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


Reference: (a) RMI Maritime Act 1990 (MI-107)  
(b) RMI Maritime Regulations (MI-108)

PURPOSE

This Guideline supports Marine Notice 1-004-3, and provides additional detail as to the temporary modifications to the requirements for the recordation of mortgages and other instruments under the Republic of the Marshall Islands (RMI) Maritime Act (the “Maritime Act”) due to the COVID-19 pandemic, which have been approved by the RMI Maritime Administrator (the “Administrator”).

Any modifications listed herein are not all inclusive, and the Administrator may approve additional modifications or waivers where deemed necessary pursuant to §§103-106, §108, and §203(h) of 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 Administrator. 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 Administrator 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 Administrator
to have documents acknowledged by a Special Agent or Deputy Commissioner in person.

If a physical appointment is not possible due to local restrictions or closures, a Special
Agent or Deputy Commissioner 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 or Deputy Commissioner.

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 or Deputy Commissioner 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 or Deputy Commissioner
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 using the applicable
acknowledgement form stated in RMI Maritime Regulation §3.30.1, 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 legal@register-iri.com and registrations@register-iri.com.