

Merchant Shipping (Registration of Ships) Regulations 2009

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THE MERCHANT SHIPPING ACT

Regulations made by the Minister under section 228 of the Merchant Shipping Act

1. These regulations may be cited as the **Merchant Shipping (Registration of Ships) Regulations 2009**.

2. In these regulations -

"Act" means the Merchant Shipping Act 2007;

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

(ii) his name and address; and

(iii) 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 bareboat charter registry" means a certificate of registration issued to a ship under section 51 of the Act;

"certificate of registry" -

(a) means a certificate of registration issued to a ship under these regulations;
and

(b) includes a certificate of bareboat charter registry;

"Classification Society" means any of the societies specified in the First Schedule;

"closure transcript" means a certified extract from the register setting out -

(a) that the entry in the register in respect of a ship has been closed;

(b) the date of its closure; and

(c) the details about the ship and its ownership at the time of closure;

"Conventions" means the International Conventions specified in the Second Schedule;

"declaration of ownership and eligibility" means a declaration which complies with section 19 of the Act;

"first registration" means the provisional or permanent registration of a ship in the Register, whichever occurs first;

"identifying number" means the unique identifying number allocated to a bareboat chartered ship on its registration on the primary register;

"length" has the meaning given in the Tonnage Regulations;

"overall length" has the meaning given in the Tonnage Regulations;

"passenger submersible craft" means a passenger carrying mobile vessel, which primarily operates under water and relies on surface support, a surface ship or shore based facilities for monitoring and for one or more of the following -

- (a) recharging of power supply;
- (b) recharging high pressure air; and
- (c) recharging life support;

"primary register" means the Register on which the ship is registered at the time an application is made to register the ship as a bareboat chartered ship;

"ship" –

- (a) has the same meaning as in section 2 of the Act;
- (b) includes a ship under construction; and
- (c) does not include a demise chartered ship except for the purposes of Parts VII and VIII of the Act;

"SOLAS 1974" means the Convention on the Safety of Life At Sea adopted by the International Conference on Safety of Life at Sea on 1 November 1974;

"submersible craft" means any description of manned mobile submersible craft which is designed to maintain some or all its occupants at or near atmospheric pressure and to include free, self-propelled, tethered, towed or bottom contact-propelled apparatus, one man submersible craft and atmospheric diving suits;

"transfer of a ship" includes the transfer of any share of a ship.

3. An application for registration shall be made in the form prescribed in the Third Schedule.
4. (1) No ship shall be accepted for first registration as a Mauritius ship -
 - (a) where it is more than 15 years of age from completion of first construction;
and
 - (b) unless, where the ship is 500 gross tons and over, on production to the Registrar of an up-to-date class certificate issued by a recognised Classification Society.
- (2) The Registrar may, on such conditions as he thinks fit, accept a ship of more than 15 years of age from completion of first construction for first registration as a Mauritius ship.
- (3) Class of a Mauritius ship shall at all times be maintained with a recognised classification society, failing which registration of the ship may be suspended by the Registrar until such time as the Registrar is satisfied that the ship's classification has been reinstated by a recognised Classification Society.
- (4) Where the registration of a Mauritius ship is suspended under paragraph (3), the Registrar shall give to or cause to be served on the master of that ship a written notice of the suspension and the ship shall not proceed to sea unless the suspension is removed by the Registrar.
- (5) Any suspension of registration of a Mauritius ship under this regulation shall not affect the registration of any mortgage on that ship in the register and shall continue to exist on the register a charge on that ship.
5. Where the owner of a ship or in the case of a foreign ship which applies for registration on the basis of a bareboat charter to a Mauritian citizen or body corporate established in Mauritius, he shall, at the time of first registration, show to the Registrar such proof of third party liability insurance in respect of the relevant ship as the Registrar thinks fit.
6. (1) Every ship seeking registration under the Mauritius flag shall at the time of first registration comply with all the relevant conventions to which Mauritius has

acceded to.

- (2) Without prejudice to paragraph (1), the Registrar shall not issue a provisional or permanent certificate of registration in respect of a Mauritius ship unless the following convention certificates are produced -
 - (a) a Load Line Certificate under the International Load Lines Convention;
 - (b) a Cargo Ship Safety Equipment Certificate issued under SOLAS 1974;
 - (c) a Cargo Ship Safety Radio Certificate issued under SOLAS 1974;
 - (d) a Passenger Ship Certificate required for passenger ships only and issued under SOLAS 1974;
 - (e) a Cargo Ship Safety Construction Certificate issued under SOLAS 1974;
 - (f) a Tonnage Certificate issued under the International Convention on Tonnage Measurement of Ships 1969; and
 - (g) a Certificate required under any other convention to which Mauritius has acceded at the date of first registration of the ship.
- (3) Existing certificates issued by a foreign State which is a party to the Conventions to which Mauritius has acceded at the date of first registration of the relevant ship may be accepted by the Registrar for the issue of a provisional certificate of registration.
- (4) New Mauritian certificates issued under the Conventions specified in paragraph (2) shall be submitted before the expiry of existing certificates and not later than 90 days after the issue of the provisional or permanent certificate of registration, whichever shall first occur.
- (5) Where Mauritius accedes to any further Convention after the date of first registration of a Mauritius ship, the ship shall comply with the additional Convention and procure the issue of the relevant certificates under the additional Convention.

- (6) The certificates specified in paragraph (2) shall not be waived in the case of a transfer from a registry of a State which is not a party to the Conventions to which Mauritius has acceded at the date of first registration of the relevant ship in the Register.
7.
 - (1) The Registrar may, on request by a Classification Society, allocate an official number to a ship before he receives all other registration documents.
 - (2) Where a ship has had a number allocated under paragraph (1) and that number has been carved into the ship's beam but the ship is not accepted as being eligible for registration, the number shall be permanently defaced and a certificate to that effect shall be provided by the Classification Society to the Registrar of Ships.
8. On receipt of a carving and marking note on first registration, the owner shall -
 - (a) where the ship has not already been surveyed or measured as required by section 20 of the Act, cause it to be so surveyed or measured;
 - (b) in the case of a ship other than a pleasure yacht under 24 metres in length, cause the ship to be carved and marked in accordance with section 21 of the Act;
 - (c) in the case of a pleasure yacht less than 24 metres in length, cause the ship to be carved and marked in accordance with the Fourth Schedule; and
 - (d) where required under regulation 10, cause the ship's carving and marking to be inspected by an inspector or such other person as may be authorised by the Director.
9.
 - (1) In respect of a ship, other than a pleasure yacht which is less than 24 metres in length, an inspector or the person referred to in regulation 8(d) shall satisfy himself that the ship has been carved and marked in accordance with section 21 of the Act and when so satisfied, shall complete the carving and marking note and return it to the Registrar.

