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THE SHIPPING ACT

THE SHIPPING (REGISTRATION OF SHIPS) REGULATIONS, 2005

In exercise of the powers conferred on the Minister by sections 18, 38 and 454 of the Shipping Act, the following Regulations are hereby made:—

PART I—General

- Citation. 1. These Regulations may be cited as the Shipping (Registration of Ships) Regulations, 2005.
- Interpretation. 2.—(1) In these Regulations unless the context otherwise requires—
“authorized” in relation to any person, means authorized by the Authority;
“bareboat chartered ship” means a ship registered under section 18 of the Act;

PART I—*General, contd.*

“builder” in respect of a ship under construction means the actual owner at the time of registration or the person who executes a builder’s mortgage;

“builder’s certificate” means -

- (a) in respect of a new ship, a certificate signed by the builder of the ship and containing a true account of —
 - (i) the proper dimension and of the tonnage of the ship, as estimated by him;
 - (ii) the date and place where it was built; and
 - (iii) the name of the person, if any, for whom the ship was built, or the name of the person to whom it was delivered;
- (b) in respect of a ship under construction, a certificate signed by the builder setting out the description of the ship, the name and address of the builder and any other particulars as may be required by the Registrar;

“builder’s mortgage” means a mortgage in respect of a ship under construction;

“Certificate of Registry” means a certificate of registry issued to a ship which is registered under the Act and includes a certificate of bareboat charter registry, unless the context otherwise requires;

“certificate of bareboat charter registry” means a certificate of registry issued in respect of a ship which is registered under section 18 of the Act;

“certificate of deregistration” means a certificate issued by the Registrar showing that the entry in the register in respect of a ship has been closed, the date of its closure, encumbrances on the ship, and other details about the ship and its ownership at the time of closure;

“declaration of ownership” means a declaration which complies with the provisions of section 22 of the Act;

“foreign maritime entity” means a business entity, other than a body corporate established under and subject to the law of a state other than Jamaica which, pursuant to that law, is entitled to own or operate ships;

“freeze” means to prevent any entry (which includes a deletion of an entry) being made in the register;

PART I—*General, contd.*

"Inspector of Marks" means—

- (a) an Inspector; and
- (b) any other person designated to carry out the functions of Inspector of Marks under Schedule 2;

"length" and "overall length" have the same meaning as in—

- (a) the Tonnage Convention; and
- (b) any applicable regulations made under the Act with respect to ascertaining the tonnage of ships;

"owner" in relation to a ship includes a demise or bareboat charterer and a managing owner;

"register" or "appropriate register" in relation to a ship means the appropriate register under section 24A of the Act;

"ship" has the same meaning as in section 2 of the Act, but does not include a bareboat chartered ship except, for the purposes of Parts IV and V of these Regulations, and whenever the context requires, includes a ship under construction;

"ship identification number" means the number allocated to the ship in accordance with regulation 6 (1) (a) and includes the official number, national identification number and the Jamaican Ship Registry identity number;

"ship under construction" means a ship, the keel of which has been laid or which is at a similar stage of construction;

"similar stage of construction" means the stage at which—

- (a) construction identifiable with a specific ship begins; and
- (b) assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural material whichever is less;

"Tonnage Convention" means the International Convention, on Tonnage Measurement of Ships 1969, as amended from time to time as in force in relation to Jamaica;

"transfer of a ship" includes, except where the context otherwise requires, transfer of a share in a ship.

(2) Any reference in these Regulations to the ascertainment of the tonnage of a ship means ascertainment in accordance with—

- (a) the Tonnage Convention; and

PART I—*General, contd.*

- (b) any applicable regulations made under the Act with respect to ascertaining the tonnage of ships.

PART II—*Registers of Jamaican Ships*

Registers

3.—(1) No ship shall be registered in more than one register at any one time.

(2) A register may be kept in such electronic or other form as the Director may consider to be expedient.

(3) Any person shall be entitled on application to the Registrar General, to obtain a transcript, certified by a proper officer, of the entries in the register.

(4) The Registrar General, shall be entitled to amend the register where—

- (a) a clerical error has occurred; or
 (b) sufficient evidence is produced to satisfy him that an entry is incorrect,

and on making the amendment he shall, subject to paragraph (5), issue a new Certificate of Registry if necessary.

(5) Where a new certificate is required under paragraph (4), the Registrar General shall require the return of the existing Certificate of Registry prior to the issuance of the new certificate.

PART III. *Registration*

Application
for registra-
tion.
Schedule 1.

4.—(1) An application for registration of a ship shall be made to the Registrar in the form set out in Schedule 1.

(2) An application for registration of a ship which has, immediately prior to the application, been registered in a foreign registry shall, subject to paragraph (3), be accompanied by a certificate of deregistration from that register in respect of that ship.

(3) The Registrar General, may on application made to him in writing grant such longer period as he thinks fit for the submission of the certificate.

Application
by body
corporate.

5. An application made by persons qualified to own a Jamaican ship pursuant to section 20 of the Act shall be accompanied by—

- (a) in the case of a body corporate incorporated in Jamaica—
 (i) a copy of the certificate of incorporation or other constituting document; and

PART III—*Registration, contd.*

(ii) If the body corporate has changed its name since incorporation, certification of the change of name; or

- (b) in the case of a body corporate incorporated in a foreign country, proof of its incorporation in accordance with the laws of that foreign country;
- (c) in the case of partnerships and other business entities, proof of establishment, and entitlement to own and operate ships to the satisfaction of the registrar.

Allocation of
official
number.

6. (1) On receipt of an application for the first registration of a ship the registrar, if he is satisfied that the ship is eligible to be registered, shall—

- (a) allocate a ship identification number; and
- (b) issue a carving and marking note.

(2) The registrar may, on request by a classification society or authorized surveyor, allocate the ship identification to a ship before he receives all other registration documents.

(3) Where the number allocated to a ship under paragraph (2) has been carved into the beam of the ship but the registration of the ship is refused, the number shall, upon notification to the applicant of the refusal, be permanently defaced and a certificate to that effect by the classification society or authorized surveyor shall be submitted by the applicant to the registrar.

Marking.

7. On receipt of a carving and marking note on first registration the owner shall—

- (a) if the ship has not already been surveyed pursuant to section 43 of the Act, cause it to be so surveyed;
- (b) in the case of a ship other than a pleasure craft under 24 metres in length, cause the ship to be carved and marked in accordance with Part 1 of Schedule 2;
- (c) in the case of fishing vessels and other vessels under 24 metres in length, cause the ship to be carved and marked in accordance with paragraph 1 of Part 1 of Schedule 2; and
- (d) where required under regulation 9, cause the carving and Marking of the ship to be inspected by an Inspector of Marks.

Part 1
Schedule 2.

Inspection of
marks.

8.—(1) In respect of a ship, other than a pleasure craft which is under 24 metres in length, an Inspector of Marks shall satisfy himself that the ship has been carved and marked in accordance with Part 1 of Schedule 2 and, when so satisfied, shall complete the carving and marking note and return it to the registrar.

PART III—*Registration, contd.*

Part 2. (2) In respect of a pleasure craft which is under 24 metres in length the owner shall certify that the ship has been carved and marked in accordance with Part 2 of Schedule 2 and return the certified carving and marking note to the registrar.

Verification of measurements and carving and marking.

9.—(1) If the registrar is not satisfied—

(a) that the particulars under section 43 of the Act relating to the tonnage, and other particulars of the ship furnished to him are correct;

(b) that the ship is carved and marked in the manner required by Schedule 2,

Schedule 2

he may direct the owner to have the measurement or other particulars and the carving and marking of the ship verified by an Inspector of Marks.

(2) If the owner fails to comply with the direction of the registrar under paragraph (1), the registrar may—

(a) if the registration of the ship is not completed, refuse to register it until his direction has been complied with; or

(b) if the ship is registered, serve notice on the owner or agent appointed under section 20A of the Act requiring him to produce within thirty days, evidence sufficient to satisfy him that the particulars of the measurement and tonnage are, or that the carving or marking of the ship is, correct.

