

documentation, on the other hand, is chiefly concerned with granting and evidencing the entitlement of the shipowner to fly the national flag.

1.15 An example of registration and documentation not being either simultaneous or synonymous is demonstrated when an application to register a vessel is first made to the Panamanian flag State. At this first stage of the registration procedure, the vessel is issued with a document known as a *Patente de Navegación*, generally by a Panamanian consular authority. This document, which entitles the vessel to fly the Panamanian flag for a period of up to six months, may be issued in respect of suitably qualified ships on the basis of an application by the owner and payment of the necessary taxes and fees, without any requirement for production of evidence of the owner's title to the vessel or the recording thereof in the Panamanian public registry, which may take place at any time during the validity of the *Patente*. The case of *The Angel Bell*³⁵ arose in such circumstances, where the vessel was provisionally registered but these additional formal requirements meant that the issuance of documentation was not perfected at the time of her loss, resulting in the dispute between the cargo interests and the mortgagee as to the proper applicable law.

1.16 In so-called "dual" or "parallel" registration situations, which arise when a vessel registered in one State receives entitlement to fly the flag of another State on the basis of a bareboat charter arrangement with suitably qualified persons in the latter State, the distinction between documentation and registration becomes crucial. This matter will be discussed in detail in Chapter 4.

1.17 When distinguishing documentation and registration it is useful to consider the following principles:

1. Although registration is often a precondition of the right to fly a particular flag, this is not invariably so. Documentation, however, is the only allowable and internationally accepted evidence of the right to fly a flag, without which there can be no recognition on the high seas or in a port State of the national character of a ship;
2. Registration generally involves ascertainment of the owner's title to the vessel and the recognition and protection of other rights *in rem* in the ship, for example, mortgages. Registration is therefore evidence, generally conclusive, of title; documentation does not evidence title, merely national character.
3. Two categories of documentation are almost universally adopted, each fulfilling a separate function. A Certificate of Registry is evidence of the ownership and nationality of a ship, accurate according to the records of the flag State on the date of issue. A Certificate of Registry in practice does not provide evidence of any mortgage or other encumbrance which has been granted or exists over the ship, and is generally issued only once, upon first registration of a vessel with the flag State. A Transcript of Registry, on the other hand, is a publicly accessible document which will show according to the records of the flag State on any given date of issue upon application, both the registered owner and the presence of any properly registered encumbrances.³⁶ In this way, the intended purchaser of a vessel is well advised to investigate not only the Certificate of Registry, but also to procure an up-to-date Transcript of Registry prior to any acquisition.

35. *Op. cit.*

36. The forms of Certificates of Registry and Transcripts of Registry are normally prescribed by statute or subordinate legislation of each State. See further, para. 1.25.

FLAG

1.18 The flying of the national flag is visual evidence and a symbol of a ship's nationality. In the words of the 1958 Convention on the High Seas: "Ships have the nationality of the State whose flag they are entitled to fly." The national flag of the vessel should be flown from the stern whenever identification of the vessel's national character may be required—this would certainly be the case when sailing through national waters of a State, in port, or passing through busy waterways and, of course, in circumstances where the national laws of the ship require that the flag be flown. However, outside these cases where the hoisting of the flag is necessary or useful to aid identification, there seems to be no obligation in international law for the vessel's national flag to be flown at all times on the high seas.³⁷

1.19 "Flag" is also used as a shorthand for the allocation of nationality to a vessel and the assumption of exclusive jurisdiction and control by a State over the vessel.³⁸ With or without the physical presence of a flag on board or on display, the convention of marking the home port of registry on the stern of all merchant vessels makes the task of identifying the nationality of a vessel in practice a relatively simple one at any given moment. The compulsory marking of the name of the vessel and her home port on the stern is found in legislation as early as 1784.³⁹

REGISTRATION

1.20 Registration means the entering of a matter in the public records. We have seen that registration is generally—but not always—not only a precondition for, but also considered to be the essential objective test of a vessel's nationality. This is the public law function of registration, as opposed to its private law function. The distinction between public law and private law was first made by the jurists of ancient Rome. According to Justinian: "*Publicum ius est quod ad statum rei Romanae spectat; privatum quod ad singulorum utilitatem*"⁴⁰ (public law is that which has to do with the constitution of the Roman state; private law, that which has to do with individuals). Thus, private law had to do with adjusting the relations and securing the interests of individuals and settling disputes between man and man, whilst public law concerned the framework of government, the functions of public officials and the adjustment of relations between individuals and the State.

1.21 Among the public law functions of registration we may therefore include:

- (a) the allocation of a vessel to a specific State and its subjection to a single jurisdiction for the purposes, for example, of safety regulation, security aspects, crewing and discipline on board;
- (b) the conferment of the right to fly the national flag;
- (c) the right to diplomatic protection and consular assistance by the flag State;
- (d) the right to naval protection by the flag State;

37. See H. Meyers, *The Nationality of Ships*, The Hague, 1967.

38. See the definition provided by Dr Frank Wiswall in *Bareboat Charter Registration, Legal Issues and Commercial Benefits*, International Chamber of Commerce, 1988.

39. Shipping and Navigation Act 1784, s. XIX provides for marking "in white or yellow letters, of a length of not less than four inches, upon a black ground, on some conspicuous part of the stern . . . the name by which such ship or vessel shall have been registered, and the port to which she belongs, in a distinct and legible manner."

40. Digest I.i.

3.49 The ITF reaction to the second registers has been less than enthusiastic, although they have so far refrained from classifying them as flags of convenience within their organisation except in the case of the German International Register and the French International Register. Individual vessels on other secondary registers whose beneficial ownership bears no relationship with the flag State may individually be designated as flag of convenience vessels. The general view, however, is that the transfer of ships to the international registers (where they remain subject to national controls on matters such as safety) is preferable to allowing an increasing number of vessels to abandon the traditional maritime countries altogether for international registries with no required nexus between owner and flag.

THE EUROPEAN COMMUNITY REGISTER AND REVISED EU GUIDELINES ON STATE AID TO SHIPPING

3.50 In 1989, the Commission of the European Communities submitted a proposal⁴¹ for a Council Regulation establishing a Community ship register ("EUROS") and providing for the flying of the Community flag by sea-going vessels of over 500 gross tons. The registration of a vessel in EUROS would have been additional to her registration in the national register of a Member State and the Community flag would have been flown alongside the national flag. The proposal, which if adopted would have created the first supranational ship register, sought to address the problem of the declining national fleets of the EC Member States and to arrest the development of "second" national registers which the Commission saw as leading to the risk of distortion of competition. The proposal—which underwent several amendments—aimed to achieve:

a structural development of a fleet of vessels, registered in Member States' registers but also identifiable as Community vessels which meet the standards laid down by international maritime conventions and to man these vessels, to the highest possible proportion, with Community seafarers.

The proposal acknowledged that this aim could not be attained without a reduction in manning costs paid by shipowners and this would partially have been achieved by a reduction in the requirements under national legislation of Member States that officers and crew be nationals of the State concerned. The proposal sought to introduce greater flexibility by providing that on vessels registered in EUROS all officers and not less than half of the crew referred to in the minimum manning certificates of such vessels should be nationals of a Member State.

3.51 The proposals met with no great enthusiasm on the part of the European shipping industry—indeed, there was little in the proposals to tempt a shipowner away from the flags of convenience or second national registers, except to the extent that registration in EUROS might superficially have provided a stronger indication that the vessel concerned met the highest safety standards, thereby leading to a reduction or elimination in port State control inspections and delays. After the Transport Directorate of the European Commission had

41. COM (89) 266 final "A Future for the Community Shipping Industry: Measures to Improve the Operating Conditions of Community Shipping", 3 August 1989.

mooted the possibility of various further incentives for shipowners entering their vessels in EUROS, the proposals for a supranational register were withdrawn in 1997.⁴² The requirements of success, and the reasons for the eventual failure of the EUROS proposals depended upon the need to offer a package of incentives sufficient to attract shipowners away from the flags of convenience and second national ship registers. However, that package would have had to be so generous, that observers from outside the industry might well have been excused for querying why shipping should have been singled out for such favourable treatment, thereby creating an economic distortion perhaps greater than that which the original proposal had sought to eliminate.

