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(A)

MERCHANT SHIPPING (REGISTRATION) REGULATIONS, 2026

Arrangement of Regulations

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**MERCHANT SHIPPING ACT, 2021
(NO. 33 OF 2021)**

MERCHANT SHIPPING (REGISTRATION) REGULATIONS, 2026

The Minister, in exercise of powers conferred under section 28 and 227 of the Merchant Shipping Act 2021, makes the following regulations —

PART I — PRELIMINARY

1. Citation and commencement.

- (1) These Regulations may be cited as the Merchant Shipping (Registration) Regulations, 2026.
- (2) These Regulations shall come into force on the 1st day of April, 2026.

2. Interpretation.

In these Regulations unless the context otherwise requires —

"**Act**" means the Merchant Shipping Act, 2021 (*No. 33 of 2021*);

"**applicable supporting documents**" means such documents and certificates referred to in Part II of the *Schedule* as required and specified by the Authority and any other supporting document requested, that the Authority deems necessary;

"**approved Form**" means a Form referred to in regulation 3;

"**Authority**" means The Bahamas Maritime Authority established under section 3 of The Bahamas Maritime Authority Act (*Ch. 283*);

"**bareboat charter**" means the contract for the chartering by way of lease or sublease of a ship for a stipulated period of time by the terms of which the charterer shall exercise full control and possession of the ship including the right to appoint the master and the crew of the ship for the duration of the charter but excluding the right to sell or mortgage the ship;

"**builder's certificate**" means a certificate signed by the builder of a ship and containing a true account of the proper denomination and of the tonnage of the ship, as estimated by the builder, and of the date and place where it was built, and of the name of the person, if any, for whom the ship was built, or the name of the person to whom it was delivered;

"**certificate of registry**" in relation to a Bahamian ship, means the certificate granted under section 19 of the Act;

"**certificate of closure**" means a certified extract from the register showing that the entry in the register in respect of a ship has been closed, the date of its closure, and the details about the ship and its ownership at the time of closure;

"**Director**" means the Managing Director of The Bahamas Maritime Authority appointed under section 4 of The Bahamas Maritime Authority Act (*Ch. 283*);

“**electronically**” means via transmission of the web portal;

“**freeze**” means to prevent any entry or deletion thereof being made in the register;

“**Minister**” means the minister responsible for Maritime Affairs;

“**web portal**” means the secure online platform maintained by the Authority for the single entry of data for electronic submission, storage and ongoing administration of information by the Authority.

3. Forms and notices.

- (1) A Form to be prescribed in accordance with the Act shall, for the purposes of these Regulations, be a Form specified in Part I of the *Schedule*, approved by the Director (hereinafter referred to as an “approved Form”) and made available electronically or otherwise by the Authority.
- (2) For the purposes of paragraph (1), an approved Form includes an instrument or document.

PART II — REGISTRATION OF BAHAMIAN SHIPS

RULES GOVERNING OWNERSHIP AND REGISTRATION

4. Composition and criteria to register.

- (1) The property in a ship shall be divided into sixty-four shares.
- (2) A person shall not be entitled to be registered as an owner of a fractional part of a share in a ship but any number of persons not exceeding five, may be registered as joint owners of a ship or of any share or shares in a ship.
- (3) With respect to joint owners or owners by transmission, not more than sixty-four individuals shall be entitled to be registered at the same time as owners of any one ship.
- (4) Paragraph (3) shall not affect the beneficial title of any number of persons or of any body corporate represented by or claiming under or through any registered owner or joint owner.
- (5) Joint owners shall —
 - (a) be considered as constituting one person only as regards the persons entitled to be registered; and
 - (b) not be entitled to dispose in severalty of any interest in a ship, or in any share in a ship in respect of which they are registered otherwise than as joint owners.
- (6) A body corporate may be registered as an owner by its corporate name.

REGISTER

5. Register of Bahamian ships.

- (1) For the purposes of these Regulations, pursuant to section 16 of the Act, there shall be kept and maintained a register of Bahamian ships in the form and manner specified herein.
- (2) The register may be maintained electronically or otherwise as the Authority may determine necessary.
- (3) A registrar shall be responsible for the entry in the register of relevant details of a ship, namely —
 - (a) name and vessel type;
 - (b) owners and numbers of shares;
 - (c) name and address of insurers and guarantors;
 - (d) name and contact details of the technical managers;
 - (e) name and contact details of the ISPS Code contact;
 - (f) proposed date of registration;
 - (g) IMO, Official and MMSI numbers;
 - (h) classification society;
 - (i) dimensions and measurements;
 - (j) radio;
 - (k) engine type;
 - (l) persons responsible for issuance of relevant documents; and
 - (m) any other information as the Director determines necessary.

