

**STEP BY STEP GUIDELINES FOR
APPLICATION TO REGISTER UNDER THE BVI MERCHANT SHIPPING
ACT 2001**

1.1 There must be an application to the Registrar of Shipping for registration of all vessels. Applicants may use the prescribed Forms which can be obtained from the Registry. Copies of the forms used most frequently are also located on our website. The complete listing of forms can be accessed and downloaded here.

(link here to:

<http://www.vishipping.gov.vg/SHIPREGISTRATION/ShipRegistrationForms/tabid/134/Default.aspx>

2.0 SHIP NAME – APPROVAL

2.1

The name of the vessel must be officially approved. The appropriate form (SR101-01), obtainable from the Registrar, is to be completed and returned. This ensures no duplication/confusion of names on the Register. A copy of the for

**3.0 SURVEYS: PRE-REGISTRATION CERTIFICATE OF SURVEY/
TONNAGE CERTIFICATE**

3.1

The vessel must be surveyed and measured to obtain details of size, and other descriptive particulars necessary for the registration of British Ships under the Merchant Shipping Acts. This is carried out by a Surveyor of one of the approved Classification Societies (see paragraph 10), or a Surveyor appointed or authorized by the Registry. The Surveyor issues a Certificate of Survey and a Tonnage Certificate (British or International). A simplified procedure whereby a combined Certificate of Survey/Tonnage Measurement is issued, is applicable to vessels of under 24 Meters, in Load Line Length.

3.2

In the case of pleasure vessels, the owner must ensure that the vessel is equipped in accordance with the Safety Matrix. The owner or master completes relevant parts the Safety Matrix and forwards a copy to the Registry.

3.3

Additional Survey requirements for safety etc, in respect of Commercial Vessels are summarized in paragraph 10 of this document.

4.0 OWNERSHIP - QUALIFIED CATEGORIES: INDIVIDUAL OR BODY CORPORATE

4.1

Citizens of and, Bodies Corporate registered in the BVI or, any of the following countries, are qualified to own a Virgin Islands vessel:

United Kingdom and its Crown Dependencies and Overseas Territories.

Nationals of and bodies corporate incorporated in;

Member State of the European Community (EC) or European Economic Area (EEA). Overseas Territories of the Members of EC or EEA.

(Bodies corporate must have a place of business in such MemberState or OverseasTerritory)

Bodies corporate incorporated in a MemberState of the Caribbean Community

(CARICOM) or the Organization of Eastern Caribbean States (OECS) (and registered in the BVI)

4.2

A Body Corporate must submit a valid Certificate of Incorporation issued by the respective Registrar of Companies. Individuals must provide certified proof of nationality (Passport etc.)

5.0 TITLE: EVIDENCE OF OWNERSHIP

5.1

The Owner(s) must produce satisfactory evidence of title to ownership in the form of:-

(a)

Builder's Certificate; with descriptive details of the vessel, showing quite clearly the full name(s) and address of the person(s) or body corporate on whose account the vessel has been built and/or,

(b)

Document /Bill of Sale or Transfer (prior to registry) if the vessel has passed through more than one owner's hand before registry. Forms for Bill of Sale can be obtained from the Registrar of Shipping in the Virgin Islands or at any British Registry of Ships.

(c)

In case of vessels condemned by a competent court, a Bill of Sale given by the Admiralty Marshall or such other competent person may be accepted as foundation of title.

(d)

With the documents produced as evidence of title to ownership, every owner is required to make a Declaration of Eligibility. Such declaration can only be made after the vessel has been acquired by the applicant. Therefore, the date must not precede the date in the Builders Certificate or the Bill of Sale.

(e)

A form entitled "Appointment of Authorized Officer" (SR101-03) which enables naming of an Individual to sign Declaration of Eligibility etc., is required in respect of Body Corporate.

(f)

Bodies Corporate or Individuals not resident in the BVI are required to appoint a company, or individual residing in BVI as its Representative. This facilitates ready correspondence between the Registry and the vessel's owner.

(g)

Pursuant to our "Know Your Customer" principles, a form entitled 'Undertaking to Act as Representative Person' (RP), to be completed by the RP and submitted with every application.