(3) If at the expiry of the thirty day period the registrar is not so satisfied, he may—

(a) extend the notice and ask for further information; or

(b) serve a final notice, the effect of which shall be to cancel the ship's registration with effect from seven days after the service of that notice.

(4) Where the registration of a ship is cancelled under paragraph (3), the shipowner shall forthwith surrender its Certificate of Registry.

(5) Where the registrar serves a notice under this regulation on the owner or agent appointed under section 20A of the Act in respect of which a mortgage is registered, he shall send a copy of the notice to each mortgagee at the address recorded in the register for such mortgagee.

Cancellation of carving and marking note.

10. If a carving and marking note issued under regulation 6 (1) is not duly completed and returned to the registrar within three months of its issue, or such longer period as the registrar may in special circumstances permit, the

PART III—Registration, contd.

registrar may cancel it and the application shall be treated as having been withdrawn.

Registration,
refusal,
entries in
register and
Certificate of
Registry.

11.—(1) Where the registrar is satisfied in respect of an application that—

- (a) the ship is eligible to be registered as a Jamaican ship;
- (b) the ship has been duly carved and marked and the appropriate certificate has been provided;
- (c) the particulars of the ship furnished to him are correct;
- (d) title to the ship has been adequately proved (where necessary);
- (e) the prescribed fees have been paid and the other requirements of the Act and these Regulations have been complied with,

he shall, subject to paragraph (2), register the ship pursuant to section 25 (4) of the Act and enter in the register the particulars specified in Schedule 3.

Schedule 3.

(2) Where the registrar is, not satisfied as regards the matters mentioned in paragraph (1) he shall refuse to register the ship.

(3) Without prejudice to paragraphs (1) and (2), in the case of a ship owned by a foreign maritime entity—

- (a) where the foreign maritime entity has a legal personality separate and distinct from that of its members, the name of such foreign maritime entity may be entered in the register as the owner of the ship;
- (b) where the foreign maritime entity does not have a legal personality separate and distinct from that of its members, the names of all its members carrying on business in the name of the foreign maritime entity and the number of shares in the ship owned by each member shall be entered in the register; and
- (c) whether or not the foreign maritime entity is one that has a legal personality separate and distinct from that of its members, only the name of the foreign maritime entity may be entered in the certificate of registry as the owner of the ship.

Requirement
for supple-
mentary
information.

12. Where the registrar is not satisfied by the information provided on an application for registration of a ship that the ship is eligible for registration, he may require such supplementary information or evidence as he considers appropriate for the purpose of satisfying himself that it is so eligible.

Registration
prior to
marking of a
ship
Schedule 2.

13.—(1) Notwithstanding regulations 10 and 11, the registrar may, if the conditions specified in paragraph (2) are satisfied, register a ship before —

- (a) the ship is marked in accordance with Schedule 2; or

PART III—*Registration, contd.*

(b) the carving and marking note is duly completed and returned to him in accordance with regulation 10.

(2) The conditions referred to in paragraph (1) are that the owner of the ship submits to the registrar a declaration stating that—

(a) the ship will be marked in accordance with Schedule 2, within twenty-one days or such period as the registrar may allow; and

(b) within seven days thereafter, or such other longer period as the registrar may allow, the carving and marking note will be duly completed and returned.

(3) On the expiry of the relevant period referred to in paragraph (2), the registration of the ship may be cancelled if it is then not marked in accordance with Schedule 2.

Issue of certificate of registry and documents be retained by Registrar. Schedule 4

14—(1) Upon registering a ship, the registrar shall—

(a) issue and send to the owner a Certificate of Registry containing the relevant information specified in Schedule 4;

(b) retain a copy of any—

(i) builder's certificate or bill of sale or other evidence of title produced on first registration;

(ii) certificate of survey, and condemnation order, if any;

(iii) the notice of name of the ship;

(iv) evidence to the satisfaction of the Director that the ship has been de-registered; and

(v) all declarations made in connection with registration as required by the Act and these Regulations.

(2) Subject to paragraph (3), all documents which have been produced to the registrar to establish title shall be returned to the applicant after the ship has been registered.

(3) Prior to their return under paragraph (2), the documents shall be stamped by the registrar to indicate that they have been used for the registration of a ship.

Evidence of title on transmission of a registered ship.

15. An application for registration on transmission of a registered ship or a share in a registered ship under section 65 of the Act shall be made in the form approved by the Director.

PART III—Registration, contd.

Declaration of eligibility on transfer or transmission.

16. An application for the registration of the transfer or transmission of a registered ship or a share in a registered ship shall be accompanied by a declaration of transfer pursuant to section 63 of the Act or, as the case may be, a declaration of transmission pursuant to section 65 of the Act and, where the application is made on behalf of a body corporate, the document or documents mentioned in regulation 5.

Refusal of registration of transfer or transmission.

17.—(1) If on an application for transfer or transmission of a registered ship or shares in a registered ship the registrar is not satisfied that the ship remains eligible to be registered—

- (a) the registrar shall serve a notice under paragraph (2) on the owner of the ship; and
- (b) the registration of the ship shall terminate by virtue of this paragraph at the end of the period of fourteen days from the date of the service of that notice.

(2) The notice referred to in this regulation shall state that

- (a) the registrar is not satisfied that the ship in question remains eligible to be registered; and
- (b) the registration of the ship shall accordingly terminate by virtue of paragraph (1) at the end of the period referred to in that paragraph.

Notification of changes of ownership, etc.

18.—(1) If at any time there occurs, in relation to a registered ship, any change affecting the eligibility of the ship to be registered, the owner of the ship shall, as soon as practicable after the change occurs, notify the registrar in writing thereof.

(2) The notification referred to in paragraph (1) shall specify the name and the official number of the ship and the nature of the change.

(3) Any person who contravenes paragraph (1) commits an offence and is liable on summary conviction to a fine not exceeding one hundred dollars.

Transfer or transmission of a registered ship or share

19.—(1) Where there is any transfer or transmission of a registered ship or share in a registered ship—

- (a) the person ceasing to own the ship or share or in the event of his death, his legal personal representative, shall notify the registrar thereof and the owner of the ship or his agent appointed under section 20A of the Act shall arrange to surrender the Certificate of Registry; and
- (b) the registrar shall, if any of the events specified in paragraph (2) occur, cancel the Certificate of Registry and freeze the register

PART III—*Registration, contd.*

pending the submission of the declaration by the new owner of the ship or share for the registration of the transfer or transmission.

- (2) Where there is a transfer of a registered ship or shares therein—
- (a) if the new owners do not within thirty days of the transfer, submit, pursuant to Part IV of the Act, the relevant bill of sale and other documents required thereunder to register the transfer the registrar shall cancel the registration of the ship or shares therein, as the case may be;
 - (b) if all the shares in the ship are transferred, and the submission is not made within the thirty days, the registrar may cancel the registration, of the ship; and
 - (c) if any share in a ship is or are transferred, and the submission is not made within the thirty days, the registrar shall in writing notify the remaining registered owners that the registration of the ship may be cancelled unless a submission of documents relating to the transfer of the share or shares in question is made within thirty days of the date of the notice.
- (3) Where there is a transmission of a registered ship or shares therein—
- (a) the new owners shall promptly submit to the registrar the declaration and information required under section 65 of the Act, for the transmission to be registered;
 - (b) if the transmission is of all the shares in the ship, and a submission is not made within a reasonable time, the registrar may cancel the registration of the ship; and
 - (c) if the transmission is of one or some of the shares in the ship, and a submission is not made within a reasonable time, the registrar shall serve a notice on the remaining registered owners stating that the registration of the ship may be cancelled, unless an application to register the transmission of the share or shares in question is made within thirty days of the date of the notice.
- 20.—(1) Where, other than in the circumstances stated in section 49 of the Act, there is a change—
- (a) in the registered particulars of a ship other than its tonnage; or
 - (b) in the name or address of any owner entered in the register (not being a change of ownership) ,

Changes in registered particulars of ships.

PART III—*Registration, contd.*

the shipowner shall, as soon as practicable, apply in writing to the registrar for the change to be recorded in the register.

(2) The application shall be in writing and shall, subject to regulation 54, be accompanied by the Certificate of Registry and such evidence as to the change as may be required by the Registrar.

