

## **REGISTRATION OF SHIPS IN THE BRITISH VIRGIN ISLANDS**

### **INFORMATION MEMORANDUM**

The following outlines the procedures to register a ship in the British Virgin Islands (the “BVI”). Cross reference is made to the applicable forms in use by the Virgin Islands Shipping Registry.

1. As a category 1 Shipping Registry, the Virgin Islands Shipping Registry is now able to register general cargo ships of unlimited tonnage, as well as yachts of up to 3000 gross tons;
2. The name of the ship must be officially approved prior to registration in the BVI to avoid duplication. The ‘**Proposed Name for a British Ship**’ Form **ROS 1**) must be completed and executed by the owner/authorised officer. This form should be executed in advance of the other forms and sent by facsimile or scanned and email to Trinity Financial Services so that the name can be reserved/checked in advance to minimise delays at a later stage if the name is already on the Register.
3. The ‘**Application to Register A Ship**’ (Form **ROS 2**) must be completed and executed by the owner/authorised officer. The agent will be Trinity Financial Services Limited (“Trinity”) and the fee section will be completed by Trinity.
4. A survey must be carried out to produce Survey and Tonnage Certificates. Ships to be registered will fall into one of the three categories given below.
  - (i) If the ship is over 45 feet (13.7 metres):
    - Separate Survey and Tonnage Certificates are required.
    - The approved organisations for this are Lloyds Register of Shipping (“LR”), Bureau Veritas (“BV”), Det Norske Veritas (“DNV”), Germanischer Lloyd (“GL”), American Bureau of Shipping (“ABS”) and Registro Italiano Naval (“RINA”). The survey can be initiated by the owner but the certificates must be sent directly to the Registrar of Shipping in the BVI.
  - (ii) If the ship is under 45 feet (13.7 metres)
    - A combined Survey and Tonnage Certificate can be produced.
    - The approved organisations for this are LR, BV, DNV, GL, ABS, RINA and in addition the Royal Yachting Association (U.K.) and the Yacht Brokers, Designers and Surveyors Association (U.K.). ”). The survey can be initiated by the owner but the certificate must be sent directly to the Registrar of Shipping in the BVI.

- (iii) If the ship was previously British registered the original Closed Transcript or original copy of Old Certificate of Registry.
5. Citizens of and/or, Body Corporates registered in the British Virgin Islands or, any of the following countries are qualified to register a ship in the BVI:
- (i) Crown Dependencies - United Kingdom, Isle of Man, Jersey, Guernsey, Sark, Alderney and associated islands.
  - (ii) British Overseas Territories - Anguilla, Bermuda, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, Falkland Islands, Gibraltar, Montserrat, Pitcairn Islands, St. Helena & Dependencies, Sovereign Base Areas of Akrotiri & Dhekelia , Turks and Caicos Islands.
  - (iii) Republic of Ireland (Citizens only, not Body Corporates).
6. In addition to the due diligence requirements outlined in 18 below, all ships being registered by a Body Corporate should provide a Registry Certified True Copy of the Certificate of Incorporation and a Registry Certificate of Good Standing.
7. In addition to the due diligence requirements outlined in 18 below, all ships being registered by individuals should provide a notarised copy of their passports.
8. The Owner(s) must produce satisfactory evidence of title to ownership in the form of:
- (i) **Builders Certificate** with descriptive details of the ship, showing quite clearly the full name(s) and address of the person(s) or body corporate on whose account the ship has been built(see form **ROS 8**), and/or
  - (ii) Document/**Bill of Sale** or Transfer (see example Form **ROS 7**), and;
  - (iii) The completion and execution of the ‘**Merchant & Pleasure Vessels Declaration of Eligibility**’ Form **ROS 6**
    - Note: the date on the **Merchant & Pleasure Vessels Declaration of Eligibility** must not precede the date on the **Builders Certificate** or **Bill of Sale**, and;
  - (iv) A **Declaration** stating the intended use of the vessel (Private Pleasure or Commercial).
9. All ships owned by a Body Corporate must complete and execute the ‘ **Appointment of Authorised Officer(s) for a Body Corporate**’ Form (Form **ROS 3**) [Note: the principal place of business should be the registered office of the Body Corporate].
10. All ships owned by a Body Corporate or individual(s) not resident in the BVI must complete and execute the ‘**Appointment of Representative Person**’ Form (Form **ROS 4**).