- (2) In respect of a pleasure yacht which is less than 24 metres in length, the persons referred to in regulation 8(d) shall certify that the ship has been carved and marked in accordance with the Fourth Schedule and return the certified carving and marking note to the Registrar.

10. (1) Where the Registrar is not satisfied that -

- (a) the particulars under section 20(1) of the Act relating to the measurement and tonnage of the ship submitted to him are correct; or
- (b) the ship is carved and marked in the manner required by section 21 of the Act or the Fourth Schedule,

he may direct the owner to have the measurement or other particulars and the carving or marking of the vessel verified by a person referred to in regulation 8(d).

(2) If the owner fails to comply with the direction of the Registrar, the Registrar may where the ship is -

- (a) not registered, refuse to register it until his direction has been complied with; or
- (b) registered, serve a notice on the owner or managing owner, or any charterer, manager or operator of the ship requiring him to produce evidence within 30 days, to satisfy him that the particulars of the measurement and tonnage are, or that the marking of the ship is, correct.

(3) If at the expiry of that period of 30 days the Registrar is not so satisfied, he may -

- (a) extend the notice and ask for further particulars; or
- (b) serve a final notice which closes the ship's registration, such closure to be effected 7 days after the service of that notice.

(4) Where a ship's registration is closed under paragraph (3), the owner of the ship shall forthwith surrender its certificate of registry.

- (5) Where the Registrar serves a notice under this regulation on the owner of a ship in respect of which a mortgage is registered, he shall send a copy of the notice to the mortgagee at the address recorded in the register.
11. If a carving and marking note issued under regulation 9 is not duly completed and returned to the Registrar within 3 months of its issue, the Registrar may cancel it and the application shall be treated as having been withdrawn.
12. (1) Where the Registrar is satisfied in respect of an application that -
- (a) the ship is eligible to be registered as a Mauritius ship;
 - (b) the ship has been duly carved and marked and that the appropriate survey or measuring certificate has been provided;
 - (c) the particulars of the ship furnished to him are correct;
 - (d) the title to the ship has been adequately proved; and
 - (e) the relevant requirements of the Act have been complied with,
- he shall, subject to paragraph (2), register the ship by entering in the register the particulars of the ship and its owners as specified in the Fifth Schedule.
- (2) Where the Registrar is not satisfied under paragraph (1), he shall, subject to regulation 37, refuse the application.
- (3) Without prejudice to paragraphs (1) and (2), in the case of a ship owned by a maritime entity -
- (a) where the maritime entity has a legal personality separate and distinct from that of its members, the name of such maritime entity may be entered in the register as the owner of the ship;
 - (b) where the 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 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 maritime entity is one that has a legal personality separate and distinct from that of its members, only the name of the maritime entity may be entered in the certificate of registry as the owner of the ship.

- 13.** (1) Notwithstanding regulations 11 and 12, where the conditions in paragraph (2) are satisfied, the Registrar may register a ship before the ship is marked in accordance with section 21 of the Act or the Fourth Schedule, or before the carving and marking note is duly completed and returned to him in accordance with regulation 11.
- (2) The conditions referred to in paragraph (1) are that the Registrar receives from the owner of the ship a declaration stating that -
- (a) the ship will be marked in accordance with section 21 of the Act or the Fourth Schedule, within 21 days or such period as the Registrar may allow; and
 - (b) within 7 days thereafter, or such other 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 ship's registration may be terminated if it is not marked in accordance with section 21 of the Act or the Fourth Schedule.
- 14.** (1) Upon registering a ship, the Registrar shall issue and send to the owner a certified copy of the certificate of registry containing the particulars set out in the Sixth Schedule, and shall retain in his possession a copy of any builder's certificate or bill of sale or other evidence of title produced on first registration, any certificate of measurement or survey, and all declarations made in connection with registration as required under this Act.
- (2) All documents which have been produced to the Registrar shall be returned to the applicant once the ship has been registered.

15. An application for registration of a transmission of a registered ship or a share in a registered ship under section 30 of the Act shall be made in such form as approved by the Registrar.
16. Every application for the registration of a 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 31(2) of the Act or a declaration of transmission pursuant to section 32 of the Act.
17. (1) Where the Registrar is not satisfied that a ship is eligible to be registered under regulation 15 –
 - (a) he shall serve a notice under paragraph (2) on the owner of the ship; and
 - (b) the ship's registration shall be terminated at the end of the period of 14 days beginning with the date of the service of that notice.(2) A notice under this paragraph shall state -
 - (a) that the Registrar is not satisfied that the vessel in question is eligible to be registered; and
 - (b) that the ship's registration shall accordingly terminate by virtue of paragraph (1) at the end of the period referred to in that paragraph.
18. (1) Where there is a 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.
 - (2) The notification referred to in paragraph (1) shall be -
 - (a) made in writing;
 - (b) signed by the owner;
 - (c) specify the nature of the change; and

(d) the name and the official number of the ship.

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 and surrender the certificate of registry; and

(b) the Registrar shall cancel the certificate of registry and shall freeze the register pending the application for the registration of the transfer or transmission by the new owner or owners of the ship or share.

(2) Where there is a transfer of a registered ship -

(a) the new owners shall, within 30 days of the transfer, make application in accordance with these regulations for the transfer to be registered;

(b) the Registrar may cancel the registration of the ship and the certificate of registry if the transfer is in relation to the shares in the ship and the application is not made within the 30 days; and

(c) the Registrar shall serve a notice on the remaining registered owners notifying them that, unless an application to transfer the share or shares in question is made within 30 days of the date of the notice the registration of the ship and the certificate of registry may be cancelled.

(3) (a) Where there is a transmission of a registered ship, the new owners shall make application under these regulations for the transmission to be registered.

(b) Where the transmission is in relation to the shares in the ship and application is not made within a reasonable time, the Registrar may cancel the registration of the ship and the certificate of registry.

(c) Where the transmission is in relation to one or some of the shares of the ship and application is not made within reasonable time, the Registrar shall

serve notice on the remaining registered owners notifying them that, unless an application to register by transmission of the share or shares in question is made within 30 days of the date of the notice, the registration of the ship and the certificate of registry may be cancelled.

20. (1) Where there is a change -

- (a) in the registered particulars of a ship other than change in the tonnage of the ship; or
- (b) in the name or address of any owner entered in the register, not being a change of ownership,

an application shall be made as soon as practicable to the Registrar for the change to be recorded in the register.