(3) Where there is a change in the tonnage of a ship, it shall be resurveyed and the tonnage ascertained pursuant to section 43 of the Act and thereafter, the shipowner shall apply in writing as soon as practicable in a form approved by the Director, for the change to be recorded in the register.

(4) The application shall be accompanied by the relevant Certificate of Survey and the Certificate of Registry.

(5) On recording the change in the registered particulars the registrar shall cancel the existing certificate and issue to the owner a new Certificate of Registry.

Change of
name
Schedule 5.

21.—(1) An application for approval of the change of the name of a ship shall be made in accordance with Schedule 5.

(2) If it appears to the Director that a proposed change of name complies with Schedule 5, he shall within seven days of submission of the application issue a carving and marking note to the owner.

Re-marking
of ship.

22.—(1) On receipt of the carving and marking note the owner shall—

- (a) cause the ship to be marked with the new name; and
- (b) in the case of a ship other than a pleasure craft under 24 metres in length, cause the marking to be inspected in accordance with regulation 8.

Schedule 2.

(2) The Inspector of Marks shall, if satisfied that the ship is marked in the manner required by Schedule 2, complete the carving and marking note and return it to the registrar.

Registration
of new name.

23. On receipt of the carving and marking note duly completed, the registrar shall register the ship with its new name and shall cancel the existing certificate and issue to the owner a new Certificate of Registry.

Duplicate
certificates.

24.—(1) If it is shown to the satisfaction of the Registrar General that a Certificate of Registry has been lost, stolen or destroyed or has become defaced or illegible, he may issue to the ship owner a duplicate of that certificate, which shall be marked as such, and shall be of the same effect as the original.

PART III—*Registration, contd.*

(2) Where a duplicate Certificate of Registry is issued, the original, if then available or if subsequently found or recovered, shall be forthwith surrendered to the Registrar General.

PART IV—*Mortgages*

Form of
mortgage.

25. A mortgage produced for registration under section 69 of the Act, a transfer of a registered mortgage, and a discharge of a registered mortgage, shall be executed and attested in the form respectively approved by the Director.

Notice by
intending
mortgagees,
priority
notices.

26. —(1) Where any person who is an intending mortgagee under a proposed mortgage of—

- (a) a registered ship; or
- (b) a share in a registered ship, notifies a registrar in writing of the mortgagee's intended interest under the proposed mortgage, the registrar shall record that interest in the appropriate register in the order in time in which they are produced to him for that purpose.

(2) For the purpose of paragraph (1) the notice to the Registrar (in these Regulations called "a priority notice") shall contain—

- (a) the name and official number of the ship;
- (b) the name, address and signature of the intending mortgagor;
- (c) the number of shares to be mortgaged; and
- (d) the name and address of the intending mortgagee.

(3) Where any person who is an intending mortgagee of—

- (a) a ship which is not yet registered; or
- (b) a share in any such ship,

notifies the registrar in writing of his intended interest under the proposed mortgage, the registrar—

- (i) shall record that interest in the appropriate register; and
- (ii) if the ship is subsequently registered, shall register the ship subject to that interest or, if the mortgage has by then been executed in accordance with regulation 25 and produced to the registrar, subject to that mortgage.

(4) For the purposes of paragraph (3) the notice shall contain the following information—

- (a) the present name of the ship;
- (b) the proposed name of the ship (where applicable);
- (c) the approximate length of the ship;

PART IV—*Mortgages, contd.*

- (d) where the ship is registered outside Jamaica, a copy of its Certificate of Registry or other document evidencing its registration and stating its port of registry;
- (e) where the ship is a new ship the certificate of the builder or if that is not available, the name and address of the builder and the number of the shipyard;
- (f) where the ship is neither a new ship nor a registered ship, details of any permanent marks on the ship which enable it to be clearly identified; and
- (g) the name, address and signature of the intending mortgagor, the number of shares to be mortgaged, and the name and address of the intending mortgagee—

(5) Where—

- (a) section 73 of the Act operates to determine the priority between two or more mortgages; and
- (b) any of the intending mortgagees concerned has given notification under paragraph (1) or (3) as the case may require,

section 73 of the Act shall have effect in relation to that mortgage as if it had been registered at the time when the relevant entry was made in the register under paragraph (1) or (3).

(6) Any notification given by a person under paragraph (1) or (3) and anything done as a result of such notification shall cease to have effect—

- (a) if the notification is withdrawn; or
- (b) at the end of the period of thirty days (hereinafter called the "initial period") beginning with the date of the notification, unless the notification is renewed in accordance with paragraph (7).

(7) The person by whom any such notification is given may renew the notification for a period of thirty days on each occasion by notice in writing given to the registrar before the end of the initial period or, as the case may be, the end of a period of renewal.

(8) Any notice given under this regulation shall be in the form approved by the Director.

Form of
transfer or
transmission
of mortgage.

27. A registered mortgage which is transferred under section 77 of the Act and the interest in such mortgage which is transmitted under section 78, shall in furtherance of those provisions of the Act, be respectively executed and authenticated in the form approved by the Director.

PART V—*Bareboat Charter Registration*Interpreta-
tion.

28. In this Part—

“bareboat charter registration” means the registration of a ship in a register of bareboat chartered ships under the name of the charterer;

“bareboat charter registry” means the registry of the state whose flag the ship is entitled to fly during the period in which the charterer is registered as the bareboat charterer;

“charterer” means a person to whom a ship has been chartered and includes a sub-charterer;

“compatible registry” means a ship registry of a foreign state declared by the Minister to be a compatible registry within the meaning of regulation 29;

“day” means calendar day;

“underlying registry” means the registry of the state of primary registration and “underlying register” and “underlying registration” shall be construed accordingly.

*Bareboat Charter—In*Compatible
registries.

29. Where it appears to the Minister that the provisions of the law of a state, with regard to bareboat charter registration, are compatible with the provisions of the Act and this Part, he may declare the underlying registry to be a compatible registry for the purposes of the Act and this Part.

Conditions
for bareboat
charter
registration.

30.—(1) A ship may be registered as a bareboat chartered ship under section 18 of the Act where the charterer thereof or his agent has submitted to the satisfaction of the registrar the documents and information described in paragraph (2).

(2) The documents and information referred to in paragraph (1) are—

Form A.
Schedule 6

- (a) an application for registration under this Part made by the charterer or agent in the form set out as Form A of Schedule 6;
- (b) a declaration of bareboat charter made by the charterer accompanied by a copy of the charter party, which shall not be available for public inspection;
- (c) a transcript or an extract of the underlying registration of the ship which shall—

- (i) be available for public inspection; and

PART V—*Bareboat Charter In, contd.*

- (ii) contain a description of the ship, the owners and, where applicable, all registered mortgages and encumbrances relating to the ship;
- (d) the consent in writing, for the ship to be bareboat charter registered in Jamaica, of—
 - (i) the appropriate authorities of the underlying registry, who may be further required by the registrar to declare that during the period of bareboat charter registration the ship will not be entitled to fly their flag;
 - (ii) the owners of the ship; and
 - (iii) all registered holders of mortgages registered in the underlying registry;
- (e) such other information as the Registrar General may require.

(3) Where amendments are made to the bareboat charter party the charterer shall within 30 days thereafter, notify the registrar, in writing thereof.

(4) Where any amendments are made to the underlying registration the charterer shall—

- (a) within seven days of the amendments being effected, communicate to the registrar the details of the amendments; and
- (b) within three days of the amendments having been entered in the underlying register, produce to the registrar a transcript or an extract of the underlying registration showing the amendments.

Ascertainment of tonnage.

31.—(1) Subject to paragraph (2), the tonnage of a ship to be registered under this Part shall be ascertained pursuant to section 44 of the Act.

(2) At the request of the charterer, the registrar may accept the tonnage of the ship to be that registered in the underlying registry if he is satisfied that the provisions of the Tonnage Convention, so far as applicable to such ship have been adhered to, and the certificate of survey issued by the underlying registry shall be treated as the certificate provided for in section 43 of the Act.