3.52 Notwithstanding the considerations of possible distortive effects upon trade, in July 1997 the European Commission introduced new "Community Guidelines on State Aid to Maritime Transport",⁴³ replacing the original guidelines issued in 1989 which had limited success in arresting the decline of the Community registered fleet. One of the main purposes of the new Guidelines was to encourage the reflagging of vessels in EU Member States in the light of competition from the open registers and the recent failure of EUROS. Since the aim of the Commission was to promote the European shipping industry, State aid may generally only be granted in respect of vessels entered in Member States' registers governed by the law of a Member State applying to their territories which form part of the European Union. Member States' registers defined in this way include, in addition to the ordinary national registers, the Danish International Register, the German International Register, the Italian International Shipping Register, the Madeira International Register, the Canary Islands Register and the Gibraltar Register. The Netherlands Antilles, Isle of Man, Bermuda and Cayman Islands registers are not considered to be Member States' registers because they are located beyond Europe or are subject to the law of territories where the Treaty of Rome does not apply.

3.53 The 1997 EU Guidelines identify fiscal costs (corporate taxation and wage-related liabilities in respect of seafarers) as being the critical factor affecting the competitiveness of flag States. Permitted measures cited as examples of State aid include replacing the normal corporate tax system by a tonnage tax, a typical feature of an open register. Under this system of taxation, the shipowner pays an amount of tax linked directly to the tonnage of his operated fleet, without reference to the company's profits or losses. Tonnage tax is recognised as one of the key elements which grant international or open registers their competitive advantage over traditional national flag States. Tonnage tax systems have been successfully adopted, following the example of Greece, in the Netherlands and Norway in 1996, in Germany in 1999, the United Kingdom in 2000 and in Denmark, Spain, Finland and Ireland in 2002. In 2004, the European Commission introduced further Guidelines on State Aid to Maritime Transport⁴⁴ which recognised the modest success of such measures and proclaimed a reversal in the trend identified up to 1997 of owners abandoning Community flags for open registers. Nonetheless, the renewed Guidelines were considered necessary in circumstances where the relative growth of Member States' fleets was less than that recorded during the same period by the well-established open registers. In the context

42. See *Official Journal of the European Communities*, 4.1.97 (97/C 2/02).

43. 97/C 205/05. (OJ C 205, 5.7.1997).

44. 2004/C 13/03. (OJ C 13, 17.1.2004).

in a "compatible" register and the demise charterer must be qualified to be the owner of a ship registered in Bermuda. If the charterer is not a resident of Bermuda, the charterer must appoint an individual or body corporate that is a resident in Bermuda to be the Representative Person in relation to the ship.

Application for registration on the Demise Charter Register should be made to the Registry of Shipping on form DCR 3. If the charterer is a body corporate, an authorised officer should be appointed to make the application. The following documents should be submitted to the Registrar in support of the application:

1. a certified copy of the charterparty;
2. a certified transcript of the underlying registry of owners, which should include both details of ownership and any mortgages, charges or liens registered against the ship;
3. the written consent of the appropriate maritime authorities of the country of underlying registration;
4. a current international tonnage certificate and certificate of survey;
5. the written consent of the mortgages, if any, on Form DCR5;
6. the written consent of the owners, or if more than one, each owner on Form DCR4;
7. the name and address of the individual or body corporate appointed as the demise charterers' Representative Person in Bermuda on Form DCR14;
8. a manager to be appointed by the charterers on Form DCR3;
9. such supplementary information and evidence relating to the ship as the Registrar may require to determine whether the ship may be properly registered.

The ship will usually retain her original name unless this clashes with an existing ship's name on the Register, or a demise charterer wishes to change the name to one that fits with his fleet's nomenclature, in which case a change of name form will also need to be submitted at the time of application.

9.16 On satisfactory completion of the registration, a Certificate of Demise Charter Registration will be issued to the applicants (Form DCR 1). This is similar in format to the Certificate of British Registry under Part I of the Principal Act and is enclosed in a red cover. The certificate is to be produced on demand to designated officials and if lost or damaged may be replaced by submission of a completed Form DCR 8. The Certificate of Demise Charter must be delivered up to the Registrar on termination of the charter or on deletion of the ship from the underlying registry of owners.

Upon the issue of the certificate, the charterer is required to surrender to the underlying register all certificates previously issued by them and to make a declaration to that effect to the Registrar on Form DCR 11.

All ships bareboat-chartered into the Registry will have the port of HAMILTON marked on their stern. The ship will be assigned a registration number and the charterer issued with a carving and marking note (Form DCR 6). The carving and marking note will need to be certified by a marine surveyor of the Bermuda Administration to the effect that the ship has been correctly marked prior to being entered on the Register.

The entry on the Register is effective for the period of the charter or five years, whichever is the longer. Applications for renewal of registration for a further period of five years can be made by the charterer using Form DCR 10.

Flagging-out from the Bareboat Charter Register

9.17 The Bermuda Administration may grant dispensation for a Bermudian ship of 24 metres or above in length to be registered on the Demise Charter Register of a foreign country subject to receiving the written consent of the registered owners and mortgagees. This should be supplied on Forms DCR 15 and DCR 16, along with a copy of the demise charterparty. Thereafter, the Administration will provide consent on Form DCR 18.

Upon registration in a foreign registry, the registered owner is required to provide the Bermuda Administration with a certified transcript/extract of registration, together with an English translation where appropriate, and an undertaking to notify the Registry in the event of the closure or lapse of the foreign demise charter registration.

Owners are also required to surrender the Bermuda Certificate of Registry, and other statutory certificates issued by the Registry. The foreign registry will thereafter issue its own Convention Certificates. The charterers will be required to give an undertaking not to fly the Red Ensign (except as a courtesy flag) during the period in which the ship is registered on the foreign register (Form DCR 17). The ship's home port will be that of the foreign registry and the registered owners are required to provide confirmation to the Bermuda Administration within 15 days of registration that the foreign port of registry has been marked in place of HAMILTON.

9.18 For the duration of the foreign registration, the Bermuda registration will be considered suspended except in respect of matters relating to title.

Usually the ship will retain her original name unless the Bermuda Registry gives permission for it to be changed.

During the course of the registration on the foreign register, owners will remain liable for the annual tonnage fee in Bermuda, plus any transactional fees.

Dispensation for the registration on a foreign Demise Charter Register will automatically cease when either the charterparty comes to an end, or after five years, whichever is the longer, or if the ship fails to maintain internationally agreed safety standards as a result of which the Bermuda Registry revokes its consent.

Trading limits

9.19 Bermuda ships are not subject to any trading restrictions.

Manning requirements

Certificates of competency for officers and ratings

9.20 Bermuda is a party to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978 as amended by the 1995 Protocol ("STCW"). Subject to verification, Bermuda recognises the qualification of other STCW countries for the purposes of issuing endorsements to existing certificates without examination. For certification issued under the 1995 STCW regulations, the endorsements are valid for a period of five years, subject to the validity of the underlying certificate. New officers without certificate endorsements who are scheduled to join Bermuda vessels can be issued with an interim statement recognising their certificate of competency. This statement is valid for a period of three months pending the issue of the full-term endorsement.