- (2) An application made under paragraph (1) shall be in writing and shall, subject to regulation 39, 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 or remeasured in accordance with section 20 of the Act and thereafter, application in a form approved by the Director shall be made as soon as practicable for the change to be recorded in the register.
- (4) The application shall be accompanied by the certificate of survey or measurement 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.

21. (1) Where it appears to the Registrar that a proposed change of name complies with the Seventh Schedule, he shall issue a marking note to the owner.

- (2) On receipt of the marking note, the owner shall cause the ship to be marked with the new name and, in respect of ships of more than 24 metres in length, shall cause the marking to be inspected in accordance with regulation 8.

- (3) Where any or such other person, as may be authorised by the Director, is satisfied that the ship is marked in the manner required by either section 21 of the Act or the Fourth Schedule, he shall complete the marking note and return it to the Registrar.
- (4) On receipt of the marking note duly completed, the Registrar shall -
- (a) record the change of name in the register; and
 - (b) cancel the existing certificate of registry and issue to the owner a new certificate of registry indicating the new name and particulars of the change of name.
- 22.** A mortgage produced for registration under section 41 of the Act, a transfer of a registered mortgage and a discharge of a registered mortgage shall be in the form specified in the Eighth Schedule.
- 23.** (1) Where a person who is an intending mortgagee under a proposed mortgage of -
- (a) a registered ship; or
 - (b) a share in a registered ship,
- notifies the Registrar of the interest he intends to have under the proposed mortgage, the Registrar shall record that interest.
- (2) A notice issued under paragraph (1) 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 a person who is an intending mortgagee under a proposed mortgage of -

(a) a ship which is not for the time being registered; or

(b) a share in any such ship,

notifies the Registrar in writing of the interest he intends to have under the proposed mortgage, the Registrar -

(i) shall record that interest in the register; and

(ii) where 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 24 and produced to the Registrar, subject to that mortgage.

(4) A notice issued under paragraph (3) shall contain the following information -

(a) the actual name of the ship;

(b) the intended name of the ship;

(c) the approximate length of the ship;

(d) where the ship is a new ship, the builder's certificate or if that is not available, the name and address of the builder and the ship's yard number;

(e) 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

(f) 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 42 of the Act operates to determine the priority between two or

more mortgages; and

- (b) any of those mortgagees gave notification under paragraph (1) or (3) with respect to his mortgage, section 42 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) Notification given by a person under paragraph (1) or (3) and anything done as a result of it shall cease to have effect -
 - (a) if the notification is withdrawn; or
 - (b) at the end of the period of 30 days beginning with the date of the notification, unless the notification is renewed in accordance with paragraph (7).
 - (7) A person who gives notification under paragraph (1) or (3), may renew or further renew the notification on each occasion for a period of 30 days, by notice in writing given to the Registrar -
 - (a) before the end of the period mentioned in paragraph (6)(b); or
 - (b) before the end of a period of renewal.
 - (8) Notice given under this regulation shall be in a form approved by the Registrar.
- 24.** A registered mortgage which is transferred under section 46 of the Act shall be transferred in a form approved by the Registrar.
- 25.** (1) A bareboat charter application shall be in the form specified in the Ninth Schedule and accompanied by -
- (a) a statement that the ship is subject to a bareboat charter;
 - (b) a copy of the charter party including -
 - (i) the name of the ship;

- (ii) the name of the charterer and the name of the owner of the ship;
 - (iii) the date of the charter party; and
 - (iv) the duration of the charter party;
- (c) the certificate of registry, or any other document, issued by the authority responsible for the registration of ships of the country of primary registration showing the ownership of the ship; and
- (d) the prescribed fee.
- 26.** (1) On making an application for registration of a bareboat chartered ship, the applicant shall propose a name by which the ship is to be called.
- (2) Where the Registrar is satisfied that the name is in compliance with the provisions of the Seventh Schedule, he shall approve the name.
- 27.** A ship which does not have a unique identifying number allocated by its primary register shall be allocated such a number by the Registrar.
- 28.** (1) On being satisfied that the ship is eligible for registration and on production of any certificate for survey required under section 20 of the Act, the Registrar shall issue a carving and marking note.
- (2) On receipt of a carving and marking note, the charterer shall, in accordance with section 21 of the Act where the ship is not already -
- (a) marked, cause it to be marked with its name; and
 - (b) carved, cause it to be carved with its identifying number and the number denoting its tonnage.
- 29.** Regulations 9 and 11 shall apply to this Part and a reference to the owner in regulation 8 shall be deemed to be a reference to the charterer.

- 30.** (1) Where the Registrar is satisfied in respect of an application that -
- (a) the ship has been duly carved and marked;
 - (b) the appropriate certificate of survey has been provided where required; and
 - (c) any other requirements preliminary to registration have been complied with,
- he shall enter in the register the details prescribed in the Fifth Schedule.
- (2) Upon registering a ship the Registrar shall -
- (a) issue to the charterer a certificate of bareboat charter registry containing the particulars set out in the Sixth Schedule;
 - (b) retain in his possession any documents he deems necessary.
- 31.** (1) Where there is any change affecting the eligibility of a bareboat chartered ship to be registered, the charterer of the ship shall, as soon as practicable after the change occurs, notify the Registrar.
- (2) Notification made under paragraph (1) shall be made in writing, signed by the charterer and shall specify the nature of the change and the name and the identifying number of the ship.
- 32.** Regulations 20 and 21 shall apply to this Part as if any reference to the owner in these regulations is a reference to the charterer.
- 33.** The Registrar shall notify the responsible authority for registration of ships in the country of primary registration where -
- (a) the ship has been registered as a bareboat chartered ship on the Mauritius register, or
 - (b) the ship's registration has been closed by the Registrar by reason of regulation 34.

- 34.** Where the registration of a bareboat chartered ship is terminated under section 55 of the Act, the charterer shall forthwith surrender to the Registrar the certificate of bareboat charter registry for cancellation.
- 35.** (1) A document which is not in the English language and is produced in support of an application under these regulations shall be accompanied by a notarised translation of the document in the English language.
- (2) Where the signature on any document made under these regulations is required to be witnessed, a witness to the signature shall be a person of full age and shall not be the spouse of the signatory.
- 36.** When under these regulations -
- (a) a person is required to make a declaration on behalf of himself or a 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) evidence is required to be produced to the Registrar but such evidence is unable to be produced 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 requirement.
- 37.** 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, or that the particulars or other information supplied is correct or sufficient, he may require such supplementary information or evidence as he considers appropriate for the purpose of satisfying himself that it is so eligible.
- 38.** Where a fee is prescribed in respect of a 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.
- 39.** Where a certificate of registry is required by these regulations to accompany an application and it is shown to the satisfaction of the Registrar that for reasonable cause the certificate cannot be produced, the Registrar may, subject to such conditions as he

thinks fit, dispense with its production.