6. Amendment of register.

- (1) A registrar may amend the register where in the opinion of the registrar —
 - (a) a clerical error has occurred; or
 - (b) sufficient evidence is produced to satisfy him that the entry is incorrect.
- (2) If the register has been amended in accordance with paragraph (1), the registrar shall issue a new certificate of registry if required.

APPLICATION FOR REGISTRATION

7. Applicant.

An application made under these Regulations shall be made in the case of —

- (a) individuals, by some one or more of the individuals registered or requiring to be registered as owners or by his or their agent;
- (b) a body corporate, by a duly authorised officer or agent of that body corporate.

8. Mode of submission for application.

- (1) An application made pursuant to these Regulations shall be made to a registrar in an approved Form —
 - (a) in person;
 - (b) by post or courier; or
 - (c) electronically.
- (2) Notwithstanding paragraph (1), the Authority may direct an applicant to submit an application under these Regulations in a specific manner.

9. Signature and witnessing of documents.

- (1) Every application made pursuant to these Regulations shall be signed by the applicant.
- (2) For the purposes of this regulation, section 9 of the Electronic Communications and Transactions Act (*Ch. 337A*) shall apply with respect to the signature of an applicant.
- (3) Where a signature on any document is required to be witnessed, any witness to the signature shall be an unrelated party, independent of the body corporate or individual executing the document.
- (4) The Authority may specify that particular documents be notarised or certified.
- (5) A document referred to in paragraph (4), shall be notarised or certified by a person duly authorised in the jurisdiction of the applicant, and in accordance with the laws of the applicant's jurisdiction, subject to the approval of the registrar.

10. Application for new builds.

An application for registration of a new build, shall be made in an approved Form accompanied by —

- (a) a Declaration of Ownership;
- (b) an Authorised Officer Declaration;
- (c) a protocol of delivery and acceptance;
- (d) applicable supporting documents; and
- (e) in respect of a ship built in The Bahamas, a builder's certificate, which details —
 - (i) a true account of the proper denomination and tonnage of the ship as estimated by the builder;
 - (ii) the date and place where the ship was built;
 - (iii) the name of the person, if any, on whose account the ship was built if applicable; and
 - (iv) where there has been a sale, the bill of sale under which the ship, or a share in the ship, has become vested in the applicant for registration; or
- (f) in respect of a ship built outside The Bahamas unless the person who makes the declaration of ownership declares that —
 - (i) the date and place of the ship's building are unknown to him; or
 - (ii) the builder's certificate cannot be produced,

only the bill of sale under which the ship or share in the ship became vested in the applicant for registration shall be required;

- (g) in respect of a ship to which section 9(5) of the Act applies —
 - (i) a builder's certificate being a certificate signed by the builder containing a true account of the proper estimated denomination of the ship, the estimated tonnage of the ship, the time and place where the ship is being built and the name of the person on whose account the ship is being built; and
 - (ii) evidence of title, which shall be the bill of sale, under which the ship being built, or a share therein, has become vested in the applicant for registration where there has been a sale, and where there has been no sale, other evidence of the title satisfactory to the registrar which may include the builder's certificate.

11. Application for existing ships.

- (1) An application for registration of an existing ship shall be made in an approved Form accompanied by —
 - (a) a Declaration of Ownership;
 - (b) an Authorised Officer Declaration;
 - (c) official permission of an authorised officer in the country of the transfer of registration or proof that such permission by the law of that country is not required;
 - (d) the Protocol of Delivery and Acceptance; and
 - (e) applicable supporting documents.
- (2) An application made by a body corporate, must be accompanied by —
 - (a) proof of incorporation in accordance with the laws of the country of incorporation;
 - (b) a certificate of good standing or equivalent issued by the country of incorporation which must be no more than three months old and approved by the registrar, if necessary; and
 - (c) a certificate of change of name, if applicable.

12. Applicant to provide ship name and port of registry.

- (1) An applicant shall provide a name by which the ship is to be called and the name shall be in Roman capital letters or Roman numerals.
- (2) A proposed name shall not be approved if —
 - (a) the same is already registered as a Bahamian ship; or
 - (b) the name is so similar to that of a registered Bahamian ship, unless the registrar, with the consent of any party concerned, determines otherwise.
- (3) A ship shall not be described by any name other than the registered name.
- (4) The applicant shall provide the port of registry for registration approved by the Authority.

