
constituting the right to fly the national flag, are established by the  
Government, taking into account the provisions of articles 91 and  
92, both of the Convention.

**3. Foreign vessels chartered to operate**

to regulate.

**SECTION III**

Maritime traffic control, liability and safety  
of vessels

THEARTICLE73

**(Vessel owner's liability)**

construction or repair yard, whatever its state or condition,  
and an accident occurs on board or in connection with that  
vessel, the owner incurs civil liability for failure to take  
precautionary measures and for losses, damages to persons  
and property resulting therefrom, except in cases where

**2. The provisions of paragraph 1 of this article shall not apply.**  
without prejudice to other legal provisions or regulations  
relating to the liability of vessel owners.

THEARTICLE74

(Maritime traffic separation and control systems)

1. The Government is responsible for establishing and updating, in the applicable provisions and international law, sea routes and traffic separation systems to which it must give publicity, taking into account:
- ~~the~~the recommendations of the competent international organization;
  - ~~b~~the channels normally used for international navigation;
  - ~~w~~the special characteristics of certain vessels;
  - ~~d~~traffic density.
2. The Government is also responsible for establishing the control system of traffic in the national maritime space.

CHAPTER V

Maritime Labor Regime

THEARTICLE75

(Regime applicable to maritime work)

It is the responsibility of the Government to establish the regime applicable to maritime work arising from labor legislation and international conventions to which the Republic of Mozambique is a party or becomes a party.

THEARTICLE76

(Subjection of seafarers)

areas of the sea and work and maritime registration, under the terms

CHAPTER VI

Maritime Accidents and Incidents

THEARTICLE77

(Investigation)

1. For the coordination of accident and incident investigations the Permanent Commission for Investigation of Accidents and Incidents responsible for the sea area.
2. Acts of investigation into maritime accidents and incidents under the jurisdiction of CPIAM, include:
- ~~the~~ships flying the national flag;
  - ~~b~~those that occur in the national maritime space;
  - ~~w~~those who have caused damage or seriously endangered the marine environment, including the waters
- ~~d~~those that have caused/or threaten to cause serious damage to the Mozambican State, its facilities or structures over which it is authorized to exercise sovereignty or jurisdiction;
  - ~~and~~which have resulted in the loss of human lives or serious injuries to national and foreign citizens;
  - ~~f~~which result in the grounding or disablement of a vessel or involvement in a collision or ramming;
- ~~g~~result in material damage to infrastructure, installation,

3. The following are excluded from the scope of accident investigation: and maritime incidents by CPIAM in the following cases:
- ~~the~~warships or vessels transporting defense and security forces;
  - ~~b~~vessels without mechanical propulsion and/or made of artisanal wood;
  - ~~w~~
  - cio, unless they are manned and carry more
  - ~~d~~fishing vessels less than 10 meters in length.

THEARTICLE78

(Organization and operation of CPIAM)

The CPIAM organization and operating system

CHAPTER VII

Maritime Policy

THEARTICLE79

(Objectives)

- with the following objectives:
- ~~the~~reinforce the exercise of the Mozambican State's sovereignty over maritime jurisdictional waters;
  - ~~b~~develop a profitable and sustainable blue economy at sea;
  - ~~w~~promote the empowerment of citizens and businesses
- at sea and in coastal areas;
  - ~~d~~
  - sea and coastal areas, prioritizing research, innovation and extension;
  - ~~and~~establish principles and mechanisms for the planning of maritime space and coastal areas;
  - ~~f~~adopt comprehensive, coordinated and coherent governance of the sea and coastal areas;
  - ~~g~~promote international cooperation linked to the sea to
- and the delimitation of maritime boundaries;
  - ~~h~~promote the sustainable use of the sea and coastal areas for sporting, cultural and religious events;
  - ~~i~~
  - at sea and in coastal areas;
  - ~~j~~promote the adaptation and systematic adoption of content on the sea and coastal areas in teaching programs.

2. The Government is responsible for approving the Maritime Policy, as well as adopt standards and plans to pursue the objectives referred to in paragraph 1 of this article.

THEARTICLE80

(Coordination)

The action of the Mozambican State in the implementation of the Government responsible for the sea area.

