



Australian Government

Australian Maritime Safety Authority

Guide to registering your ship on the Australian General Shipping Register



Shipping Registration

Under the *Shipping Registration Act 1981* (the Act), all Australian owned or operated ships, 24 metres and over in tonnage length, and capable of navigating the high seas, must be registered. Any ship sailing to a foreign port must also be registered, regardless of size. All other craft, including Government ships, fishing and pleasure craft need not be registered, but may be if the owners desire.

Registered ships receive legally recognisable Australian nationality, which provides advantages both at home and abroad. An Australian registered vessel is granted Australian protection on the high seas and in foreign ports. The proof of ownership that registration provides is recognised internationally, while at home it can facilitate the arrangement of mortgages and other forms of finance, and the sale of the vessel.

When registering a vessel, please refer to the *Shipping Registration Act 1981* and *Shipping Registration Regulations 1981*.

Additional Information is available on the AMSA shipping registration website at:
www.amsa.gov.au/sro.

A ship operating in Australian waters may also be required to be registered under state or territory law. Details of the requirements can be obtained from the relevant government authority.

Note:

The information in this document is provided as guidance only. This document has been developed to help ship owners better understand their responsibilities under the *Shipping Registration Act 1981*. This document should be read in conjunction with the legislation and supporting regulations. This document does not constitute legal advice and is not a substitute for independent professional advice.

Table of contents

Part 1 – Introduction	1
Steps to registration	1
Ships that are required to be registered	2
Ships that are permitted to be registered	2
Property in ships	2
Part 2 – Contact details for the Shipping Registration Office	3
Office address	3
Contact details	3
Part 3 – Ships that are required to be registered	4
Obligation to register Australian-owned ships	4
Tonnage Certificate	4
Part 4 – A ship that is permitted to be registered	5
Demise charter party	5
Part 5 – Cost of registration and other transactions	6
Registration costs	6
Payment methods	7
Part 6 – The registration process	8
Forms	8
Documents required for the application process	8
Describing the ship	9
Evidence of ownership	10
Demise charter parties	12
Tonnage Certificate	12
Call sign, radio licences, MMSI numbers and beacon registration	13
Evidence of marking of the ship	14
Evidence of closure of foreign registration	15
Other documents that may be required	15
Part 7 – Action when evidence of ownership is not available	16
Part 8 - Arrangements for publishing a notice in the Commonwealth of Australia Government Notices Gazette	17
The gazette notice	17
Part 9 - Checklist of application documents	18

Part 1 – Introduction

Steps to registration

1. The applicant lodges an application form to the Shipping Registration Office with supporting documents and fee.
2. The Shipping Registration Office will advise the applicant of any outstanding requirements or where corrections are required to the information provided.
3. When the application is complete and correct, the Shipping Registration Office will send a Marking Note showing registration particulars to be marked permanently on the ship.
4. The ship must be marked according to the instructions on the Marking Note, the Marking Note certified and witnessed and then returned to the Shipping Registration Office.
5. Once the Shipping Registration Office has received all of the required documentation and the certified Marking Note, the ship can be registered and the ship's Australian Registration Certificate issued.

Please note that the application process must be completed within 12 months. It is possible for the applicant to apply for an extension if this timeframe cannot be met. An extension fee is payable.



Ships that are required to be registered

A ship is required to be registered if it is:

- an Australian owned commercial vessel, 24 metres or over in tonnage length, capable of navigating the high seas
- an Australian vessel, of any size, sailing to a foreign port.

Ships that are permitted to be registered

A ship is permitted to be registered if:

- more than half the shares in it are owned by Australian nationals, or
- it is less than 12 metres in length overall and wholly owned or operated by Australian residents or by Australian nationals and residents together, or
- on demise charter to an Australian based operator, commercially operated and 24 metres or more in tonnage length.

Property in ships

There are 64 shares in a ship. Applicants must declare their shares in ownership of a vessel in a registration application.