Radio traffic accounting authorities

14.21 The following radio accounting authorities are recognised by Ofcom, the United Kingdom Office of Communications and are acceptable for Isle of Man registered vessels. The Ofcom list is frequently updated and Ofcom should therefore be consulted before any service provider is selected.

A-N-D Group plc (GB01, GB05 and GB15)
 Compagnia Generale Telemar (IU03)
 F.T. Everard & Sons Ltd, c/o Ships Electronic Services Ltd (GB17)
 GEC-Marconi Communications (GB06 and GB08)
 Helexo Co. Ltd (GB13)
 International Marine Radio Co. Ltd (GB03)
 James Fisher Tankships Ltd (GB18)
 Marlink (BE02)
 Nera Satellite Services Ltd (GB11)
 Radio Holland Communications BV (NL02)
 Telecom Italia SpA (IU02)
 Yacht Electronic Services (UK) Ltd (GB20)

Taxation

14.22 Since 6 April 2006, the standard rate of corporate Income Tax for resident and non-resident companies has been 0%. Companies receiving income from banking or from land and property in the Isle of Man are subject to income tax at the rate of 10%. No withholding taxes are payable on dividends or interest paid by resident companies to foreign companies.

There are no taxes on capital gains, no inheritance tax or stamp duties in the Isle of Man. The country has a customs union with the United Kingdom.

Double tax treaties

14.23 The Isle of Man has double taxation agreements with:

United Kingdom	Faroe Islands	Iceland
United States of America	Finland	Norway
Netherlands	Greenland	Sweden
Denmark		

The Isle of Man Government is currently in negotiation with a number of other countries with a view to concluding double taxation agreements.

International Conventions

14.24 Appendix IX lists those International Conventions to which the United Kingdom is a party and which have been extended to the Isle of Man at the request of the Isle of Man Government.

Procedure for registration*Provisional registration*

14.25 Provisional registration of vessels is not permissible.

Permanent registration

14.26 An application for permanent registration shall be made in person or by post to the Ship Registry in Douglas. There are four possible ports of registry; namely, Castletown, Douglas, Peel, and Ramsay. In the case of an application by a body corporate the following documents will need to be submitted²:

1. a completed application form to register an Isle of Man ship (Form REG 1);
2. a completed appointment of authorised officer (Form REG 3);
3. a completed declaration of ownership on behalf of a body corporate or an individual (Form REG 4, or REG 5 respectively);
4. a copy certificate of incorporation and any certificate of change of company name;
5. a completed appointment of a representative person in the Isle of Man (Form REG 6);
6. in the case of a new ship, a builder's certificate in Form REG 12, or such other form as shall be acceptable;
7. in the case of a ship that is not new, a bill or bills of sale in Form REG 11, or such other form as shall be acceptable;
8. in the case of a vessel owned by a Limited Partnership, details of the partnership in Form REG 16.

Registration of mortgages and security interests

14.27 Any registered vessel or a share in a registered vessel may be made a security for the repayment of a loan or the discharge of any other obligation. The instrument creating such security shall be on one of the standard printed forms of mortgage approved by the Department and similar to the statutory forms of mortgage used for British vessels registered in the United Kingdom.

In order to register a mortgage, the original document shall be delivered to the Registrar who will cause the relevant details to be recorded in the Register. He or she will then endorse on the mortgage deed the date and time of recording. Where there is more than one mortgage against a single vessel, mortgages will be registered in the order in which they are produced to the Ship Registry for registration purposes, and will rank between each other for priority in order of such registration.

Where a party intends to take a mortgage over a vessel or a share in a registered vessel, advance priority may be obtained by delivering a notice of mortgage intent to the Ship Registry. Once delivered to the Registry with the appropriate fee, such a notice will give priority to the intended mortgagee for a period of 30 days from the time on which the

² To facilitate the delivery of original title documents and mortgages outside the Isle of Man, the Isle of Man Ship Registry has appointed Stephenson Harwood, the law firm, as its agent whose London, Piraeus, Hong Kong, Singapore and Shanghai offices are authorised to receive such documents for the Registrar of Ships.

Permanent registration

18.24 An application to register a ship with permanent registration on the Madeira Registry should be made to the MAR Technical Commission, accompanied by the following documentation:

- (a) an original bill of sale;
- (b) details of owner (including notarised copy of the company's articles of association);
- (c) intended name for the vessel along with two alternative names;
- (d) owner's and/or operator's contracts, mortgages and other charges over the vessel;
- (e) an application for a radio licence along with a copy of the last radio station licence issued by the vessel's previous registry;
- (f) name of the entity which will be responsible for the payment of the radio communication account, if not the same as the registered owner;
- (g) a copy of the vessel's tonnage certificate;
- (h) details of the vessel's engine and propulsion system, including details of builder and/or manufacture, horsepower and serial numbers;
- (i) details of the shipyard and year of construction;
- (j) name of classification society and copies of the vessel's current certificates;
- (k) copies of the crew's individual employment contracts;
- (l) copy of the ship's current Safe Manning Certificate;
- (m) certified declaration from the previous registry that an application for deletion has been received, to be followed by a deletion certificate from the previous registry;
- (n) details of general layout of the vessel;
- (o) details of safety layout including details of on-board fire-fighting capability and the ship's safety contingency plans; and
- (p) a stability certificate issued by the classification society.

Registration of mortgages and security interests

18.25 Mortgages can be registered at MAR on production of a notarised copy of the mortgage and payment of the applicable fee. Decree 96/98, under which MAR was set up, provides that the parties to a mortgage may choose the governing law applicable to the mortgage. In the absence of any agreement between the two parties, Portuguese mortgage law will apply.

Surveys

18.26 Portuguese ships registered at MAR are subject to an annual inspection by MAR's technical commission, or a classification society under Article 28 of the Act.

Deregistration procedure

18.27 Article 31 provides that a ship may be de-registered in the following circumstances, subject to payment of all outstanding fees owed to the Registry:

- (a) sale of the vessel and re-registration in a country other than Madeira;
- (b) sale of the vessel for scrap;
- (c) loss of the vessel as a result of shipwreck;
- (d) assumption of the loss of the ship if no information on the ship is available 180 days after leaving her last port of call.

The Registry also has the discretion to de-register a vessel in the event of:

- (a) alterations to the ownership of the ship;
- (b) failure of an owner or operator to comply with the requirements necessary to operate in the Free Trade Zone of Madeira;
- (c) a ship suffering serious damage that affects its compliance with the terms of the International Conventions on Safety of Life at Sea and Seafarers' Welfare.

Yachts

18.28 The following types of vessels may be registered at MAR:

- (a) pleasure yachts with a hull length of over seven metres;
- (b) commercial yachts of between seven and 50 metres and a maximum capacity of 12 passengers, plus crew.

Provisional registration of pleasure yachts is not permitted. Applications for their permanent registration must be made to the Technical Commission of MAR. In the case of a commercial yacht, a vessel will be required to comply with the same safety standards as apply to a mainland registered Portuguese vessel. Pleasure yachts registered in Madeira are subject to VAT at a lower rate than in most other EU countries (currently 14%).¹

Registration fees and annual tonnage tax*Initial registration, renewal or transfer of registration***18.29**

- (a) a fixed fee of €1,800; plus
- (b) a variable fee based on the following table:

<i>Specification in net tons</i>	<i>Value in €</i>
0 NT to 250 NT	225.00
251 NT to 2,500 NT	0.90 × NT
2,501 NT to 10,000 NT	0.75 × NT
10,001 NT to 20,000 NT	0.60 × NT
20,001 NT to 30,000 NT	0.50 × NT
30,001 NT to 40,000 NT	0.40 × NT
40,001 NT to 50,000 NT	0.30 × NT
50,001 NT to 60,000 NT	0.20 × NT
60,001 NT upwards	0.10 × NT

¹ Since 1 July 2008.