THEARTICLE81

(National Maritime Council)

1. The National Maritime Council, abbreviated as to monitor and comment on the implementation of the Maritime Policy.

advisory, it is responsible, in particular:

*the* keep the Government informed about critical and recurring aspects that affect the exploration and/or development of activities at sea, as well as its conservation and the living and non-living resources found therein;

*b*) identify institutional and resource limitations

the pursuit of the objectives of the Maritime Policy and propose appropriate solutions;

*w*) propose plans, programs, projects and measures necessary for the development of sustainable activities in the National Maritime Space, including the development of the blue economy;

*d*) recommend the adoption of specific measures

central and local authorities of the State and other bodies with functional competence and/or interests in the sea.

3. The Government is also responsible for defining the composition and the functioning of the CNM.

## CHAPTER VIII

### Planning and Use of National Maritime Space

#### SECTION I

#### Maritime spatial planning

#### THEARTICLE82

#### (Objectives of the planning and management of Maritime Space)

The planning and management of the National Maritime Space has the following objectives:

*the*

ensuring the compatibility and sustainability of the various uses and activities developed therein, taking into account inter and intragenerational responsibility in the use of the national maritime space and aiming at job creation;

*b*) to attend to the preservation, protection and recovery of natural values, biodiversity and coastal and marine ecosystems and to the maintenance of the good environmental status of the marine environment, as well as the prevention of risks and the minimization of the effects resulting from natural disasters, climate change or human action;

*w*) ensure legal certainty and transparency in the procedures for granting private use titles, and allow the exercise of information and participation rights.

#### THEARTICLE83

#### (Preparation of planning instruments)

National maritime spatial planning instruments that respect the area between the baseline and the outer limit

maritime, are prepared and approved by the Government or to whomever it delegates.

#### THEARTICLE84

#### (Establishment and approval of planning instruments)

1. They are established as instruments of ordering of the national maritime space, the Situation Plan and the Allocation Plans.

#### 2. Maritime spatial planning instruments

constitute descriptive and geospatial representations that establish the spatial and temporal distribution of existing and potential uses and activities.

3. The Government is responsible for approving the Situation Plan and the Allocation Plans.

#### SECTION II

#### Use of maritime space

#### THEARTICLE85

#### (Common use)

particularly in its leisure functions.

2. The common uses of national maritime space as fishing, maritime navigation and water sports or recreational activities are not subject to usage titles, as long as they respect

and does not harm the good environmental condition of the marine environment and coastal areas.

#### THEARTICLE86

#### (Private use)

The private use of national maritime space is admissible, through the reservation of an area or volume, for the benefit of the environment or marine resources or ecosystem services greater than that obtained through common use, provided that it results in an advantage for the public interest.

#### THEARTICLE87

#### (Private use titles)

1. The private use of national maritime space requires granting of a usage title, issued under the terms and conditions provided for in this Law and other applicable legislation, in exchange for payment of the respective fee.

2. The right to private use of national maritime space

be the nature and legal form of its holder.

3. Private use titles expire on the term

4. The granting of a private use title requires its holder to effective use and determines the duty to ensure, at all times, the adoption of necessary measures to obtain and maintain the good environmental status of the environment

of the aforementioned title, to carry out the necessary steps to restore the physical conditions that have been altered

#### THEARTICLE88

#### (Issuance of other concessions, licenses or authorizations)

1. The granting of a private use title does not grant to its holder the right to use or exploit resources of the national maritime space.

2. In cases where the exercise of a use or a

of the national maritime space, the issuing of other concessions, licenses or authorizations, the various applicable procedures are articulated in terms to be developed in complementary legislation.



## SECTION III

## THEARTICLE89

activities or projects in the context of development of  
marine.

## CHAPTER IX

**Supervision of the National Maritime Space**

## THEARTICLE90

**(Object)**

1. The purpose of monitoring maritime space is to the control, monitoring and surveillance of activities that require its use, including the inspection and security of shipments.

the prosecution and sanctioning of criminal and misdemeanor offenses.

enabled and supported by warships, military aircraft or other ships and aircraft that have clear signals and are

mandated for that purpose.