Part 2 – Contact details for the Shipping Registration Office

Office address

The Shipping Registration Office (SRO) is located in Canberra. The addresses are:

Postal address

GPO Box 2181
Canberra City ACT 2601
Australia

Business address

82 Northbourne Avenue
Braddon ACT 2612
Australia

Contact details

Australian Shipping Registration Office:

Telephone: (02) 6279 5925 (International +61-2-6279 5925)

Facsimile: (02) 6279 5922 (International +61-2-6279 5922)

Email: sro@amsa.gov.au

Part 3 – Ships that are required to be registered

The conditions of registration under the Australian General Shipping Register are specified in the *Shipping Registration Act 1981* (the Act).

Obligation to register Australian-owned ships

1. Section 12 of the Act outlines the obligations to register are that ships greater than 24 metres in tonnage length are required to be registered on the Australian General Shipping Register if they are Australian-owned ships. Where an Australian-owned ship is operated by a foreign resident under demise charter, an exemption may be granted.
2. Section 68 of the Act outlines that unregistered ships shall not depart from an Australian port to a place outside of Australia; and under section 69 of the Act, when an unregistered ship is at a foreign port the ship shall not depart from that port on a voyage unless a registration certificate or provisional registration certificate is granted.

Tonnage Certificate

A ship which is more than 24 metres in tonnage length and intending to go on an international voyage must have a Tonnage Certificate before registration. Tonnage measurement can be arranged through one of the following recognised Classification Societies:

American Bureau of Shipping (ABS)	www.eagle.org
Bureau Veritas (BV)	www.veristar.com
China Classification Society (CCS)	www.ccs.org.cn
DNV-GL Group (DNV-GL)	www.dnvgl.com
Korean Register of Shipping (KR)	www.krs.co.kr
Lloyd's Register (LR)	www.lr.org
Nippon Kaiji Kyokai (Class NK)	www.classnk.or.jp
Registro Italiano Navale (RINA)	www.rina.org

Part 4 – A ship that is permitted to be registered

Any Australian owned vessel, less than 24 metres in tonnage length, government ships, fishing vessels and pleasure craft, exempt from the requirement to be registered, may be registered on the Australian General Shipping Register. Foreign-owned ships on demise charter to Australian operators may also be registered.

Section 12 of the Act details the obligation for certain Australian-owned ships to be registered on the Australian General Shipping Register. In circumstances where a valid application is made under section 15 of the Act, where there is an appropriate certificate relating to the tonnage measurement of the ship (section 16) and the ship is not otherwise registered (section 17) then the Registrar is obliged to register the ship on the Australian General Shipping Register.

Demise charter party

The demise charter party is only required if the ship is a foreign ship and operated under a demise (or bare boat) charter by an Australian whose principal place of business is Australia.

Demise charter means the demise, letting, hire or delivery of the ship to the charterer under a charter party, whereby the charterer has whole possession and control of the ship (including the right to appoint the master and crew of the ship).

If the ship is operated under a demise charter, the charterer must also provide an extra declaration called 'Declaration by Charterer', to be submitted with their application.

Part 5 – Cost of registration and other transactions

Registration costs

Registration charges

Shipping registration fees are paid as a one off fee for each service provided. The information below is a summary of the charges that may apply and is correct as of 1 July 2014. The *Determination Fixing Charges, No 1 of 2011* provides details of the current charges.

