



GUIDE TO COMMERCIAL YACHT REGISTRATION



BENEFITS OF YACHT REGISTRATION

(i) The promotion and administration of the Cook Islands Ships Registry is undertaken by Maritime (Cook Islands) Ltd (MCI) a private limited liability company, engaged by the Cook Islands Government under contract for the purpose. MCI has a close working relationship with government and government agencies.

(ii) MCI recognises the importance of its customer's commercial interests. MCI's mission is to deliver flexible, quick, efficient, helpful and responsive customer service and satisfaction. Enquiries are addressed within 24 hours.

(iii) Cook Islands has a Permanent IMO representation which enables the Cook Islands to remain up to date with developments.

(iv) The Registry provides wide range of services – private, commercial, dual, charter and passenger yacht registrations.

(v) The Cook Islands is an English common law jurisdiction. As such, Cook Islands maritime law is based on English law. The Cook Islands final court of appeal is the Privy Council in London.

(vi) The Cook Islands has strong Pacific regional connections both at governmental level and in the maritime industry.

(vii) MCI has offices and surveyors around the world for quick and efficient service to customers wherever they may be. We have in house technical support and expertise for new builds and assessment.

(viii) No restrictions on the nationality of crew.

(ix) White list for Standards of Training, Certification and Watchkeeping for Seafarers (STCW)



REGISTRATION REQUIREMENTS FOR COMMERCIAL YACHTS

PROVISIONAL REGISTRATION

- Application for vessel registration form - signed and witnessed application form.
- Proof of ownership*: original and/or duly validated copy of Bill of Sale /Builders Certificate.
- Evidence of shareholding of owners* (if more than one owner)
- Completed Cook Islands Yacht Squadron (CIYS) application form or application to establish an international company or register foreign company.
- Power of Attorney* - the authority to act for another person in specified or all legal or financial matters (if applicable)
- All copies of previous Continuous Synopsis Record (CSR), CSR Form 2 and CSR Form 3 (SOLAS Chapter XI-1 Regulation 5-6)
- Vessel last PSC report (in the last 3 years) for commercial yachts over 300GT
- All officers serving on board must submit applications for STCW endorsements to stcw@maritimecookislands.com

PERMANENT REGISTRATION

- Company Certificate / CIYS Letter of Acknowledgement
- Carving and Marking Note, including current photo of vessel
- Proof of Deletion Certificate from previous flag (if applicable)
- Pre-Registration Inspection (if applicable)
- Closed CSR from previous flag (If applicable, as per SOLAS Chapter XI-1 Regulation 5-8 - for all vessels over 500GT)
- Classification Certificates (vessels > 500GT)
- Copy of P&I policy evidencing financial security for MLC regulation 2.5 and 4.2 (for commercially operated vessels; MCI requires that the MLC financial security is maintained, and will require evidence that it is maintained)

*Reviewed, signed and sealed by Justice of the Peace, a Commissioner for Oaths, Solicitor, Notary Public or the Registrar or Deputy Registrar of ship for the Cook Islands Registry or before any person authorised by law to administer oaths in the country where the declaration is made.

NOTE: Failure to submit required documents may delay the registration process.



Period of Registration

Owner can opt to register the yacht for 1 year, 3 years or 5 years. The owner of the yacht may register for a one (1) year annual registration, where the owner must renew his/her yacht registration on an annual basis. Alternatively a three (3) year or five (5) year registration can be paid in advance, freeing the owner from annual filings.

Ownership

Registration of a vessel upon the Cook Islands Ships Registry is governed by the Cook Islands Ship Registration Act 2007; The Act requires that a vessel be owned by or on a demise charter to a "qualified person".

