

Amendments to Procedures for Bareboat Charter Registrations and Renewals

The Merchant Shipping Directorate (MSD) has issued a notice in relation to enhancements made to the procedure for bareboat charter registrations and renewals under the Maltese flag set out in Part IIA of the Merchant Shipping Act (Chapter 234 of the laws of Malta).

The MSD stated that the rationale behind the said enhancements was to streamline the process of registration and the documentation required for the registration and renewal of bareboat chartered vessels as well as to harmonize the expiry dates of the Certificates of Malta Bareboat Charter Registry and the Radio License.

The following is a list of the enhancements made:

1. A bareboat charter agreement between the registered owner (in the underlying registry) and the bareboat charterer may be valid for more than two (2) years;
2. The consent of the owners and the registered mortgagees may also include a provision for the charterer to apply for any further extensions in the future without the need to produce a specific consent every two (2) years. Such consents may also include the consent for any changes in the name of the vessel requested by the bareboat charterer in the future. The owners and the mortgagees may also state that they reserve the right to withdraw their consent at any time and to inform the Administration accordingly.

It must be noted that notwithstanding the enhancement referred to in paragraph 2 above, in terms of the Merchant Shipping Act the registrar will only proceed with extension if it has not received any objections from the appropriate authorities of the underlying registry, the owners and the registered mortgagees, if any, within seven (7) days from the registrar having informed them of such request for extension;

3. If so requested, instead of being notarized, the signatures on the consents may be certified by a lawyer;
4. The certification of the signature of the notary/lawyer by apostille may be replaced by a certification from a Maltese Consul;

5. Provided that the bareboat charter agreement covers the period, the Certificate of Malta Bareboat Charter Registry may be issued for a period of two (2) years in accordance with the expiry date of the consent of the underlying registry. It is important to note however, that the annual fee shall be payable in accordance with the requirements of the Merchant Shipping Act (i.e. on an annual basis). Failure to pay the applicable annual fee may lead to the suspension of the Certificate of Malta Bareboat Charter Registry and to the commencement of the process of cancellation of the bareboat charter registry.

6. As already advised, the Ship Station License may now be valid for a period not exceeding three years. Therefore, bareboat charterers may opt to apply for a Radio Station License valid for a period of two years to coincide with the expiry date of the Certificate of Malta Bareboat Charter Registry.