a) Applications for registration or re-registration	
• Processing application for registration for a ship that is permitted to be registered	\$1554
• Processing application for registration of a ship required to be registered	\$2040
• Processing application for registration of a ship, other than an Australian owned ship, on demise charter to an Australian-based operator	\$3060
b) Transfer or transmission of ownership	
• Processing documents for registration of transfer, transmission of ownership, in relation to a ship required by the Act to be registered	\$595
• Processing documents for registration of transfer, transmission of ownership, in relation to a ship on demise charter to an Australian based operator other than an Australian-owned Ship	\$1020
• Processing documents for registration of transfer, transmission of ownership, in relation to a ship permitted by the Act to be registered, other than a foreign-owned ship on demise charter to an Australian-based operator	\$444
c) Grant of certificates	
• Processing of application for grant of new registration certificate under section 21 of the Act	\$222
• Processing of application for grant of provisional registration certificate under sections 22 or 22A of the Act	\$333
• Processing of application for extension of period of currency of a provisional certificate	\$222
• Supply of deletion certificate	\$111

d) Administrative services	
• Processing request for change of name of registered ship	\$111
• Processing request for change of home port of registered ship	\$111
• Processing of request for extension of time for lodging documents	\$128
• Additional charge for transmission of documents other than by regular mail, such as fax, email or registered mail	\$25
• Courier service outside Australia	\$80
e) Services relating to a Continuous Synopsis Record (CSR)	
• Application for a Continuous Synopsis Record	\$425
• Reissue of a Continuous Synopsis Record	\$130
• Amendments to a Continuous Synopsis Record	\$300

Note: All charges are in Australian dollars.

Payment methods

Registration charges

Payment for services offered by the Shipping Registration Office must be made at the time of application. Fees can be paid using one of the following methods:

- Credit Card – by completing the form found on the AMSA website
- Cheque - made payable to 'Australian Maritime Safety Authority'
- Direct deposit to the following account:

Account name:	Australian Maritime Safety Authority
Bank and Branch:	Westpac, Westfield Shopping Centre, Belconnen ACT 2617
Account No:	216888
Branch No:	032-778
International Swift Code:	WPACAU2S

Note: The name of the ship must be referenced on the deposit. Where the ship's name is not finalised, the name of the owner or registering agent is to be provided as a reference.

Part 6 – The registration process

Forms

All forms can be downloaded from the AMSA website at www.amsa.gov.au.

Documents required for an application

An application for registration must be accompanied by all required documentation and the stipulated lodgement fee. Documentation required for the registration of a vessel will include:

1. Application for Australian Registration (AMSA Form 168*)
2. Declaration of Ownership and Nationality (AMSA Form 208*)
3. Notice of Appointment of Registered Agent (AMSA Form 157*)
4. Document describing the ship (Builder's Certificate - AMSA Form 211)
5. Documents giving evidence of ownership (Bills of Sale)
6. Demise charter party (if applicable)
7. Tonnage Certificate
8. Call sign licence (if applicable)



9. Evidence of marking of ship (Marking Note).

Other documents that may be required:

- Evidence of closure of previous foreign registration (if applicable)
- Application for Endorsement of Master on Registration Certificate (if applicable)
- Declaration by Charterer (if applicable)
- Certificate of Corporation (if applicable)
- Power of Attorney (if applicable)
- Written authority to sign (if applicable).

Note: * If the ship is foreign-owned and under demise charter to an Australian, these forms must be signed by the charterer.

Generally original application forms are required, however in some circumstances, either original documents or certified copies may be submitted. Contact the SRO for further details.

Describing the ship

The documentation required to describe the ship varies depending on the registration history of the vessel:

Ship not previously registered (in Australia or elsewhere)

The following is required:

- a. A Builder's Certificate (AMSA Form 211) **or**, if the owner is unable to obtain one after taking all reasonable action;
- b. A Statutory Declaration for Builder's Certificate (AMSA form 222), made by a person acquainted with the facts stating the prescribed particulars of the ship and the grounds for the person's belief that the particulars are correct.

Note: If the ship was built in stages by different builders, or was subject to a major alteration or conversion after building, you may either provide a separate certificate describing the subsequent work.

Ship last registered in Australia

Where the ship was, or is, currently registered in Australia on the General Shipping Register a Statutory Declaration is required, by a person acquainted with the facts, specifying any changes in

the description of the ship since it was last registered.