There are three ways in which an owner can become a Qualified Person types of ownership:

a. Cook Islands Yacht Squadron

The easiest and fastest way to fulfil ownership requirements is via the Cook Islands Yacht Squadron (CIYS). Members of the Cook Islands Yacht Squadron (CIYS) are eligible to have their yachts registered in the Cook Islands without having to register a company in the Cook Islands. The definition of qualified person includes companies and trusts as well as individuals or partnerships of individuals. In this way foreign corporation can become members of CIYS without having to register those corporations in the Cook Islands.

b. International Company Incorporation

The Cook Islands International Companies Act 1981-82, governs the formation and activities of international companies. The structure of the International Companies Act allows companies to be formed and operated with both flexibility and administrative ease. An International Company must be incorporated through a licensed trustee company, which will handle the registration process and administrative duties.

c. Foreign Company Registration

Foreign Companies are incorporated outside of Cook Islands and are registered as foreign companies under the International Companies Act (CA). Registered foreign companies may establish a branch with a place of business in the Cook Islands. A Cook Islands Trust company will handle the registration process and administrative duties for those intending to register a Cook Islands Foreign Company.

Size and Age Limitation

There is no size or age limitation for yachts.

Home Port

The owner of a yacht registered in the Cook Islands has the option of selecting from the following Ports of Registry:

1. Avatiu
2. CIYS – Cook Islands
3. CIYS – Avatiu
4. CIYS – Arutanga
5. Arutanga

Only Cook Islands Yacht Squadron members are able to have the hailing ports with CIYS Carving & Markings.

COMMERCIAL YACHT SURVEY & CERTIFICATE REQUIREMENTS: UNDER 24M



For Commercial Yachts built before 1st January 2000, surveys have to be arranged by the owner/owner's representative to be carried out by an MCI Approved Recognized Organisation or by an Authorised Surveyor with the following schedule: Initial survey, at the time of registration; Renewal survey, within 3 months from the expiry date the Certificate.

PROVISIONAL CERTIFICATE OF REGISTRY

Is issued once all provisional registration documentation & requirements are complete.

PERMANENT CERTIFICATE OF REGISTRY

Is issued once all permanent registration documentation & requirements are complete.

RADIO LICENCE CERTIFICATE

The Cook Islands local telecommunications provider will issue the Radio Licence Certificate.

VESSEL SAFETY CERTIFICATE & RECORD OF EQUIPMENT

All yachts under 500GT are required to carry a Yacht Safety Certificate, the yacht safety certificate can only be issued on completion of survey.

RADIO EQUIPMENT CERTIFICATE

Commercial yachts under 300GT a Radio survey must be carried out by a Maritime Cook Islands approved service provider who maybe accompanied by Cook Islands surveyor.

MINIMUM SAFE MANNING CERTIFICATE

Minimum Safe Manning levels are established for every commercial yacht. Levels are determined based on the Gross Tonnage and propulsion power of the of the vessel and the nature of its operation. Please refer to page 127 of the Cook Islands Small Yacht Code

SIMPLIFIED TONNAGE MEASUREMENT

A simplified method of measurements must be used both for Commercial Yacht new builds of less than 24 metres in length, in order to issue an "Approval Letter of Simplified Tonnage Measurement".

The administration shall deem acceptable the Tonnage Calculations issued by other flag state authorities. Commercial Yachts that perform major conversions shall be considered as new builds.

The following documents are to be submitted to the administration:

- EC Certificate, for yacht built under the EU Directive for Recreational Crafts;
- Declaration of construction issued by the shipbuilder / boatbuilder;

GARBAGE MANAGEMENT PLAN

All yachts 100GT or over and every ship certified to carry 15 or more persons fixed and floating platforms are required to carry and implement a garbage management plan. It is the responsibility of the owner/ captain to have this onboard.

INTERNATIONAL SEWAGE POLLUTION PREVENTION CERTIFICATE (ISPP)

If carrying more than 15 persons onboard a yacht is required to carry an International Sewage Pollution Prevention (ISPP) Certificate. Such Certificate is to be issued following a survey carried out from an Authorized Flag Surveyor. Yacht Owners shall notify MCI when the Yacht has been designed/certified to carry more than 15 persons onboard.

MARITIME LABOUR STATEMENT OF ACKNOWLEDGEMENT - BUILT BEFORE 1st JAN 2000

Yachts under 24m are not required to have a Maritime Labour Convention (MLC) Certificate issued unless on a voluntary basis. Maritime Cook Islands will require that Commercial Yachts covered by this code are in compliance with MLC for all the same requirements as a certified ship.