13. Ship to be permanently carved and marked.

- (1) Every ship shall be marked permanently and conspicuously to the satisfaction of the registrar.
- (2) Subject to any exemption by the Director in respect of a class of ship, a ship shall be marked showing —
 - (a) her name on each of its bows and port of registry marked, in Roman letters and numerals, on the stern on a —
 - (i) dark ground, in white or yellow letters; or
 - (ii) light ground, in black letters,the letters being of a length not less than four inches and of proportional breadth;
 - (b) her official number and the number denoting her registered tonnage shall be cut on her main beam or some other conspicuous place;
 - (c) a scale denoting her draught of water in feet or decimetres, other than an exempted ship, on each side of her stem and of her stern post, in —
 - (i) Roman capital numerals or figures;
 - (ii) painted white or yellow on a dark ground; or in any other approved manner, so that the lower edge of each numeral or figure coincides with the draught line denoted thereby; and
 - (iii) in the case of a scale denoting draught in —
 - (aa) feet, the numerals or figures shall be at intervals of one foot and not less than six inches in length; and
 - (bb) decimetres, and not less than one decimetre in length, and if equal metres are marked the numerals or figures denoting the metres shall be followed by a capital letter “M”.
- (3) The marks required by this regulation shall be permanently continued, and no alteration shall be made, except in the event of any of the particulars thereby denoted being altered in accordance with the Act.

14. Receipt of carving and marking note from registrar.

- (1) On receipt of a carving and marking note from a registrar on first registration, the owner shall cause the —
 - (a) ship to be so surveyed or measured, if the ship has not already been surveyed or measured as required by the registrar;
 - (b) ship to be carved and marked in accordance with these Regulations; and
 - (c) carving and marking of a ship to be inspected by an authorised person to ensure compliance with these Regulations.
- (2) The person responsible shall complete the carving and marking note and return it to the registrar.

ROLE OF REGISTRARS

15. Role of a registrar.

On receipt of a application for registration, a registrar shall carry out the requirements of this sub Part.

16. Registrar to keep and maintain register.

Every registrar shall enter into the register the details of every ship in respect of an application made for registration.

17. Registrar to approve or reject name of ship.

- (1) If a registrar is satisfied that a proposed name by which the ship is to be called complies with these Regulations the registrar may —
 - (a) approve the name;
 - (b) notify the applicant in writing that the name is approved; and
 - (c) register the ship with that name.
- (2) If a registrar is not satisfied, the registrar shall notify the applicant in writing that the proposed name has been rejected.

18. Registrar to allocate an official number, call sign and MMSI Number.

- (1) On receipt of an application for registration, a registrar, if satisfied that the requirements for registration has been met, shall allocate to the ship an official number, Call Sign and MMSI Number.
- (2) The registrar may, on request by a classification society, allocate an official number, Call Sign and MMSI Number to a ship, notwithstanding that the registrar is not yet satisfied that the requirements for registration has been met.
- (3) Where a ship has had a number allocated under paragraph (1) and the number has been carved into the beam of a ship, but the ship is not accepted for registration, the number must be permanently removed and a certificate to that effect provided by the classification society to the registrar.

19. Registrar to be satisfied of measurements, etc.

- (1) If a registrar is not satisfied —
 - (a) that the particulars of the measurement and tonnage of the ship or such other particulars describing the identity of the ship, as have been determined by the Director provided to him are correct; or
 - (b) that the ship is carved and marked in the manner as specified in these Regulations,the registrar may direct the owner to have the measurement, or other details verified by an inspector or surveyor as appropriate.
- (2) If an owner fails to comply with the directions given pursuant to paragraph (1), the registrar may if the ship is —

- (a) not registered, refuse registration until such directions have been complied with; or
 - (b) registered, serve notice on the owner or managing owner, or any charterer, manager or operator of the ship requiring him to produce evidence within thirty days sufficient to satisfy the registrar that the particulars of the measurement and tonnage are, or that the marking of the ship is, correct.
- (3) If at the expiry of the period of thirty days the registrar is not so satisfied, the registrar may —
 - (a) extend the notice and request further information; or
 - (b) serve a final notice to close the ship's registration, such closure to be effected seven days after the service of that notice.
- (4) Where a ship's registration is closed, the owner of the ship shall forthwith surrender the certificate of registry.
- (5) Where the registrar serves a notice under this regulation on the owner of a ship in respect of which a mortgage is registered, the registrar shall send a copy of that notice to the mortgagee at the address recorded in the register for the mortgagee.

20. Registrar to issue or cancel carving and marking note.

- (1) The registrar shall issue to the owner at the appropriate time a carving and marking note for completion for intended registration or in respect of a change of the ship.
- (2) The registrar, if satisfied that a ship is eligible to be registered, shall issue a carving and marking note upon provisional registration.

PROVISIONAL REGISTRATION

21. Provisional certificate of registry.

Where a registrar is satisfied that —

- (a) the requirements for registration of a ship has been met;
- (b) the particulars of the ship furnished are true and correct;
- (c) the title to the ship has been provided; and
- (d) the provisions of these Regulations have been complied with,

the registrar may issue, in respect of the ship, a provisional certificate of registry in an approved Form, if the registrar is satisfied that all of the conditions for provisional registration has been met.

22. Period of provisional registration.

A provisional certificate of registry may be issued for six months and may be extended by a registrar for such time as the registrar thinks fit.