Ship last registered under foreign law

Where the ship was previously registered on a foreign registry the following should be provided:

- a. copy of the foreign registration certificate or an official certificate describing the ship
- b. where applicable, a statutory declaration by a person acquainted with the facts specifying any instances where the information recorded on the certificate is wrong or does not give the required particulars of its description (the required particulars are listed in the Builder's Certificate form).

It is also necessary that evidence of closure of foreign registration will (or suspension under a demise charter) be provided before registration can be granted.

Evidence of ownership

Under the Act there are 64 shares in a ship and the majority of these must be owned by an Australian national or an Australian company with an ACN. The documentation required to provide evidence of ownership will vary depending on the ship's registration history:

Ship not previously registered (in Australia or elsewhere)

The owner/operator should provide the builder's certificate, together with documents relating to any changes of ownership since building.

If the ship was built outside Australia and acquired by the owner outside Australia and those documents are not available, then the owner/operator is to provide the document by which the owner acquired the ship.

Ship last registered in Australia

Where the ship was registered in Australia under the General Register the owner/operator needs to provide a statutory declaration detailing ownership since the ship was last registered.

Ship last registered under foreign law

Where the ship was previously registered under a foreign flag the following should be provided:

- a. any document that is evidence of title under the foreign law
- b. any documents relating to any changes of ownership since last registered or in respect of the sale of the vessel to the owner seeking registration.

Types of documents related to evidence of ownership

Evidence of ownership or changes of ownership can be provided by means of bills of sale or evidence of transmission of ownership by operation of law (e.g. probate, letters or administration,

court orders). As ownership can change in several ways evidence provided may vary. Generally the following documents will be accepted as evidence of changes:

- a. Sale of vessel:** The owner/operator should provide an original bill of sale¹ or other documents transferring ownership for each change of ownership. The document must be signed by the transferor, specifying
- i) the name of the ship
 - ii) the nature and extent of the interest in the ship to which it relates
 - iii) the name and address of the transferor and transferee.

If no Bill of Sale was made at the time of sale, or it has since been lost, the owner/operator should have the seller prepare a new Bill of Sale with the information detailed and a statement of the actual date of sale.

An agreement for sale is acceptable if it is supported by proof that the sale was finalised, for a new registration.

- b. Transmission of ownership on death of a sole owner or owner-in-common:** The owner/operator should provide a copy of the probate notice, or letters of administration, which can be obtained from the state or territory probate office that handled the estate.

In these cases, ownership or power to dispose of the ship passes to the deceased owner's legal personal representative or to the beneficiary under a will, depending on the case.

- c. Transmission of ownership on death of a joint owner:** The owner/operator should provide 'Evidence of Death' (either death certificate, certificate of burial, probate or letters of administration).
- d. A Statutory Declaration,** the owner/operator should provide a statutory declaration made by a person well acquainted with the facts, to the effect that the deceased person mentioned in the document giving evidence of death is the same as the joint owner of the ship. In this case, ownership passes automatically to the surviving joint owner.
- e. Transmission of ownership by order of a court:** The owner/operator should provide a copy of the Order, which may be obtained from the court that made it.

Use of statutory declarations

Where gaps remain in the ownership history the owner/operator can provide a statutory declaration, made by a person acquainted with the facts of the case setting out particulars of the history of the ownership of the ship. Where the owner/operator cannot provide a statutory declaration that effectively addresses all gaps in the ship's ownership history then a further statutory declaration is to be provided and a Gazette notice published as detailed in Part 7.0 of this Guide.

Note: Australian statutory declarations must be witnessed by an authorised person, with a connection to Australia. The full list of authorised witnesses is available from www.ag.gov.au

¹ Where the ship was already an Australian registered ship the bill of sale should be made on AMSA form 159.

Demise charter parties

Demise charter means the demise, letting, hire or delivery of the ship to the charterer under a charter party, by virtue of which the charterer has whole possession and control of the ship (including the right to appoint the master and crew of the ship).