Name of bareboat chartered ship.
Schedule 5

32.—(1) Subject to paragraph (2), and the provisions of Schedule 5, a ship shall be registered under this Part by the name under which it is registered in the underlying registry.

(2) The name of a ship to be registered or of a ship already registered under this Part, may in the circumstances described in paragraph (3) be

PART V—*Bareboat Charter In, contd.*

changed prior or subsequent to registration under this Part, as the case may be.

(3) The circumstances referred to in paragraph (2) are that—

- (a) the appropriate authorities of the underlying registry, the owners, and the registered mortgagees, if any, have consented to the change of name; and
- (b) the change is made in accordance with the provisions of section 34 of the Act or of any regulations made thereunder.

Bareboat
charter
registration

33.—(1) The registrar, if satisfied that all requirements for registration specified in this Part and in the relevant provisions of the Act, where applicable, have been complied with, and on payment, by the applicant of the prescribed registration fee shall—

- (a) enter in the relevant register all particulars of the ship and its underlying registration, its owners and charterers, stating—
 - (i) the expiry date of the bareboat charter registration; and
 - (ii) that the register does not contain an official record of any mortgages affecting the ship;
- (b) inform the appropriate authorities of the underlying registry of the registration under this Part; and
- (c) issue a certificate of bareboat charter registration, which shall include the name and particulars of the ship, the name of the port of registry declared under section 32 of the Act, and the expiry date of the registration.

(2) Upon the issue of a certificate of bareboat charter registration, all documents issued to the ship by the underlying registry shall be surrendered to the appropriate authorities of that registry and, within thirty-days of the issue of the certificate, the charterer shall make and deliver to the registrar declaration to that effect.

Duration of
bareboat
charter
registration.

34. The duration of any bareboat charter registration shall be for a period not exceeding the duration of the bareboat charter.

Extension of
bareboat
charter
registration.

35.—(1) At the request of the charterer or his agent the registrar may, subject to regulation 34, extend the duration of the bareboat charter registration where the charterer or agent has provided written consent from—

- (a) the appropriate authorities of the underlying registry; and
- (b) the owners or the registered mortgagees, if any, of such request for extension,

PART V — *Bareboat Charter In, contd.*

and he has not received any objections to extension within seven days after the later of the notifications under paragraphs (a) and (b).

(2) Upon the grant of an extension under paragraph (1), the registrar shall—

- (a) enter the new date of expiry in the register of the ship;
- (b) endorse the certificate of bareboat charter registration with the new date of expiry thereof; and
- (c) inform the appropriate authorities of the underlying registry.

International convention certificate of bareboat chartered ships.

36. A ship bareboat charter registered under this Part which is required to be issued with certificates relating to international conventions shall—

- (a) where Jamaica is a party to the relevant convention, be issued with the required certificates under the authority of the Government of Jamaica;
- (b) where Jamaica is not a party to a convention, be issued with the required certificates with the permission of the registrar, under the authority of the government of the underlying registry.

Jurisdiction over ships registered

37.—(1) A ship registered under this Part shall be deemed to be a Jamaican ship and, except where otherwise provided, shall be under the jurisdiction and control of Jamaica and shall comply with all the laws applicable to Jamaican ships.

(2) A ship registered under this Part shall only display the Jamaican flag.

(3) The port of registry of a ship registered under this Part shall be shown on the certificate of bareboat charter.

Ownership of ship registered under this Part.

38.—(1) This Part shall have no effect with regard to title, or to any transfer or transmission of a ship registered under this Part or of any shares therein.

(2) Any transfer of ownership of a ship registered under this Part shall within seven days thereof be notified in writing by the charterers to the registrar, and the registration of the ship under this Part shall be cancelled unless the new owners have—

- (a) within seven days after submitting the notification, declared to the registrar in writing that they have no objection to the ship remaining registered under this Part; and
- (b) within 30 days of having made such declaration, delivered to the registrar their consent in writing to such registration.

PART V—*Bareboat Charter In, contd.*Payment
of fees

39. A ship registered under this Part shall be subject to the payment of the initial and annual fees and of any other fees prescribed in the Act, or in any regulations made thereunder.

Termination
of bareboat
charter
registration
Form B.
Schedule 6

40.—(1) Where the charterer of a ship registered under this Part, desires that the bareboat charter registration of such ship be closed, he shall make an application to the registrar for de-registration of the ship with such additional particulars and information as the registrar may require.

(2) The registrar may grant the application if he is satisfied that

- (a) the requirements of paragraph (1) have been met;
- (b) all liabilities and obligations in respect of the ship towards Jamaica whether for fees, charges, fines or otherwise have been paid.

(3) The registrar shall cancel the registration of a ship under this Part, and shall make an entry to that effect in the register, if—

- (a) an application for de-registration has been granted under paragraph (2);
- (b) the appropriate authorities of the underlying registry, the owners, or any of the mortgagees, if any, have withdrawn their consent to the bareboat charter registration in Jamaica;
- (c) the registration in the underlying registry has for any reason been terminated;
- (d) the charter lapses or is terminated by any of the parties to it;
- (e) the charterer fails to supply information or documents required under regulation 30 (4);
- (f) the period for which the ship has been bareboat charter registered lapses and no extension has been granted in accordance with regulation 35; or
- (g) the ship is being operated in breach of these Regulations, or any of the circumstances specified in section 29 of the Act apply to the ship.

(4) Upon the closure of registration under paragraph (3) the ship shall cease to be a Jamaican ship and the registrar shall immediately notify such closure to the appropriate authorities of the underlying registry, the owners and the mortgagees, if any.

(5) The registrar may refuse to issue a certificate of de-registration until —

- (a) the certificate of bareboat charter registration issued under regulation 33 has been surrendered to him; and

PART V—*Bareboat Charter In, contd.*

- (b) all liabilities and obligations in respect of the ship towards Jamaica whether for fees, charges, fines or otherwise have been paid.

Bareboat Charter—Out

Consent of Registrar.

41.—(1) In addition to the circumstances referred to in section 19 of the Act, the Registrar General may, under such conditions as he may deem fit to impose, consent to a Jamaican ship being registered under the law relating to bareboat charter registration of another state where—

- (a) the ship is registered as a Jamaican ship under Part IV of the Act;
- (b) the bareboat charter registry where the ship is to be registered is a compatible registry; and
- (c) the following documents are submitted to him—
- (i) an application for bareboat charter registration in a foreign registry made by the owners and containing such additional information as may be required by the registrar;
- (ii) the consent in writing to such registration of all registered mortgagees, if any;
- (iii) a written undertaking by the shipowners to surrender the Certificate of Registry issued under the Act within fifteen days from entry into the bareboat charter registry;
- (iv) a written undertaking by the charterer that the Jamaican flag shall not be displayed during the period of bareboat charter registration; and
- (v) a copy of the bareboat charter party.

(2) The owners shall produce to the registrar any amendments or modifications to the bareboat charter party within thirty days of such amendments or modifications being effected.

Name of ship bareboat charter registered in a foreign registry

42.—(1) Subject to paragraph (2), a ship registered under Part IV of the Act shall be bareboat charter registered in a foreign registry by the name under which it is registered under the Act.

(2) The name of a Jamaican registered ship bareboat charter registered in a foreign registry may be changed with the written consent of the Director in accordance with section 34 of the Act only if such change is also being effected in the bareboat charter registry.

Foreign bareboat registration to be in terms of these Regulations.

43. Any purported bareboat charter registration in a foreign registry of a ship registered under this Part, which is not made in accordance with the provisions of this Part shall be null and void.

PART V-- *Bareboat Charter Out, contd*

Bareboat
charter
registration.

44. (1) Upon the bareboat charter registration of a Jamaican ship in a foreign registry—

(a) the owners shall—

- (i) immediately notify the registrar of such registration; and
- (ii) within thirty days thereof surrender to the registrar the Certificate of Registry issued to the ship under this Part and deliver to the registrar a transcript or an extract of the foreign bareboat charter registration;

(b) the registrar, if satisfied that such registration has been effected according to the provisions of this Part, shall make an entry thereof in the register of that ship.