23. Privileges of provisional registration.

A provisional certificate of registry shall entitle a ship to all the privileges of a registered Bahamian ship during its period of validity.

24. Power of registrar to refuse registration.

If the registrar is not satisfied that the conditions referred to in regulation 21 have been met, the registrar may —

- (a) request further supplementary information or evidence; or
- (b) refuse to register the ship.

PERMANENT REGISTRATION

25. Registrar to issue certificate of registry.

- (1) If the registrar is satisfied that all of the conditions for permanent registration have been met, the registrar may issue a certificate of registry in an approved Form.
- (2) A certificate of registry shall specify —
 - (a) the full name and address of the owners;
 - (b) the number of shares owned by each owner and if jointly owned, with whom they are owned;
 - (c) the pertinent information in respect of the ship as determined by the Authority;
 - (d) the date of issue of the certificate; and
 - (e) such other details as the registrar considers necessary.
- (3) The Director may, in exceptional circumstances, waive a condition required to be met under these Regulations.

26. Documents to be retained by a registrar.

On the registration of a ship, the registrar shall retain —

- (a) the surveyor's certificate;
- (b) the builder's certificate;
- (c) any bill of sale of the ship previously made;
- (d) the copy of the condemnation, if any;
- (e) all declarations of ownership; and
- (f) any other document the registrar deems necessary.

CERTIFICATE OF REGISTRY

27. Custody of certificate.

Any person who fails, without reasonable cause to surrender a certificate of registry when required to do so by the Act and any regulations made thereunder commits an offence.

28. Duplicate certificates.

- (1) If it is shown to the satisfaction of a registrar that a certificate of registry has —
 - (a) been lost, stolen or destroyed; or
 - (b) has become defaced or illegible,

the registrar may issue to the owner a duplicate of that certificate, which shall be marked as such, and shall be of the same effect as the original.

- (2) Where a duplicate certificate of registry is issued the original if subsequently found or recovered shall be forthwith surrendered to a registrar.
- (3) If the master of the ship or some other person having knowledge of the facts of the case makes a declaration before the appropriate person as to the loss, theft, destruction, defacement or illegibility of the certificate, the appropriate person shall notify the registrar.
- (4) The registrar, on being satisfied that the ship is entitled to be issued with a duplicate certificate, shall provide the appropriate person with the duplicate certificate.

29. Dispensing with production of certificate.

Where a certificate of registry is required by these Regulations to accompany any application and it is shown to the satisfaction of a registrar that for any reasonable cause the certificate cannot be produced, the registrar may, on the production of such other evidence and subject to such conditions as the registrar thinks fit, dispense with its production.

TERMINATION OF REGISTRATION

30. Termination of registration.

- (1) A registrar may terminate the registration of a ship in accordance with section 25 of the Act.
- (2) If the registration of a ship is terminated the marking prescribed under these Regulations must be removed from the ship.

PART III - OBLIGATIONS TO NOTIFY OF CHANGE AND APPLICATION FOR CHANGE OF OWNERSHIP, TRANSFER, ETC.

OBLIGATIONS TO NOTIFY THE AUTHORITY

31. Notification of change.

- (1) If at any time there occurs, in relation to a registered ship, any change affecting the particulars or otherwise of the ship as specified under this Part, the owner of the ship shall, as soon as practicable, notify a registrar in accordance with paragraph (2).
- (2) A notification referred to in paragraph (1) shall —
 - (a) be made in writing;
 - (b) be signed by the owner;
 - (c) specify the nature of the change;
 - (d) specify the official number of the ship.
- (3) A person who contravenes paragraph (1) commits an offence.

32. Notification of transfer or transmission.

A notification of a transfer or transmission of a registered ship or a share in a registered ship shall —

- (a) be made in writing;
- (b) be accompanied by a declaration of ownership; and
- (c) where the application is made on behalf of a body corporate, the applicable supporting documents.

APPLICATION FOR CHANGES TO REGISTER

33. Change in name or address of owner, not being a change of ownership.

- (1) If the name or address of a owner of a registered ship has changed, notification shall be given as soon as practicable in an approved form to a registrar for the change to be recorded in the register.
- (2) An application made pursuant to paragraph (1) shall be in an approved Form accompanied by —
 - (a) subject to regulation 29, the certificate of registry;
 - (b) such evidence as to the change of name or address of the owner; and
 - (c) applicable supporting documents.
- (3) On recording the change in the registered particulars the registrar shall cancel the existing certificate and issue to the owner a new certificate of registry, expiring on the same date as the existing one if the ship is provisionally registered.
- (4) A person who fails to make an application required by paragraph (1) commits an offence.

34. Change of name or address of registered owner.

If the name or address of a owner of a registered ship has changed, the owner shall submit to the registrar —

- (a) the respective application in an approved Form; and
- (b) the applicable supporting documents.