Evidence of a demise charter (the demise charter party) is only required if the ship is a foreign ship and operated under a demise (or bare boat) charter by an Australian-based operator whose principal place of business is Australia. If the ship is operated under a demise charter, the charterer should also complete an extra declaration titled 'Declaration by Charterer' using AMSA Form 169.

Tonnage Certificate

All ships over 24 metres in tonnage length and intending to go on an international voyage must have an Tonnage Certificate before registration can be completed. Tonnage measurement and the issue of the tonnage certification must be undertaken by one of the recognized Classification Societies referred to in section 3 of this guide.



Call sign, radio licences, MMSI numbers and beacon registration

Where a ship is registered on the Australian General Shipping Register, and is subject to the Safety of Life at Sea (SOLAS) Convention, it is required to have an Australian radio call sign, Maritime Mobile Service Identity (MMSI) number and radio licence. The ship's 406 MHz EPIRBs are also required to be coded with the Australian country code and Australian identity which will be the MMSI number or radio call sign.

Call sign and radio licence

Radio licences and call signs are issued by the Radiocommunications Licencing and Telecommunications Deployment section of the Australian Communications and Media Authority.

Contact details for the Radiocommunications Licencing and Telecommunications Deployment section are as follows:

Telephone: 1300 850 115

Web: www.acma.gov.au (under Marine ship, Apparatus Licensing)

MMSI numbers

Maritime Mobile Service Identities, or MMSI numbers, are issued by AMSA's Rescue Coordination Centre.



If your vessel has changed from foreign to Australian flag and you have Digital Selective Calling radios or AIS onboard you will need to apply for a new Australian MMSI number and have your equipment reprogrammed by a certified technician. MMSI information and application details are available at www.amsa.gov.au/safety-navigation/beacons-and-distress-alerts/about-maritime-mobile-service-identity-information.

406 MHz Distress Beacon

When traveling on an international voyage all ships should carry a 406 MHz Distress Beacon on board. The applicant or the buyer should fill out and submit a 406 MHz Distress Beacon registration form.

If your vessel is changing from a foreign flag to Australian flag and has a foreign coded 406 MHz Distress Beacon on board, it must be reprogrammed with the Australian country code and then registered on the Australian Beacon Register. Once the EPIRB is reprogrammed by the manufacturer it will have a new HEX ID to register. Ensure you deregister the foreign 406 MHz Distress Beacon HEX ID.

Beacons may be registered by completing the form and sending it to Australian Beacons.

Beacons may also be registered online as indicated in the contact details below. Further information on registering distress beacons can be found at beacons.amsa.gov.au/.

Correspondence related to MMSI numbers or beacon registration should be directed to:

Telephone	1800 406 406 (International 61-2-9332 5766)
Facsimile	1800 406 329 (International 61-2-9332 6323)
Email:	ausbeacon@amsa.gov.au
Online registration:	beacons.amsa.gov.au/

Evidence of marking of the ship

The evidence that a ship has been marked as required under the Act and regulations is a signed and witnessed Marking Note. The Marking Note is sent by the Registrar to the owner/operator detailing the ship's registration particulars which must be permanently marked on the ship. These particulars include the Official Number, Ship's Name, Home Port, and either Length Overall or Tonnage Length.

The name of the ship must be marked on each of the ship's bows and the ship's name and the name of the Home Port must be marked on the stern, or as close to the stern as possible where stern markings are not possible.

The Official Number and the Net or Registered Tonnage or Length Overall (where the ship is not measured for tonnage) shall be cut into the main beam, a main structural member or other integral part under the upper deck.

Evidence of closure of foreign registration

Where an owner/operator is seeking registration of a ship last registered under a foreign law they are to provide evidence from the foreign registration authority showing that the registration has been closed. This must be done before a registration certificate can be issued.

Examples of the sort of documents that may be accepted for this purpose are a Certificate of Deletion or a certified copy of the foreign register showing the closing entry.

