

BAREBOAT CHARTER REGISTRATION

Maltese law provides both for bareboat charter registration of foreign ships under the Malta flag and also for the bareboat charter registration of Maltese ships under a foreign flag.

The two main principles adopted at law on bareboat charter registration are, the compatibility of the two registries, and, that matters regarding title over the ship, mortgages and encumbrances are governed by the underlying registry, while the operation of the vessel falls under the jurisdiction of the bareboat charter registry. Within these parameters, ships bareboat charter registered in Malta enjoy the same rights and privileges, and have the same obligations as any other ship registered in Malta.

A bareboat charter registration shall be for the duration of the bareboat charter or until the expiry date of the underlying registration, whichever is the shorter, but in no case for a period exceeding two years. Registration may be extended.

- Requirements for bareboat charter registration in Malta:
 - The ship must be bareboat chartered to a body corporate, entity or such other person qualified to own a Maltese ship;
 - The ship is not a Maltese ship, and is registered in a compatible registry.
 - The Ship is not registered in another bareboat registry.
- The following documents must be produced:
 - An application for registration by the chartered or an authorised representative;
 - A declaration of bareboat charter accompanied by the charter agreement;
 - A copy of the ship's International Tonnage Certificate;
 - A transcript or an extract of the underlying registry showing owners and any mortgages;
 - Written consent for the bareboat charter registration of the ship in Malta of the underlying registry, owners and mortgagee;
 - Evidence of seaworthiness, in the case of trading vessels, confirmation of class;
 - Payment of initial and annual registration fees.
- Requirements for bareboat charter registration of a Maltese ship under a foreign flag:
 - The ship is registered as a Maltese ship under the Merchant Shipping Act
 - The bareboat charter registry where the ship is to be registered is a compatible registry
- The following documents must be produced:
 - An application for the bareboat charter registration in the foreign registry by the owner or an authorised representative:



- Consent in writing of all the mortgagees (if any)
- A written undertaking by the owner to surrender the ship's Certificate of Malta Registry within thirty days from the bareboat charter registration;
- A written undertaken by the charterers not to hoist the Malta flag during the period of bareboat charter registration;
- A copy of the bareboat charter party.

A consent for the bareboat charter registration of a Maltese ship in a foreign registry will be issued.