35. Change of name of ship.

- (1) If an owner desires to change the name of a ship, the owner shall submit to the registrar —
 - (a) the respective application in an approved Form; and
 - (b) the applicable supporting documents.
- (2) If it appears to the registrar that the applicable provisions of these Regulations are complied with, the registrar shall issue a carving and marking note to the owner.
- (3) Upon receipt of the carving and marking note, the name of the ship may be changed in the register and the new certificates issued to reflect the change of name.
- (4) The name of a ship shall not be changed —

- (a) without the prior written confirmation of a no objection from all the registered mortgagees;
- (b) unless the accompanied applicable supporting documents have been provided; and
- (c) unless the registrar is satisfied that all other requirements have been met.

36. Procedure for transfer or change of ownership.

- (1) An owner of a registered ship may apply in an approved Form to change ownership of the ship by submitting to the registrar for determination of the technical suitability of the ship for continued registration accompanied by the applicable supporting documents.
- (2) If the ship has satisfied the requirements for continued registration, the application form shall be submitted to the registrar in an approved Form accompanied by applicable supporting documents.
- (3) The registrar must be satisfied that —
 - (a) the sellers have paid all annual tonnage fees up to date;
 - (b) all mortgages have been discharged from the register; and
 - (c) the bill of sale has been duly attested under company seal and notarised.

37. Refusal of registration of transfer or transmission.

- (1) If on an application for transfer or transmission of a ship or shares in a ship, the registrar is not satisfied that the ship has met the requirements to be registered —
 - (a) the registrar shall serve a notice under paragraph (2) on the owner of the ship; and
 - (b) the ship's registration shall terminate by virtue of this paragraph at the end of the period of fourteen days beginning with the date of the service of that notice.
- (2) A notice under this paragraph shall state that the —
 - (a) registrar is not satisfied that the ship in question has met the requirements to be registered; and
 - (b) registration of the ship will accordingly terminate by virtue of paragraph (1) at the end of the period referred to in that paragraph.

38. Change in registered particulars of ship.

- (1) The owner of a ship shall notify the registrar of any alteration, change or reconstruction of the ship which could affect the classification, measurement, tonnage or load line of the ship, within thirty days of the change or reconstruction setting forth the details thereof.
- (2) If there is a change in the registered particulars of a ship, other than a change in the tonnage of the ship, an application shall be made as soon as practicable to a registrar for the change to be recorded in the register.
- (3) An application referred to in paragraph (2) shall be made in an approved Form and subject to regulation 29, be accompanied by the certificate of registry and such evidence as to the change as may be required by the registrar.

- (4) If there is a change in the tonnage of a ship, it shall be resurveyed or remeasured in accordance with regulation 19 and an application shall be made in an approved Form accompanied by —
 - (a) the certificate of survey or measurement; and
 - (b) the certificate of registry.
- (5) On recording the change in the registered particulars the registrar shall cancel the existing certificate and issue to the owner a new certificate of registry, expiring on the same date as the existing one if the ship is provisionally registered.
- (6) A person who fails to make an application as required by paragraphs (1) or (4) commits an offence.

39. Transfer of port of registry.

- (1) An owner of a registered ship may apply to the registrar for the ship to change its port of registry to another Bahamian port.
- (2) An application made pursuant to paragraph (1), shall be made in an approved Form subject to regulation 29 and be accompanied by the certificate of registry.
- (3) If the registrar is satisfied that the provisions of these Regulations have been complied with, the registrar shall issue a carving and marking note to the owner.

40. Transfer of registration to foreign registry or deletion of ship.

- (1) The owner of a Bahamian ship may apply to —
 - (a) transfer registration of that ship to a foreign registry;
 - (b) delete the ship from the register.
- (2) An application pursuant to paragraph (1), shall be made to a registrar in an approved Form accompanied by the applicable supporting documents.
- (3) Upon successful application, the registrar may, if satisfied there are no claims outstanding in favour of the Government of The Bahamas or the Authority —
 - (a) grant permission for the transfer of the ship to a foreign registry;
 - (b) terminate the registration and record the termination date in the register; and
 - (c) issue a certificate of closure and a Closed Continuous Synopsis Record to the owner of the ship.
- (4) A registrar may decline the transfer of registration of a ship to a foreign registry if the requirements of these Regulations have not been met.

41. Re-marking of ship.

- (1) On receipt of a marking note, the owner shall —
 - (a) cause the ship to be marked with the new name or port of registry; and
 - (b) cause the marking to be inspected in accordance with regulation 14.
- (2) The inspector shall, if satisfied that the ship is marked in the manner required by regulation 13, complete the marking note and return it to the registrar.