11. All ships owned by a Body Corporate or individual(s) not resident in the BVI must complete and execute the ‘**Appointment of Manager**’ Form (Form **ROS 5**).
12. All ships previously registered in another jurisdiction should provide an original Deletion Certificate from the previous registry.
13. When the Registrar of Shipping is satisfied that the above documentation has been completed correctly a ‘Carving and Marking Note’ is issued. It will show the Ship’s name, Port of Registry, Official Number and Registered Tonnage which are to be carved/marked on the vessel and contain relevant instructions for doing so.
14. When the ‘Carving and Marking Note’ is returned the ship will be formally registered with the Shipping Registry and a Certificate of Registry (or ‘The Blue Book’) is issued which contains details on the ship’s Nationality, Owner(s), Description and Tonnage.
15. A temporary Certificate of Registry or ‘Terminable Certificate’ can be issued for one month pending completion of the registration procedure. To obtain this Certificate all the information for the registration must be received together with a Declaration stating in which area the ship will be sailing while under the ‘Terminable Certificate’ or to which port the vessel will be sailing.
16. To obtain a ‘**Ship Radio Licence**’ and a ‘**Marine Telecommunications Operating Licence**’ an application needs to be made to the Telecommunications Regulatory Commission in the BVI. The forms need to be executed by the Owner and Ship’s Radio Operator and the Licences are renewable annually.
17. Safety and Pollution Prevention etc.:
  - (i) Vessels must be seaworthy and satisfy local, national or international standards of safety for their class and intended use. United Kingdom (British) Regulations for construction, safety equipment, fire fighting/prevention, navigational and radio equipment, pollution prevention, manning, health and welfare aboard etc. are applicable to BVI registered vessels.
  - (ii) Vessels of 70 feet (24 metres) and over in length may require a ‘Load Line Certificate’ unless they are exempted. This certificate may after due inspection/survey be issued by any approved organisation as detailed in 4.(i) above.
18. In order for Trinity to complete and execute the Undertaking to Act as Local Representative For, the following due diligence documentation should be furnished:
  - Certified copy of the passport of the beneficial owner(s) and any other person who exercises control over the vessel or company that owns the vessel (“Relevant Person”). The certified copy is to be clear and legible and must state that “the photograph bears a true likeness of the Relevant Person”;
  - Proof of residential address in respect of each Relevant Person

- A current professional reference from a lawyer, banker or accountant etc. addressed to Trinity Financial Services on behalf of the Relevant Person stating the full name of the Relevant Person, full residential address, date of birth and length of time the relevant person has been known to the referee.
- Details in respect of the source of funds used to purchase the vessel.

19. Fees for the registration process are as follows:

**TRINITY FEES:**

Registration of a ship, including application for radio licences	-	Charged on a time spent basis and we estimate the fees as being in the region of US\$700.00 to US\$1,300.00
Provision of a local representative	-	US\$450.00 per annum

**DISBURSEMENTS:**

Government registration fee	-	Approximately US\$550.00
Government Radio Licence Fees Communications	-	US\$30.00 per annum for a Ship Radio Licence and US\$10.00 per annum per person for a Marine Telecommunications Operating Licence B.
Sundry - Courier, facsimile, telephone, etc.	-	As incurred
Annual Maintenance Fee Registry of Shipping	-	US\$100.00

18. The contact details for the Registry of Shipping in the BVI are as follows:

Registrar of Shipping  
 Sebastian Building  
 Administration Drive  
 Road Town, Tortola  
 British Virgin Islands  
 Telephone: (284) 468-2902/2903  
 Facsimile: (284) 468-2913

19. The contact details for Trinity Financial Services are as follows:

Trinity Financial Services Limited  
 P.O. Box 1114,  
 Valley, Virgin Gorda,  
 British Virgin Islands  
 Telephone: (284) 495-5130  
 Facsimile: (284) 495-6805  
 E-mail: mail@trinitybvi.com