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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 257/5 — 1983 අගෝස්තු 08 වැනි සඳුදා — 1983.08.08

No. 257/5 — MONDAY, AUGUST 08, 1983

(Published by Authority)

PART I: SECTION (I)—GENERAL

Government Notifications

THE MERCHANT SHIPPING ACT, No. 52 OF 1971

Regulations made by the Minister of Trade and Shipping by virtue of the powers vested in him by sections 44 and 321, of the Merchant Shipping Act, No. 52 of 1971.

LALITH ATRULATHMUDALI,
Minister of Trade and Shipping.

Colombo, 15th July, 1983.

Regulations

1. These regulations may be cited as the Merchant Shipping (Registration of Sri Lankan Ships owned by Sri Lanka Companies with Foreign Shareholders) Regulations, 1983.

2. (a) These regulations shall apply to any ship which is owned wholly by a Company incorporated in Sri Lanka with Foreign shareholders and seeking registration under the Sri Lanka Register with off-shore status.

(b) The provision of the Fisheries (Regulation of Foreign Fishing Boats) Act, No. 59 of 1979, shall apply to ships registered under these regulations, and the registration of ships under these regulations shall not entitle such ships to the rights and privileges afforded to ships registered under the Fisheries Ordinance.

3. Every application for provisional or permanent registration of a ship referred to in regulation 2 shall be made substantially in the form set out in Schedule I hereto to the Registrar of Sri Lankan Ships or to any accredited officer whose name and address is set out in Schedule II hereto in triplicate.

4. Ships which have passed their twentieth year from completion of first construction shall not be eligible for registration unless specifically authorized by the Chief Registrar of Ships.

5. All documents necessary for the registration of a ship as indicated in paragraphs 10 and 11 to be submitted along with the application.

6. All oaths required to be made under the Act shall be made before any of the following persons:—

- (a) the Registrar of Sri Lankan Ships;
- (b) the Sri Lanka Consul or a consular officer;
- (c) any other person specifically authorized in writing in that behalf by the Registrar of Sri Lankan Ships for the administration of such oath.

7. No ship shall be registered unless at the time of registration such ship is classed by one of the following classification Societies:

- (1) American Bureau of Shipping;
- (2) Bureau Veritas;
- (3) Des Morske Veritas;
- (4) Germanischer Lloyd;
- (5) Lloyds Register of Shipping;
- (6) Nippon Kairi Kyokai;
- (7) Polish Register of Shipping;
- (8) Register of Shipping of the People's Republic of China;
- (9) The U.S.S.R. Register of Shipping;
- (10) Deutsche Schiffs—revisions; and Classification Gesellschaft.

8. Certificates required to be issued under the provisions of international conventions ratified by Sri Lanka or any other Certificate the Chief Registrar of Ships may require shall be issued by one of the Classification Societies listed in regulation 7.

9. The registration fee and tonnage tax as specified in Schedule III hereto, are payable in advance in U.S. Dollars or other convertible currency without any deduction.

10. The requirements for provisional registration of a ship which shall be valid for a period of six months shall be as follows:

- (1) an application for official number, call sign and registration of vessel;
- (2) the consent of the country of current registry to transfer such registry to Sri Lanka;
Provided that, this requirement may be waived if the cancellation certificate is submitted to the Registrar of Sri Lankan Ships;
- (3) the original Bill of sale, and in the case of a new ship the Construction Certificate and other documents in proof of ownership;
- (4) Proof of ownership where the applicant owns a ship under a foreign flag and transfers it to the Sri Lankan flag without any change in ownership;
- (5) where a mortgage transaction takes place the name of the mortgagee, the amount of the mortgage, the discharged amount of the mortgage and the date of maturity;



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- (6) certified copies of the resolutions of the Board of Directors and the power of attorney given to the accredited officer or agent of the buying and selling company ;
- (7) a statement of the number of shares in the ship ;
- (8) the name of the Master and his citizenship ;
- (9) a declaration made by the applicant that to the best of his knowledge and belief no unqualified person or body of persons is entitled as owner to any legal or beneficial interest in the ship or to any share therein ;
- (10) the Certificate of Confirmation of Class or the Certificate of Seaworthiness issued by the Classification Society with which the ship is classed and such Certificate shall be dated not more than fourteen days prior to the date of application for registration ;
- (11) where a ship is being transferred from a foreign registry, a certificate issued by a Government Department that such ship is free from lien ;
- (12) a certificate of good standing issued by the authority of the government or country where the company has been incorporated, relating to the name, the present directors and shareholders of such company, legal existence, and present good standing of such company ;
- (13) a certificate of good standing issued by the Registrar of Companies of Sri Lanka relating to the name of the company, the Chairman or Managing Director and other directors and shareholders of such company legal existence and present good standing of such company ;
- (14) the payment of the registration fees specified in the Regulations published in Gazette No. 173/2 dated December 28, 1981 ;
- (15) a Power of Attorney or a Secretary's Certificate of Corporate Resolution, authorising one or more persons to act for or on behalf of the applicant in making an application for registration of a ship and to do all acts necessary to register such ship ;
- (16) where a ship is being transferred from a foreign registry a certificate or other document which would be acceptable to the Registrar of Sri Lankan Ships as proof of cancellation of such ship from such foreign registry.