40. Where a ship's registration is terminated -

- (a) the Registrar may, at the request of the owner, issue a certificate confirming that the ship has been deleted from the register and state the status of any mortgage registered in respect of that ship; and
- (b) the marking prescribed under these regulations shall be removed from the ship by the owner and written confirmation of the removal shall be sent to the Registrar.

41. Any person who contravenes these regulations, shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees.

42. (1) An existing certificate shall remain in force until a new certificate is issued under these regulations.

- (2) A provisional certificate of registry issued under a previous Act applicable in Mauritius at the time of issue of the certificate shall remain in force until the date of its expiry.

43. The Fifth and Sixth Schedules shall not apply to any ship until a new certificate of registry is issued in respect of that ship.

Made by the Minister on 26 August 2009.

FIRST SCHEDULE

[Regulation 2]

CLASSIFICATION SOCIETIES

American Bureau of Shipping

Bureau Veritas

Del Norske Veritas

Germanischer Lloyd

Hellenic Register of Shipping

Lloyds Register of Shipping

Nippon Keiji Kyokai

Indian Register of Shipping

Korean Register of Shipping

SECOND SCHEDULE

[Regulation 2]

CONVENTIONS

United Nations Convention on the Law of the Sea (UNCLOS)

International Convention for the Safety of Life at Sea (SOLAS)

International Convention on Load Lines, 1966

International Convention on Tonnage Measurement of Ships (TONNAGE), 1969

Convention on International Regulations to Preventing Collisions at Sea (COLREG), 1972

Convention on Facilitation of International Maritime Traffic (FAL), 1965

International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978 as amended in 1995

The Convention on the International Maritime Satellite Organisation (INMARSAT), 1976

International Convention for the Prevention of Pollution from Ships (MARPOL), 1973 as amended by the Protocol, 1978

The 1992 Conventions on liability and Compensation for Oil Pollution Damage

The International Oil Pollution Compensation Fund 1992

International Convention on Maritime Search and Rescue (SAR), 1979

International Convention on Oil Pollution Preparedness, Response and Co-operation (OPRC) 1990

Convention on Limitation of Liability for Maritime Claims, (LLMC) 1976

International Convention relating to the Intervention on the High Seas in cases of Oil

Pollution Casualties, (INTERVENTION) 1969

Protocol of 1988 relating to the International Convention on Load Lines 1966 (LL PROT 1988)

Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 (SOLAS PROT 1988)

International Convention on Salvage, 1989

THIRD SCHEDULE

[Regulation 3]



Republic of Mauritius

**APPLICATION FOR REGISTRATION OF SHIP AS MAURITIUS SHIP,
OFFICIAL NUMBER AND CALL SIGN**

GENERAL

**Application is herewith made, pursuant to the provisions of
Sub-Part II of Part III of the Merchant Shipping Act 2007**

1. Name to be given to Ship when registered under Mauritius flag

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2. Present name of Ship (or hull number if new construction)

.....

3. Present flag of registry (enter "Newbuilding" if new construction)

.....

4. Month, year and place of proposed purchase or delivery

.....

5. Proposed date of registration under Mauritius flag

.....

6. Name of port or place Ship will be on proposed date of registration

.....

7. Name of Classification Society with which the Ship is or will be classed

.....

8. The Ship will be registered in following ownership -

Name of Owner.....

Address of Owner in Mauritius (if body corporate give registered office in Mauritius)

.....

No. of shares of which be registered owner 100th shares

.....

If joint owner, names and

.....

addresses of other joint owners

.....

PARTICULARS OF SHIP

9. Type of Ship.....

10. Whether a Sailing, Steam or Motor Ship.....

11. Year built.....

12. Where Built -.....

Country.....

Name and Address of Builder.....

.....

13. No. of decks.....

14. No. of masts.....

15. Rigged.....

16. Stem.....

17. Stern.....

18. Build.....

19. Framework.....
20. No. of Bulkheads.....
21. Length Article 2(8).....metres.....tenths
22. Breadth Regulation 2(3).....metres.....tenths
23. Depth Regulation 2(2).....metres.....tenths
24. Length of engine room (if any).....metres.....tenths
25. Gross Tonnage.....tons.....cubic metres
26. Register Tonnage.....tons.....cubic metres
27. *Where a Ship has a tonnage mark on each side of the Ship which ismilimetres below the upper deck line and tonnages of the Ship when this tonnage mark is not submerged -
- Gross tonnage (.....cubic metres)
- Register (.....cubic metres)
28. No. of seamen and apprentices for whom accommodation is certified –
-
- *No. of passengers for whom accommodation is certified
-
29. No. of sets of Engines.....
30. Description of Engines -
- Where made.....
- When made.....

Name and Address of Manufacturer.....
of.....

31. No. of Shafts.....

32. Particulars of Boilers –.....

Description.....

No.....

Loaded Pressure.....

Where made.....

When made.....

Name and Address of Manufacturer.....

of.....

33. Reciprocating Engines –

No. and Diameter of Cylinders in each set.....

Length of Stroke.....

34. Rotary Engines.....

No. of Cylinders in each set.....

35. NHP*/BHP*/IHP*

Estimated Speed of Ship.....

*Delete if not applicable

OTHER PARTICULARS

36. Name of Third Party Risks Insurer(s).....

Address.....

37. Radio Licence issued by.....

Address.....

38. Name of Master.....

Nationality.....

Particulars of Certificate.....

Date of issue.....

Issuing Authority.....

DECLARATION

I,, certify that to the best of my knowledge and belief, no person or corporation other than a person or corporation that is qualified to own a Mauritius Ship is entitled as owner to any legal or beneficial interest in the Ship or any share therein. I undertake to inform the Director of Shipping of any changes in the particulars mentioned in this application.

Date.....

Signature.....

Document signed by.....

Name.....

Address.....

Nationality.....

This space for official use only Official No. Call Sign

NOTE: In case of body corporate the Application must be accompanied by a certified copy of the Certificate of incorporation and either (i) a certified copy of the Board's resolution authorising a director or the Company Secretary OR (ii) an original power of attorney issued under the hand of a director authorising one or more named persons to act for and to effect registration of the ship in its name in Mauritius.