PART IV – REGISTRATION AND DISCHARGE OF MORTGAGES

42. Production and form of mortgage instrument.

An application —

- (a) to register a mortgage instrument, pursuant to section 45 of the Act;
- (b) to discharge a registered mortgage, pursuant to section 46 of the Act; or
- (c) to transfer in respect of a registered mortgage of a ship, pursuant to section 51 of the Act,

shall be made in an approved Form and accompanied by —

- (i) if applicable, written consent of every current mortgagee in accordance with regulation 43; and
- (ii) written confirmation from the authorised signatory of the mortgagee to proceed with the registration of the mortgage, in a form satisfactory to the registrar.

43. Consent of mortgagee on new mortgage or transfer.

Prior to the registration of a new mortgage or the transfer of a mortgage in respect of a new mortgagee, the written consent of every current registered mortgagee in respect of that ship shall be produced to the registrar in an approved Form.

44. Registration and discharge of mortgage.

- (1) Where an application in respect of a mortgage instrument is made in accordance with regulation 42, the registrar shall, on production of the instrument and requisite accompanying documents —
 - (a) register the mortgage; and
 - (b) endorse thereon the date and hour it was registered.
- (2) Where an application to discharge a registered mortgage is made in accordance with regulation 42, the registrar shall, on production of the mortgage instrument and with requisite accompanying documents for discharge —
 - (a) discharge the mortgage in accordance with these Regulations;
 - (b) record in the register that the mortgage has been discharged; and
 - (c) endorse thereon the date and hour when the entry was made for discharge.

45. Non-production of mortgage instrument on discharge or transfer of mortgage.

- (1) If the original mortgage endorsed by the registrar cannot be produced in respect of a —
 - (a) discharge of mortgage, an affidavit of loss in an approved Form may be submitted to the registrar; or
 - (b) transfer of mortgage, an affidavit of loss in an approved Form and transfer of mortgage may be submitted to the registrar.
- (2) A registrar may record in the register that the mortgage has been properly discharged or transferred.

46. Effect of termination of registration on registered mortgage.

Where the registration of a ship has been terminated, such termination shall not affect entry in the register of any un-discharged registered mortgage, of that ship or any share in it.

PART V – PROVISIONS GOVERNING BAREBOAT CHARTER SHIPS

BAREBOAT CHARTER-OUT SHIPS

47. Interpretation.

For the purposes of this Part, “**owner**” means in relation to a registered ship, a registered owner.

48. Bareboat charter-out.

- (1) An owner of a Bahamian ship may apply to the registrar to have the ship chartered out under bareboat charter terms, to be registered under the laws of a foreign country.
- (2) An application made pursuant to paragraph (1), shall be made in an approved Form accompanied by —
 - (a) a certified true copy of the charter-party showing —
 - (i) the name of the ship;
 - (ii) the name of the charterer or charterers and the name of the owner or owners of the ship;
 - (iii) the date of the charter-party; and
 - (iv) the duration of the charter-party;
 - (b) a certified transcript of the foreign register or similar document showing the bareboat charter registration of the ship;
 - (c) if the ship is subject to a mortgage registered in the register, written consent of each mortgagee to the foreign bareboat charter registration; and
 - (d) applicable supporting documents.
- (3) A registrar may, if satisfied that there has been compliance with paragraph (2), may suspend the registration for the charter period not exceeding five years at a time and grant permission by issuing a consent letter.
- (4) Upon the issuance of a consent letter, a registrar shall enter in the register —
 - (a) the date of the suspension of the registry of the ship in The Bahamas;
 - (b) the name of the bareboat charterer;
 - (c) the port and country of registry of the ship in the name of the bareboat charterer;
 - (d) the date of termination of the suspension referred to in paragraph (a); and
 - (e) such other details as the registrar determines necessary.
- (5) Notwithstanding the provisions of paragraphs (1) - (4), within the absolute discretion of the registrar, the registrar may refuse to grant permission for the suspension of the registration of a Bahamian ship and the registration outside The Bahamas.

49. Extension of bareboat charter-out suspension.

- (1) An application may be made to the registrar to extend the period of suspension of registration of a Bahamian ship.
- (2) An application made pursuant to paragraph (1) shall be made in an approved Form accompanied by —
 - (a) evidence of the extension or renewal of the relevant bareboat charter-party and the continued bareboat charter registry of the ship in the relevant foreign country;
 - (b) written consent of all registered mortgagees to the continued bareboat registration of the ship; and
 - (c) applicable supporting documents.
- (3) If satisfied that there has been compliance with paragraph (2), the registrar may —
 - (a) extend the suspension of registration of the ship for no more than five years at a time; and
 - (b) enter in the register such details as the registrar determines necessary.

50. Termination of suspension of bareboat charter-out.

- (1) The suspension of the registration of a Bahamian ship may be terminated upon application made by the owner.
- (2) An application shall be made in an approved Form and accompanied by —
 - (a) a certificate of closure or equivalent showing that the foreign registry of the ship is closed;
 - (b) such evidence of seaworthiness of the ship as the registrar may require; and
 - (c) applicable supporting documents.
- (3) A registrar may, if satisfied that paragraph (2) has been complied with, enter in the register the date of termination of the suspension and shall return the certificate of registry to the owner.

