

18/11/2019

All Container Operators,

Dear Sir,

RENEWAL OF CONTAINER OPERATOR'S LICENSE - 2020

This is to inform you that all Container Operator Licenses should be renewed to continue to function as a Container Operator for the year 2020 complying with the provisions as specified in the regulation bearing government gazette notification extraordinary No. 1402/19 dated 22nd July 2005 promulgated under the Licensing of Shipping agents, Freight Forwarders, NVOCC Operators and Container Operators Act No 10 of 1972 as amended.

Please note that this Renewal Notice consists of following annexures.

Annexure 1 - List of Requirements

Annexure 2 - Specimen Application Form

Annexure 3 - Specimen Bank Guarantee

Annexure 4 - Declaration of Compliance by Directors

Annexure 5 - Letter of undertaking from the company Secretary and a director (For joint venture companies)

Annexure 6 - Checklist for submission of Documents

Application for the renewal of license along with the required documents should be forwarded on or before 30.11.2019.

Thank You,
Yours Sincerely,

A.W.Senevirathne
Director General of Merchant Shipping

Copy: ACDO

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List of Requirements

01. Duly filled application as per the first schedule (Annexure 2)
02. Receipt of Licensing fee
 - Annual license fee is LKR 10,000/-,
 - The stamp fee payable for a license is LKR 1,000/-
03. Written statement stating that the applicant company shall make arrangements within 14 days to inform the Director General of Merchant Shipping regarding any changes of Directors of the company.
04. Copy of Form 15 certified by company secretary.
05. Bank Guarantee for LKR 500,000/- obtained from a bank approved by the Central Bank of Sri Lanka (Annexure 3)
06. A certified copy of the certificate of conformity / license/ permit issued by the Local Government Authority
07. A certified copy of the Audited statement of Accounts with the Auditors Report for the previous financial year.
08. A declaration from Directors on compliance with Minimum Recommended Tariff (Annexure 4)
09. Joint venture companies should submit a letter of undertaking signed by the company secretary and a director of the company (Annexure 5)

Please note that all documents submitted should be certified and dated by an authorized person page by page.

SPECIMEN APPLICATION FORM

(TO BE TYPED ON THE COMPANY LETTER HEAD)

Renewal of container Operator License

- 01 Name of the Applicant:.....
- 02 Registered address.....
- 03 Number and the Date of Incorporation under Companies Act, No.07 of 2007.
(i) Company Registered No:
(ii) Date of Incorporation:
- 04 Address of principal place of business and current Tel No. Fax & E-mail Address:
.....
- 05 State whether Private or Public Company:
- 06 Particulars of Foreign Shareholding if any:.....
- 07 Paid-up Capital:.....
- 08 Type of business :
a. Container Terminal
b. Container Depot
c. Container Freight Station
- 09 Business other than that of a Container Operator, carried on by the Applicant:
.....
- 10 Particulars of Bank Guarantee:
- 11 Names, Addresses and Nationality of Directors:
- 12 Particulars of previous License No:Year:
(If applicable)
13. Volume of inbound and outbound containers handled in Sri Lanka by applicant Container Operating Company in the last three years
(Please give break –down separately in respect of each year)

We undertake to notify the Director General of Merchant Shipping, any changes to the board of directors and / or contact details of the company.

We hereby confirm that we are fully conversant with the provisions of the Licensing of Shipping Agents, Freight Forwarders, NVOCC Operators and Container Operators Act No 10 of 1972 as amended, the regulations promulgated under the said Act and the law relating to the activities covered by this license

We hereby declare that we will not provide any service to any company, partnership, individual or corporation purporting to act as Shipping Agent, Container Operator without the authority of a license issued under the Licensing of Shipping Agents Act, No.10 of 1972.

We declare that, to the best of our knowledge and belief, all the statements contained in this application are true and correct.

Note: - The following documents are attached.

1. Certified copies of Agreements entered into with foreign and local ship operators, owners or their Agents, Freight Forwarders, Container leasing companies, Importers, Exporters, Consolidators or Non – Vessel Operating Common Carriers.

Names and signatures of the directors:

Date:

SPECIMEN OF BANK GUARANTEE

Whereas Companyherein after called “The Principal” has agreed to enter in to contract with the Director General, Merchant Shipping Secretariat , Ministry of Ports and Shipping, No.43-89, York Street, Colombo 01, herein after called “The Beneficiary” for “**due performance**” to the value of **Rs. 500,000/-** (Rupees FIVE HUNDRED THOUSAND)

We theBank, a banking company duly incorporated in the Republic of Sri Lanka under the companies Act No. 07 of 2007 and having its registered office atand the Branch Herein after called “The Bank” hereby guarantee and undertake to pay on first written demand the Beneficiary a sum not exceeding Rs. 500,000/- (Rupees FIVE HUNDRED THOUAND ONLY) in the event the Principal fails or neglects to perform the business of Container Operator as required by the beneficiary.