For Commercial Yachts **built before 1st of January 2000** inspections should be arranged by the owner/owner's representative to be carried out by an MCI Approved Recognized Organisation or by an Authorised Surveyor with the following schedule: -

Initial inspection: to be carried out at time of registration, which consists of an onboard visit to verify that all matters detailed in MLC Appendix A5-I comply with MLC requirements;

Intermediate Self-assessment: to self-assess compliance with MLC requirements (of all matters detailed in MLC Appendix A5-I) between the Initial and the renewal inspection, to be carried out between the twenty-fourth (24) and the thirty-sixth month (36) from the initial inspection date. The self-assessment is to be carried out through the MLC checklist provided by MCI. Upon the receipt of the checklist and the owner's declaration, the Administration will issue a Statement of Acknowledgement.

Renewal inspection: to verify compliance (of all matters detailed in MLC Appendix A5-I) with the MLC requirements, to be carried out between the fifty-seventh (57) and sixtieth (60) month from the initial inspection date.

VESSEL TYPE	FORM 88	MLC SOC	DMLC I	DMLC II	INTERIM INSPECTION	INITIAL INSPECTION	INTERMEDIATE INSPECTION	RENEWAL INSPECTION
Yachts (Dual registered and commercial)								
Commercial and Dual registered yachts equal or over 500 GT	✓	✓	✓	✓	✓	✓	✓	✓
Commercial and Dual registered yachts under 500GT	✓	✗	✗	✗	✗	✓	✓	✓
Commercial and Dual registered yachts below 24 meters in LL length built before 1st of January 2000	✓	✗	✗	✗	✗	✓	Self assessment	✓
Commercial and Dual registered yachts below 24 meters in LL length built after 1st January 2000	✓	✗	✗	✗	✗	Self assessment	Self assessment	Self assessment
Commercial vessels (all types)								
All other vessels equal or over 200 GT, ordinarily engaged in commercial activities.	✓	✓	✓	✓	✓	✓	✓	✓
Passenger vessels regardless of their GT.	✓	✓	✓	✓	✓	✓	✓	✓
All other vessels under 200 GT, ordinarily engaged in commercial activities.	✓	✗	✗	✗	✗	✓	✓	✓

MARITIME LABOUR STATEMENT OF ACKNOWLEDGEMENT - BUILT AFTER 1st JAN 2000

Commercial Yachts **built after 1st January 2000** are not required to have an inspection carried out by an authorised surveyor.

However, the Administration recommends owners of Commercial Yachts under 24 meters built after 1st January 2000 to have an MLC inspection carried out by an authorised surveyor, every 5 years. Commercial Yachts built after 1st January 2000 are required to carry out a Self-assessment. The self- assessment is to be carried out by a competent person, through the MLC checklist provided by MCI and with the following schedule:

Initial self-assessment: to be carried out at time of registration, to verify that all matters detailed in MLC Appendix A5-I comply with MLC requirements;

Intermediate self-assessment: to verify compliance (of all matters detailed in MLC Appendix A5-I) with the MLC requirements, between the twenty-fourth (24) and the thirty-sixth month (36) from the initial self- assessment date;

Renewal self-assessment: to verify compliance (of all matters detailed in MLC Appendix A5-I) with the MLC requirements, between the fifty- seventh (57) and sixtieth (60) month from the initial self-assessment date. It is responsibility of the MLC Shipowner to communicate without any delay to the Competent Authority any deficiencies raised during the self- assessment evaluation and any deviation from the MLC requirements. Upon the receipt of the checklist and the owner's declaration, the Administration will issue a Statement of Acknowledgement.

COMMERCIAL YACHT SURVEY & CERTIFICATE REQUIREMENTS: OVER 24M



PROVISIONAL CERTIFICATE OF REGISTRY

Is issued once all provisional registration supporting documents are provided.

PERMANENT CERTIFICATE OF REGISTRY

Is issued once all permanent registration documentation & requirements are complete.

RADIO LICENCE CERTIFICATE

The Cook Islands local telecommunications provider will issue the Radio Licence Certificate.

VESSEL SAFETY CERTIFICATE & RECORD OF EQUIPMENT

All yachts under 500GT are required to carry a Yacht Safety Certificate, the yacht safety certificate can only be issued on completion of survey.

