

MONTSERAT

**MERCHANT SHIPPING (REGISTRATION)  
(AMENDMENT) ACT 2014**

No. 16 of 2014

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**I ASSENT**

(Sgd.) Adrian Davis  
**GOVERNOR**

DATE: 18.8.14

MONTserrat  
No. 16 of 2014

AN ACT TO AMEND THE MERCHANT SHIPPING (REGISTRATION) ACT 2013.

BE IT ENACTED by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Montserrat, and by the Authority of the same as follows:—

**1 Short title**

This Act may be cited as the Merchant Shipping (Registration) (Amendment) Act, 2014.

**2 Interpretation**

In this Act—

**“principal Act”** means the Merchant Shipping (Registration) Act 2013 (No. 23 of 2013).

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**3 Section 2 amended**

Section 2 of the principal Act is amended—

- (a) in the definition of “passenger” by deleting paragraph (c) and substituting “a child under the age of one; and
- (b) by deleting the definition of “Registrar” and substituting the following:

“**Registrar**” means the Registrar of Montserrat ships appointed under section 2A.”

**4 Section 2A inserted**

The principal Act is amended by inserting after section 2 the following:

**“2A. Appointment of Registrar**

The Governor acting on the advice of Cabinet shall appoint a Registrar of Montserrat ships.”

**5 Section 5 amended**

Section 5 of the principal Act is amended in subsection (2)(a) by deleting “section 5” and substituting “section 6”.

**6 Section 17 amended**

Section 17 of the principal Act is amended—

- (a) in subsection (1)(c) by deleting “shares in a ship” and substituting “shares in the ship”; and
- (b) in subsection 1(d) by deleting “interest in a ship” and substituting “interest in the ship”.

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**7 Section 29 amended**

Section 29 of the principal Act is amended—

- (a) in subsection (1)(b) by deleting “section 4” and substituting “section 5”;
- (b) in subsection (3)(c) by deleting “section 14” and substituting “section 15”; and
- (c) in subsection (4) by deleting “section 5” and substituting “section 6”.

**8 Section 34 amended**

Section 34 of the principal Act is amended in subsection (3) by deleting “sections 63(4) and 63” and substituting “sections 63(4) and 64”.

**9 Section 35 amended**

Section 35 of the principal Act is amended in subsection (2) by deleting “section 33” and substituting “section 34”.

**10 Section 55 amended**

Section 55 of the principal Act is amended—

- (a) by deleting subsection (1) and substituting:

“The instruments and documents referred to in Schedule 1 shall, subject to subsection (3), be in the prescribed form.”
- (b) in subsection (3)(b) by deleting “is given” and substituting “shall be given”.

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**11 Section 76A inserted**

The principal Act is amended by inserting after section 76 the following:

**“Appointment of surveyor**

- 76A. (1)** The Maritime Administration may appoint the following persons—
- (a) a surveyor to survey a Montserrat ship and issue a Safety Convention certificate;
  - (b) an inspector of marks to verify the carving and marking of a Montserrat ship; or
  - (c) a measurer to carry out the measurement of a Montserrat ship.
- (2)** A person appointed under subsection (1)(a) shall be a certified surveyor of ships.”.

**12 SCHEDULE 1 amended**

Schedule 1 of the principal Act is deleted and the following is substituted:

**“SCHEDULE 1**

(Section 55)

**INSTRUMENTS AND DOCUMENTS FOR WHICH  
FORMS ARE TO BE PRESCRIBED**

1. Certificate of survey.
2. Declaration of ownership by individual owner.
3. Declaration of ownership on behalf of a corporation as owner.
4. Certificate of registry.

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5. Declaration of ownership by individual transferee.
6. Provisional certificate.
7. Declaration of owner taking by transmission.
8. Declaration of mortgagee taking by transmission.
9. Bill of sale.
10. Mortgage to secure principal sum and interest.
11. Mortgage to secure account current, etc. (individuals or joint owners).
12. Transfer of mortgage by individual or joint owners.
13. Transfer of mortgage by body corporate.
14. Deletion Certificate.
15. Transcript of Register.
16. Caribbean Ship Record.
17. Notice of name proposed for Montserrat ship.
18. Ships carving and marking note.
19. Application to register a ship.
20. Appointment of authorised officers for a body corporate.
21. Appointment of representative person.
22. Request for duplicate certificate.
23. Appointment of managing owner.
24. Application for renewal of registration.
25. Discharge of mortgage form.
26. Notice of mortgage of intent.”.

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(Sgd.) Teresina Bodkin  
**SPEAKER**

Passed the Legislative Assembly this 22nd day of July, 2014.

(Sgd.) Judith Baker  
**CLERK OF LEGISLATIVE ASSEMBLY**