11. The requirements for permanent registration of a ship which shall be valid for a period of four years shall be as follows :

- (1) a certificate of Class Maintenance issued by any one of the Classification Societies listed in regulation 7 ;
- (2) Sri Lankan Load Lines Certificate issued under the provisions of the International Load Lines Convention ;
- (3) Sri Lankan Cargo Ships Safety Equipment Certificate issued under the provisions of the International Convention for the Safety of Life at Sea 1960 ;
- (4) Sri Lankan Cargo Ship Safety Radio Telegraphy Certificate issued under the provisions of the International Convention for the Safety of Life at Sea 1960 ;
- (5) Sri Lankan Passenger Ship Certificate required for passenger ships only and issued under the provisions of the International Convention for the Safety of Life at Sea 1960 ;
- (6) a sworn notarised statement by the applicant or his authorised agent or Master of the ship to the effect that the markings required under section 39 of the Sri Lanka Merchant Shipping Act, No. 52 of 1971 have been complied with ;
- (7) certificate of Good Standing of the company shall be submitted every year not later than January 30 of such year ;
- (8) names of shareholders of the Company and the number of shares held by each shareholder ;
- (9) a list containing the names, nationalities and certificates of the Master, officers and crew ;
- (10) an application for a radio licence containing the relevant data ;
- (11) name of the company with which a contract has been signed in respect of radio equipment ;
- (12) an undertaking to inform the Registrar of Sri Lankan Ships of any change in the particulars given in the application Form.

12. In these regulations—

“ the Act ” means the Merchant Shipping Act, No. 52 of 1971.

SCHEDULE I

APPLICATION FOR PROVISIONAL OR PERMANENT REGISTRATION OF SHIPS UNDER SRI LANKA REGISTRY

(Application to be submitted in triplicate)

<p>1. Present Name of Vessel :</p> <p>3. Proposed new Name :</p> <p>5. Name of Owner :</p> <p style="padding-left: 20px;">Address :</p> <p style="padding-left: 20px;">Country of the Incorporating Company :</p>	<p>2. Port of Registry :</p> <p>4. Ex-names of Vessel :</p>
<p>6. Name of Chairman/President :</p> <p style="padding-left: 20px;">Nationality :</p> <p style="padding-left: 20px;">Address :</p>	
<p>7. Names & Nationality of Directors :</p>	<p>Address :</p>
<p>8. Authorised share-capital of Company :</p>	
<p>9. Paid-up capital of Company :</p>	
<p>10. Name of Manager of Company :</p> <p style="padding-left: 20px;">Address :</p>	<p>Nationality :</p> <p>Telex No :</p> <p>Cable Address :</p>



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11. Name of Operator :
Address :

12. Particulars of Vessel :
Type of Vessel :
Type of Cargo Carried :

Type of Service :
Speed :

13. Name of Builder :
Address :
Type of Hull :
Number of Decks :
Length Overall :
Gross Tonnage :
Net Tonnage :
Number of Passengers :

Date of Building :
Place of Building :
Number of Masts :
Breadth Moulded :
Deadweight Tonnage :
Under-deck Tonnage :

14. Particulars of Engines :
Name of Builders :
Address :

No. of Engines :
Description :
Number of Cylinders :
Diameter :
Stroke :
Bore :
B.H.P.

15. Description of Boilers :
Name of Maker :
Address :

No. of Boilers :
Working Pressure :

16. Name of Classification Society :
Certificates submitted :

17. Name of P & I Club :
Address :

18. Radio Licence Issued by :
Address :

19. Application for official number and call sign for vessel attached :

20. Proof of Ownership :
Original Bill of Sale
Construction Certificate
Other Proof of Ownership

Attached

Comments

21. Name of Master :
Particulars of Certificates :
Date :

Nationality :
Age :

Issuing Authority :

22. Name of Chief Engineer :
Particulars of Certificates :
Date :

Nationality :
Age :

Issuing Authority :

23. Letter of consent from the current Registry to transfer registry to Sri Lanka is attached. (If actual cancellation certificate is submitted, this requirement is unnecessary).