51. Effect of suspension of registration.

During the period of suspension of the registration of a Bahamian ship, the provisions of the Act and any regulations made thereunder shall cease to apply to the ship, except provisions relating to —

- (a) mortgages and property in the ship in referred to in regulation 4 of the Act;
- (b) the register of the ship; and
- (c) the payment of fees in respect of the ship.

BAREBOAT CHARTER-IN SHIPS

52. Qualification for registration of bareboat chartered-in ships.

- (1) A person referred to in section 9 of the Act, who bareboat charts a ship of 500 gross tonnage or above, may qualify to register a bareboat chartered-in ship.

- (2) An application made pursuant to paragraph (1), shall be in an approved Form accompanied by the applicable supporting documents.

53. Applicable provisions to bareboat chartered-in ship.

- (1) In respect of a ship for registration under this Part —
- (a) the applicant shall propose a name and intended port of registry in accordance with regulation 12;
 - (b) the registrar may allocate an official number, Call Sign and MMSI Number in accordance with regulation 18;
 - (c) the registrar may issue a carving and marking note for completion in accordance with regulation 20.
- (2) The provisions of these Regulations with respect to —
- (a) any change regarding the owner or particulars of a ship;
 - (b) a transfer of the port of registry;
 - (c) the re-marking of a ship; and
 - (d) any other matter as specified by a registrar,
- shall apply with respect to bareboat chartered-in ships.

54. Registration of bareboat charter-in.

- (1) Where a registrar is satisfied that the provisions of this sub Part have been met, the registrar may provisionally register the ship and enter into the register the details as specified in regulation 5.
- (2) Upon registering a ship, the registrar shall —
- (a) issue a certificate of registry;
 - (b) retain a copy of the charter, any certificate of survey and all declarations of ownership; and
 - (c) if applicable, retain any declarations required by the Act or any regulations made thereunder.
- (3) Notwithstanding paragraphs (1), if a registrar determines that it would be inappropriate for the ship to be registered, the registrar may refuse to register the ship if there exists a concern regarding —
- (a) the condition of the ship or its equipment;
 - (b) safety or risk of pollution to the environment;
 - (c) the health and welfare of persons employed or engaged in any capacity on board the ship.

55. Period of registration for bareboat chartered-in.

The registration of a bareboat chartered-in ship shall expire —

- (a) on the expiry of the charter period; or
- (b) at the end of a period of five years beginning with the date of registration as specified in the consent letter,

whichever is earlier.

56. Application for renewal of bareboat chartered-in.

- (1) An application to renew registration shall be made in the current registration period in an approved Form accompanied by —
 - (a) such evidence of the extension or renewal of the charter-party;
 - (b) the closure or suspension of the original registry for the period of the extension as the registrar may require;
 - (c) written consent of all mortgagees to the continued bareboat registration of the vessel, signed by the mortgagee and not under power of attorney; and
 - (d) applicable supporting documents.
- (2) The registrar may, if satisfied that paragraph (1), has been complied with —
 - (a) extend the expiry date of the registry of the bareboat chartered ship for no more than five years at a time;
 - (b) make an entry in the register;
 - (c) amend the certificate of registry; or
 - (d) upon request, grant a new certificate of registry and the registered owner shall surrender the old certificate of registry or cause it to be surrendered to the registrar as soon as practicable.

57. Mortgages of a bareboat chartered-in ship.

No mortgages shall be recorded in the register of a bareboat chartered-in ship.

58. Notification to responsible authority by registrar.

The registrar shall notify in writing the responsible authority for registration of ships in the country of primary registration when a ship has been registered as a bareboat chartered-in ship on The Bahamas register.

59. Closure of bareboat chartered-in ship's registration by the registrar.

- (1) The registrar may close the registration of a bareboat chartered-in ship —
 - (a) on application by the owner;
 - (b) on the ship no longer being eligible to be registered;
 - (c) on the ship being destroyed including, but not limited to, shipwreck, demolition, fire and sinking;
 - (d) if the provisions of the Act or regulations made in relation to the condition of the ship or its equipment;
 - (e) safety or risk of pollution to the environment; or
 - (f) health and welfare of persons employed or engaged in any capacity on board the ship.
- (2) On closure of a ship's registration under paragraph (1), the registered owner shall forthwith surrender to the registrar the certificate of registry for cancellation.
- (3) Section 25 of the Act and regulation 30 shall apply to bareboat chartered-in ships.

