

Commonwealth of Dominica



OFFICE OF THE MARITIME ADMINISTRATOR

TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS AND GRANTORS, MORTGAGORS, AND OTHER RELATED PARTIES TO ANY TRANSACTION REQUIRING RECORDATION OF INSTRUMENTS, NOTARIZATION, OR ACKNOWLEDGMENT

SUBJECT: Modifications to Instrument Recordation and Acknowledgement Requirements Pursuant to the Commonwealth of Dominica International Maritime Act 2002, Chapter 1, and §31 in Response to the Coronavirus Disease Pandemic

References:

- (a) DMA International Maritime Act
- (b) DMA Maritime Regulations

PURPOSE:

This Notice outlines the temporary modifications to the requirements for mortgages and other instruments recorded and for acknowledgements under the Commonwealth of Dominica (DMA) International Maritime Act (the “Maritime Act”) due to the Coronavirus disease (COVID-19) pandemic. The modifications outlined herein will have effect as of 18 March 2020 and will continue in effect until this Notice is revoked by the DMA Maritime Administrator (the “Administrator”).

APPLICABILITY:

This Notice applies to all transactions that require the recordation of a mortgage or other instrument as well as all transactions requiring notarization or acknowledgment, where such notarization or acknowledgment cannot be done in person due to the COVID-19 pandemic and associated

restrictions.

BACKGROUND:

Pursuant to Chapter 1 of the Maritime Act, the Administrator has broad authority to administer all matters pertaining to DMA-flagged vessels and to promulgate Rules and Regulations to carry out the provisions therein. §31 of the Maritime Act provides that the Administrator “The Maritime Administrator may suspend or revoke any license, certificate, permit or document issued under the provisions of this Chapter, and the Minister may from time to time make such Rules and Regulations as are deemed necessary and appropriate to the conduct of suspension and revocation proceedings.”

MODIFICATIONS:

1.0 Acknowledgements of Mortgages, Instruments, and Other Documents

Where a mortgage, instrument, or other document is required to be acknowledged or notarized under the Maritime Act or DMA Maritime Regulations, this requirement may be satisfied by use of electronic means or processes as approved by the Administrator. Additionally, in certain cases, the requirement for acknowledgements or notarizations may be waived at the discretion of the Administrator.

2.0 Requirement to Provide Original Documents

Where the requirement exists for submission of an “original” mortgage, instrument, or other document, the Administrator will accept an electronic copy of the original document with the original hard copy to follow by courier. In the event it is not possible to courier the original to the Administrator due to office closures or local restrictions, the electronic copy will be acceptable as the original for recordation until the original can be couriered.

3.0 Additional Modifications or Waivers

The Administrator may make additional modifications or waive certain requirements in its discretion invoking its authority under the Maritime Act until this Notice is revoked.

4.0 Contact

All queries regarding information in this Notice should be sent to: inspection@dominica-registry.com