

(3) The provisions of paragraph (2) shall apply also in any case where a national of the sending State has appealed or the prosecution has entered a protest against the verdict of a court of the receiving State before which the national has been the subject of criminal proceedings as also during the period within which the national is entitled so to appeal or the prosecution so to enter a protest.

(4) In the case of criminal proceedings being brought against a national of the sending State the consular officer shall, upon request, be informed of the particulars of the offence alleged against that national.

(5) In any case where a national of the sending State has been sentenced to imprisonment in the receiving State and the provisions of paragraph (3) do not apply, the consular officer shall have the right, in accordance with the laws and regulations of the receiving State, to visit, converse and communicate with him. Visits may take place on a recurrent basis at appropriate intervals, which intervals should not normally be longer than two months.

(6) A consular officer may send to a national of the sending State, to whom the provisions of this Article apply, parcels containing articles for personal use, such as food, clothes and writing materials, to the extent that the regulations of the institution in which he is detained so permit.

(7) The competent authorities of the receiving State shall, without delay, inform the national concerned of the sending State of the rights accorded to the consular officer under this Article.

(8) A consular officer shall, in accordance with the laws and regulations of the receiving State, be entitled to be present during the trial in the receiving State of a national of the sending State.

Article 46

(1) A consular officer shall be entitled to render all assistance and aid to a vessel of the sending State within a port of the receiving State or its territorial or internal waters.

(2) A consular officer may communicate with a vessel of the sending State and proceed on board as soon as the vessel has been given permission to establish contact with the shore.

(3) The master and members of the crew of a vessel of the sending State shall be permitted to communicate with the consular officer. They may also, subject to the laws and regulations of the receiving State, proceed to the consulate.

(4) A consular officer may invoke the assistance and aid of the competent authorities of the receiving State in any matters relating to the performance of his duties with respect to a vessel of the sending State or to the master and members of the crew of such a vessel, or her passengers or cargo.

Article 47

(1) A consular officer shall be entitled:

1. to investigate, without prejudice to the rights of the authorities of the receiving State, any incident occurring on board a vessel of the sending State during her voyage, and to question the master and any member of the crew;
2. to settle, without prejudice to the rights of the authorities of the receiving State, disputes of any kind between the master and any member of the crew, including disputes as to wages and contracts of service;
3. to arrange, provided that it is not contrary to the laws and regulations of the receiving State, for the engagement and discharge of the master or any member of the crew;
4. to make arrangements for the medical treatment or for the repatriation of the master or any member of the crew;

5. to receive, issue, extend, or authenticate any declaration or other document prescribed by the laws and regulations of the sending State in connexion with a vessel of the sending State or her cargo and to examine the vessel's papers.

(2) A consular officer may, in accordance with the laws and regulations of the receiving State, render all assistance and aid to the master or a member of the crew of a vessel of the sending State, appear with them before the courts and other competent authorities of the receiving State and act as interpreter.

Article 48

(1) Except at the request or with the consent of the consular officer, the courts and other competent authorities of the receiving State shall not exercise jurisdiction or intervene, as the case may be, in respect of any matter occurring on board a vessel of the sending State, including, provided that it is justifiable under the laws and regulations of the receiving State, the detention on the vessel of any person.

(2) The provisions of paragraph (1) shall not apply:

1. in connexion with any offence committed on board the vessel of the sending State:
 - (a) if the consequences of the offence extend to the territory of the receiving State;
 - (b) if the offence endangers the peace and tranquillity of the territory of the receiving State or the good order of its territorial or internal waters;
 - (c) by or against a national of the receiving State or by or against some person other than the master or a member of the crew;
 - (d) constituting under the laws and regulations of the receiving State an offence punishable by a sentence of imprisonment for a period of at least five years or a more severe penalty;
2. in connexion with customs, immigration or public health inspections or with measures taken at the request or with the consent of the master of a vessel of the sending State.

(3) The provisions of this Article shall not affect the exercise of the jurisdiction of the receiving State in civil matters.

Article 49

If the master or a member of the crew of a vessel of the sending State brings an action arising out of a dispute as to wages or a contract of service which falls within the jurisdiction of the courts of the receiving State, those courts shall not entertain proceedings except with the consent of a consular officer.

Article 50

(1) Where it is the intention of the courts or other competent authorities of the receiving State to take any coercive action or to institute an enquiry on board a vessel of the sending State, the consular officer shall be notified accordingly. Such notification shall be made in time to enable the consular officer to be present or, if this should prove to be impracticable owing to the urgency of the matter, as soon as possible thereafter. If the consular officer was not present, he shall, upon request, be provided by the authorities concerned with full information in writing with regard to what has taken place.

(2) The provisions of paragraph (1) shall apply also in any case where it is the intention of the authorities concerned to question the master or a member of the crew ashore in respect of any incident connected with a vessel of the sending State.