## THEARTICLE91

1. Maritime inspection actions in the area of order and security, apply, among others, without prejudice to legislation

- the*) control, prevention and repression of crime, illegal immigration, terrorism, piracy, environmental crimes and marine pollution;
- b*) guaranteeing the security of the coastal strip of the public maritime domain;
- w*) civil protection with an impact on the sea and the coastal strip.

and repression of smuggling.

maritime, apply, among others, without prejudice to legislation

- the*) gation;
- b*) built and/or implemented in the maritime space as well to its operation;
- w*) maritime, access, maritime safety, navigation aids and warnings and maritime radio beacons by vessels;
- d*) supervision, coordination and maintenance of safety conditions in ports, anchorages, maneuvering basins and access channels;
- and*) saving human life at sea and carrying out maritime search and rescue operations.

of activities at sea, include, among others, without prejudice

*the*) control and monitoring of research activity

*b*) maritime labour inspection;

*w*)

and the use of maritime space.

of the marine environment, affect, among others, without prejudice

*the*) ensuring the preservation and protection of the marine and underwater environment;

*b*) ensuring the control and prevention of water pollution in maritime space.

and public health, apply, among others, without prejudice to legislation

*the*) sanitary inspection of ships;

*b*) control and mitigation of marine litter;

*w*) sanitation of the seafront.

## THEARTICLE92

the Maritime Inspection Operations Coordination Center, abbreviated as CEFMAR, which integrates all

national, within the scope of the provisions of article 91 of this Law.

operational activities and the joint use of human and institutional resources, the required operational means,

provided for in Article 91 of this Law.

3. CEFMAR is also responsible for participating in the coordination,

arising from the implementation of regional and international commitments assumed by the Republic of Mozambique.

4. The entities referred to in paragraph 2 of this article must commit the human and institutional resources and means required at their disposal to the achievement of the objectives,

of CEFMAR, both to respond to scheduled operational actions and to specific alerts.

maritime, within the scope of the platform.

of public or private entities, national or international, with a view to creating the necessary conditions and operational capacity

integrated, provided that it is duly authorized.

7. CEFMAR is also responsible for issuing the necessary alert. to trigger intervention actions within the scope

8. CEFMAR performs its functions under the coordination of

9. The Government is responsible for regulating the functions, organization and operating regime of CEFMAR.

## CHAPTER X

## Crimes and Misdemeanors

THEARTICLE93

## (Crimes)

## 1. Maritime crimes, without prejudice to the provisions of

Disciplinary Rules of the Merchant Navy, and the following:

*the* the pollution of the national maritime space or, in any way, degrading its qualities, and the marine environment by source of any nature without observing the legal provisions, regulations or obligations imposed by the competent authority, as well as the International Convention for the Prevention of Pollution from Ships (MARPOL), with the perpetrator being punished with a prison sentence of two to eight years and a corresponding fine;

*b* the destruction, without due authorization or due to non-compliance with the license, of fauna, flora,

such as erosion or alteration of water bodies, with the perpetrator being punished with a prison sentence of eight to twelve years and a corresponding fine;

*w* processing, packaging, import, export, marketing, supply, transportation, storage,

protected or prohibited, without authorization and provided that it is not proven to be the author of the capture and killing of said animals

*d* fishing during closed or prohibited months, with the perpetrator being punished with a prison sentence of two to eight years and a corresponding fine;

*and* fishing with a trawl net, or with a mesh narrower than that limited by the public entity, or fishing by any other means prohibited by the same regulations or bylaws, with the perpetrator being punished with a prison sentence of two to eight years and a corresponding fine;

*f* illegal fishing by foreigners, with the perpetrator being punished with a prison sentence of eight to twelve years and a corresponding fine;

*g* the launch into the sea, river or lake, in any

of numbing or killing living resources, the perpetrator being punished with a prison sentence of two to eight years and a corresponding fine;

*h* harmful acts that may affect or cause damage to the marine environment and its ecosystem, with the perpetrator being punished with a prison sentence of two to eight years and a corresponding fine;

*i* the introduction, without authorization or compliance with current regulations, by sea of plants

imprisonment of two to eight years and corresponding fine;

*j* transportation by sea and/or navigable waters of the public lake and river domain, of drugs or other narcotics, with the perpetrator being punished with a prison sentence of twelve to sixteen years and a corresponding fine;

*k* transportation and/or facilitation, by sea and/or navigable waters of the public lake and river domain, of the clandestine immigration of people, with the perpetrator being punished with a prison sentence of eight to twelve years and a corresponding fine;

*l*)

on a vessel, as well as evading the authorities,

with a prison sentence of two to eight years and a corresponding fine;

