

Commonwealth of Dominica



Office of the Maritime Administrator

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

SUBJECT: Guidelines on Modifications to Instrument Recordation and Acknowledgement Requirements Pursuant to The Commonwealth of Dominica Maritime Act, in Response to COVID- 19 Pandemic

Reference:

- (a) **Commonwealth of Dominica Maritime Act (CDP101)**
- (b) **Dominica Maritime Regulations, 2002 (CDP102)**

PURPOSE

This Guideline supports Marine Safety Circular CD-MSC 05-20, and provides additional detail as to the temporary modifications to the requirements for the recordation of mortgages and other instruments under the Commonwealth of Dominica Maritime Act (the “Maritime Act”) due to the COVID-19 pandemic, which have been approved by the Dominica Maritime Administration (the “Administration”).

Any modifications listed herein are not all inclusive, and the Administration may approve additional modifications or waivers where deemed necessary pursuant to the Maritime Act.

APPLICABILITY

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

GUIDANCE

1.0 Originals

For the limited documents required in original, such as a mortgage or an application for registration, an electronic document will be accepted as the original until such time as the

hard-copy original can be couriered to the Administration. To ensure the electronic document is the correct version, the recording or submitting party must confirm in writing via email to the Administrator that the document attached (with the full document name) to the email is the final and correct version.

2.0 Electronic Notarizations

The Administration will accept electronic notarizations from a duly certified notary.

3.0 Remote Acknowledgements

In some locations, it remains possible to schedule an appointment with the Administration to have documents acknowledged by a Special Agent in person.

If a physical appointment is not possible due to local restrictions or closures, a Special Agent can witness signatures over video calls and issue acknowledgments, following the below procedure:

- .1 commencing a video call with required signatories;
- .2 confirming the signer's identity by viewing the signer's ID or passport;
- .3 confirming the signer is named and authorized on the relevant power of attorney;
- .4 witnessing the signer execute the document; then
- .5 asking the signer to send an electronic copy of the signed document to the Special Agent.

Once the electronic document is received, the Special Agent or Deputy Commissioner will then issue the acknowledgement in one of the following ways:

- a. if a printer is available, the Special Agent will print the signature page and issue the acknowledgement, then return a scanned copy of the signed and executed document; or

- b. if a printer is not available, the Special Agent can issue an acknowledgment electronically.

As stated in 1.0 herein, all originals must be forwarded to the Administrator as soon as possible.

4.0 Acknowledgment by a Lawyer in Good Standing

- 4.1 If the above options are not possible, and based on prior notice and approval by the Administrator, a lawyer in good standing with his/her applicable bar association, law society, or similar association, may acknowledge a signature, and shall state the bar association, law society, etc. of which they are in good standing.

5.0 Contact

Any questions regarding the above procedures should be directed to registration@dominica-registry.com