RADIO EQUIPMENT CERTIFICATE

Commercial yachts under 300GT are to have a Radio survey carried out by a Maritime Cook Islands approved service provider who maybe accompanied by Cook Islands surveyor.

MINIMUM SAFE MANNING CERTIFICATE

Minimum Safe Manning levels are established for every commercial yacht. Levels are determined based on the Gross Tonnage and Propulsion power of the of the vessel and the nature of its operation. Please refer to the [Large Yacht Code pg. 108-117](#)

INTERNATIONAL TONNAGE CERTIFICATE

Vessels over 24 meters must comply with the International Tonnage Convention 1969. An appointed Cook Island surveyor or Classification Society may perform such measurements. Cook Islands will accept previous International Tonnage Certificates by Classification or state recognised by the Cook Islands.

INTERNATIONAL LOAD LINE CERTIFICATE

Commercial yachts over 24m in Load line must be surveyed in according with the International Convention on Load Lines, 1966. When a commercial yacht is either in class or under survey to be classed with a Recognised Organisation, that Recognised Organisation will be authorised to do the survey and the issuance of an International Load Line Certificate (1966). In any other case, the Administration will assist the owner where possible to arrange the survey by an Authorised Surveyor and issuance of an International Load Line Certificate

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

All yachts 400GT or over are required to comply with Annex I of the International Convention for Prevention of Pollution from Ships, MARPOL 1973 as amended. Annex I introduces measure to control the risk of environmental damage specifically caused by oil. The Annex provides the requirements for the retention filtering and controlled discharge of oil and oil contamination water onboard ships.

INTERNATIONAL SEWAGE POLLUTION PREVENTION CERTIFICATE

Annex IV contains a set of regulations regarding the discharge of sewage into the sea from ships, including regulations regarding the ships' equipment and systems for the control of sewage discharge, the provision of port reception facilities for sewage, and requirements for survey and certification.

GARBAGE MANAGEMENT CERTIFICATE

All yachts 100GT or over and every ship certified to carry 15 or more persons fixed and floating platforms are required to carry and implement the garbage management plan. It is the responsibility of the owner/ captain to have this onboard.

All yachts 400GT or over, are required to comply with MARPOL Annex V: Regulations for Prevention by Garbage from ships. A Garbage Record book must be maintained onboard along with a Garbage Management plan approved by the Administration.

INTERNATIONAL AIR POLLUTION PREVENTION CERTIFICATE

All yachts 400GT or over, are required to comply with MARPOL Annex VI: Regulations for the Prevention of Air Pollution from ships.

They will need to be surveyed and be in compliance with the following documents:

- a. International Air Pollution Prevention Certificate & Supplement
- b. Ozone depleting Substances record book
- c. Ship Energy Efficiency Management Plan (SEEMP)
- d. Under regulation 13 of Annex VI shall have a Technical File and Engine (EIAPP) certificate for each marine diesel over 130 kW which is installed on a yacht constructed on or after 1st January 2000.

CARGO SAFETY CONSTRUCTION CERTIFICATE

All commercial yachts 500GT and over are required to be surveyed and comply with requirements of SOLAS II-1 "Construction - structure, sub-division and stability, machinery and electrical installation" & Chapter II-2 "Construction - Fire protection, detection and extinction"

CARGO SHIP SAFETY EQUIPMENT CERTIFICATE & RECORD

All commercial yachts 500GT or more are required to be surveyed and comply with requirements of Chapter III "life saving appliances and arrangements"

CARGO SHIP SAFETY RADIO CERTIFICATE & RECORD

All Commercial yachts 300GT and over are to be surveyed and comply with the requirements of Chapter IV "Radio Communication"

CONTINUOUS SYNOPSIS RECORD

All Commercial yachts 500GT and over are to carry a "Continuous Synopsis Record" as per SOLAS Ch. XI-I Reg 5

Note: Only approved IACS Recognised Organisation are able to certify and survey yachts over 500GT.

COMMERCIAL YACHT SURVEY & CERTIFICATE REQUIREMENTS

INTERNATIONAL SAFETY MANAGEMENT (ISM)

All commercial yachts from 500GT and over are required to comply with SOLAS Chapter IX and the ISM Code.