*m* the unlawful appropriation or intentional exercise of force or other form of intimidation, of control

or installation, the perpetrator being punished with a prison sentence of twelve to sixteen years and a corresponding fine;

*n* the intentional practice of violence against a person on board a platform, if the act endangers their nautical safety, with the perpetrator being punished with a prison sentence of eight to twelve years and a corresponding fine;

*the*)

structure or installation, with the perpetrator being punished with a prison sentence of eight to twelve years and a corresponding fine;

*p* placing or causing someone else to place on a platform, by any means, a device or substance that could destroy it or endanger its nautical safety, with the perpetrator being punished with a prison sentence of twelve to sixteen years and a corresponding fine;

*q* the commission of bodily harm or homicide against any person, as a consequence of the crimes provided for in paragraphs *m*) the *p*), of this article, as well as any attempts thereto, the perpetrator being punished with a prison sentence of sixteen to twenty years and a corresponding fine;

*r* the incitement of another person to commit any of the crimes provided for in paragraphs *m*) the *p*), of this article if it is consummated, or, in any way, acts as an accomplice, the agents being punished with a prison sentence of twelve to sixteen years and a corresponding fine;

*s* the threat to commit any of the crimes provided for in paragraphs *n*) and *the*), of this article, resulting in forcing a person, whether natural or legal, to practice or refrain from practicing any act, provided that such threat compromises the nautical safety of the platform, structure or installation, as well as

with a prison sentence of eight to twelve years and a corresponding fine;

*t* the reception, concealment and transportation in a vessel to escape, of a convicted individual, the author being

corresponding;

*u* the appropriation of a vessel through fraud, violence or deviation from its normal route with the intention of committing robberies, practicing violence against people on board, as well as to undermine the security of the State, with the perpetrator being punished with a prison sentence of sixteen to twenty years and a corresponding fine;

*v* the usurpation of command of a national vessel, or one chartered by a national individual or legal entity, followed by navigation in violation of fundamental standards of freedom and security

of national interests, with the perpetrator being punished with a prison sentence of sixteen to twenty years and a corresponding fine;

*w* the alteration of land and sea signals that constitute fraudulent shipwreck maneuvers, the toll

against these or against persons or property on board,

of this article.

2. The crimes referred to in this article are subject to to the jurisdiction of maritime courts.

THEARTICLE94

(Crime prevention)

competent maritime authority or to whom the Government delegates, the protection

to prevent the commission of maritime crimes provided for in this Law.

THEARTICLE95

(Misdemeanors)

1. The following constitute violations of this Law:

*the*the act of harmless passage contrary to the provisions of Article 30 of this Law;

*b*failure to provide information about the identity of the vessel and the port of its registration, its last relevant under the terms of the provisions of paragraph *the* of number 3 of article 42 of this Law;

*w*acts or omissions contrary to the protection and preservation of the marine environment, under the terms of paragraph 2 of article 42, and paragraphs 1 and 2 of article 58 of this Law;

*d*acts or omissions contrary to the conditions for carrying out marine scientific research provided for in paragraphs *b*, *w*, *d*, *and d*, and *f* of article 63 of this Law, and also the provisions of paragraph *b* of number 1 of article 64, as well as in article 68 of this Law;

*and*) under the terms of the provisions of article 43 of this Law;

*f*the occupation and private use of coastal areas and maritime space without due permission, of use, under the terms of the provisions of article 87 of this Law.

2. The sanctions applicable to the contraventions provided for in this Laws are of a pecuniary nature, restricting the exercise of rights, including the loss of vessels and/or equipment in favor of the State.

relating to the misdemeanour offences referred to in paragraph 2 of this article.

apply the sanctions corresponding to the contraventions referred to in paragraph 3 of this article.

CHAPTER XI

Final Provisions

THEARTICLE96

(Regulation)

It is the Government's responsibility to regulate this Law, within the period

THEARTICLE97

(Repealing rule)

Law No. 4/96 of 4 January and other legislation that contradicts this Law are hereby revoked.

THEARTICLE98

(Entry into force)

Approved by the Assembly of the Republic, on July 30th 2019.

The President of the Assembly of the Republic, *Veronica Nataniel Macamo Dlhovo*.

Promulgated on November 4, 2019.

Publish.

The President of the Republic, *FILIPÉ JACINTO NYUSI*.

