

Circular 157 / 2017

To: Owners, Charterers, Technical Managers, and Masters of Cook Islands Registered Vessels

Subject: Conditions of Registration with Maritime Cook Islands

Date: 2 August 2017

Summary

Maritime Cook Islands, brings to your attention the Conditions of Registration of a vessel on the Cook Islands Ships Register.

Conditions of Registration are available on -

- Application for Registration form 1A provided to all clients at the time of applying for registration;
- Maritime Cook Islands website;
- All Maritime Cook Islands invoices

Conditions of Registration, as amended from time to time, apply to all vessels registered on the Cook Islands Ships Register, until such time as they are no longer registered.

CONDITIONS OF REGISTRATION

Definitions

"The Client" means the owner or charterer and includes managers and technical managers appointed by owners or charterers of the vessel, in relation to which services are provided by the Administration.

"Services" means registration, survey, certification of a vessel, and any other service that may be required or requested and any document issued in relation thereto.

"Fees" means the total sum of the Administration invoice for services and does not include bank fees

"Due date" means the date of the invoice, unless otherwise indicated.

"Interest" means interest applied to fees outstanding for more than 30 days from the due date and calculated on the daily balance at 12% per annum.

"The Administration" means Maritime Cook Islands the Corporate Administrators of the Cook Islands Ships Register.

"Registrar" means Registrar of Ships as appointed under the Cook Islands Ship Registration Act 2007 and includes any Deputy Registrar (DR) authorised by the Registrar under the same Act.

"Surveyor Fee" means the daily fee charged by the attending surveyor, inspector or auditor and any related travel costs etc.

The Client agrees to –

Registration

1. provide proof, by way of deletion certificate, that the vessel ceases to be registered in any other State on any other Register;
2. where the vessel is to be registered as a demise charter registration; provide proof of suspension of registration from the underlying flag; consent of the owner and a copy of the charter agreement,

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3. *establish and maintain themselves as a “Qualified Person” under section 2 of the Cook Islands Ship Registration Act 2007;*

Survey & Certification

4. *submit to the Administration all information required on Application for Registration form 1A and any additional information requested by the Registrar from time to time;*
5. *notify the Administration immediately of any changes relating to ownership, management, ISM management of any of their vessels or any other changes that may be deemed to be relevant;*
6. *notify the Administration immediately of any accidents or near misses to vessel, crew or passenger; by completing relevant accidents, incident and or mishap reports (available at www.maritimcookislands.com);*
7. *ensure the vessel is operated and maintained in compliance with the relevant IMO and / or Cook Islands national standards;*
8. *make the vessel available, at a time agreed to with the Administration, for a Flag State Inspection, or any other inspection, as maybe required by the Administration from time to time;*
9. *ensure that Non Conformance Reports (NCR) and Corrective Action Reports (CSR) are submitted to the Administration for any deficiencies found during Cook Islands surveys or PSC inspections while flagged with Cook Islands;*
10. *maintain P&I cover as required (i.e. Bunker; CLC; Wreck removal; MLC etc.);*
11. *ensure that the vessel is surveyed within the windows as required under the harmonised system of survey and certification;*

Operational of Vessel

12. *ensure that the vessel will not be used in contravention of International law, the law of the Cook Islands or law of another State through which the vessel transits or in which it operates;*
13. *ensure vessel will not be used in a manner that will be detrimental to the Cook Islands;*

Port State Control

14. *notify the Administration immediately of any Port State Control inspection of the vessel;*
15. *pay all costs associated with –*
 - i. Any FSI, that may be required following at PSC inspection that shows, in the opinion of the Administration, a serious lack of safety standards on board or that results in a detention;*
 - ii. Any additional SMC that may be required as a result of PSC deficiency 15150 (ISM failure);*
 - iii. Any additional FSI that may be required, where deficiencies found may trigger a PSC inspection (MCI Circular 148 /2017: New FSI regime and PSC assistance program for vessels trading in Paris MoU and Tokyo MoU);*
16. *the Administration’s right to take action to cancel the vessels’ registration in accordance with the Cook Islands Ship Registration Act s17, inter alia, where a vessel is detained 3 times with in a 24-month period, regardless of where the vessel is detained;*

Economic

17. *pay all fees due to the Administration (including bank fees for international transfers) on the due date;*
18. *pay any interest due;*

19. pay reasonable legal costs (on a solicitor client basis) for the Administration to recover any overdue fees, and or bank charges and or interest;
20. pay surveyor fees;
21. All fees charged by the Administration shall, from the date rendered until paid, be a first charge against the vessel in the name of the Administration.

Conditions of Registration are subject to change from time to time, with out prior notice. For up to date conditions of registration please visit the Maritime Cook Islands [website](#)

The client agrees to Maritime Cook Islands Conditions of Registration at the time they sign the Application for Registration Form 1A. They also acknowledge and accept any changes to the Conditions of Registration at the time of paying an MCI invoice. Failure to comply with the conditions could result in inter alia, cancellation of the vessels registration.

For further enquiries, please contact Maritime Cook Islands at info@maritimecookislands.com