

# The Marshall Islands Registry

service and quality are within your reach



# ADVANTAGES INCLUDE

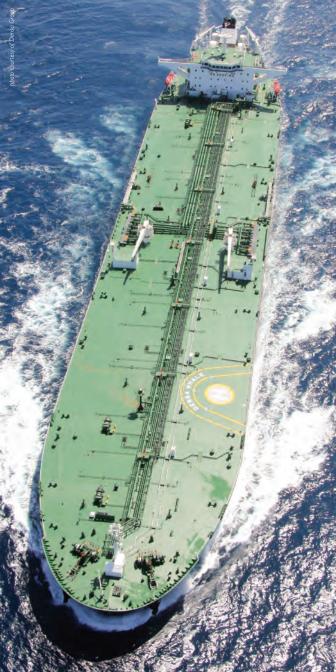
- International Registries, Inc. and its affiliates (IRI) provide administrative and technical support to the Republic of the Marshall Islands (RMI) Maritime and Corporate Registries. IRI has been administering maritime and corporate programs and involved in flag State administration since 1948. The RMI Maritime Registry is one of the leading registries in the world.
- The RMI is the only major open registry to be included on the White Lists of both the Paris and Tokyo Memorandums of Understanding (MoUs) and to hold Qualship 21 status with the United States Coast Guard (USCG) for 15 consecutive years, which is unprecedented. The RMI has also met the flag criteria for a low risk ship under the Paris and Tokyo MoU's New Inspection Regimes.
- Decentralized operations provide industry stakeholders with 24-hour worldwide service.
- Timely support and technical assistance are available from a staff of qualified and experienced mariners, naval architects, engineers, surveyors, nautical inspectors, marine safety and environmental protection experts, shipping company administrators, radio specialists, and casualty investigators.
- The Maritime Services Group's Quality Management System is ISO 9001:2015 certified and audited by the International Maritime Organization (IMO).
- With an assigned permanent representative at the IMO, the RMI participates in all the major committee and subcommittee meetings.
- The RMI Maritime Registry is on the IMO Standards of Training, Certification and Watchkeeping for Seafarers (STCW) "White List."
- Marine Safety Advisories, Ship Security Advisories, and Marine Notices are distributed to apprise owners and operators of changes to international shipping regulations

and port State control (PSC) activities to help vessels avoid unnecessary delays and compliance problems.

- The RMI has adopted groundbreaking legislation that permits the registration of a vessel that is still subject to a recorded mortgage in its present country of registry. This legislation allows for the continuation of the preferred status of the mortgage without interruption; thus, the foreign mortgage lien accompanies the vessel into the RMI Maritime Registry.
- The RMI Associations Law is modeled on the United States (US) state of Delaware's corporate law.
- Business entity formation is simple and corporate documents may be issued the same day. There are no annual filings and zero taxes for all non-resident domestic RMI entities.
- Maritime and corporate documents are competitively priced and can be issued from any IRI worldwide office.
- International legal and financial professionals recognize the RMI legal system, mortgage recordation procedures, and administrative controls.

### SERVICES INCLUDE

- Vessel / Yacht Registration
- Mortgage/Lease Financing Recordation and Documentation
- Vessel Inspection
- Radio Station Licensing
- Officer and Crew Examination/Certification
- Seafarers' Identification and Record Books (SIRBs)
- Technical Assistance
- Investigations
- Information on Maritime Regulations and Port Activities
- Corporate Formation Services



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Republic of the Marshall Islands

Atta Ala Kha

The Republic of the Marshall Islands (RMI) is situated nearly midway between Hawaii and the Philippines, and is the easternmost island group in Micronesia. The country consists of two (2) parallel chains of atolls and islands in the central Pacific Ocean, known as the Ratak (Sunrise) chain and Ralik (Sunset) chain. Together, the RMI is comprised of approximately 1,225 islands and islets, which spread across a sea area of over 1.9 million square kilometers.

British Naval Captain John William Marshall gave his name to the area in the 1700s. However, the islands have been under the control of various nations throughout the last few centuries. After World War II, the Marshall Islands became a part of the United Nations (UN) Trust Territory of the Pacific Islands under the United States (US) administration.