FOURTH SCHEDULE

[Regulations 8, 9, 10 and 13]

CARVING AND MARKING

1. Every pleasure yacht 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 yacht 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 yacht 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 yacht 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 2), 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
 - (ii) 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
 - (iii) 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

- (iv) 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 yacht, other than one which is exempted, on each side of its stem and its stem post, as follows -

- (a) in figures in 2-decimetre intervals, if the scale is in decimetres; and
- (b) in figures at each metre interval and at intervening two-decimetre intervals, where 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, 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.

5. The name of a ship shall be marked in Roman letters and any numerals shall be in Roman or Arabic numerals.

FIFTH SCHEDULE

[Regulations 12 and 30]

DETAILS TO BE ENTERED IN REGISTER

1. The following information, where relevant, shall be recorded in the register in respect of ships registered or to be registered under Parts I and IV of the register -
 - (a) ship's particulars -
 - (i) name of ship;
 - (ii) official number;
 - (iii) port of registry;
 - (iv) radio call sign;
 - (v) IMO Number (if known);
 - (vi) part of register under which the ship is being registered;
 - (vii) number and year of current registry;
 - (viii) number, year and port of previous registry (if any);
 - (ix) where built;
 - (x) name and address of builders;
 - (xi) date keel laid or when built;
 - (xii) type of ship (for example, dry cargo, oil tanker, chemical tanker, passenger, bulk carrier, pleasure yacht, etc);
 - (xiii) material used to construct the hull;

- (xiv) length of the ship (metric units);
 - (xv) breadth of the ship (metric units);
 - (xvi) depth of the ship (metric units);
 - (xvii) overall length (metric units);
 - (xviii) number of transverse bulkheads;
 - (xix) number of masts;
- (b) engine and boiler particulars -
- (i) method of propulsion, if any (for example, whether sail, steam, diesel-electric, motor or dumb, etc);
 - (ii) number of sets of engines;
 - (iii) number of shafts;
 - (iv) description of engines;
 - (v) date engines made;
 - (vi) name and address of engine makers;
 - (vii) details of reciprocating engines -
 - (A) number of cylinders in each set;
 - (B) diameter of cylinders; and
 - (C) length of stroke;
 - (viii) details of other type of engine;
 - (ix) power of engines in kilowatts (kw);

- (x) estimated speed of ship;
 - (xi) description of boilers;
 - (xii) number of boilers;
 - (xiii) working pressure;
 - (xiv) date boilers made; and
 - (xv) name and address of boiler makers;
- (c) particulars of tonnage -
- (i) date ship last measured for tonnage;
 - (ii) gross tonnage;
 - (iii) net tonnage; and
 - (iv) register tonnage (ships under 24 metres in length);
- (d) particulars of accommodation -
- (i) number of seamen (including apprentices) to whom accommodation is provided;
 - (ii) number of passengers for whom accommodation is provided;
- (e) particulars of owners -
- (i) name;
 - (ii) address;
 - (iii) nationality (individual);

- (iv) country of incorporation (body corporate);
- (v) managing owner;
- (vi) if a foreign company, the name and address of the person authorised to accept on its behalf service of process and notices required to be served on it;
- (vii) number of shares owned by the owner (individual or body corporate), and if held jointly, with whom the shares are held.

2. The following information, where relevant, shall be recorded in the register in respect of ships registered or to be registered under Part II of the register -

(a) ship's particulars -

- (i) name of ship;
- (ii) official number;
- (iii) port of registry;
- (iv) radio call sign;
- (v) IMO Number (if known);
- (vi) part of register under which the ship is being registered;
- (vii) number and year of current registry;
- (viii) where built;
- (ix) name and address of builders;
- (x) date keel laid or when built;

- (xi) type of ship (for example, dry cargo, oil tanker, chemical tanker, passenger, bulk carrier, pleasure yacht, etc.);
 - (xii) material used to construct the hull;
 - (xiii) length of the ship (metric units);
 - (xiv) breadth of the ship (metric units);
 - (xv) depth of the ship (metric units);
 - (xvi) overall length (metric units);
 - (xvii) number of transverse bulkheads; and
 - (xviii) number of masts;
- (b) engines and boiler particulars -
- (i) method of propulsion, if any (for example, whether sail, steam, diesel-electric, motor or dumb, etc.);
 - (ii) number of sets of engines;
 - (iii) number of shafts;
 - (iv) description of engines;
 - (v) date engines made;
 - (vi) name and address of engine makers;
 - (vii) details of reciprocating engines –
 - (A) number of cylinders in each set;
 - (B) diameter of cylinders;

- (C) length of stroke;

- (viii) details of other type of engine;
- (ix) power of engines in kilowatts (kw);
- (x) estimated speed of ship;
- (xi) description of boilers;
- (xii) number of boilers;
- (xiii) working pressure;
- (xiv) date boilers made;
- (xv) name and address of boiler makers;

- (c) particulars of tonnage –
 - (i) date ship last measured for tonnage;
 - (ii) gross tonnage;
 - (iii) net tonnage;

- (d) particulars of accommodation -
 - (i) number of seamen (including apprentices) for whom accommodation is provided;
 - (ii) number of passengers for whom accommodation is provided;

- (e) other particulars -
 - (i) name and address of charterer (that is, the person taking the vessel on

demise charter);

- (ii) commencement and expiry dates of the demise charter;
- (iii) name and address of representative person, (if any);
- (iv) country of primary registration;
- (v) name of the ship under the primary registration;
- (vi) national identity number issued by the country of primary registration.

3. The following information, where relevant, shall be recorded in the register in respect of ships registered or to be registered under Part III of the register -

(a) ship's particulars –

- (i) port of registry;
- (ii) number and year of current registry;
- (iii) part of register under which the ship is being registered
- (iv) Mauritius Shipping Registry identity number;
- (v) where being built;
- (vi) name and address of builders;
- (vii) date keel laid;
- (viii) type of ship (for example, dry cargo, oil tanker, chemical tanker, passenger, bulk carrier, pleasure yacht, etc.);
- (ix) material used to construct the hull;
- (x) estimated length of the ship (metric units);

- (xi) estimated breadth of the ship (metric units);
 - (xii) estimated depth of the ship (metric units);
 - (xiii) estimated overall length (metric units);
 - (xiv) number of transverse bulkheads;
 - (xv) number of masts;
 - (xvi) intended method of propulsion (for example, whether sail, steam, diesel-electric, motor or dumb etc.);
- (b) particulars of tonnage -
- (i) estimated gross tonnage;
 - (ii) estimated net tonnage;
 - (iii) estimated register tonnage (ships under 24 metres in length);
- (c) particulars of owners -
- (i) name and address of registered owner as agreed between builder and client;
 - (ii) nationality (individual);
 - (iii) country of incorporation (body corporate);
 - (iv) if a foreign company, the name and address of the person authorised to accept on its behalf service of process and notices required to be served on it;
 - (v) main particulars of the construction contract; and