Permanent registration

20.27 The additional formalities for the permanent registration of a ship are:

1. a report of satisfactory completion of a Marshall Islands safety inspection;
2. a permanent classification certificate;
3. permanent international Convention certificates;
4. a radio station licence;
5. a certificate of cancellation from the previous registry (if not previously submitted);
6. a CLC certificate (if required).

Registration of mortgages and security interests

20.28 Once a ship has been registered in the Marshall Islands a valid mortgage or mortgage assignment may only be created if it is recorded in the office of the Maritime Administrator or one of his duly appointed representatives. The record of the mortgage will include the name of the ship, the name of the parties, the time and date of receipt of the mortgage, the interest in the ship transferred or affected and the amount of the contingent obligations that are or may be secured by the mortgage.

Since 2000, Marshall Islands law has permitted an outstanding foreign mortgage to be "tacked" on to the Marshall Islands Register with priority ranking from the date of registration on the foreign register. To enable such a mortgage to be recorded, the original mortgage must be produced and an additional mortgage instrument signed, changing the governing law to that of the Marshall Islands.

Surveys

20.29 There is normally no requirement for physical inspection of a ship by the Marshall Islands Maritime Administration prior to registration.

Deregistration procedure

20.30 The owner of a Marshall Islands vessel must apply for "permission to transfer" in order to start the procedure for closing the Marshall Islands Register. Prior to being issued with a cancellation certificate, the owner must surrender the Certificate of Registration and radio station licence, submit three copies of the bill of sale and pay any outstanding fees due to the Maritime Administrator.

Yachts

20.31 In response to international demand, the Marshall Islands Maritime Administration now permits, and actively encourages, the registration of private and commercial yachts on the Marshall Islands Register. At the end of September 2008 there were a total of 458 yachts on the Register, amounting to 24% of the Marshall Islands flagged fleet by number of vessels.

20.32 Commercial yachts are registered in the same way as merchant vessels. Although the Maritime Administration prefers commercial yachts of more than 24 metres in length and less than 500 gross tons to be in class with a recognised classification society at the time

of registration, the Marshall Islands Safety Code of Practice for Large Yachts (MI-103A) sets out the conditions under which un-classed yachts may be accepted for registration. A separate Safety Code for Small Yachts details the safety requirements for commercial yachts below 24 metres in length. Owners of commercial and private yachts may select Jaluit or Bikini, Marshall Islands as the home port for registration purposes.

20.33 Private yachts of 12 metres or more in length are eligible to be registered in the Marshall Islands. A unique feature of the Marshall Islands regulations is that a private yacht may be chartered out on a commercial basis for up to 84 days each year without the need to be registered as a commercial yacht, subject only to certain additional safety requirements that do not apply to yachts solely used for private purposes. Private yachts flagged in the Marshall Islands are eligible to obtain a US Cruising License permitting such vessels to cruise in US coastal waters without the need for formal entry and Customs clearance at each port of call in the United States. A US cruising license can be obtained from US Customs at the first port of entry in the United States and will normally be valid for one year.

Registration fees

20.34 In order to attract good quality tonnage to the flag, the Marshall Islands Administration has recently introduced two alternative fee tariffs for initial registration and annual tonnage tax, namely schedule A and schedule B. Schedule A has fixed fees. Schedule B fees are based on a sliding scale and various discounts. Schedule B is not available for yacht registration.

Initial Registration fee per vessel—Schedule A

	US\$
Initial registration	2,500
Bareboat charter	2,500

Initial registration fee per vessel—Schedule B

2,500 Net Tons or less	2,500
2,501 to 15,000 Net Tons	5,000
15,001 to 35,000 Net Tons	10,000
35,001 to 50,000 Net Tons	15,000
Over 50,000 Net Tons	20,000

The above fees are subject to a one third (1/3) discount in the following circumstances:

- (a) Where the vessel is five years of age or less from the date of first construction or has undergone a major conversion within the previous five years;
- (b) Where three or more vessels are registered at the same time that are fifteen years of age or less or an irrevocable written commitment is given to register a further three or more such vessels within a calendar year.

The discount will increase to one-half if an owner registers ten or more vessels at the same time that are fifteen years of age or less or gives an irrevocable written commitment to register a further ten or more vessels within a calendar year.

vessels of not less than 1,600 GT and must have a minimum paid-up share capital of SGD 50,000.00. Applications by a foreign owned company to allow registration of a vessel which is not self propelled or which is of less than 1,600 GT may be requested from the MPA if the vessel is proved to be operated from or based in Singapore, but there is no exemption from the paid-up capital requirement for such entities.

Company formation

23.6 The formation and operation of Singapore companies is governed by the Companies Act (2006, Revised Edition, Cap. 50). Every Singaporean company is required to have a registered office in Singapore.

Shareholders

23.7 As described above, a distinction is drawn between locally owned, and foreign owned, Singapore incorporated companies. A Singapore company need only have one shareholder. There is no restriction on a shareholder's nationality. The shareholder can be a natural person or a company. However, if the Singapore company intends to register any vessel with the MPA, it must have a minimum paid-up capital of SGD 50,000.00. Further, in the event that the Singapore company intends to register a vessel with tonnage of less than 1600 GT or a vessel which is not self-propelled such as a dumb barge, then the majority of the issued share capital of the company must be owned by Singapore citizens, Singapore permanent residents, or by Singapore companies whose majority shareholding is held by Singaporeans or Singapore permanent residents, unless a specific waiver to this requirement is obtained from the MPA.

Directors

23.8 A Singapore company must have a minimum of one director who must be ordinarily resident in Singapore. Corporate directors are not allowed in Singapore.

Secretary

23.9 Every Singapore company must have a company secretary. If the Singapore company has only one director, this sole director cannot also perform the role of the company secretary. The nationality of a company secretary is immaterial, save that the directors of the company have to take all reasonable steps to ensure that the company secretary has the requisite knowledge and experience to discharge his duties.

Returns and accounts

23.10 Singapore companies are required to file an annual return each year with the Accounting and Corporate Regulatory Authority of Singapore (ACRA), showing, *inter alia*, the summary of the share capital and shares and the company's financial highlights. The company's audited accounts must also be filed at ACRA, together with the annual return.

Auditors

23.11 Generally, Singapore companies are required to appoint an auditor. However, there are exceptions to this general rule as specified in the Companies Act.

Bareboat charter registration

23.12 Singapore law permits the "flagging-out" of bareboat chartered vessels from the Singapore flag on satisfying the documentary requirements and procedures described below and upon payment of the appropriate fee. The Registrar of Singapore Ships has the discretion to allow "flagging-in" of vessels which are primary registered in another State on a case-by-case basis.

Flagging-out

23.13 An application to "flag-out" a Singapore-registered vessel to a foreign bareboat charter registry will require the owner to submit documents to the MPA, namely:

1. a completed application form;
2. the return of the Certificate of Singapore Registry;
3. a certified transcript of registry or similar document evidencing the bareboat registration in the vessel in the secondary flag State; and
4. a certified true copy of the bareboat charterparty.

Provisional suspension of the Singapore Registry may be granted upon payment of the requisite fee in circumstances where these documents may be unavailable at the time of the bareboat charter-out application, upon the condition that such documents are provided within 60 days. During the period of suspension of the Singapore Registry, the Merchant Shipping Act ceases to apply, save for provision relating to the property of the vessel and any registered mortgages. In this way both proprietary and security interests are maintained intact and subject to Singapore law throughout the period of bareboat charter-out.