The RMI Government was officially established in 1979 with the signing of the Constitution, which represents a blend of American and British models of government. The RMI gained its independence in 1986, after signing the Compact of Free Association with the US, ending the UN-US Trusteeship Agreement and establishing the national charter of independence of the island nation. The RMI maintains a politically stable, democratically elected parliamentary system of government consisting of two (2) legislative chambers which elect the President from among their members for a four (4) year term. In turn, the President appoints a Cabinet of 6-10 members and serves both as chief of State and head of Government. The RMI became a full member of the UN in 1991, and has since established diplomatic relations with most of the world's major maritime and industrial nations.



committed to the growth of the maritime industry

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Seagoing trade is responsible for the movement of over 90% of the world's commodities. As a ship moves from port-to-port, a flag State, through its ship registry, imparts its nationality to that ship. A ship's nationality ascribes what rights it enjoys, what obligations it may be subject to, and the law of the State that governs it.

It is important for a modern ship registry to harmonize commercial reality with an increasingly stringent international regulatory environment. In order for a ship registry to balance its rights and responsibilities while working in partnership with the shipping community, it must maintain an open dialogue with industry participants and maintain an active voice at venues such as the International Maritime Organization (IMO) and International Labour Organization (ILO).

### Maritime Registry

### Background

The RMI Maritime Registry (the "Registry") program was initiated by the RMI Government in 1988. With the adoption of the RMI Maritime Act of 1990 (the "Maritime Act"), the maritime laws of the RMI were brought in line with the many changes in ship registration, financing, and seafarers' licensing and documentation which had occurred in the shipping industry. The Maritime Act is supplemented by Maritime Regulations, Marine Notices (MNs), and other policy guidelines issued by the RMI Maritime Administrator (the "Administrator").

The RMI maintains a comprehensive legislative and regulatory framework, which ensures that the RMI Registry fully complies with internationally agreed-upon standards. In addition, the Marshall Islands Quality Council (MIQC), an independent, consultative body consisting of diverse industry experts, meets formally two (2) times per year and provides advice and guidance to the RMI Registry on topical issues, including current issues being addressed at the IMO and ILO. The MIQC has also established three (3) advisory groups which meet on an as-needed basis and specifically focus on topical issues with respect to the offshore energy, yacht, and bluewater industry sectors.

The RMI Registry continually strives to promote the quality of vessels registered in the RMI. Those vessels operating under the RMI flag achieve the highest ratings in port State control (PSC) international rankings. The RMI is the only major open registry to be included on the White Lists of both the Paris and Tokyo Memorandums of Understanding (MoUs) and to hold Qualship 21 status with the US Coast Guard (USCG) for 15 consecutive years, which is unprecedented. The RMI has also met the flag criteria for a low risk ship under the Paris and Tokyo MoU's New Inspection Regimes.

The RMI Maritime Registry is one of the leading registries in the world, surpassing 171 million gross tons (GT) at the end of October 2019. Vessel types include, but are not limited to: tank ships; liquid natural gas (LNG)/gas carriers; bulk carriers; container ships; offshore drilling, production, and service units; passenger vessels; and yachts. The benefits of vessel registration under the RMI flag do not stop once the registration process is complete. Assistance is available on the procedural aspects of operating vessels during the entire time the vessel is registered under the RMI flag.

### General Documentation Required for Vessel/Yacht Registration

In addition to the requisite legal documents and government approvals, the RMI Registry places strong emphasis on the safe condition of the vessel/yacht at the time of registration and while registered in the RMI. General documentation requirements include the below.

- Application for Official Number, Call Sign, Registration of Vessel/ Yacht, and Declaration of Company and Designated Person
- Proof of Authority of Agent or Officer Executing Registration Documents (e.g., Power of Attorney or Corporate Resolution)
- Proof of Ownership, such as a Bill of Sale or Builder's Certificate
- Consent of government from present registry to transfer vessel/ yacht or Cancellation Certificate
- Proof that the vessel/yacht is free of recorded liens and encumbrances<sup>1</sup>
- Proof of Liability Insurance, including owner's repatriation
   obligations
- Certificate of Insurance or Other Financial Security in Respect of Civil Liability for Oil Pollution Damage  $({\rm CLC})^2$
- Certificate of Insurance or Other Financial Security in Respect of the Bunkers Convention  $(\mbox{CLBC})^3$
- Certificate of Insurance or Other Financial Security in Respect of Liability for the Removal of Wrecks (WRLC)<sup>4</sup>
- Confirmation of Class issued by a Classification Society (Class)<sup>5,6</sup>
- Continuous Synopsis Record (CSR) Amendment and Index and any previously issued CSRs<sup>5,7,8</sup>
- Application for Minimum Safe Manning Certificate (MSMC)<sup>5</sup>
- Within 90 days of registration, an Application for a National Radio Station License<sup>5,9</sup>

Initial registration certificates are issued electronically and include a Unique Tracking Number (UTN) and a scannable Quick Response (QR) code for verification purposes.