INTERNATIONAL SHIP & PORT FACILITY SECURITY (ISPS)

All commercial yachts of 500GT and over are to comply with SOLAS Chapter XI-2 and the ISPS Code.

MARITIME LABOUR CONVENTION (MLC)

Cook Islands flagged yachts over 24m engaged on international voyage and operating commercially must be certified and in compliance under the MLC Convention, 2006. Commercial yachts are subject to Interim, initial, intermediate and renewal inspections. The following documentation shall be onboard:

- Declaration of Maritime Labour Convention Part I;
- Declaration of Maritime Labour Convention Part II;
- Maritime Labour Convention Statement of Compliance.

VESSEL TYPE	FORM 88	MLC SOC	DMLC I	DMLC II	INTERIM INSPECTION	INITIAL INSPECTION	INTERMEDIATE INSPECTION	RENEWAL INSPECTION
Yachts (Dual registered and commercial)								
Commercial and Dual registered yachts equal or over 500 GT	✓	✓	✓	✓	✓	✓	✓	✓
Commercial and Dual registered yachts under 500GT	✓	✗	✗	✗	✗	✓	✓	✓
Commercial and Dual registered yachts below 24 meters in LL length built before 1st of January 2000	✓	✗	✗	✗	✗	✓	Self assessment	✓
Commercial and Dual registered yachts below 24 meters in LL length built after 1st January 2000	✓	✗	✗	✗	✗	Self assessment	Self assessment	Self assessment
Commercial vessels (all types)								
All other vessels equal or over 200 GT, ordinarily engaged in commercial activities.	✓	✓	✓	✓	✓	✓	✓	✓
Passenger vessels regardless of their GT.	✓	✓	✓	✓	✓	✓	✓	✓
All other vessels under 200 GT, ordinarily engaged in commercial activities.	✓	✗	✗	✗	✗	✓	✓	✓

INTERNATIONAL ANTI-FOULING SYSTEM CERTIFICATE

All yachts 400GT and over engaged on international voyages will be required to undergo an initial survey before the yacht is put into service or before the International Anti-Fouling System Certificate is issued for the first time and a survey when the anti-fouling systems are changed or replaced. Upon completion of such survey, an International Anti-Fouling Certificate will be issued by an authorised surveyor or Classification Society. This certificate will need to be kept onboard at all times.

INTERNATIONAL ANTI-FOULING SYSTEM DECLARATION

All yachts under 400GT engaged in an international voyage shall carry an Anti-Fouling Declaration signed by the owner or their representative. The declaration is to have a paint receipt or contractor invoice attached to the declaration.

BUNKERS CERTIFICATE

All yachts 1000 GT and over are required to be insured and certified under the "International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001"

NAIROBI WRECK REMOVAL CERTIFICATE

All yachts 300 GT and over are required to be insured and certified under the "International Nairobi Wreck Removal Convention, 2007"

POLAR CODE

All yachts intending to operate either in the Arctic waters or Antarctica waters, as defined in Polar Code (re. IMO Resolution A.1024(26)) shall notify Maritime Cook Islands at the time of registration. Yachts that are certified according to the MARPOL Convention need to comply with the relevant requirements of the Polar Code Part II-A. Yachts 500 GT and over, need to fully comply with the Code and they have to be surveyed and certified accordingly. Exemptions, if any, may be considered by the Administration on a case by case basis.

STANDARDS OF TRAINING, CERTIFICATION AND WATCH KEEPING FOR SEAFARERS (STCW)

All Seafarers serving on board Cook Islands flagged ships are to be trained and certified in accordance with the regulations and requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW). Seafarers working aboard any vessel are required to hold a valid Certificate of Competency or Endorsement which comply with the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW). Please see website for more information on services provided <https://www.maritimecookislands.com/circulars/seafarers/>

LONG RANGE IDENTIFICATION & TRACKING (LRIT)

Applies to all Commercial Yachts \geq 300GT engaged in international voyages. Yachts need to comply with the requirements of LRIT in accordance with SOLAS regulation V/19-1. Terminals need to be programmed and tested by an approved Service Provider. The test report (CTR) needs to be kept on board and a copy sent to Maritime Cook Islands. Cook Islands is a member of the Australian Cooperative Data Centre for the purpose of LRIT. Visit www.auscdc.org for more information.