Trading limits

23.14 There are no trading restrictions for Singapore flag vessels.

Manning requirements

23.15 Manning requirements are set out in the Merchant Shipping (Training, Certification and Manning) Regulations 1998. For vessels above 3,000 GT the minimum number of certificated deck officers is three (Master, Chief Officer, Second Officer) and for vessels above 3,000 KW, the minimum number of certificated Engineers on board is three.

Certificates of competency for officers and ratings

23.16 The MPA recognises valid foreign certificates of competency (COC) provided that they are issued in accordance with STCW 1978 as amended in 1995, and issued by a flag State administration which is recognised by the MPA. Officers serving on board a Singapore vessel who hold a foreign COC must also obtain a Certificate of Endorsement evidencing

A Bareboat Charter Certificate of Registry may be cancelled prior to the date of expiry on presentation of the written consent of all relevant parties and the surrender of the Bareboat Charter Certificate of Registry and the Vanuatu radio licence (s. 31(5)).

A Vanuatu flag vessel which is the subject of a bareboat charter may be "flagged out" to a foreign registry that permits the "flagging in" of bareboat chartered vessels, provided that written consent is obtained from the Commissioner or Deputy Commissioner. Such consent may be granted on presentation of the following documents:

1. written consent of the owner;
2. written consent of all holders of record of any mortgage, hypothecation or other charges recorded in the offices of the Commissioner and Deputy Commissioner;
3. a copy of the foreign document, certified as true and correct, submitted by the bareboat charterer within 30 days following registration in the foreign jurisdiction (s. 31(6)).

Trading limits

26.15 Vanuatu flag vessels are not subject to any trading limits.

Manning requirements

26.16 Manning levels for officers and ratings are set out in section 40 of the Regulations, which were substantially amended in 1998 in order to reflect the changes required by STCW 1995. The requirements may be summarised as follows:

- (a) no vessel shall be navigated unless she has on board, and in her service, a licensed master;
- (b) every vessel, other than a passenger vessel, of between 100 and 499 gross tons shall also have on board and in her service at least one additional deck officer;
- (c) the number and grades of deck officers required on passenger vessels shall be prescribed for such vessels from time to time by the Commissioner or Deputy Commissioner;
- (d) the number and grades of deck officers on vessels of 500 gross tons or more shall be determined by the Commissioner or Deputy Commissioner from time to time by reference to the gross tonnage specified in Chapter II of STCW 1995, length of voyage, type, service and particular characteristics and equipment of such vessels;
- (e) no motor vessel of less than 750 kW (1,005 h.p.) shall be navigated unless she has on board and in her service an engineer holding a licence issued in compliance with criteria specified by the Commissioner or Deputy Commissioner;
- (f) the number and grades of engineer officers required on vessels propelled by engines of 750 kW or more shall be determined by the Commissioner or Deputy Commissioner according to the propulsion power specified in Chapter III of STCW 1995, having regard to length of voyage, type of machinery, degree of automation and whether the vessel is equipped for manned or periodically unmanned machinery space operation;
- (g) the number of navigational and engineering ratings shall be determined by the Commissioner or Deputy Commissioner by reference to length of voyage, type,

service, size, propulsion power and type of machinery and any particular characteristics and equipment of the vessel;

- (h) in cases of exceptional necessity, the Commissioner or Deputy Commissioner may grant dispensation for a post to be filled by a person licensed to fill the post immediately below the post in question, subject to compliance with all the provisions of Article VIII of STCW 1995.

Certificates of competency for officers and ratings

26.17 Every master and officer serving on board a Vanuatu vessel is required to hold an appropriate certificate of competency issued or endorsed by the Commissioner or Deputy Commissioner. Certificates will only be issued if the officer in question is able to satisfy the regulations contained in STCW 1995.

Where a master, officer or radio operator holds a certificate of competency issued by another party to STCW 1995, the holder will be entitled to apply for endorsement of such certificate, or the issue of an equivalent Vanuatu licence, subject to the provisions of Regulation I/10 of STCW 1995. An endorsement is valid only when accompanied by the holder's licence.

An application for recognition of a foreign certificate of a deck officer, engineer officer or radio operator must be made immediately the individual is assigned to a Vanuatu vessel. However, an officer, other than a radio operator, holding an appropriate licence may serve on board a Vanuatu vessel for a period of up to three months without a Vanuatu endorsement, provided he or she can provide proof on board ship that an application for an endorsement has been submitted, notwithstanding that any officer found without a Vanuatu licence is subject to an immediate fine under section 8 of the Act. This fine may be waived if the application is submitted within 30 days of the finding.

Ratings forming part of a navigational watch on vessels in excess of 500 gross tons and certain engineer ratings are also required to be certificated under STCW 1995.

Crew certification and licensing is handled by Vanuatu Maritime Services Limited of New York ("VMSL") on behalf of the Vanuatu government.

Nationality of crew

26.18 There are no restrictions on crew nationality.

Document of safe manning

26.19 Every vessel is required to be manned in accordance with IMO principles of safe manning and to the satisfaction of the Commissioner and Deputy Commissioner, and shall carry a Safe Manning Certificate. The manning of a vessel is required to be maintained at all times to at least the levels stipulated in the Safe Manning Certificate.

An application for a Safe Manning Certificate is required to include the proposed numbers and grade of personnel that the owners consider appropriate for the voyages to be undertaken by the vessel.

Application for provisional registration

65. An application for provisional registration shall be in a form approved by the Secretary of State and shall be accompanied by the particulars required by regulation 22(1) (Applications for registration) and regulation 24 (Applications by bodies corporate).

Scrutiny of particulars of eligibility

66. Where application is made to the appropriate person he shall forward those particulars to the Registrar who shall, if he is satisfied that the ship is eligible for registration, notify the appropriate person accordingly.

Period of provisional registration

67. The Registrar, on being satisfied that the ship is eligible for registration, or the appropriate person on receipt of that notification (but not otherwise), may proceed to register the ship provisionally for a period of 3 months.

Certificate of provisional registration

68. The Registrar, or the appropriate person, shall issue to the owner of the ship a certificate of provisional registration in a form approved by the Secretary of State. The certificate shall have the effect of a certificate of registry until:

- (a) the expiration of three months from its date of issue, or
- (b) the ship's arrival in the United Kingdom, or
- (c) termination by the Registrar on request from the owner, whichever shall first occur.

Provisional registration not to be renewed

69. Where a ship has been provisionally registered once, it shall not be provisionally registered again within one year of the date of the issue of the certificate of provisional registration, except with the consent of the Registrar.

Condition of provisional registration for fishing vessels

70. It shall be a condition of provisional registration for fishing vessels that the vessel shall not fish for profit while so registered; and if any provisionally registered vessel does fish for profit its provisional registration shall immediately thereon terminate and the owner shall as soon as practicable surrender the certificate of provisional registry to the Registrar.

PART IX TRANSFER OF REGISTRATION**Transfer of registration to relevant British possession**

71.—(1) Subject to paragraph (2) the registration of a ship registered on Part I of the Register may be transferred from the Register to the register of a port in a relevant British possession.

(2) Where an application is made under this regulation for the transfer of a ship's registration under paragraph (1), the Registrar shall not proceed to deal with the application unless he is satisfied that registration of the ship at the intended port of registration is not precluded by:

- (a) any Order in Council in force under section 11 of the Merchant Shipping Act 1988, or
- (b) any provision of the law in force in the possession in question;

and any certificate purporting to be signed by the registrar of the intended port of registration and stating that any such provision is in force shall be conclusive evidence for the purposes of this paragraph of the matters stated in it.

(3) Where the registrar of the intended port of registration issues a certificate of registry following any such application and on notification of the transfer by the registrar of the new port of registration, the Registrar shall terminate the registration of the ship.

(4) Where the registration of a ship is transferred under this regulation the certificate of registry shall be surrendered to the Registrar for cancellation.