(2) The owners shall immediately notify the registrar of the closure or lapse of the bareboat charter registration in a foreign registry, and shall within thirty days of the closure of such registry, deliver to the registrar a transcript or an extract of the foreign bareboat charter registration showing such closure.

Obligation
while ship is
in foreign
bareboat
charter
registry.

45. (1) During the time a Jamaican ship is bareboat charter registered in a foreign registry as provided for in this Part—

- (a) notwithstanding section 105 of the Act, such ship shall not display the Jamaican flag; and
- (b) notwithstanding the provisions of section 32 of the Act, the port of registry of such ship shall be that of the bareboat charter registry.

(2) The owners shall, within fifteen days from the entry into the foreign bareboat charter registry, make and deliver to the registrar a declaration to the effect that the name of the foreign port of registry has been marked on the stern of the ship in place of the name of the Jamaican port of registry.

Payment of
Jamaican fees
while in
foreign
bareboat
charter
registry.

46. A Jamaican ship bareboat charter registered in a foreign registry shall notwithstanding such registration, continue to be subject to the payment of all relevant fees in respect of Jamaican ships payable under the Act or any regulations made thereunder.

International
convention
certificates
while ship in
foreign
bareboat
charter
registry.

47.—(1) A Jamaican ship bareboat charter registered in a foreign registry and which is required to be issued with certificates relating to international conventions to which Jamaica is a party shall, subject to paragraph (2), be issued with such certificates under the authority of the government of the bareboat charter registry.

(2) Where the state of the bareboat charter registry is not a party to a convention, a certificate required under that convention may be issued under the authority of the Government of Jamaica.

PART V *Bareboat Charter Out, contd.*

Proprietary
interests
while ship in
foreign
bareboat
charter
registry.

Termination
of bareboat
charter
registration
in foreign
registry.

48. Any transaction affecting the title over the ship or relating to the registration, amendment, transfer and transmission and discharge of mortgages shall be made and registered in accordance with the provisions of the Act; and accordingly the registration in respect of the ship of any mortgages or encumbrances in the foreign bareboat charter registry shall be null and void.

49.—(1) The registrar may withdraw the consent granted under regulation 41 if any of the provisions of that regulation or of section 19 of the Act is not complied with.

(2) The registrar shall withdraw such consent, if—

- (a) the Minister, in the national interest or in the interest of Jamaican shipping and after giving the owners and the charterers of the ship a reasonable opportunity to make representations, has ordered the registrar to withdraw his consent;
- (b) any of the conditions required to be fulfilled under section 19 (1) of the Act or regulation 44 is not so fulfilled; or
- (c) the charter party terminates or is terminated by any of the parties to it.

(3) Upon his withdrawal of consent under paragraph (1) or (2)

- (a) the registrar shall inform the appropriate authorities of the foreign bareboat charter registry, the owners, the charterers, and the mortgagees, if any, of such withdrawal; and
- (b) the bareboat charter registration in the foreign registry shall, for the purposes of these Regulations, be treated as terminated.

(4) Where there is a termination of the bareboat charter registration in a foreign registry—

- (a) the registrar shall immediately thereupon make an entry thereof in the register, and the ship shall thereupon be subject to all the provisions of Jamaican law;
- (b) within thirty days of the termination of such registration
 - (i) the owners shall make and deliver a declaration to the registrar that the certificate of bareboat charter registration has been surrendered to the foreign bareboat charter registry; and
 - (ii) thereupon the registrar, unless the registration of the ship under Part IV of the Act is also being closed, deliver to the owners the Certificate of Registry which had been surrendered to him under regulation 44 (1); and

PART V—*Bareboat Charter Out, contd.*

- (c) within thirty days of the termination of such registration the owners shall deliver to the registrar a transcript or an extract of the foreign register showing that the bareboat charter registration has been cancelled.

Certification of documents 50. All documents required by the registrar for the purposes of this Part shall be certified as directed by the registrar.

PART VI—*Miscellaneous*

Documents in other language, etc 51.—(1) Any document which is not in English which is produced in support of any application under these Regulations shall be accompanied by a notarized translation of the document into English.

(2) Where the signature on any document made under these Regulations is required to be witnessed, the witness shall neither be a minor nor be the spouse of the signatory.

Dispensing with declaration. 52. Where under these Regulations—

- (a) any person is required to make a declaration on behalf of himself or any body corporate, but is unable to do so and can satisfy the registrar, that it is due to reasonable cause, the registrar may on such terms as he thinks fit, dispense with the declaration; or
- (b) any evidence is required to be produced to the registrar but the person to whom the request is made is unable to produce such evidence and the registrar is satisfied that it is due to reasonable cause, the registrar may on production of such other evidence as he considers appropriate, dispense with the evidence originally required.

Fees 53. Where a fee is prescribed in respect of any service or other transaction to be carried out pursuant to these Regulations, the registrar shall not be required to carry out the service or other transaction unless the appropriate fee has been paid.

Dispensing with production of certificate 54. Where a Certificate of Registry is required by these Regulations to accompany any application and it is shown to the satisfaction of the registrar that for any reasonable cause (which includes, but is not limited to, the ship being in a port outside Jamaica, or the certificate being needed for an imminent voyage, at the time the application was made) the certificate cannot be produced, the registrar may, subject to such conditions as he thinks fit, dispense with its production.

Issue of certificate of deletion and removal of marks on termination of registration 55. Where, under the Act or these Regulations, the registration of a ship is terminated—

- (a) the Registrar may, at the written request of the owner, issue a certificate confirming that the particulars related to the ship have been deleted from the register, and stating the status of any mortgage registered in respect of that ship; and

PART VI—*Miscellaneous, contd.*

- (b) the owner shall forthwith remove from the ship the marking prescribed under these Regulations and submit to the registrar written confirmation of the removal.

PART VII—*Offences*

Offences.

56.—(1) A person commits an offence if he—

- (a) with intent to deceive, uses, lends or allows to be used by another, a Certificate of Registry whether in force or not;
- (b) in purported compliance with a requirement under these Regulations, supplies information provides an explanation or makes a statement which he knows to be false or misleading in a material particular;
- (c) fails, without reasonable cause to surrender a Certificate of Registry when required to do so under these Regulations;
- (d) intentionally alters, suppresses, conceals or destroys a document which he has been required by these Regulations to produce to the registrar.

(2) The offences specified in paragraph (1) shall be punishable on summary conviction in a Resident Magistrates Court with a fine not exceeding one thousand dollars or imprisonment for a term not exceeding two months or both such fine and imprisonment.

PART VIII—*Transitional Provision*

Transitional

57. Schedules 3 and 4 and the related provisions of regulations 11 and 14 shall not apply to any ship until a new Certificate of Registry under these Regulations is issued in respect of that ship.

SCHEDULE 1

(Regulation 4)



Indicate Whether

*Bareboat Charter

Ship under Construction

Pleasure

Fishing

If neither, please ignore

APPLICATION FOR REGISTRATION
AND NOTICE OF NAME OF A VESSEL UNDER 24M

SECTION 1 GENERAL INFORMATION									
1. Preferred Name of Ship		2. Alternative Name			3. IMO/Call Sign No.		4. Call Sign (if applicable)		
5. Length (M)	6. Beam (M)	7. Depth (M)	8. Gross Tonnage	9. Net Tonnage	10. Construction Material				
11. Freeboard	12. Max Draught	13. Number of Masts		14. CLASS		15. Propulsion Type			
16. Fuel	17. Type of engine	18. Main Use of Vessel			19. Number of Decks		20. Number of Bulk Heads		
21. Present Registry		22. Year of Build		23. Hull No. (if any)		24. Port where vessel will be first registered in			
25. Builder's Name				26. Builder's Address			27. Charter Party, if any		
							28. Certificate of Registry, if any		
SECTION 2 ENGINE PARTICULARS									
29. Engine Description		30. Number of Engines		31. Total Power (kw)		32. Serial Number		33. Fuel	
34. Manufacturer's Name					35. Manufacturer's Address				
SECTION 3 INFORMATION ON OWNER(S)/CHARTERER(S)									
36. Name of Owner/Charterer		37. Address of Registered Office			38. Address Correspondence to		39. Contact Person		
							40. Telephone No.		
							41. Fax No.		
							42. Email Address		
43. Name of Authorized Representative		44. Address of Authorized Representative (if different)					45. Contact person		
							46. Telephone No.		
							47. Fax No.		
							48. Email Address		
SECTION 4 MORTGAGE INFORMATION (if applicable)									
49. No. of mortgages noted									
<p>Applicant is hereby made for the registration of the vessel described above, pursuant to the Shipping Act, 1995. I declare that to the best of my knowledge, all information provided above is true, accurate and for the description of the ship, is correct and that the signature is not false or unauthorized.</p>									
Name					Position				
Signature					Date				

COPY: Reg. No. 2

To Current registrant's form for further details, contact us by a fax at: 800-833-1248 / 1-800-346-1248

MS: Applicant's Agreement to provide a fully insured hull and liability coverage to the port state vessel(s).