- (vi) yard number or other information identifying the ship.
4. (1) For ships registered or to be registered under Part V of the register, the particulars to be recorded in the register shall vary accordingly.
- (2) The registrations shall normally be effected abroad by the relevant proper officer who shall ascertain what particulars of the ship are available, but the particulars shall include at least the name of the ship, the time and place of the purchase of the ship and the names of the purchasers.
5. The following information, where relevant, shall be recorded in the register in respect of ship registered or to be registered under Part VI of the register (submersible craft) -
- (a) particulars of the submersible craft -
 - (i) name of the submersible craft;
 - (ii) official number;
 - (iii) port of registry;
 - (iv) light weight displacement;
 - (v) number of occupants the submersible craft is certified to carry (passengers and crew);
 - (vi) part of register under which the submersible craft is being registered;
 - (vii) number and year of current registry;
 - (viii) number, year and port of previous registry (if any);
 - (ix) where built;
 - (x) name and address of builders;
 - (xi) date keel laid or when built;

- (xii) description of the submersible craft (for example passenger);
 - (xiii) submersible craft:
 - (xiv) overall length;
- (b) particulars of owners and operators -
- (i) name and address of owner;
 - (ii) nationality (individual owner);
 - (iii) country of incorporation (body corporate);
 - (iv) if a foreign company, the name and address of the person authorised to accept on its behalf service of process and notices required to be served on it;
 - (v) number of shares owned by the owner (individual or body corporate) and, if held jointly, with whom the shares are held;
 - (vi) name of operator (if different from owner).
-

SIXTH SCHEDULE

[Regulations 14 and 30(2)(a)]

DETAILS TO BE INCLUDED IN CERTIFICATE OF REGISTRY

1. A certificate of registry for a ship registered or to be registered under Parts I and IV of the register shall contain, where relevant, the following information -
 - (a) ship's particulars -
 - (i) name of ship;
 - (ii) official number;
 - (iii) port of registry;
 - (iv) radio call sign;
 - (v) IMO Number (if known);
 - (vi) part of register under which the ship is being registered;
 - (vii) number and year of current registry;
 - (viii) number, year and port of previous registry (if any);
 - (ix) where built;
 - (x) name and address of builders;
 - (xi) date keel laid or when built;
 - (xii) type of ship (for example, dry cargo, oil tanker, chemical tanker, passenger, bulk carrier, pleasure yacht, etc.);
 - (xiii) material used to construct the hull;

- (xiv) length of the ship (metric units);
 - (xv) breadth of the ship (metric units);
 - (xvi) depth of the ship (metric units);
 - (xvii) overall length (metric units);
 - (xviii) number of transverse bulkheads;
 - (xix) number of masts;
- (b) engine and boiler particulars -
- (i) method of propulsion, if any (for example, whether sail, steam, diesel, electric, motor or dumb, etc.);
 - (ii) number of sets of engines;
 - (iii) number of shafts;
 - (iv) description of engines;
 - (v) date engines made;
 - (vi) name and address of engine makers;
 - (vii) details of reciprocating engines -
 - (A) number of cylinders in each set;
 - (B) diameter of cylinders;
 - (C) length of stroke;
 - (viii) details of other type of engine;
 - (ix) power of engines in kilowatts (kw);

- (x) estimated speed of ship;
 - (xi) description of boilers;
 - (xii) number of boilers;
 - (xiii) working pressure;
 - (xiv) date boilers made;
 - (xv) name and address of boiler makers;
- (c) particulars of tonnage -
- (i) date ship last measured for tonnage;
 - (ii) gross tonnage;
 - (iii) net tonnage;
 - (iv) register tonnage (ships under 24 metres in length);
- (d) particulars of accommodation -
- (i) number of seamen (including apprentices) for whom accommodation is provided;
 - (ii) number of passengers for whom accommodation is provided;
- (e) particulars of owners -
- (i) name;
 - (ii) address;
 - (iii) number of shares owned by the owner (individual or body corporate), and

if held jointly, with whom the shares are held.

2. A certificate of registry for a ship registered or to be registered under Part II of the register shall contain, where relevant, the following information -

(a) ship's particulars -

- (i) name of ship;
- (ii) official number;
- (iii) port of registry;
- (iv) radio call sign;
- (v) IMO Number (if known);
- (vi) part of register under which the ship is being registered;
- (vii) number and year of current registry;
- (viii) where built;
- (ix) name and address of builders;
- (x) date keel laid or when built;
- (xi) type of ship (for example, dry cargo, oil tanker, chemical tanker, passenger, bulk carrier, pleasure yacht, etc.);
- (xii) material used to construct the hull;
- (xiii) length of the ship (metric units);
- (xiv) breadth of the ship (metric units);
- (xv) depth of the ship (metric units);

- (xvi) overall length (metric units);
 - (xvii) number of transverse bulkheads;
 - (xviii) number of masts;
 - (xix) date of expiry of certificate of registry;
- (b) engine and boiler particulars -
- (i) method of propulsion, if any (for example, whether sail, steam, diesel-electric, motor or dumb, etc.);
 - (ii) number of sets of engines;
 - (iii) number of shafts;
 - (iv) description of engines;
 - (v) date engines made;
 - (vi) name and address of engine makers;
 - (vii) details of reciprocating engines -
 - (A) number of cylinders in each set;
 - (B) diameter of cylinders;
 - (C) length of stroke;
 - (viii) details of other type of engine;
 - (ix) power of engines in kilowatts (kw);
 - (x) estimated speed of ship;

- (xi) description of boilers;
 - (xii) number of boilers;
 - (xiii) working pressure;
 - (xiv) date boilers made;
 - (xv) name and address of boiler makers;
- (c) particulars of tonnage -
- (i) date ship last measured for tonnage;
 - (ii) gross tonnage; and
 - (iii) net tonnage;
- (d) particulars of accommodation -
- (i) number of seamen (including apprentices) for whom accommodation is provided;
 - (ii) number of passengers for whom accommodation is provided;
- (e) other particulars –
- (i) name and address of charterer (that is, the person taking the vessel or demise charter);
 - (ii) commencement and expiry dates of the demise charter;
 - (iii) country of primary registration;
 - (iv) name of the ship under the primary registration;
 - (v) name and address of owner under the primary registration;

- (vi) national identity number issued by the country of primary registration;
- (vii) date of expiry of certificate of registry.