Transfer of registration from relevant British possession

72.—(1) Where a ship, excluding a fishing vessel, is registered in a relevant British possession, the registration of that ship may be transferred to Part I of the Register if:

- (a) an application to the registrar of the existing port of registration has been made for that purpose by a declaration in writing by all the persons appearing on his register to be interested in the ship as owners, and
- (b) the following documents have been transmitted to the Registrar:
 - (i) a copy of the application and declaration required by sub-paragraph (a) transmitted by the registrar at the existing port of registration;
 - (ii) a copy transmitted by him of all the registered particulars of the ship and the names of all persons appearing on his register to be interested in the ship as owners and mortgagees; and
 - (iii) the ship's certificate of registry.

(2) On making an application to transfer to the Register the applicant shall specify one of the ports listed in part 1 of Schedule 2 which it is intended shall be the ship's port of choice.

(3) Where the ship has not previously been required by the registrar of its existing port of registration to have its name approved by the Registrar in accordance with Schedule 1 the applicant shall propose a name which the ship is to be called.

(4) On being satisfied that the name complies with the requirements of Schedule 1 the Registrar shall issue a marking note.

(5) On receipt of a marking note the owner shall proceed as provided in regulation 54 (Re-marking of ship).

(6) On receipt of the documents specified in paragraph (1) and the completed marking note the Registrar shall:

- (a) enter in the Register all the particulars and names so transmitted, and
- (b) issue a new certificate of registry.

(7) Where entitlement of a ship to be registered is by virtue of regulation 8 (British connection and majority interest) subject to any condition specified in that regulation being satisfied, the registration of the ship shall not be transferred to the Register of British ships in the United Kingdom unless it appears to the Registrar that that condition is satisfied.

(8) A transfer of registration under this regulation shall not affect the rights of any person mentioned in paragraph (1)(a) of this regulation.


(9) Notwithstanding that a ship is otherwise entitled to be registered, the Registrar may refuse to register if, taking into account any requirement of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as it is relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, he considers that it would be inappropriate for the ship to be registered.

Transfer within the Register

72A. On application being made to him, the Registrar may, after provision of such information and evidence as he may require and if he is satisfied the ship is eligible to be registered in the new Part, transfer the registration of the ship to a different Part of the Register. All entries in the Register relating to the ship (including any entries relating to mortgages) shall be transferred.

App. VIII(a)3

R103 – Appointment of Authorised Officers – Version 1.1



THE COMMONWEALTH OF THE BAHAMAS
Appointment of Authorised Officer

Vessel Name: _____ Official Number: _____ IMO Number: _____

To the Registrar of Bahamian Ships Port of Nassau (London, Nassau or New York office)

(a) _____ having its principal place of business at _____
hereby authorises (b) _____
of _____
to make and sign all Declarations of Ownership or otherwise for and on behalf of the said Company as required under the provisions of the Merchant Shipping Act, 1976.

In witness whereof we have affixed our common seal this _____ day of _____

Seal	_____ (insert name of individual/corporation)
	per _____ (insert signature of Individual/Director/Officer/Secretary/Attorney-in-fact)
	and _____ (insert signature of Individual/Director/Officer/Secretary/Attorney-in-fact)
	in the presence of the witness whose attestation is given below*

I, (c) _____ of (d) _____
_____ hereby testify that in my presence


(i) this Appointment of Authorised Officer was signed by (e) _____
as Individual/Director/Officer/Secretary/Attorney-in-Fact(f) and (c) _____
as Individual/Director/Officer/Secretary/Attorney-in-fact(f) and _____

(ii) the seal of the corporation/individual was affixed this _____ day of _____
Signature of witness / seal _____

(a) insert name of corporation/individual, (b) insert name of individual to be appointed authorised officer
(c) insert name of witness, (d) insert address of witness, (e) insert name of official, (f) delete as applicable.
*The witness to the execution of the document must be a disinterested party, independent of the body corporate or individual executing it e.g. Notary Public, Consular Officer, Magistrate, Justice of Peace. A director officer or employee of an owner which is a body corporate should not be an attesting witness.

App. VIII(a)4

Form R104 – Registration of Managing Owners – Version 1.2



THE COMMONWEALTH OF THE BAHAMAS
MEMORANDUM as to the Registration of Managing Owners etc.

It is requested that the information required by Section 52 of the Merchant Shipping Act, 1976, as to the Appointment of Managing Owner / Ships Husband / Manager be supplied to the Registrar of Bahamian Ships as indicated below.

Name of Vessel	IMO Number	Official Number	Port of Registry
_____	_____	_____	NASSAU

Signature of Owner (transferee) _____

Managing Owner / Ships Husband /Manager Details

Name*: _____ Company Name: _____
Full Address: _____ Telephone: _____
City: _____ Fax: _____
Country: _____ E-mail: _____
Postal / Zip Code: _____
* - The appointment of a firm is unacceptable

ISM Code/Technical (for non-ISM ships) Contact

Company Name: _____ Designated Person Ashore Name: _____
Full Address: _____ 24 hour Telephone: _____
City: _____ Fax: _____
Country: _____ E-mail: _____
Postal / Zip Code: _____

ISPS Code Contact (If applicable)

Company Security Officer Contact Name: _____ Fax: _____
24 hour Telephone: _____ E-mail: _____

Accounting Contact

Company Name: _____ Contact Name: _____
Full Address: _____ Telephone: _____
City: _____ Fax: _____
Country: _____ E-mail: _____
Postal / Zip Code: _____

Crew Managers Contact

Company Name: _____ Contact Name: _____
Full Address: _____ Telephone: _____
City: _____ Fax: _____
Country: _____ E-mail: _____
Postal / Zip Code: _____

NB: All applicable contacts, inclusive of email address and 24 hour telephone number, must be completed in order to register a vessel.

App. VIII(c)8



INTERNATIONAL MERCHANT MARINE REGISTRY OF BELIZE
IMMARBE

FORM 2
**AMENDMENT TO THE CONTINUOUS SYNOPSIS RECORD
(CSR)**

DOCUMENT NUMBER _____ IMO NUMBER: _____

1	This document applies from (date):	
2	Flag State:	
3	Date of registration with the State indicated in 2:	
4	Name of Ship:	
5	Port of registration:	
6	Name of current registered owner(s):	Owner:
	Registered Address(es):	Address:
7	Registered Owner's Identification Number:	
8	If applicable, name of current registered bareboat charterer(s):	Charters:
	Registered Address(es):	Address:
9	Name of Company (International Safety Management):	Company:
	Registered Address(es):	Address:
	Address(es) of its safety management activities:	
10	Company's Identification Number:	
11	Name of all classification societies with which the ship is classed:	
12	Administration/Government/Recognized Organization which issued Document of Compliance:	
	Body which carried out audit (if different):	
13	Administration/Government/Recognized Organization which issued Safety Management Certificate:	
	Body which carried out audit (if different):	
14	Administration/Government/Recognized Security Organization which issued	

App. VIII(c)9

APPLICATION
FOR
MORTGAGE REGISTRATION

1. Name & Ex-Name of Vessel	2. Registration No.	3a. Call Sign	3b. IMO Number			
4. Rank of Mortgage						
5. Name of Mortgagor						
6. Mortgagor's Contact Details:	Address:					
	Tel:					
	Fax:					
	Email:					
7. Name & Title of Mortgagor's Representative						
8. Name of Mortgagee						
9. Mortgagee's Contact Details:	Address:					
	Tel:					
	Fax:					
	Email:					
10. Name & Title of Mortgagee's Representative						
11. Total Mortgaged Amount						
12. Rate of Interest						
13. Date of Maturity						
14. Date of Execution of Mortgage						
15. Particulars of Vessel						
Type of Vessel		Material of Hull	Gross Tonnage	Net Tonnage	Under Deck	
No. of Deck	No. of Masts	No. of Bridges	No. of Funnels	Name of Builders		Year Built
Length	Breadth	Depth	Type of Engine	Name of Engine Makers		Speed
METERS	METERS	METERS				
The undersigned declares that all particulars given above are true to the best of my knowledge and belief. I hereby wish to make an application for a Preliminary / Permanent registration of a Naval Mortgage at the International Merchant Marine Registry of Belize to be effected immediately.						
Signature of Mortgagee or its Legal Representative				Date		
Name :						
Title :						

App. VIII(d)5

SECTION 4: DISCHARGE OF MORTGAGE

* Received by the within-mentioned *mortgagee/transferee of the mortgage,

(Enter "the sum of _____", or narrative suitable to the obligation).

