



**REPUBLIC OF
THE MARSHALL ISLANDS**

MARITIME ADMINISTRATOR

Marine Guideline

No. 1-04-1

Jul/2020

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, Acknowledgement, and Other Requirements Pursuant to the Republic of the Marshall Islands Maritime Act, §§103-106, §108, and §203(h) in Response to COVID-19 Pandemic

Reference: (a) RMI Maritime Act 1990 ([MI-107](#))
(b) RMI Maritime Regulations ([MI-108](#))
(c) RMI Marine Notice [1-004-3](#)

PURPOSE

This Guideline supports Marine Notice [1-004-3](#), and provides additional detail as to the temporary modifications to the requirements for the recordation and acknowledgement of mortgages, instruments and other documents 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 (a) all transactions that require the recordation or acknowledgement of a mortgage, instrument, or other document, where such recordation or acknowledgement cannot be done in person due to the COVID-19 pandemic and associated restrictions (b) the requirements to provide an original document; and (c) the acceptance of electronic copies.

GUIDANCE

1.0 Originals

For the limited documents required in original, such as a mortgage or an application for registration, an electronic copy will be accepted as the original until such time as hard-copies 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 notarizations which contain an electronic signature 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 the electronic copy of the document to the Special Agent or Deputy Commissioner.

Once the electronic copy 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 with a wet signature, 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 with an electronic signature.

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 along with their identifying credentials such as a bar number or similar.

5.0 Contact

Any questions regarding the above procedures should be directed to legal@register-iri.com and registrations@register-iri.com.