A demand addressed to us under the hand of the Beneficiary (so far as we the Guarantor are concerned) be conclusive evidence that we are liable to pay the sum demanded but not exceeding the amount aforesaid and accordingly, we the Guarantor shall not be entitled to dispute in any manner any demand made on us under the hand of the Beneficiary. Every payment made by us in response to such demand, which shall be paid in Colombo, shall be deemed to be in discharge pro tanto to our liability.

This guarantee shall be valid from to

Declaration of Compliance by Directors

We, the Directors of(Name of the Company).....(Registered No).....of(Address of the Registered Office) in the business of licensed Container Operator, do hereby declare that to the best of our knowledge and believe we have done everything required to be done by the Licensing of Shipping Agents Act No 10 of 1972 and the Container Operators Regulations No 1402/19 dated 22nd July 2005 promulgated under the said Act.

We also comply with the Minimum Recommended Tariff as per the directive issued by the Supreme Court, SC (Spl) L A Application No 59/2008 on 03rd November, 2008, which was effective from 15th April, 2009.

Name/s of Director/s

Signature

- 01.
- 02.
- 03.
- 04.

Director General of Merchant Shipping
Merchant shipping Secretariat,

Letter of Undertaking

We confirm thathas been incorporated onunder the Companies Act of Sri Lanka and having its registration No. and presently carrying on the business as a container Operators. Presently,... (%) of the Stated Capital of the said company is held byandof being the Citizens of Sri Lanka.

In the said company, the foreign shareholding is only ...(% of the Stated Capital and which is held by theandno any class of share(s) in the said company is held by any other foreign investor(s) to date .

Further, we confirm that the Majority of Directors of the said shareholding company(s),..... of the said company are citizens of Sri Lanka and all of them have the voting Rights.

.....
Company Secretary

.....
Director

Annexure 6

Checklist for submission of documents for Renewal of Container Operator License for the year 2020

Name of the Company:.....

Contact Details:

Name of the officer:..... Contact Number :.....

	Document	Mark a (√) for documents being submitted (by Company)	For MSS Office use only
1	Dully filled Application		
2	Receipt of License Fee		
3	Written Statements for change of Director		
4	Form 15		
5	Bank Guarantee (Original)		
6	Declaration of Compliance by directors		
7	Audited Accounts		
8	Certificate of Conformity issued by Local authority		
9	Undertaking Letter (For Joint venture company)		

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Checklist for submission of documents for Renewal of Container Operator License for the year 2020

I hereby acknowledge the receipt of the below documents submitted to renew CO License for the year 2020.

	Document	Mark a (√) for documents being submitted	Remarks
1	Dully filled Application		
2	Receipt of License Fee		
3	Written Statements for change of Director		
4	Form 15		
5	Bank Guarantee (Original)		
6	Declaration of Compliance by directors		
7	Audited Accounts		
8	Certificate of Conformity issued by Local authority		
9	Undertaking Letter (For Joint venture company)		

.....
 Signature

	<i>Merchant Shipping Secretariat Ministry of Ports & Shipping</i>	<i>MSS</i>
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MERCHANT SHIPPING SECRETARIAT**Ministry of Ports & Shipping****EVALUATION 2019- The Process of Renewal of Container Operator Licenses- Feedback Form**

Please take a few moments to provide us with some important feedback about our process of Renewal of Licenses. This information will be used to improve the existing process.

<i>Aspects</i>		<i>Grade</i>	<i>Remarks</i>
01	<i>Current services offered (Working Procedure)</i>		
02	<i>Payment System</i>		
03	<i>Clarity and Provision of relevant Information</i>		
04	<i>Ability to meet your requirement (satisfied)</i>		
05	<i>Timeliness and reliability of services provided (Time consume)</i>		
06	<i>Regularity and means of communication with our division</i>		
07	<i>Environment & Staff</i>		

Grades A- Excellent B - Good C - Average D - Below Average

Comments or suggestions

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Thank You for your feedback.

DOI:2017-09-13	Rev. No	00	Forms & Checklist		Prepared By : MR
Page 01 of 01	DOR:		DOC. NO.	LI/FO/CO/001	Reviewed and Approved By: DGMS
Issue No. 01			SEC. NO.	Annex- 13	LICENSING UNIT