*Bareboat Charter party is not certified copy of charter party.

** Please provide a letter of confirmation of the vessel's name and call sign.

SCHEDULE 1, *contd.***REQUIREMENTS FOR THE REGISTRATION AND NOTICE OF NAME OF A VESSEL UNDER 24M**

The following must be submitted in applying for the Registration of a vessel under 24M

1. Application For Registration and Notice of Name of a Vessel under 24M
2. Declaration of Ownership
3. Power of Attorney
4. Jamaican Passport (if individual owner)
5. Certificate of Incorporation or Similar Documents of Establishment, Notice of Directors or Similar Documents, Certificate of Good Standing;
6. Certificate of Deletion, Cancellation or De-registration at or before the date and time of registration in Jamaica (if applicable)
7. Bill of Sale for the Vessel (Condemnation Order/Builder's Certificate)
8. Application for Radio Licence (where applicable)
9. Valid Certificate of Survey
10. Carving and Marking Note
11. Appropriate Fees

The following must be submitted in applying for Bareboat (In) Registration of a vessel under 24M

1. Application For Registration and Notice of Name of a Vessel under 24M
2. Declaration of the Charterer
3. Application for Radio Licence (where applicable)
4. Certified copy of Bareboat Charter Party
5. Certificate of Incorporation or Similar Documents of Establishment, Notice of Directors or Similar Documents, Certificate of Good Standing; or Jamaican passport (if individual owner)
6. Power of Attorney (where applicable)
7. Transcript of Underlying Registry
8. Consent for registration in Jamaica from:
 - i. Mortgagees (where applicable)
 - ii. Owners
 - iii. Underlying Registry
9. Valid Safety Certificate
10. Valid Certificate of Registry
11. Carving & Marking Note
12. Appropriate Fee

SCHEDULE 1, *contd.*APPLICATION FOR REGISTRATION
AND NOTICE OF NAME OF A SHIP

SECTION 1 GENERAL INFORMATION				
1. Present Name of Ship	2. Proposed Name of Ship	3. Proposed Date of Registration	4. Alternative Names (a) 1. 2.	
5. MD Number	6. When Built	7. When Built	8. Present Flag	9. Propulsion (Steam or Motor)
10. Place where ship will be at time of registry		11. Distinguishing Registry	12. Classification Society (if any)	
SECTION 2 VESSEL DIMENSIONS <i>In accordance with ILO-TC</i>				
13. Length (Overall) in Metres	14. Breadth (Beam) in Metres	15. Depth (Moulded) in Metres	16. Gross Tonnage	17. Net Tonnage
SECTION 3 HULL DESCRIPTION				
18. Number of Decks	19. Number of Masts	20. Material (Steel, CRP etc)	21. Type of vessel	22. CLASS
23. Builder's Name		25. Builder's Address		
SECTION 4 PROPULSION MACHINERY				
26. Number of Engines	27. Description of Engines		28. Propulsion (KW, BHP, etc.)	29. Number of Cylinders
30. Manufacturer's Name		31. Manufacturer's Address		
SECTION 5 VESSEL OWNER(S)				
32. Owner's Name	33. Address of Registered Office	34. Address for Correspondence	35. Contact Person	
39. Name of Ship Manager			36. Telephone No.	
			37. Fax No.	
40. Address of Ship Manager			38. E-mail Address	
			41. Contact person	
46. Name of Appointed Authorised Representative in Jamaica			42. Telephone No.	
			43. E-mail Address	
47. Address of Appointed Authorised Representative in Jamaica			43. After Office Hours Fax	
			44. Contact Person	
48. Name of Appointed Authorised Representative in Jamaica			45. Telephone No.	
			46. Fax No.	
49. Address of Appointed Authorised Representative in Jamaica			47. E-mail Address	
			48. After Office Hours No.	
SECTION 6 MORTGAGE INFORMATION				
51. No. of Vessels				
Application is hereby made for the registration of the vessel described above pursuant to the Shipping Act of 1958. I declare that to the best of my knowledge, all information provided above is true.				
Name		Position		
Signature		Date		
Owner or His Authorised Agent				

SCHEDULE 1, *contd.*

Note: The following documents are required to be submitted where applicable, together with this application
 Requirements for the (Provisional) Registration of a Ship Jamaican:

- 1) An Application for Registration and Notice of Name of a Ship (Form JSR01)
- 2) Declaration of Ownership (Form JSR02)
- 3) Bills of Sale for the Vessel (Conditioning Order/Builder's Certificate)
- 4) Power of Attorney
- 5) A valid Certificate of Survey
- 6) Written application for Radio License
- 7) Confirmation from CLASS that the Ship is in CLASS - Confirmation to include exemptions and conditions pertaining and expiration dates of certificates.
- 8) Application for Minimum Safe Manning Certificate (Form JSR 11)
- 9) Certified copy of the International Tonnage Certificate (ITC) from previous registry
- 10) Radio Authority's Confirmation from Radio Accounting Authority
- 11) Certificate of Incorporation or Similar Documents of Establishment - Notice of Directors or Similar Documents - Certificate of Good Standing, Jamaican Passport (If sole Owner)
- 12) Declaration that the ship has no encumbrance
- 13) Support from mortgagees for the registration of the ship in Jamaica (where applicable)
- 14) Mortgage Documents (where applicable)
- 15) Continuous Synopsis Record (CSR) from Previous Flag
- 16) Declaration of Information - Continuous Synopsis Record
- 17) Declaration of Company Security Officer (JCSO)

Requirements for the (Permanent) Registration of a Ship Jamaican:

In addition to the above requirements, the following must be provided for Permanent Registration of a Ship Jamaican:

- 18) Certificate of Deletion, Cancellation or De-registration at or before the date and time of registration (* not provided in earlier package for a previously registered ship)
- 19) Safety Certificates issued by or under the authority of the Maritime Authority of Jamaica (where applicable)
- 20) Crew documents and/or applications as appropriate
- 21) Carving and Marking Note (JSR05) duly completed

SCHEDULE 2

Regulations 2, 7, 8, 13
and 22

CARVING AND MARKING

PART 1

Vessels other than Pleasure Craft under 24 metres in length

1. Every ship other than a pleasure craft under 24 metres in length shall, before registration, be marked permanently and conspicuously to the satisfaction of the Director as follows:-
 - (a) its name shall be marked on each of its bows, and its name and the name of its port of registry shall be marked on its stern, in letters of a contrasting colour so as to be clearly visible, such letters to be of a length not less than 1 decimetre, and of proportionate breadth;
 - (b) its ship identification number where applicable official number and net tonnage shall be permanently marked on a main part of the of the ship permanent structure that is readily visible and accessible in such manner as may be specified by a surveyor of ships;
 - (c) subject to subparagraph (e), in the case of every such ship built before 1st May, 1988 a scale of feet denoting its draught, of water shall be marked on each side of its stem and of its stem post in Roman capital numerals or in figures, not less than 6 inches in length, the lower line of such letters or figures to coincide with, the draught line denoted thereby, and those letters and figures shall be marked by being cut in and painted in a contrasting colour so as to be clearly visible, or in such other way as the Director may approve;
 - (d) in the case of every such ship built after 1st May, 1988, a scale of decimetres, or of metres and decimetres, denoting a draught of water shall be marked on each side of its stem and its stern post in figures at two-decimetre intervals and at intervening 2 decimetre intervals, if the scale is in metres and decimetres, the capital letter "M" being placed after each metre figure; the top figure of the scale showing both the metre and (except where it marks a full metre interval) the decimetre figure; the lower line of the figures, or figures and letters (as the case may be), coinciding with the draught line denoted thereby; the figures and letters being not less than 1 decimetre in length and being marked by being cut in and painted in a contrasting colour so as to be clearly visible, or in such other way as the Director may approve; and
 - (e) every ship built before 1st May, 1988 may comply with the requirements of subparagraph (d).
2. Unless in special circumstances the Director directs otherwise, a pleasure vessel of 24 metres in length or over, shall be deemed to be in compliance with

SCHEDULE 2, *contd*PART 1, *contd.*

subparagraph (a) of paragraph 1 if its name and the name of its port of registry are marked on its stem in the manner provided in that subparagraph.