This within written security is now discharged.

*The within mentioned *mortgagee/transferee have agreed to discharge this within written security and it is therefore discharged.

COMPLETE IF THE DISCHARGE IS GIVEN BY A COMPANY

Executed by the *mortgagee/transferee as a deed on this _____ day of _____ 20____ by:

- (a) the affixing of the common seal of the *mortgagee/transferee in the presence of the following persons signing; or
- (b) signing by the following persons;



Director _____

*Director/Secretary _____

Authorised Signatory _____

Witness _____

Witness address _____

*Authorised Signatory _____

Witness Name _____

Note: In Scotland - signature may be by two directors; or by a director and the secretary of the company; or by any two persons authorized to sign and subscribe the documents on behalf of the company.
Except in Scotland - signature may be by two directors; or by a director and the secretary of the company; if the common seal is affixed, any special requirements of the company's articles about signing must be complied with.

FOR OFFICIAL USE ONLY:

Entry in Register made _____ (date) _____ Registrar of Shipping,
_____ (time) _____ Hamilton, Bermuda

COMPLETE IF THE DISCHARGE IS GIVEN BY ONE OR MORE INDIVIDUALS

*Executed as a deed (in England or Wales) * Signed (in Scotland) * Signed, sealed and delivered (in Northern Ireland)

on this _____ day of _____ 20____ by

the following person(s) signing as *mortgagee(s)/transferee(s)

Signature of *mortgagee/transferee		
Full name of witness(es)		
Signature of witness(es)		
Occupation of witness(es)		
Address of witness(es)		



Please send this completed form and relevant fee to the Registrar.

Department of Maritime Administration
P.O. Box HM 1628
Hamilton HM GX
Bermuda

ROSF, C203 (Rev. 04/03)
Prescribed by the Minister of Transport

CAYMAN ISLANDS FORMS

1. Vessel name proposal and reservation, form CISR 854
2. Appointment of an Authorised Person, form CISR 855
3. Vessel Registration in the Cayman Islands, form CISR 856
4. Application for miscellaneous services, form CISR 857

Note: these forms are up to date as of 6 May 2009, for updated forms see www.cishipping.com

<http://www.pbookshop.com>

App. VIII(g)7

B. For completion by qualified owner (individual) 由合資格船東填寫(個別人士)

I, the abovenamed transferee, do solemnly and sincerely declare that:
本人為上述名稱的承轉人，謹以至誠鄭重聲明如下：

- I hold a valid Hong Kong Identity Card and am a person ordinarily resident in Hong Kong.
本人持有有效的香港身份證並通常居住在香港。
- The particulars of the ship given above are correct.
上述所提供的船舶資料均屬正確。
- I am entitled to be registered as owner of _____ * shares/parts/percentage in the property of the ship registered in Hong Kong.
本人有權註冊為這艘香港註冊船舶 _____ * 分額/部分/百分比權益的船東。
- I am entitled to be registered as joint owner of _____ * shares/parts/percentage in the property of the ship registered in Hong Kong with the person(s) listed below.
本人有權與下列人士註冊為這艘香港註冊船舶 _____ * 分額/部分/百分比權益的聯名船東。

Full Name 名稱/姓名全寫	Address 地址	Place of incorporation and/or place of registration or Hong Kong Identity Card (if applicable) 公司成立/註冊地點或香港身份證號碼(如適用者)

- A majority interest in the ship will upon transfer be owned by one or more qualified persons.
本船舶一經轉轉，它的過半數權益即會由一名或超過一名合資格的人擁有。
- This declaration is true to the best of my knowledge and belief.
盡本人所知所信，本聲明乃真確無誤。

C. For completion by unqualified owner (body corporate) 由非合資格船東填寫(法人團體)

I, _____ of _____ do solemnly and sincerely declare that:
(full name and occupation) (address)
本人為 _____, 地址在 _____

(姓名全寫及職業)

, 謹以至誠鄭重聲明如下：

- I am authorized by the transferee to make this declaration.
本人獲承轉人授權作出此聲明。
- The particulars of the ship given above are correct.
上述所提供的船舶資料均屬正確。
- The transferee was incorporated in _____ on _____ by virtue of _____ and that its registered office is at _____
(place of incorporation) (date of incorporation)
(legislation under which the transferee was incorporated)
(full address)
承轉人公司憑藉 _____ 於 _____ 成立。
(承轉人公司成立所依據的法例) (成立日期)
在 _____ 成立。該承轉人公司的註冊辦事處設在 _____
(成立地點) (地址全寫)

- The transferee is entitled by virtue of section 23(d) of the Merchant Shipping (Registration) Ordinance to be registered as unqualified owner of _____ * shares/parts/percentage in the property of the ship registered in Hong Kong.
承轉人憑藉商船(註冊)條例第 23(d)條，有權註冊為這艘香港註冊船舶 _____ * 分額/部分/百分比權益的非合資格船東。
- The transferee is entitled by virtue of section 23(d) of the Merchant Shipping (Registration) Ordinance to be registered as unqualified joint owner of _____ * shares/parts/percentage in the property of the ship registered in Hong Kong with the person(s) listed below.
承轉人憑藉商船(註冊)條例第 23(d)條，有權與下列人士註冊為這艘香港註冊船舶 _____ * 分額/部分/百分比權益的非合資格聯名船東。

App. VIII(g)7

Full name 名稱/姓名全寫	Address 地址	Place of incorporation and/or place of registration or Hong Kong Identity Card (if applicable) 公司成立/註冊地點或香港身份證號碼(如適用者)

- A majority interest in the ship will upon transfer be owned by one or more qualified persons.
本船舶一經轉轉，它的過半數權益即會由一名或超過一名合資格的人擁有。
- This declaration is true to the best of my knowledge and belief.
盡本人所知所信，本聲明乃真確無誤。

D. For completion by unqualified owner (individual) 由非合資格船東填寫(個別人士)

I, the abovenamed transferee, do solemnly and sincerely declare that:
本人為上述承轉人，謹以至誠鄭重聲明如下：

- The particulars of the ship given above are correct.
上述所提供的船舶資料均屬正確。
- I am entitled by virtue of section 23(d) of the Merchant Shipping (Registration) Ordinance to be registered as unqualified owner of _____ * shares/parts/percentage in the property of the ship registered in Hong Kong.
本人憑藉商船(註冊)條例第 23(d)條，有權註冊為這艘香港註冊船舶 _____ * 分額/部分/百分比權益的非合資格船東。
- I am entitled by virtue of section 23(d) of the Merchant Shipping (Registration) Ordinance to be registered as unqualified joint owner of _____ * shares/parts/percentage in the property of the ship registered in Hong Kong with the person(s) listed below.
本人憑藉商船(註冊)條例第 23(d)條，有權與下列人士註冊為這艘香港註冊船舶 _____ * 分額/部分/百分比權益的非合資格聯名船東。