5.2 The various types of forms for Declaration of Eligibility, Appointment of Authorized Officer, Appointment of BVI Resident Representative Person and undertaking by RP are obtainable from the Registrar of Shipping in the VISR.

6.0 OFFICIAL NUMBER

6.1

When all required documents are provided, and found to be in order, the vessel is given an Official Number, by which it may be known and recognized irrespective of its name and other description.

6.2

Official Number may in certain circumstances be issued upon submission of duly completed and satisfactory Certificate of Survey. This will facilitate marking of the boat at the same time as other papers are being processed.

7.0 CARVING AND MARKING NOTE

7.1

When the Registrar is satisfied that the vessel is eligible to be registered, a Carving and Marking Note is issued. It shows the vessel's Name, Port of Registry, Official Number and Registered Tonnage which are to be carved /marked on the vessel and contains relevant instruction for doing so.

7.2

The Port of Registry for Virgin Islands Ships is "RoadHarbour"

8.0 CERTIFICATE OF REGISTRY

8.1

When the Carving and Marking Note is returned and the fees have been paid, the vessel is formally registered and a Certificate of British Registry issued. It contains details about the ship and its Owners.

8.2

Certificate of British Registry may be issued within 24 hours of receiving the certified Carving and Marking Note.

8.3

This Certificate only establishes the vessel's Nationality, Owner(s), Description and Tonnage. It does not prove Ownership or show mortgages, liens or any encumbrances. These may be obtained from the Registrar, in the form of a Transcript of the Register, upon payment of the prescribed fee.

8.4

In circumstances where relevant documents have been received to the satisfaction of the Registrar, and a Carving and Marking Note has been issued, a 'Provisional Certificate of British Registry' may be issued.

9.0 FEES

9.1

Fees for Registry services must be paid before a Certificate of British Registry, or a Transcript of the Register is issued. Other services such as, issue of a Provisional Certificate of Registry, Recording of Mortgage Intent, Registration of Mortgages, Transfer or Discharge of Mortgages, Change (Transfer) of Ownerships, Change of Name are available upon request; depending on satisfactory documentation and payment of prescribed fee. **The payment should accompany all applications. Cheques and Money Orders must be made payable to "Accountant General" - BVI.**

9.2

The Schedule of Fees for registration and survey services is obtainable from the Registry in Tortola (BVI).

10.0 GENERAL CONDITIONS

10.1

STATUTORY SURVEYS

- (a) All commercial vessels are subject to statutory certification and must be surveyed prior to acceptance for registration, in order to ensure that they comply with the provisions of the applicable International Conventions, Codes and legislation. These surveys may be carried out by surveyors from the VISR or surveyors appointed by an authorized Classification Society. Also, surveyors from the MCA or any of the Red Ensign Group Registries may be engaged if necessary.
- (b) The following seven Classification Societies are authorized by the VISR for undertaking statutory surveys on behalf of the British Virgin Islands:
- American Bureau of Shipping (ABS)
 - Bureau of Veritas (BV)
 - Det Norske Veritas (DNV)
 - Germanischer Lloyds (GL)
 - Lloyds Register of Shipping (LR)
 - ClassNK (NK)
 - Registro Italiano Navale (RINA)
- (c) Yachts under 24 metres (79 feet) in load line length, engaged in commercial use:
- These vessels must hold a 'Certificate of Compliance' issued under the relevant MCA Code of Practice (Blue Code, Yellow Code or MGN 280) to operate as commercial vessels. The survey/examination necessary to issue such a certificate may be conducted by surveyors from VISR, Classification Societies or a Certifying Authorities approved by the MCA. Other surveyors may be appointed by the VISR, if required, on a case by case basis.
- (d) In order to initiate a Statutory Survey an application must be made to VISR in writing. On receiving the application, the Chief Marine Surveyor will contact the Owner or his representative to discuss the survey procedures, and make the necessary arrangements to carry out the survey and issue the required statutory certificates.
- (e) COSTS
All costs connected with the survey and certification of a vessel are for owners account.

10.2 TELECOMMUNICATIONS DOCUMENTS ETC.,

Radio Station, Radio Licence, Call Sign, MMSI Number and other Ships Radio and Telecommunication Licenses / Certificates (Including INMARSAT) are regulated and issued by the Telecommunication Regulatory Commission of the BVI.

10.3

Contact details are provided at the end of the document.