- I A foreign mortgage lien may accompany a vessel into the RMI Registry through a recordation.
- 2 Applies to registered vessels carrying more than 2,000 tons of oil in bulk as cargo.
- 3 Applies to registered vessels (including private yachts) greater than 1,000 GT.
- 4 Applies to registered vessels (including private yachts) 300 GT or greater.
  5 Voluntary for private yachts except those private yachts eligible to obtain a Certificate of Registry for Yacht.
  Engaged in Trade.
- 6 Applies to all commercial vessels and classed vachts.
- 7 Does not apply to newbuildings.

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- 8 Applies to commercial vessels (including commercial yachts) 500 GT and over
- 9 Applies to commercial vessels (including commercial yachts) and Private Yachts Limited Charter.

### Ownership

Ownership of commercial vessels and yachts registered in the RMI must be through an RMI corporation, general or limited partnership (LP), limited liability company (LLC), or qualified foreign maritime entity (FME).

### Vetting

The RMI Registry reviews and evaluates all vessels and owners/operators before permitting the registration of a vessel. This approach ensures that the RMI Registry maintains its reputation and commitment to providing the highest quality ship registry services found anywhere in the world. Shipowners and operators in today's international marine transportation industry require an established and efficient administration that provides a registration process that is compatible with the operation of their vessels, is committed to the safety and security of its vessels and crews as well as to the protection of the marine environment, and is capable and willing to act decisively and responsively.

### **Commercial Vessel Registration**

Seagoing vessels of any tonnage engaged in foreign trade and vessels under construction are eligible for registration in the RMI.Vessels should be under 20 years of age at the time of registration; however, waivers may be granted for older



vessels depending upon their condition and classification. Applications for vessels 15 years of age or older should be submitted with a Status Report of the vessel's Statutory Survey and Certification and a copy of its latest Intermediate or Special Survey Report.

Offshore drilling, production, and service units and other seagoing vessels engaged in the service sector of the offshore energy industry are eligible for registration in the RMI, subject to the same age, survey, and classification requirements. The diversity of vessels in this category may require the RMI Registry to request additional information prior to acceptance for registration.

### Yacht Registration

The RMI allows, through its national legislation and the RMI Yacht Code (the "Code"), the registration of private yachts, private yachts limited charter (PYLCs), commercial yachts, and passenger yachts (PAXYs). It also allows for RMI flagged private yachts to charter in French and Monegasque waters without the need for commercial registration by requesting a Temporary Certificate of Registry (COR) for Yacht Engaged in Trade (YET).

In 2017, the Administrator revised the Code to reflect changes in today's yacht market. The Code provides a common sense and practical approach to evolving safety and technical issues while being supported by a strong worldwide yacht technical group. The Code applies to all RMI registered commercial yachts, PYLCs, PAXYs, and private yachts eligible to obtain a Temporary COR for YET and imposes no maximum restriction on the tonnage or size of a commercial yacht. The Code sets the standards and substantial equivalencies for safety, security, pollution prevention, and seafarer accommodations appropriate to the size of the yacht.

- A private yacht is considered to be any yacht not carrying passengers for hire, not engaged in trade or commerce, and being used solely for the pleasure or recreational purposes of its owner. The registration of private yachts is limited to those of 12 meters (m) or more in length. Private yachts may carry more than 12 social guests on board provided additional flag State requirements are met.
- A commercial yacht is any yacht engaged in trade, commerce, or on charter, and carrying no more than 12 passengers. The registration of commercial yachts is limited to those of 24 m or more in Load Line Length.
- A PYLC is a yacht that is described on the COR as a private yacht, 18 m or more in length and less than 500 GT, and holds a valid Compliance Certificate, allowing the yacht to be engaged in limited chartering for no more than 84 days per calendar year and which shall carry no more than 12 passengers.
- A PAXY is any passenger ship registered as per Chapter 2 of the Maritime Act that is described on the COR as a PAXY and therefore may be engaged in trade, commerce, or chartering, carrying more than 12 but no more than 36 passengers under limited operational conditions.
- A YET is a private yacht that is eligible to obtain a valid Temporary COR for YET and which holds a valid Compliance Certificate allowing the yacht to be engaged in temporary chartering in French and Monegasque waters for no more than 84 days in a calendar year, which shall carry no more than 12 passengers, and is 24 m or more in Load Line Length as well as fully commercially compliant.

