



GUIDE TO PRIVATE 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 PRIVATE YACHTS

PROVISIONAL REGISTRATION

- Application for Vessel Registration- signed and witnessed application form.
- Proof of ownership* - duly validated copy of Bill of Sale /Builders Certificate (if new construction).
- Evidence of shareholding of owner/s*
- 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

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)

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

NOTE: Failure to submit required documents will 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:

a. Cook Islands Yacht Squadron

The easiest and fastest way to fulfil ownership requirements as a Qualified Person 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 a 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 the Cook Islands and are registered as foreign companies under the International Companies Act. 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 one of 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 Carvings & Markings.

PRIVATE YACHT SURVEY & CERTIFICATE REQUIREMENTS: UNDER 24 METERS

***"Private Use"** means that the yacht is used on a private voyage or excursion, and during such use is not engaged in trade by transporting merchandise or carrying passengers for reward or remuneration (other than as a contribution to the actual cost of the yacht or its operation for the period of the voyage or excursion) or gain, and is not offered for commercial charter operations or for public use.*

PRIVATE YACHT SURVEY & CERTIFICATE REQUIREMENTS: UNDER 24M

SURVEY AND CERTIFICATION REQUIREMENTS

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

Applies to Private Yachts under 24m following a survey carried out by a competent person or Cook Islands Authorised surveyor. Once a copy of the report and other relevant documentation have been checked by the Administration a Vessel Safety Certificate and Record will be issued and valid for 5 years.

RADIO EQUIPMENT CERTIFICATE

A radio survey may be carried out by a competent person, a Cook Islands approved service provider or a Cook Islands Authorised surveyor. The Certificate will be valid for 5 years.

SIMPLIFIED TONNAGE MEASUREMENT (new builds & conversions)

A simplified method of measurements must be used for pleasure 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. Private 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 above and every ship certified to carry 15 or more persons 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

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 Authorised Surveyor. Yacht owners shall notify MCI when the yacht has been designed/certified to carry more than 15 persons onboard.



PRIVATE YACHT SURVEY & CERTIFICATE REQUIREMENTS: OVER 24M



PRIVATE 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

Private Yachts over 24m are required to be surveyed by a Cook Islands Authorised surveyor or Classification Society annually. The Vessel Safety Certificate & Record will be valid for 5 years.

RADIO EQUIPMENT CERTIFICATE

A radio survey may be carried out by a Cook Islands Approved Service provider who may be accompanied by a Cook Islands Authorised surveyor annually. The Certificate will be valid for 5 years.

INTERNATIONAL TONNAGE CERTIFICATE

Private Yachts over 24 meters must comply with the International Tonnage Convention 1969. An authorised Cook Islands surveyor or Classification Society may perform such measurements and or calculations. Cook Islands will accept previous International Tonnage Certificates issued either by a Classification society recognised by the Cook Islands or another flag state.

INTERNATIONAL OIL POLLUTION PREVENTION CERTIFICATE

All yachts of 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 of 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.



PRIVATE YACHT SURVEY & CERTIFICATE REQUIREMENTS: OVER 24M

GARBAGE MANAGEMENT CERTIFICATE

All yachts 100GT or above, 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, all yachts 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.

INTERNATIONAL ANTI-FOULING SYSTEM CERTIFICATE

All yachts 400GT 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.

BUNKER CERTIFICATE

All yachts 1000GT or 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 300GT 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 and / 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 of 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.

CLASSIFICATION SOCIETIES

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

COOK ISLANDS SURVEYORS

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



AUSTRALIA/NEW ZEALAND REQUIREMENTS

Australian and New Zealand law requires that owner's resident in those countries register their vessels in Australia or 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.



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