Declaration

I certify that to the best of my knowledge and belief no unqualified person or body of persons is entitled as owner to any legal or Beneficial interest in the ship or any share therein. I undertake to inform the Registrar of Ships of any changes in the particulars mentioned in this application.

Signature

Date :
Documents Signed by :
Name :
Address :
Nationality :
Sex :
Marital Status :

SCHEDULE II

LIST OF ACCREDITED OFFICERS REFERRED TO IN REGULATION 3

1. AUSTRALIA :-SYDNEY—Trade Commissioner, The Consulate of Sri Lanka, 8th Floor, "Wynyard House", 291, George Street, Sydney.
2. ARAB REPUBLIC OF EGYPT :-CAIRO—Commercial Secretary, Embassy of Sri Lanka, P. O. Box 1157, 8, Yehia Ibrahim Street, Zamolek, Cairo.
3. BANGLADESH :-DACCA—Commercial Secretary, High Commission of Sri Lanka, No. SW(B) 20, Road No. 8, Gulshan Model Town, Dacca.
4. BELGIUM :-BRUSSELS—Commercial Counsellor, Embassy of Sri Lanka, 21-22, Avenue, Des Arts—Kunstlaan, 8th Floor, 1040 Brussels.
5. BRITAIN :-LONDON—Trade Commissioner, High Commission of Sri Lanka, 13, Hyde Park Gardens, London W2 2LU.
6. BURMA :-RANGOON—The Secretary, Embassy of Sri Lanka 34, Fraser Road, P. O. Box 1150 Rangoon.
7. CANADA :-OTTAWA—Commercial Secretary, High Commission of Sri Lanka, 85, Range Road, "The Sandringham" Suites 102—104, Ottawa, Ontario, K1N 8J6.
8. CZECHOSLOVAKIA :-PRAGUE—Trade Commissioner, Office of the Trade Representative of Sri Lanka, 8, Nád Stelou, Prague 7.
9. DENMARK :-COPENHAGEN—Mr. Kithsiri Peiris, Commercial Advisor, Sri Lanka Investment and Trade Office, International House, Bella Centre, Centre Boulevard, DK 2300 Copenhagen, South Denmark.
10. FRANCE :-PARIS—The Secretary, Embassy of Sri Lanka. 15, Rus D'Asterg, 75008 (3rd Floor) Paris.
11. FEDERAL REPUBLIC OF GERMANY :-BONN—Commercial Secretary Embassy of Sri Lanka Rolandstrasse 62 5300 Bonn 2.
12. FEDERATION OF MALAYSIA :-KUALALUMPUR--The Secretary High Commission of Sri Lanka No. 29 Jalan Yap Kwan Seng P. O. Box 717 Kuala Lumpur 01-02
13. GREECE :-Mr. Elias A. Panagakos, Hon. Consul for Sri Lanka (for Trade and Shipping) 43, Vas Pavlou Street, P. Psychiko, Athens, Greece.
14. INDIA :-BOMBAY—Trade Commissioner, Trade Commission of Sri Lanka, "Sri Lanka House", 34, Momt Mady St., Fort, Bombay.
MADRAS:—Deputy High Commissioner, Office of Deputy High Commissioner of Sri Lanka, No. 16, Shafiee Mohamed Road, Rutland Gate, Madras 600 006.
15. INDONESIA :-JAKARTA—The Secretary, Embassy of Sri Lanka, 70, Jalan Diponegoro, JAKARTA.
16. IRAQ :-BAGHDAD—Commercial Secretary, Embassy of Sri Lanka, 903/16/13 Alwiyah, 1 Box No. 1094, Baghdad.
17. ITALY :-ROME—The Secretary, Embassy of Sri Lanka, Via Giuseppe Cubani 6-8, 00197 Rome.
18. JAPAN :-TOKYO—Commercial Secretary, Embassy of Sri Lanka, 14-1, Akasaka, 1-home, Minato-ku, Tokyo.