The RMI Yacht Compliance Requirements (MI-103A) provide additional guidance on national and international compliance requirements for private yachts, commercial yachts, PYLCs, PAXYs, and YETs.





## INTERNATIONAL REPRESENTATION

The RMI Registry is committed to upholding the values of safety, security, environmental protection, and social responsibility.

### **IMO** Representation

The RMI Registry maintains up-to-date knowledge of the application and interpretation of the international conventions and activities within the IMO. With an assigned permanent representative to the IMO, the RMI participates in all of the major committee and subcommittee meetings, and is in the vanguard of registries providing the IMO with active support.

The RMI is a signatory to and enforces all major maritime conventions and their related codes, including:

- International Convention for the Safety of Life at Sea (SOLAS), 1974/78, as amended;
- International Convention on Load Lines (ILLC), 1966;
- International Convention for the Prevention of Pollution from Ships (MARPOL), 1973/78, as amended;
- International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended;
- Convention on the International Regulations for Preventing Collisions at Sea (COLREGS), 1972;
- International Convention on Tonnage Measurement of Ships (ITC), 1969;
- International Convention on Civil Liability for Oil Pollution Damage (CLC), Protocol, 1992;

- International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001;
- International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001;
- Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea (PAL), 2002;
- International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWMC), 2004;
- Nairobi International Convention on the Removal of Wrecks, 2007 (WRLC); and
- International Code for Ships Operating in Polar Waters (Polar Code).

### **ILO** Representation

The Maritime Labour Convention, 2006 (MLC, 2006) came into force on 20 August 2013.

MLC, 2006 applies to all ships, irrespective of tonnage, which are "ordinarily engaged in commercial activity." The Administrator considers "commercial activity" to be any endeavor undertaken for the primary purpose of generating revenue which includes, but is not limited to, activities such as commerce/trade, chartering, towing, salvage, offshore supply support, entertainment, marketing, research, accommodation, transit, etc. Private yachts of any size not ordinarily engaged in commercial activities, such as chartering, shall not be considered ships for the purpose of applying the requirements of MLC, 2006.

The Administrator considers units engaged in exploration, exploitation, and/or processing of sea-bed mineral resources, including production, storage and offloading, maintenance, construction, or accommodation units, when on location for the purpose of conducting or supporting operations subject to the jurisdiction of a host coastal State, to be installations and not ships. Units flagged and certified in accordance with the RMI Mobile Offshore Unit Standards (MI-293) and/or other relevant applicable national laws and regulatory requirements where the subject matter is dealt with differently, are considered to substantially meet the requirements of MLC, 2006 and thus are not subject to certification under MLC, 2006 in these circumstances.

For a complete list of conventions to which the RMI is a signatory, please visit www.register-iri.com.





# **VESSEL MANNING**

### Manning Certificates\*

STCW and SOLAS require the issuance of an MSMC. The MSMC must be issued to each vessel upon registration, setting forth the required minimum number of officers and crew, in specified grades and ratings, that have been prescribed for the safe navigation and operation of that vessel. Each vessel is considered individually (consistent with the Minimum Safe Manning Requirements for Vessels (MN-7-038-2)), bearing in mind the size, trade, type of vessel, and automation. Once the manning level is approved, an MSMC is issued. The vessel's manning is verified for compliance with the MSMC during the vessel's annual safety inspection (ASI) or compliance verification.

\* To ensure that RMI registered yachts are adequately and safely manned in accordance with international regulations, all commercial yachts, PYLCs, PAXYs, and YETs are required to have an MSMC on board.

NOTE: It is the overriding responsibility of the owner or operator of a private yacht to ensure that the private yacht is safely manned.

### Officer Licensing and Certification

No person shall perform the duties of Master, Chief Officer, Mate, Officer in Charge of a Navigational Watch, Chief Engineer, Second Engineer, Officer in Charge of an Engineering Watch, or Electro-Technical Officer of any vessel registered under the provisions of the Maritime Act, unless duly issued a Certificate of Competence/Endorsement (CoC/CoE) by the Administrator.

Issuance of RMI Officer Certificates is based on two (2) methods: (1) by equivalency endorsement, for those individuals holding CoCs issued by one of the STCW 1995 "White List" countries recognized by the Administrator;

or (2) by professional examination, for those applicants who have passed all required examinations and have completed all necessary training and assessment requirements for the capacity desired.