3. A certificate of registry for a ship registered or to be registered under Part III of the register shall contain, where relevant, the following information -

(a) ship's particulars-

- (i) port of registry;
- (ii) number and year of current registry;
- (iii) part of register under which the ship is being registered;
- (iv) Mauritius Shipping Registry identity number;
- (v) where being built;
- (vi) name and address of builders;
- (vii) date keel laid;
- (viii) type of ship (for example, dry cargo, oil tanker, chemical tanker, passenger, bulk carrier, pleasure yacht, etc.);
- (ix) material used to construct the hull;
- (x) estimated length of the ship (metric units);
- (xi) estimated breadth of the ship (metric units);
- (xii) estimated depth of the ship (metric units);
- (xiii) estimated overall length (metric units);

- (xiv) number of transverse bulkheads;
 - (xv) number of masts;
 - (xvi) intended method of propulsion (for example, whether sail, steam, diesel-electric, motor or dumb, etc.);
- (b) particulars of tonnage -
- (i) estimated gross tonnage;
 - (ii) estimated net tonnage; and
 - (iii) estimated register tonnage (ships under 24 metres in length);
- (c) particulars of owners -
- (i) name and address of registered owner as agreed between builder and client;
 - (ii) yard number or other information identifying the ship.
- 4.** A certificate of registry for a ship registered or to be registered under Part V of the register shall contain, as a minimum, the following information -
- (a) the name of the ship;
 - (b) the time and place of purchase of the ship and the names of the purchasers;
 - (c) the best particulars respecting the tonnage, build and description of the vessel which the person granting the certificate is able to obtain.
- 5.** A certificate of registry for a ship registered or to be registered under Part VI of the register shall contain, where relevant, the following information -
- (a) particulars of the submersible craft -

- (i) name of the submersible craft;
 - (ii) official number;
 - (iii) port of registry;
 - (iv) light weight displacement;
 - (v) number of occupants the submersible craft is certified to carry (passengers and crew);
 - (vi) part of register under which the submersible craft is being registered;
 - (vii) number and year of current registry;
 - (viii) number, year and port of previous registry (if any);
 - (ix) where built;
 - (x) name and address of builders;
 - (xi) date keel laid or when built;
 - (xii) description of the submersible craft (for example, passenger submersible craft);
 - (xiii) overall length;
- (b) particulars of owners -
- (i) name and address of owner;
 - (ii) number of shares owned by the owner (individual or body corporate) and, if held jointly, with whom the shares are held;
 - (iii) name of operator (if different from owner).

SEVENTH SCHEDULE

[Regulations 21 and 26]

APPROVAL OF NAMES

1. In respect of an application to register a ship under Parts I or IV of the register, the Registrar shall not approve the proposed name where it is -
 - (a) already the name of a registered Mauritius ship;
 - (b) a name so similar to that of a registered Mauritius ship likely to confuse;
 - (c) a name which may be confused with a distress signal; or
 - (d) a name which is prefixed by any letters or a name which could be taken to indicate a type of ship or any word, pro-fix or suffix which might cause confusion as to the name of the ship.
2. Subject to paragraph 4, where the Registrar is satisfied that a name does not fall within paragraph 2(a) to (d), he shall notify the applicant in writing that the name is approved and the ship may be registered with that name.
3. Notwithstanding paragraph 2, the Registrar may refuse to approve a name -
 - (a) which might cause offence or embarrassment; or
 - (b) which has a clear and direct connection with the Government of Mauritius.
4. Any approval given under paragraph 3 shall be valid only for the period of 3 months beginning with the date of notification to the applicant.
5. Where the owner of a ship, registered in Mauritius, 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.

6. Applications for a reservation under paragraph 5 shall be accompanied by a full statement of the circumstances of the case.

EIGHTH SCHEDULE
[Regulation 22]
MORTGAGE (to secure Account Current, & c.)
(Body Corporate)

Official number	Name of Ship	Number, Year and port of registry	Whether a sailing, steam or motor ship	Horse power of engines (if any)
Length Article 2 (8)	Meters	Tons	Number of Tons (Where dual tonnage are assigned the higher of these should be entered) Gross Register	
Breadth Regulation 2 (1)				
Depth Regulation 2 (2)				

and as described in more detail in the Register Book.

Whereas (1)

Now we (1)

with the said (1)

and (1)

assigns, to pay to him or them or to the sum for the time being due on this security, whether by way of principal or interest at the times and manner aforesaid.

And for the purpose of better securing to the mortgagee(s) the payment of such sums as last aforesaid, we do hereby mortgage to the mortgagee(s)

shares, of which are the Owner in the Ship above particularly described, and in her boats and appurtenances.

Lastly, we for ourselves and our successors, covenant with the mortgagee(s) and (s)

assigns that we have to mortgage in manner aforesaid the above-mentioned shares, and the same are free from incumbrances (s)

In witness whereof we have hereunto affixed our common seal on

The Common Seal of the

was affixed hereunto in the presence of (1)

(1) Here made by way of recital that there is an account current between the mortgagee, giving full name of the Body Corporate together with its registered office, and mortgagee(s) giving full name(s) and address(es) with their full names and addresses, and the mortgagee(s) principal and agent at any given time to be admitted, and the manner and time of payment. In case of a mortgage to secure a guarantee or by way of third party charge, here recite account current between the third party and mortgagee(s) giving full names and addresses, and the mortgagee(s) principal and agent at any given time to be admitted, i.e. Director, Secretary, etc. (or the case may be).

NOTE: The prompt registration of a Mortgage Deed at the Mauritius Register of Ships is essential to the security of a Mortgagee, as a Mortgagee takes its priority from the date of production for registry, not from the date of the instrument.

NOTE: Registered owners or mortgagees are reminded of the importance of keeping the Registrar of Ships informed of any change of address on their part.

EIGHTH SCHEDULE – continued

In the case of Transfer it must be made by Indorsement on one of the following forms:

TRANSFER OF MORTGAGE – by Individual or Joint Mortgages

(a) "I" or "we" the within mentioned

.....

in consideration of

(b) "me" or "us" this day paid to ("") by

.....

hereby transfer to ("") the benefit of the within-written security.