3. The marks required by this section shall be permanently continued, and no alteration shall be made therein, except in the event of any of the particulars thereby denoted being altered in the manner provided by these Regulations.
4. The Director may exempt a class of ships from all or any of the requirements of this section.

PART 2

Pleasure Craft under 24 metres in length

1. Every pleasure craft under 24 metres in length shall, before it may be registered, be marked permanently and conspicuously to the satisfaction of the Director in accordance with paragraph 3.
2. The Director may exempt a pleasure craft under 24 metres from all or any of the requirements of paragraph 3, subject to such conditions, if any, as he thinks fit.
3. A pleasure craft which is under 24 metres in length shall be marked as follows —
 - (a) the official, number and registered tonnage are —
 - (i) to be marked on a readily accessible visible permanent part of the structure of the pleasure craft either by cutting in, centre punching or raised lettering; or
 - (ii) to be engraved on plates of metal, wood or plastic, secured to a readily accessible visible permanent part of the structure with rivets, through bolts with the ends clenched, or screws with the slots removed;
 - (b) the name and port of registry (unless exempted under paragraph 6), are to be marked on a conspicuous and permanent part of the stem in letters of a contrasting colour so as to be clearly visible, the letters being not less than 5 centimetres high and of proportionate breadth, or where this is not possible by the alternative methods given below—
 - (i) by engraving on plates of metal or of plastic or by cutting in on a shaped wooden chock. Where a shaped wooden chock is used it should be secured to the hull through bolts, the ends being clenched; or
 - (ii) by individual glass reinforced plastic letters and numbers approximately 2 millimetres in thickness, fixed to the hull with epoxy adhesive, painted with suitable paint, and coated with translucent, epoxy resin; and

SCHEDULE 3, *contd.*PART I, *contd.*

- (iii) where metal or plastic plates have been used these must be fixed by the use of epoxy adhesives and coated with translucent epoxy resin after they have been fixed in position.
4. A scale of decimetres, or metres and decimetres, denoting a draught of water shall be marked on the pleasure craft, other than one which is exempted, on each side of its stem and its stem post, as follows—
- (a) in figures in 2 decimetres intervals, if the scale is in decimetres; and
 - (b) in figures at each metre interval and at intervening two decimetre intervals, if the scale is in metres and decimeters.
5. The capital letter 'M' being placed after each metre figure; the top figure of the scale showing both the metre and (except where it marks a full metre interval) the decimetre figure; the lower line of the figures, or figures and letters, coinciding with the draught line denoted thereby; the figures and letters being not less than one decimetre in length and being marked by being cut in and painted in a contrasting colour so as to be clearly visible, or in such other way as the Director may approve.
6. The name of a pleasure craft shall be marked in Roman letters and any numerals shall be in Roman or Arabic numerals.

SCHEDULE 3

(Regulation 11)

Particulars to be entered in register

1. The following information is to be registered in respect of each owner who is an individual
- (a) surname, forename and title;
 - (b) address;
 - (c) nationality;
 - (d) number of shares owned by him, and if held jointly, with whom the shares are held; and
 - (e) the name of the managing owner.
2. The following information is to be registered in respect of each owner which is a body corporate—
- (a) name of owner;
 - (b) the address of its registered office;
 - (c) country of incorporation and place of business; and

SCHEDULE 3, *contd.*

- (d) number of shares owned by the company and if held jointly, with whom the shares are held.
3. The following information is to be registered in respect of any managing owner or agent -
- (a) the full name of the individual or body corporate; and
 - (b) the address of the individual or the place of business of the body corporate.
4. The following information is to be registered in respect of ships registered or to be registered in the Register of Jamaican Ships under Part IV of the Act or Part V of these Regulations—
- (a) name;
 - (b) IMO Number;
 - (c) radio call sign;
 - (d) port of registry;
 - (e) official number;
 - (f) year of build;
 - (g) method of propulsion e.g. whether sail, steam, motor or dumb;
 - (h) where built;
 - (i) name and address of builders;
 - (j) date keel laid/when built;
 - (k) length-metric units;
 - (l) breadth-metric units;
 - (m) depth-metric units;
 - (n) type of ship e.g. dry cargo, oil tanker, passenger, bulk carrier;
 - (o) material used to construct hull;
 - (p) gross tonnage;
 - (q) net tonnage;
 - (r) registered tonnage in the case of a pleasure craft less than 24 metres in length;
 - (s) make and model of engine (s); and
 - (t) total power of engines in kilowatts.

SCHEDULE 3, *contd.*

5. In addition to the information in paragraph 4, the following is to be registered in respect of bareboat chartered ships—
 - (a) the name and address of the owner;
 - (b) the name and address of the charterer;
 - (c) the name and address of any representative person;
 - (d) ship identification number and national identification number or official number;
 - (e) state of primary registration;
 - (f) commencement date of the charter period and its expiry date; and
 - (g) the name by which the ship is known in the underlying registry (or a translation of that name).

6. The following information where relevant is to be registered in the Register of Ships under Construction under Part IV of the Act.
 - (a) port of Registry;
 - (b) number and year of current registry;
 - (c) Jamaican Ship Registry identity number;
 - (d) where being built;
 - (e) name and address of builders,
 - (f) date keel laid;
 - (g) type of ship (e.g. dry cargo, oil tanker, chemical tanker, passenger, bulk carrier, pleasure yacht, etc.);
 - (h) material used to construct the hull;
 - (i) estimated length of the ship (metric units);
 - (j) estimated breadth of the ship (metric units);
 - (k) estimated depth of the ship (metric units);
 - (l) estimated overall length (metric units);
 - (m) number of transverse bulkheads;
 - (n) number of masts;
 - (o) intended method of propulsion (e.g. whether sail, steam, diesel-electric, motor or dumb, etc.);

SCHEDULE 3, *contd.*

- (p) estimated gross tonnage;
- (q) estimated net tonnage;
- (r) estimated registered tonnage (pleasure crafts under 24 metres in length);
- (s) name and address of registered owner as agreed between builder and client;
- (t) nationality (individual);
- (u) country of incorporation (body corporate);
- (v) authorized representative;
- (w) main particulars of the construction contract;
- (x) yard number or other information identifying the ship.

SCHEDULE 4

(Regulation 14)

Information to be included a Certificate of Registry

1. A certificate of registry for a ship registered or to be registered under Part IV of the Act shall contain—
 - (a) the full name and address of the owner's;
 - (b) the number of shares owned by each owner and if any are jointly owned, with whom they are owned;
 - (c) the following information about the ship—
 - (i) name;
 - (ii) IMO number;
 - (iii) radio call sign;
 - (iv) port of registry;
 - (v) official number;
 - (vi) year of build;
 - (vii) method of propulsion e.g. whether sail, steam, motor or dumb;
 - (viii) length-metric units;
 - (ix) breadth-metric units;

SCHEDULE 4, *contd.*

- (x) depth-metric units;
 - (xi) type of ship e.g. dry cargo, oil tanker, passenger, bulk carrier,
 - (xii) gross tonnage;
 - (xiii) net tonnage;
 - (xiv) registered tonnage in the case of a pleasure craft less than 24 metres in length;
 - (xv) engine make and model; and
 - (xvi) engine, power in kilowatts;
- (b) the date of issue of the certificate.
2. A certificate of bareboat charter registry for ships registered or to be registered under Part V of these regulations shall contain the details prescribed by paragraph 1 (a), (c) and (d) and the following—
- (a) the name and address of the charterer;
 - (b) national identifying number or official number;
 - (c) state of primary registration;
 - (d) original name (or a translation thereof) if different from its registered name;
 - (e) the date of expiry of the certificate.