COOK ISLANDS SURVEYORS

Maritime Cook Islands have a Technical team located in major ports in Europe, Americas and Asia Pacific. If you would like to arrange a survey, please contact our Technical Department technical@maritimecookislands.com

RECOGNISED ORGANISATIONS

Maritime Cook Islands has entered into formal agreements with several members of the International Association of Classification Societies (IACS) and other select organisations. Further relationships are currently being developed. Thus far, the following class societies act on behalf of Maritime Cook Islands.

IACS

- American Bureau of Shipping (ABS)
- Bureau Veritas (BV)
- China Classification Society (CCS)
- Germanischer Lloyd – Det Norske Veritas (DNV-GL) Indian Register of Shipping (IRClass)
- Korean Register of Shipping (KR)
- Lloyd's Register (LR)
- Nippon Kaiji Kyokai (ClassNK)
- RINA Services S.p.A (RINA)
- Russian Maritime Register of Shipping (RMRS) Polski Rejestr Statkow (PRS)

Non-IACS

- Dromon Bureau of Shipping (DBS)
- Hellenic Register of Shipping (HRS)
- International Naval Surveys Bureau (INSB)
- Phoenix Register of Shipping (PRHRS)
- Singapore Bureau of Shipping (SBOS)
- Turk Loydu
- The Shipping Register of Ukraine
- Sing-Lloyds

NOTE: Non-IACS are able to perform statutory surveys for yachts under 500GT. All yachts over 500GT must arrange survey & certification through IACS Classification.

Radio Accounting Authority

The purpose of Maritime Radio Accounting Authority is to facilitate the effective collection and distribution of telecommunications charges for non-emergency radio telephone and telex call from ships into the international subscriber networks. A vessels Accounting Authority must be recognised by the Cook Islands. Any Accounting Authority that appears on the ITU list of member AALCs will be recognised by the Cook Islands.



DUAL REGISTRATION SURVEY & CERTIFICATE REQUIREMENTS

Description

Dual registration allows a vessel to operate under two different categories of vessel type, i.e. private yacht and commercial yacht.

Registration requirements

The applicant shall indicate on the application form for registration their desire to hold dual registration; alternatively an email to the DR / FM indicating the same desire will suffice. Normal registration requirements shall be carried out for the vessel, under the vessel type that has the highest safety requirements.

Standards to be maintained

While operating under Private registration (type that has the lowest safety standards), the vessel must maintain all safety standards that apply Commercial registration (the type that requires the highest safety standards), except where minimum safe manning is concerned.

Survey and Certification requirements

The vessel shall be surveyed and inspected at scheduled intervals, according to the anniversary / renewal date of the vessel, for commercial safety standards. A complete suit of certificates for private operation and for commercial operation shall be issued to the vessel. This enables the skipper to swap a complete book of complete certificates with ease. While operating privately the yacht MUST maintain all convention standards that are applicable while operating commercially. If the vessel is Classed during commercial operation, Class must be maintained during private operation.

Notification and alternation requirements

Notification: The vessel representative (owner / skipper) must notify the DR and or FM in advance of the intention to alternate the operation type to commercial / private, specifying the intended dates of operation.

Alternate Certificates: Registration and safety certificates for the elected operation type shall be displayed, while the previous operation type certificates shall be considered inactive and removed from display. The vessel may operate to the limits specified in the certificates on display. Log book entry: the operation alternation must be recorded in the yachts official logbook



AUSTRALIA / NEW ZEALAND REQUIREMENTS

Australia and New Zealand law requires that owners resident in those countries register their vessels in Australia and New Zealand as the case maybe. This means that Australia and New Zealand owners wishing to register their vessels in the Cook Islands must establish a Cook Islands International Company or company in another jurisdiction to own the vessel. This does not preclude these companies from becoming CIYS members.

**CONTACT:**

Maritime Cook Islands
1st Floor, Brownes Building,
Avarua, Rarotonga, Cook Islands
Ph: +682 56632
Email: info@maritimecookislands.com
Website: www.maritimecookislands.com