In witness whereof ("") have hereunto subscribed ("") name(s) and affixed

(c) "him", "them" or "it" seal(s) on 20

Executed by the above-named

.....

in the presence of ("")

(d) Name, address and description of witness

TRANSFER OF MORTGAGE – by Body Corporate

The within-mentioned

in consideration of

(e) "him", "them" or "it" this day paid to it by

.....

hereby transfer to ("") the benefit of the within-written security.

In witness whereof we have hereunto affixed our common seal on

20

The common Seal of the

(f) Signatures and description of witnesses, i.e. Director, Secretary, etc. (as the case may be)

.....

was affixed in the presence of ("")

.....

In case a Mortgage is paid-off, a Memorandum of its Discharge in one of the following forms must be used

DISCHARGE OF MORTGAGE – by Individual or Joint Mortgages

Received the sum of

in discharge of this within-written security. Dated at

on 20

Witness ("")

(g) Name, address and description of witness

of

DISCHARGE OF MORTGAGE – by Body Corporate

Received the sum of

in discharge of this within-written security In witness whereof we have hereunto affixed our common seal

on 20 at

The common Seal of the

(h) Signatures and description of witnesses, i.e. Director, Secretary, etc. (as the case may be)

.....

was affixed in the presence of ("")

.....



**MORTGAGE (to secure Account Current, & c.)
(Individuals or Joint Owners)**

Official number	Name of Ship	Number, Year and port of registry	Whether sailing, steam or motor ship	Home power of engine (if any)
Length Article 2 (b)				
Breadth Regulation 2 (c)				
Depth Regulation 2 (d)				
and as described in more detail in the Register Book				
Whereas ()				
Now () the undersigned ()				
here, convenant with the said ()				
assigns, to pay to him or them or if the sums for the time being due on this security, whether by way of principal or interest at the times and manner aforesaid. And for the purpose of better securing to the mortgagee(s) the payment of such sums as last aforesaid, () do hereby mortgage to the mortgagee(s)				
Lastly, () for () and ()				
aforesaid the above mentioned shares and the same are free from incumbrances ()				
in witness whereof ()				
Executed by the above-named				
..... seal on				
..... (witness)				
..... in the presence of ()				

() Here state by way of recital that there is an account current between the mortgagee, giving full names(s), address(es) and description, and the mortgagor(s), giving full names(s) and address(es) with their description in the case of individuals, and adding "as joint mortgagors" where such is the case, and describe the nature of the transaction so as to show how the amount of principal and interest due at any given time is to be ascertained, and the manner and time of payment. () "I" or "we". () Full name(s) of mortgagor. () "myself" or "ourselves". () "my" or "our". () Full name of mortgagee. () "his", "their" or "he", "she". () If any prior encumbrance ask, "save as appears in the registry of the said ship". () Name, address and description of witness. () Signature of mortgagor(s).

NOTE: The prompt registration of a Mortgage Deed at the Mauritius Register of Ships is essential to the security of a mortgagee, as Mortgage takes its priority from the date of production for registry, not from the date of the instrument.

NOTE: Registered owners or mortgagees are reminded of the importance of keeping the Register of Ships informed of any change of address on their part.

EIGHTH SCHEDULE – continued

In the case of Transfer it must be made by Indorsement on one of the following forms:

TRANSFER OF MORTGAGE – by Individual or Joint Mortgages

(a) "I" or "we" the within mentioned

 in consideration of

(b) "me" or "us" this day paid to (*) by

(c) "him," "them" or "it" hereby transfer to (*) the benefit of the within-written security.
 In witness whereof (*) have hereunto subscribed (*) name(s) and affixed

(d) "my" or "our" (*) seal(s) on 20
 Executed by the above-named }
 }
 in the presence of (*) }

(e) Name, address and description of witness

TRANSFER OF MORTGAGE – by Body Corporate

The within-mentioned
 in consideration of

(c) "him", "them" or "it" this day paid to by
 hereby transfer to (*) the benefit of the within-written security.
 In witness whereof we have hereunto affixed our common seal on
 20.....
 The common Seal of the }

(f) Signatures and description of witnesses, i.e. Director, Secretary, etc. (as the case may be)
 }
 was affixed in the presence of (*) }

In case a Mortgage is paid off, a Memorandum of its Discharge in one of the following forms must be used

DISCHARGE OF MORTGAGE – by Individual or Joint Mortgages

Received the sum of
 in discharge of this within-written security. Dated at
 on 20

(e) Name, address and description of witness
 of

DISCHARGE OF MORTGAGE – by Body Corporate

Received the sum of
 in discharge of this within-written security. In witness whereof we have hereunto affixed our common seal on at 20

The common Seal of the }

(f) Signatures and description of witnesses, i.e. Director, Secretary, etc. (as the case may be)
 }
 was affixed in the presence of (*) }

NINTH SCHEDULE

[Regulation 25]



REPUBLIC OF MAURITIUS

MERCHANT SHIPPING ACT 2007

**APPLICATION FOR APPROVAL OF THE REGISTRAR OF SHIPS
FOR PARALLEL REGISTRATION OF A MAURITIUS
SHIP IN A FOREIGN REGISTER**

To: The Registrar of Ships
Port Louis
Mauritius

Dear Sir

Mauritius Ship “.....”
("the Ship")

1. I*/We*,
of.....
being the registered owner*/prospective owner* of the Ship whose
permanent*/provisional* certificate of registration was*/will be* issued
on20....., hereby apply for the approval of the Registrar of Ships
of the Government of Mauritius under section 56 of the Act for the parallel registration
of the Ship under the flag
of
at the port of
("the Foreign Register").

2. Particulars of Bareboat charterer:-

Name.....

Address.....

Telex and telefax No's.....

3. Intended service of the Ship under bareboat charter

Nature of cargo.....

Geographical areas to be navigated.....

.....

4. Date contemplated for commencement of bareboat charter

.....

5. Date contemplated for earliest lawful termination of bareboat charter

.....

6. Enclosed with this letter of application you will find -

- (a) a certified copy** of the bareboat charter together with all annexes or addenda (together with authorised English translation if in any other language);
- (b) the consent in writing of the maritime authorities of the Foreign Register and confirmation in writing that the law of the country of the Foreign Register permits the parallel registration of the Ship in its Register;
- (c) the consent in writing of all registered or prospective mortgagees of the Ship to parallel registration of the Ship under the Foreign Register; and
- (d) a common declaration, in the prescribed form, signed by us and the bareboat charterer as to (*inter alia*) production of the certificate of registry of the Ship in the Foreign Register and containing consent in writing of the bareboat charterer to parallel registration of the Ship under the Foreign Register.

Yours faithfully

.....

*Delete as applicable

**Certificate may be made by a notary public or by an authorised officer