Full name 名稱/姓名全寫	Address 地址	Place of incorporation and/or place of registration or Hong Kong Identity Card (if applicable) 公司成立地點及/或註冊地點或香港身份證號碼(如適用者)

- A majority interest in the ship will upon transfer be owned by one or more qualified persons.
本船舶一經轉轉，它的過半數權益即會由一名或超過一名合資格的人擁有。
- This declaration is true to the best of my knowledge and belief.
盡本人所知所信，本聲明乃真確無誤。

Made and subscribed on
作出聲明及簽署日期

Full name of Declarant
聲明人姓名全寫

(Block Letters 正楷)

Signature of Declarant
聲明人簽署

in the presence of
在場監理聲明人

(Signature of person taking the declaration, who should be Registrar of Hong Kong ships, a Justice of the Peace, a Notary Public, a Commissioner for Oaths, or a Solicitor)
(監理聲明人簽署)(監理聲明人必須是香港船舶註冊官、太平紳士、法律公證人、監誓員或律師)

(Full name and qualification of person taking the declaration - Block Letters)
(監理聲明人的全名及資格 - 請用正楷填寫)

(Place 地點)

* Delete if not applicable
請將不適用者刪去

Warning:
Making a false declaration is an offence under Section 86 of the Merchant Shipping (Registration) Ordinance.

警告:
根據商船(註冊)條例第 86 條，作出虛假聲明，即屬犯法。

App. VIII(h)5



Reg 11

Isle of Man Ship Registry

DEPARTMENT OF TRADE & INDUSTRY
The Merchant Shipping Registration Act 1991
Bill of Sale

- Warning: A purchaser of a British registered ship does not obtain a complete title until the appropriate Bill(s) of Sale has been recorded with the Registry, and the certificate amended or a new one issued.
- Registered owners or mortgagees must inform the Registry of any changes of address.
- Where one owner is selling to two or more owners, separate forms are required unless they are buying as joint owners.
- Please write in black in k using BLOCK CAPITALS, and tick boxes where appropriate.

Section 1: Details of the Ship

Name of Ship Official Number (if any) Length metres

Section 2: Details of the sale (*Delete as necessary)

Body Corporate, please give Individuals, please give	Company Name	Principal Place of Business	Occupation(s)
Full Name(s)	Address(s)		
<input type="checkbox"/> *I/We the transferor(s) As joint owners (please tick box if you are joint owners)	<input type="text"/>	<input type="text"/>	<input type="text"/>

In consideration of (*the sum of)

*paid/given to *me/us by:

Body Corporate, please give Individuals, please give	Company Name	Principal Place of Business	Occupation(s)
Full Name(s)	Address(s)		
<input type="checkbox"/> *I/We the transferee(s) As joint owners (please tick box if you are joint owners)	<input type="text"/>	<input type="text"/>	<input type="text"/>

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Reg 11

the receipt of which is acknowledged, transfer Shares in the above ship and in its appurtenances to the transferee(s) (figures & words)

Further, *I/we the said transferor(s) for *myself/ourselves, hereby declare that *I/we have the power to transfer in the manner aforesaid the above-mentioned shares, and that they are free from encumbrances

If any registered mortgage is outstanding, please tick the following box

SAVE AS APPEARS BY THE REGISTRY OF THE ABOVE SHIP

SECTION 3: For Completion when sale is by a company

Executed by the transferor as a deed on this

 Day of 20 By:-

* (a) the affixing of the common seal of the transferor in the presence of the following persons signing; or

* (b) signing by the following persons;

Director	<input type="text"/>
Director/Secretary	<input type="text"/>
Authorised Signatory	<input type="text"/>
Authorised Signatory	<input type="text"/>

NOTE: IN SCOTLAND – signature may be by: two directors OR by a director and the secretary of the company; OR by any two persons authorised to sign and subscribe the documents on behalf of the company.

EXCEPT IN SCOTLAND – signature may be by two directors: OR by a director and the secretary of the company;; If the common seal is affixed, any special requirements of the company's articles about signing must be complied with.

SECTION 4: For completion when sale is by individual(s)

*Executed as a deed (in England or Wales)

*Signed (in Scotland)

*Signed, sealed and delivered (in Northern Ireland)

On this Day of 20

By the following person(s) signing as transferor(s)

Signature of transferor(s)	<input type="text"/>	<input type="text"/>
Full name of	<input type="text"/>	<input type="text"/>

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DEPARTMENT FOR TRANSPORT

**BUILDER'S CERTIFICATE**

Merchant Shipping Act 1995

Builder's can use their own printed form, provided that the details required below are included.

SECTION 1: DETAILS OF THE SHIP

NAME OF SHIP			
DATE OF BUILD		YARD NUMBER	
LENGTH (metres)		BREADTH (metres)	
DEPTH (metres)		ESTIMATED TONNAGE	
CONSTRUCTION MATERIAL			

SECTION 2: DETAILS OF THE BUILDERS

BUILDER'S NAME	
FULL ADDRESS	
PLACE OF BUILD (if different from above) (include country)	

SECTION 3: CERTIFICATION

***I/we hereby certify that *I/we *built/moulded/fitted out the ship described above to the order of:**
 (*Delete as necessary)

FULL NAME(S) OF OWNER(S)	ADDRESS(ES) OF OWNER(S)

Signature of builder: _____ Date: _____

Position in company (if ship is built by a company): _____

When completed, send this form to: **REGISTRY OF SHIPPING & SEAMEN**
 PO BOX 420
 CARDIFF
 CF24 5XR
 Tel: 029 20448800
 Fax: 029 20448820

MSF 4743

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Department For Transport
Merchant Shipping Act 1995**Bill of Sale**

Warning: A purchaser of a British registered ship does not obtain complete title until the appropriate Bill(s) of Sale has been recorded with the Registry, and a new Certificate issued.

*Registered owners who are mortgagees must inform the Registry of any change of address. *Where one owner is selling to two or more owners, separate forms are required unless they are buying as joint owners. *Applications to change ownership received within 30 days of the change attract a 'transfer fee' rather than the more expensive 'full registration' fees. *Please write in black ink using BLOCK CAPITALS, and tick boxes where appropriate.

SECTION 1: DETAILS OF THE SHIP

Name of ship			
Official number (if any)		Length (metres)	

SECTION 2: DETAILS OF THE SALE

Body Corporate / LLP please give Individuals please give	Company or LLP name Full name(s)	Principal place of business* Address(es)	Occupation(s)
<input type="checkbox"/> *I/we the transferor(s) as joint owners <small>(Please tick box if you are joint owners)</small>			

In consideration of (**the sum of)
**paid/given to **me/us by:

Body Corporate / LLP please give Individuals please give	Company or LLP name Full name(s)	Principal place of business* Address(es)	Occupation(s)
<input type="checkbox"/> **I/We the transferee(s) as joint owners <small>(Please tick box if you are joint owners)</small>			

*Companies incorporated other than in the UK or British Dependent Territories - enter place of business **Delete as necessary

the receipt of which is acknowledged, transfer _____ (figures & words)
 share in the above ship and its appurtenances to the transferee(s).

IF ANY REGISTERED MORTGAGE IS OUTSTANDING YOU MUST TICK THIS BOX

Further, **I/we, as transferor(s), hereby declare that **I/we have the power to transfer in the manner described above the above mentioned shares, and that they are free from encumbrances [save as appears by the registry of the above ship].
 (delete this paragraph and initial the deletion if there are NO outstanding mortgages)

When completed you should send this form, together with the appropriate fee and supporting documents (if required) to:
REGISTRY OF SHIPPING & SEAMEN
 PO BOX 420, CARDIFF, CF24 5XR

OFFICIAL USE ONLY
 Entry in Register made on _____ (date)
 at _____ (time)
 Officer's Initials _____

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