

(1)

REQUIREMENTS FOR OBTAIN A SHIPPING AGENTS LICENSE

A specimen application form and bank guarantee is annexed. Please ensure that all the required information provided in this form, is in terms of the applicable Shipping Agents (licensing) regulations, published under the licensing of Shipping Agents Act No.10 Of 1972.

The annual fee payable for a license with up to 10 principals is Rs.35,000/-and, in addition, Rs. 500/- for the inclusion of each additional principal. A cheque for this amount should be drawn in favour of the Director General of Merchant Shipping.

The stamp fee payable for a license is Rs.1000/-

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

THE FOLLOWING DOCUMENTS SHOULD BE PROVIDED WITH THE APPLICATION

01. **A certificate from the auditors** confirming that the paid-up capital of the company is not less than Rs.250,000/-

02. **A bank guarantee** of Rs.500,000/- to cover the validity period of the license.

03. a) **A copy of the agency agreement** signed by the Shipping Agent and the Shipping Line where the Principal operates a regular liner service.(If the shipping agents have already submitted the relevant agreements to the Merchant Shipping Division, a declaration should be made collectively to the effect that the agency agreements remain valid for the relevant year.)

b) **A letter** indicating the agency terms where the principal does not operate a regular liner service. It is recommended to include clauses to cover the following areas.

I. Agency Fees will be levied as per CASA Tariff.

II. Validity Period of Agency Terms./(Termination Clause).

III. Three months notice to be given by the Principal, to the Local Agent in the event of termination of the Agreement.

IV. Inward remittances shall be received by the Local Agent, prior to rendering any services and/ or issue outward clearance for a vessel.

V. Exclusive Agency / any other agency terms, agreed collectively by the Principal and the Agent.

04. a) **An affidavit** (If Applicable):- In the event, a shipping company has foreign share holdings, such company should submit an affidavit in terms of the regulations published in the government gazette extra ordinary No.763 of 21st April,1993 under the licensing of shipping agents act , No.10 of 1972.

b) **Details of remuneration payable to expatriate staff** (If Applicable):-With regards to Joint Venture Companies, please provide details of the remuneration payable to their expatriate staff & the detail of their local expenses incur,

06. **Business Registration**

07. **Form 1** (Particulars of Directors)

08. **Articles of Association**

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SPECIMEN APPLICATION FORM
(TO BE TYPED ON THE COMPANY LETTERHEAD)

APPLICATION TO CARRY ON THE BUSINESS AS A SHIPPING AGENT

01. Name of applicant:
02. Registered addressed:
03. Registration under companies ordinance /companies act No.07 of 2007(Date):
04. Address of principal place of business:
Telephone No., Telex No., Fax No., :
E-Mail:
05. State whether private or public company:
06. Particulars of foreign shareholding:
07. State nature of liability:
08. Paid-up capital:
09. Particulars of bank guarantee:
10. What business other than that of a shipping agent is carried on by the applicant:
11. Names, addresses and nationality of directors:
12. a) Particulars of owner or principal or charterer or master, operating regular liner services:

<u>Name of owner principal or charterer or master</u>	<u>Address</u>	<u>Liner</u>	<u>Route</u>
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- b) Particulars of owner or principal or charterer or master , operating non-liner services:

<u>Name of owner principal or charterer or master</u>	<u>Address</u>	<u>Liner</u>	<u>Route</u>
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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 confirm that we are fully conversant with all the legislation dealing with 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 or 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.

Names and signatures of the directors:

Date:

SPECIMEN OF BANK GUARANTEE

Where as Companyherein after called “The Principal” has agreed to enter in to contract with the Director General of Merchant Shipping, Merchant Shipping Division, Ministry of Ports and Highways, No.43-89, York Street, Colombo 01, herein after called “The Beneficiary” for “**due performance**” to the value of **Rs.500,000/-** (Rupee 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 the Beneficiary a sum not exceeding Rs. 500,000/-(Rupee FIVE HUNDRED THOUAND ONLY) in the event the Principal fails or neglects to perform the business of Shipping Agent 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 protanto to our liability.