19. KENYA :-NAIROBI—The Secretary, High Commission of Sri Lanka, 8th Floor, International House, P. O. Box 48145 Nairobi.
20. PEOPLE'S REPUBLIC OF CHINA:-PEKING—The Secretary, Embassy of Sri Lanka, No. 3, Jian Hun Lu, East City, Peeking.
21. PAKISTAN :-KARACHI—Trade Commissioner, Embassy of Sri Lanka, (Commercial Section), 43/S, Block 6, P. E. C. H. S., P. O. Box 3101, Karachi-29.
22. PHILIPPINES :-MANILA—The Secretary, Embassy of Sri Lanka 4th Floor, Saimient Building, Ayala Avenue, Makati, Metro Manila.
24. REPUBLIC OF MALDIVES :-MALE—The Secretary Embassy of Sri Lanka, M. Muraka 5/44, Orchid Magu, Male.
24. SINGAPORE :-SINGAPORE—Commercial Secretary, High Commissioner of Sri Lanka, 1207-1212, 12th Floor, Goldhill Plaza Newton Road, Singapore 1130.
25. SWEDEN :-STOCKHOLM—The Secretary, Embassy of Sri Lanka, 39, Strandvagon, Box 14033, 104 40 Stockholm 14.
26. SWITZERLAND :-GENEVA—Commercial Counsellor Consulate General of Sri Lanka, 56, Rue de Moilabeau, 1211 Geneva 19-
27. THAILAND :-BANGKOK—The Secretary, Embassy of Sri Lanka, 7th Floor, Nailort Building, 87, Sukhumvit Road, Bangkok 11.
28. UNITED ARAB EMIRATES :-ABU DHABI—The Secretary, Embassy of Sri Lanka, Flat No. 47, Fourth Floor, Al-Mulla Building, Sheikh Hamdan Street, Abu Dhabi.
29. UNITED STATES OF AMERICA :-WASHINGTON Commercial Secretary, Embassy of Sri Lanka, 2148, Wyoming Avenue, North West, Washington, D. C. 20008.
20. UNION OF SOVIET SOCIALIST REPUBLIC :-MOSCOW—Commercial Secretary, Embassy of Sri Lanka, Ulitsa Shopjhina 24, Moscow, U. S. S. R.
31. YUGOSLAVIA :-BELGRADE—The Secretary, Embassy of Sri Lanka, Lepenicka 10, Belgrade.

SCHEDULE III

Schedule of Fees for Registration of Ships under Section 30(c) of the Merchant Shipping Act No. 52 of 1971

Registration—small vessels—(less than 2200 NRT)	US - 1 per nett ton minimum fee US \$ 1000
Registration—large vessels—(Over 2200 NRT)	US \$ 1 per nett ton
Annual tonnage fee	.. US 10 cents per N.T.
Provisional certificate (valid for 6 months)	US \$ 150
Full certificate (valid for 4 years)	.. US \$ 150
Marine Inspection	.. US \$ 500



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Marine Investigations & International participation	US \$ 700+01 cent per NT.
Change of Name Fees (not reqd. where vessel is being transferred from foreign flag & is initially to be given new name)	US \$ 8
100—499 ..	US \$ 20
500—999 ..	US \$ 40
1000—4999 ..	US \$ 60
5000 & over ..	US \$ 75
(a) Vessel documentation	
(i) Issue of certificate of registry full or Provisional	US \$ 150
(ii) Reissuance—Full or Provisional ..	US \$ 125
(iii) For each permitted endorsement of a certificate of Registry	US \$ 40
(iv) For 3 month extension of provisional certificate of Registry	US \$ 275
(v) For documentation in connection with re-registration (does not include issuance of full and provisional certificate of Registry)	US \$ 750
(vi) For issuance of a certificate of permission to sell or re-registration	US \$ 40
(vii) For issuance of a certificate of permission for transfer of a vessel and subsequently a certificate cancellation	US \$ 100
(b) Recording	
(viii) Recording bill of sale ..	US \$ 40
(ix) Recording of a mortgage that involves the addition of new security etc.	US \$ 400
(x) Recording of a Mortgage Assignment, Assumption, Amendment or Supplement etc.	US \$ 125

- (xi) Recording of a Mortgage Satisfaction or Release US \$ 75
 - (xii) Any otherwise unspecified recording or filing US \$ 50
 - (c) Radio Licence US \$ 50
- (d) In addition to the fees and charges indicated above, the Registrar of ships will recover the actual expenses incurred for the following—
- (1) for registration requiring the presence of a Consular Officer, Marine Surveyor or an authorised representative of the Registrar of Ships outside the normal hours of business or away from his office US \$ 250 per day or portion thereto.
 - (2) Fees for issuing statutory certificates such as Sri Lanka Safety certificates Load Line certificates etc to be collected by the Classification Society surveyors and remitted to the Registrar of ships.
 - (3) Service charges—other expenses such as secretarial, cable telephone or copying charges incurred for convenience of applicant at applicant's request. at cost

Fees for the Registration of Yachts/Pleasure Craft

Initial Registration	US cents 20 per GRT (Minimum fee US-150)
Annual Tonnage fee	US cents 60 per GRT (Minimum fee US \$ 75)
Radio License	US \$ 50