SCHEDULE 5

(Regulations 21 and 32)

Approval of change of name and change of names

1. Every application to the Director to approve a change of a name of a ship shall specify a name which is in Roman letters; and the numerals shall be in Roman or Arabic numerals.
2. In respect of an application to register a ship under Part IV of the Act or Part V of these Regulations, the Registrar, pursuant to section 33 of the Act, shall not approve the proposed name if it is—
 - (a) a name which may be confused with a distress signal; or
 - (b) a name which is prefixed by any letters or name which could be taken to indicate a type of ship or any word, pre-fix or suffix which might cause confusion as to the name of the ship.

SCHEDULE 5, *contd.*

3. Subject to paragraph 4, if the Registrar is satisfied that a name does not fall within section 33 (3) (a) or (b) of the Act or paragraph (a) or (b) of paragraph 3 of the Schedule 5. He shall notify the applicant in writing that the name is approved and the ship may be registered with that name.
4. Notwithstanding that the Registrar is satisfied that a name is acceptable under paragraph 2 he may refuse to approve a name—
 - (a) which might cause offence or embarrassment; or
 - (b) which has a clear and direct connection with the Crown Royal family.
5. Any approval given under paragraph 2 shall be valid only for the period of 3 months beginning with the date it is notified to the applicant.
6. If the Registrar is not satisfied as mentioned in paragraph 3, he shall notify the applicant accordingly.
7. Where the owner of a ship registered in Jamaica intends to replace it with another ship to be registered under the same name, then, notwithstanding paragraph 5, the Registrar may, on an application being made by the owner, reserve the name for a period of up to one year from the date of closure of the registration of the first mentioned ship.
8. An application for a reservation under paragraph 7 shall be accompanied by a full statement of the circumstances of the case.

SCHEDULE 6 (Regulations 30 (2) and 40)
FORM A



**APPLICATION FOR BAREBOAT (IN) CHARTER REGISTRATION
AND NOTICE OF NAME OF A SHIP**

SECTION 2 - GENERAL INFORMATION			
1. Present Name of Ship	2. Proposed Name of Ship	3. Alternative Name (if any)	4. Proposed Date of Registration
5. IMO Number	6. Present Flag	7. When Built	8. Propulsion (steam or Motor)
9. Place where ship will be in time of registry	10. Registration Expiry Date	11. Charter Party Expiry Date	12. Classification Society (if any)
SECTION 3 - VESSEL DIMENSIONS			
14. Length (LOA) in Metres	15. Breadth (Extreme) in Metres	16. Depth (Moulded) in Metres	17. Gross Tonnage
			18. Net Tonnage
SECTION 3.1 - HULL DESCRIPTION			
19. Number of Decks	20. Number of Masts	21. Masts (Rival, CRP etc)	22. Type of Vessel
			23. CLASS
24. Number of Bulkheads			
25. Builder's Name		26. Builder's Address	
SECTION 4 - PROPULSION MACHINERY			
27. Number of Engines	28. Description of Engines	29. Propulsion (KW, BHP etc.)	30. Number of Cylinders
31. Manufacturer's Name		32. Manufacturer's Address	
SECTION 5 - CHARTERER(S) INFORMATION			
33. Charterer(s)' Name(s)	34. Address of Registered Office	35. Address for Correspondence	36. Contact Person
			37. Telephone No.
			38. Fax No.
			39. Email Address
40. Name of Ship Manager			41. Address of Ship Manager
			42. Contact person
			43. Telephone no.
			44. Fax No.
			45. Email Address
			46. After Office Hours No.
47. Name of Appointed Authorized Representative in Jamaica			48. Contact Person
			49. Telephone No.
			50. Fax No.
			51. Email Address
			52. After Office Hours No.
<p>Application is hereby made for the registration of the vessel described above as a Jamaican ship under the Shipping Act, 1998. This vessel is documented under the laws of the country indicated above. Consent from the ship's flagmaster, appropriate authority and owners for the Bareboat Registration of the vessel in Jamaica, is enclosed herewith. I declare that to the best of my knowledge, all information provided above is true.</p>			
Name		Position	
Signature		Date	
Charterer or Bareboat Authorized Agent			

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(a) Blank for use when Company or Partnership in Jamaica appointed as Managing Owner or Owner's Representative

(a) Please provide alternative names in the order of preference in the event the desired name is not available.

FORM A, *contd.***REQUIREMENTS FOR BAREBOAT CHARTER (IN) REGISTRATION AND NOTICE OF NAME OF SHIP****A. Bareboat In**

1. An Application for Bareboat Charter (In) Registration and Notice of Name of a Ship
2. Declaration of the Bareboat Charterer
3. Application for Minimum Safe Manning Certificate
4. Application for Radio Licence
5. Declaration of Information for Continuous Synopsis Record
6. Declaration of Company Security Officer
7. Application for Crew Endorsements
8. A certified copy of the Bareboat Charter Party
9. Company documents:
 - (a) Certificate of Incorporation or Similar Documents of Establishment;
 - (b) Notice of Directors or Similar Documents;
 - (c) Certificate of Good Standing.
10. Power of Attorney (where applicable)
11. Transcript of the underlying Registry
12. Consent for registration of the vessel in Jamaica and/or change of name of the vessel, from:
 - (a) Underlying Registry
 - (b) Registered Mortgagees (where applicable)
 - (c) Registered Owner
13. ITU/INMARSAT approved PSA/AAIC's confirmation to manage Radio Account of the vessel
14. Statutory Certificates issued by the underlying Registry.
15. International Tonnage Certificate (ITC) from underlying Registry.
16. Document of Compliance (DOC) and Safety Management Certificate (SMC).
17. Confirmation from the Classification Society that the vessel is in CLASS. Confirmation is to state the applicable exemptions/conditions
18. Carving and Marking Note

B. Bareboat Out

1. A letter of Application for the Bareboat Out Registration with Notification of the name to be used (if other than the registered name)
2. A certified copy of the Bareboat Charter Party
3. Consent of the registered mortgagees (where applicable)
4. Return of all documents issued to the vessel by or on behalf of Jamaica
5. Written undertaking by the owner to surrender the Jamaican certificate of registry upon registration in the foreign registry
6. Written Undertaking by the charterer that the Jamaican flag or markings shall not be displayed during the period of Bareboat Charter Registration

SCHEDULE 6, *contd.*

(Regulation 11)

FORM B

The Registrar-General of Ships
Jamaica Ship Registry

Dear Sirs:

RE: CANCELLATION OF BAREBOAT CHARTER REGISTRATION - M/V
"SHIPNAME"

We, the Owners of the captioned vessel Bareboat(Out) Charter Registered to _____,
Insert Flag/State
hereby request the cancellation of the Bareboat Registration of the vessel with effect from

Insert Date

The need to cancel the vessel's registration arises from *[insert reason for cancellation of registration here]* Notification of the cancellation have been forwarded to: *[insert name of mortgagee, Bareboat(In) Flag/State etc]*

I undertake to remove all carving and markings associated with the flag of _____,
Insert Flag/State
and to replace them with Jamaican markings pursuant to the Jamaican Carving and Marking Note to be forwarded by you.

Yours

.....
Owner/Agent

Dated this 30th day of December, 2005.

ROBERT D. PICKERSGILL
Minister of Transport and Works.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations provide details for the registration of ships, ships under construction, pleasure crafts, ships registered provisionally, and bareboat chartered ships in accordance with the Shipping Act.

They also provide for requirements in certain cases where the owner is not resident in Jamaica.

The Regulations provide for methods of application, for registration, and for registration of transfers and mortgages. They lay down requirements as to naming, measurement and marking. They provide for refusal or termination of registration in certain cases, and for provisional registration.