Other documents that may be required

Certificate of Incorporation

To be provided to the Registrar as evidence of incorporation if the owner/operator, charterer or agent is a body corporate under the *Corporations Act 2001*.

Power of Attorney

To be provided to the Registrar with any document that has been signed under a Power of Attorney.

Written authority to sign

To be provided to the Registrar with any document that has been signed by an agent on behalf of a person.

Part 7 – Action when evidence of ownership is not available

Where the owner/operator is in the situation where some parts of the ship ownership history are not known, the person who signs the application for registration should:

- a. submit all available documents; and
- b. make a statutory declaration that states:
 - i. to the best of their knowledge the persons claiming ownership are lawfully entitled to ownership of the ship
 - ii. explain the basis of the belief that the owner/operator are lawfully entitled to ownership
 - iii. explain the reasons certain documents or statutory declarations cannot be obtained; and
- c. publish a Notice in the Commonwealth of Australia Gazette (see Part 8) and send a copy of the published notice to the Registrar of Ships.

To allow time for possible appeals of the declaration of ownership, registration cannot be finalised until thirty (30) days from the date of publication of the notice of purported ownership.

Part 8 - Arrangements for publishing a notice in the Commonwealth of Australia Government Notices Gazette

The Government Notices Gazette is published by the Office of Parliamentary Counsel. Gazette Notices are solely published electronically on ComLaw and publication is normally within 2 days of lodgement or on a specific date, if requested. Information about the Government Notices Gazette is available at: www.comlaw.gov.au.

Notices for publication must have a covering instruction setting out requirements and payment must be made at the time the notice is lodged. A typewritten original or good copy of the notice must be provided and the proper name, address and particulars of ship should be shown clearly. Where a word version of the notice is available, it should be e-mailed to: gazettes@ag.gov.au.

The gazette notice

Notices for publication must have a covering instruction setting out requirements and payment must be made at the time the notice is lodged. A typewritten original or good copy of the notice must be provided and the proper name, address and particulars of ship should be shown clearly.

The notice must use the following wording:

SHIPPING REGISTRATION ACT 1981

NOTICE OF INTENTION TO APPLY FOR REGISTRATION

Notice is hereby given of the intention of

(full name)..... of (address) to apply, after the expiration of the period of thirty days commencing on the date of publication of this notice, for the registration under the abovenamed Act of the ship particulars of which are set out below.

Objections to the registration of the ship in the name of the abovementioned person, by persons claiming a legal proprietary right in respect of the ship, should, together with any relevant documents that will verify the claim be delivered to the Registrar of Ships at the Australian Shipping Registration Office, 82 Northbourne Avenue, Braddon ACT 2612 or sent by properly prepaid post to the Registrar of Ships at the Australian Maritime Safety Authority, GPO Box 2181, Canberra City ACT 2601, before the expiry of the period referred to above.

Particulars of Ship

Present name:

Former name:

Present whereabouts:

Length:

Principal material of construction:

Type of ship:

Part 9 - Checklist of application documents

The information provided below is an indicative list of the documents mentioned in this Guide.

1. Application for Registration
2. Declaration of Ownership and Nationality
3. Notice of Appointment of Registered Agent
4. Document describing the ship
 - o Builder's Certificate
 - o Foreign registration certificate
 - o Foreign certificate describing ship
 - o Statutory declaration
5. Evidence of Ownership
 - o Bill of Sale
 - o Probate
 - o Letters of Administration
 - o Court Order
 - o Foreign certificate of title
 - o Statutory declarations in lieu of Bills of Sale
 - o Statutory declaration by applicant
 - o Gazette Notice
6. Demise charter party
7. Statutory Declaration on ships intended trading pattern
8. Tonnage Certificate
9. Marking Note
10. Fee
11. Other
 - o Evidence of closure of foreign registration
 - o Declaration by Charterer
 - o Certificate of Incorporation
 - o Power of Attorney
 - o Written authority to sign