ANNEX

Glossary

THE

**Collision**–collision between moving vessels

**Chartering**–contract by which the owner of the ship, or his representative, transfers the ship or part of it to the charterer.

**Maritime inland waters**–those located inside the baselines, from which the width of the territorial sea is measured, including bays and estuaries.

**Sea waters**–maritime inland waters, the sea

**Jettison**–any deliberate throwing into the sea of of platforms or other constructions or any deliberate sinking at sea of vessels, aircraft, platforms or other constructions.

**High seas**

**Arrest**

or other property for breach or non-compliance with rules in the exercise of the powers conferred by this Law and its complementary legislation and by the Convention.

**Maritime Authority**–entity, service, body or public agent with the power to exercise State authority in the national maritime space, within the framework of diplomas

B

**Transfer**–transfer operation, including supply fixed on land, as well as the transfer of liquid cargo, directly, between vessels or between vessel and car.

W

**Convention**–United Nations Convention on the Law of the Sea and the Agreement relating to the Implementation of Part XI thereof

AND

**Economy of the sea**–exploitation of the potential of the sea and coastal areas, based on knowledge and policies

**Ecosystems**–dynamic complex of plant, animal and microorganism communities and their non-living environment, which interact as a functional unit.

**Vessel**

or capable of being used as a means of transport on water or under water, whether manned or unmanned, including platforms

**National maritime space**—set of maritime zones

exclusive, the continental shelf and the coastal zone.

**flag state**—State where the vessel is registered.

**Coastal State**—State bathed by the sea or ocean.

**Island state**

island or group of islands.

**F**

**Founder**—Place where ships anchor for loading,

**I**

– any area of land created by man,

**Isobath**—curve used on maps to represent the mapping of points of the same depth in large oceans and lakes.

**L**

**Limnographic**—lake environments, swamps and other internal hydraulic structures of the continents, as well as

**Normal baseline**—low-water line along the coast as indicated on large sea charts

in accordance with the rules of international law.

**Straight baselines**—lines obtained by joining approximate points to draw the baseline in cases where the coast has deep indentations, recesses or where there is a strip of islands along the coast in the immediate vicinity, as well as in cases where there is a delta or other natural features, and such lines should not deviate considerably from the general direction of the coast nor be drawn towards or from the lowlands that emerge at low tide, except in cases where

analogous that are permanently above sea level.

**M**

**Marine environment**—environment included in the national maritime space.

**Nautical or maritime mile**—distance corresponding to 1,852 meters.

**N**

**Ship**—any type of vessel, boat or dinghy, designed, used or capable of being used, with greater or lesser frequency,

of applied propulsion or lack thereof, whether manned or unmanned.

**THE**

**National maritime spatial planning**—set of principles, directives and rules that aim to guarantee the organization of the national maritime space and the activities that take place therein.

**P**

**Ticket**—navigation through territorial waters with the aim of crossing the territorial sea, without entering inland waters or calling at an anchorage or port facility located outside the inland waters, as well as heading towards or leaving inland waters or calling at one of these anchorages or port facilities.

**harmless passage**—passage which is not prejudicial to the peace, good order or security of the coastal State and which must be carried out in accordance with the rules of international law.

**Allocation plan**—planning instrument through which areas and/or volumes of space are allocated

situation.

**Situation plan**—planning instrument that encompasses the entire national maritime space and that within it

uses and activities to be developed as well as their geospatial representation.

**Continental shelf**—comprises the bed and subsoil of the

distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, in cases where the outer edge of the continental margin does not reach that distance.

– constructions

resources on the seabed, namely research operations,

**Marine pollution**—direct or indirect introduction by man of substances, objects or energy into the marine environment, including estuaries, whenever this causes or may cause harmful effects, such as damage to living resources and marine life, biodiversity and ecosystems, risks to human health, hindrance to maritime activities, including fishing and other legitimate uses of the sea, alteration of seawater quality and deterioration of recreational areas.

– fish populations

**Harbor**—place on the coast where vessels can anchor or dock.

**Prospecting**—probing, examination of the ground to discover a

**T**

**Transshipment**—transfer of goods from one vessel to another, during navigation and/or when at anchor.

**Z**

**Coastal area**—zone between the limit of maritime inland waters, at sea, which includes the strip of the seafront and the contour of islands, bays and estuaries, measured from the line of the

except in cases where a greater extension is established by law on a case-by-case basis.

Price — 90.00 MT