PART VI - MISCELLANEOUS

60. Service of notices.

- (1) Where it appears to a registrar that regulations 30 or 59 apply, a registrar may serve notice on the owner or on any charterer, manager or operator of the ship requiring the owner to produce, within thirty days, evidence sufficient to satisfy the registrar that the ship is eligible to remain on the register.
- (2) If at the expiry of the period of thirty days the registrar is not so satisfied, the registrar may —
 - (a) extend the notice and ask for further information or evidence; or
 - (b) serve a final notice which closes the registration of the ship, such closure to take effect seven days after the service of that notice.
- (3) If the registration of a ship is terminated under paragraph (2) the Registrar may issue a certificate of closure and the owner of the ship shall forthwith surrender its certificate of registry.
- (4) Where a registrar serves a notice under this regulation in respect of which a mortgage is registered, the registrar may send a copy of that notice to the mortgagee at the address of such mortgagee recorded in the register.

61. Documents to be accompanied by an English language translation.

- (1) A document which is not in the English language and is produced in support of any application under the Act and these Regulations shall be accompanied by a certified translation of the document in the English language.
- (2) A registrar may on such terms as the registrar thinks fit dispense with the requirement of paragraph (1).

62. Dispensing with declarations.

When under these Regulations —

- (a) any person or body corporate is required to make a declaration, but is unable to do so and can satisfy the registrar that it is due to reasonable cause, the registrar may on such terms as he thinks fit, dispense with the declaration; or
- (b) any evidence is required to be produced to the registrar, but such evidence is unable to be produced and the registrar is satisfied that it is due to reasonable cause, the registrar may on production of such other evidence as he considers appropriate, dispense with the evidence.

63. Fees.

- (1) A fee payable in respect of any act, service or transaction carried out pursuant to these Regulations shall be specified in regulations made governing fees.
- (2) The Authority shall provide an invoice detailing the applicable fees in respect of an act, a service or transaction and such fees may be payable in advance.
- (3) Payment shall be made in such currency as the Authority considers acceptable.

- (4) A registrar shall not be required to carry out any act, service or other transaction unless the appropriate fee has been paid.

64. Offences.

- (1) A person who —
- (a) uses or allows the use of a certificate of registry with intent to deceive;
 - (b) knowingly or recklessly provide false information during the registration of a ship; or
 - (c) intentionally alter, suppress, conceal, or destroy a document required to be produced to a registrar,
- commits an offence and is liable on summary conviction to a fine not exceeding three thousand dollars.
- (2) A person who effaces, alters, makes illegible, cover, or conceal required marks on a registered ship, commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars.
- (3) It shall be a defence for a person charged with an offence under paragraph (2) to prove that —
- (a) the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence; or
 - (b) the effacing, alteration, covering or concealing of the marking was for the purpose of escaping capture by an enemy.

PART VII - TRANSITIONAL PROVISIONS

65. Validity of certificate of registry.

A certificate of registry issued prior to the commencement of these Regulations shall remain in force until a new certificate of registry is issued under these Regulations.

66. Applications made prior to commencement of these Regulations.

An application made prior to the commencement of these Regulations for registration of a ship shall be considered and determined in accordance with these Regulations.

SCHEDULE
(regulations 2 and 3)

PART I

APPROVED FORM
Application to Register a Ship
Appointment of Authorised Officer Declaration
Registration of Managing Owner
Declaration of Ownership
Application for Minimum Safe Manning Document
Application for Permit to Operate a High Speed Craft
URCA Ship Radio Communications Licence Application
Application for MLC 2006 DMLC Part 1
Application for Continuous Synopsis Record Appendix I
Continuous Synopsis Record Amendment Form 2
Application for LRIT Conformance Test Report
Mortgage Registration Form
Bahamas Bill of Sale

PART II
SUPPORTING DOCUMENTS

CERTIFICATES
Bill of Sale
Builder's Certificate
Protocol of Delivery and Acceptance
Certificate of Company Incorporation
Certificate of Good Standing
Civil Liability for Bunker Oil Pollution Damage
Civil Liability for Oil Pollution Damage
Civil Liability for the Removal of Wrecks
Certificate of Insurance of Seafarer Repatriation Costs and Liabilities
Certificate of Insurance of Shipowners Liability

Certificate of Entry
Transcript of Registry showing registered owner and encumbrances
Official Permission From Flag Administration for Transfer of Registration
Former Certificate of Survey and/or Certificate of Registry
Previously issued Continuous Synopsis Records
Former International Tonnage Certificate
Current Class Status Report
Release from Foreign Register
Declaration of No Liens on Foreign Register
OTHER
Power of Attorney/Certificate of Incumbency
Notification of Radio Accounting Authority
Ship's Carving and Marking Note
Exemptions Certificates issued by current flag
Former other Statutory Certificates issued under International Conventions and Codes by current flag
Equivalent arrangements Certificates with details of any alternative design and arrangements including Record of Approval, Document of Approval and GISIS reference from current flag (if any).

Made this 1st day of April, 2026

Signed
JOBETH COLEBY-DAVIS
MINISTER RESPONSIBLE FOR MARITIME AFFAIRS