### Seafarers' Identification and Record Books (SIRBs)

All seafarers serving aboard RMI flagged commercial vessels, commercial yachts, PYLCs, PAXYs, and YETs, are required to hold an RMI SIRB.

The SIRB is a seafarer's identity document issued for the purpose of providing the holder with identity papers. It also provides the holder with a continuous record of his/her sea service and contains the Special Qualifications Certificates (SQCs), which specify the rating in which the holder is qualified to serve and any special qualification(s) held by the seafarer.

In order to qualify for an SQC, a seafarer must provide proof of the required sea service, a certificate of completion from an approved training course, or an equivalent certificate issued by his/her national government.

### Period of Validity

Each CoC and SIRB are valid for five (5) years. The CoE is valid to the expiration date of the underlying national CoC. All SIRB's and CoC/CoE's have a scannable QR code that may be used for verification purposes.



When an SIRB expires, the sea service pages remain valid. Consequently, a seafarer should retain possession of all expired books.

### Submission of Application

CoC/CoE applications may be made by submitting an Application for Endorsement of Officer CoC (MI-105). SIRB and SQC applications may be made by submitting an Application for SIRB and SQC (MI-273). Applications for certification by examination must be made on form MI-105E. First time or non-renewal applications must be submitted along with a Letter of Commitment of Employment for service aboard an RMI flagged vessel. Applications must be submitted in person to a receiving filing agent who has been approved by the Administrator.

For complete details regarding the issuance of CoCs/CoEs, SIRBs, and SQCs, please refer to the RMI publications Requirements for Seafarer Certification (MI-118) and Requirements for Seafarer Certification by Examination (MI-118E) which are available from any IRI office or online at www.register-iri.com.

### Receiving/Filing Agent Responsibilities

Over 500 filing agents throughout the world have been approved to receive and file applications. Operators or their appointed agents may apply directly to the Administrator for authorization to act as a filing agent.





# MARINE SAFETY, SECURITY, & ENVIRONMENTAL PROTECTION

### Classification and Statutory Survey and Certification

The RMI Registry has mandatory classification and statutory survey and certification requirements. For commercial vessels, commercial yachts, PYLCs, PAXYs, and YETs surveys and compliance verifications, respectively, are conducted by Recognized Organizations (ROs) and Appointed Representatives (ARs), which are recognized by the Administrator as being in full compliance with IMO Assembly Resolution A.739(18).

The Administrator has the responsibility to ensure vessel/ yacht and company compliance with applicable national and international law. Compliance is accomplished through:

- Interaction with the ROs/Recognized Security Organizations (RSOs)/ARs;
- Active investigation of casualties, port/flag State detentions, security breaches, port/flag State security detentions, and security incidents, among others;
- Review of corrective actions taken by companies in response to RO/RSO audits; and
- Vessel Inspection/Compliance Verification Program.

Nautical Inspectors and RMI Registry personnel, located worldwide, conduct mandatory ASIs on commercial vessels. The purpose of the ASI includes:

- Verifying that the vessel is being maintained in general compliance with international conventions and flag State rules and regulations;
- Providing direct information on the condition of the vessel;
- Providing direct information on the vessel's compliance with operational requirements and crew certification and training;

- Providing feedback to owners and operators that will help them avoid problems and unnecessary delays by port States; and
- Class oversight.

The Administrator employs full-time inspectors to perform ASIs, conduct training and oversight of the contracted Nautical Inspectors, and conduct special inspections.

### **Technical Support**

Technical support is provided by a worldwide staff of qualified personnel with the primary responsibility of overseeing the implementation of the applicable national and international laws and regulations to vessels/yachts in the RMI Registry. Technical personnel evaluate requests for exemptions, equivalences, material/equipment dispensations, and survey/ service extensions. Technical personnel also liaise with and maintain oversight of ROs/RSOs and ARs. Technical inquiries are processed and either an interim or final reply will be sent within 24-hours.







# SHIP RADIO STATION LICENSE

Ship Radio Station Licenses for RMI commercial vessels, commercial yachts, PYLCs, PAXYs, and YETs, are issued based upon SOLAS, the International Telecommunications Union Regulations, and RMI statutes. RMI vessels, which will incur charges for telecommunications services, are required to have a contract with a radio company that is responsible for the ship's communications accounts.

### **Temporary Radio License**

When a commercial vessel, commercial yacht, PYLC, PAXY, or YET is registered in the RMI, it is issued a Temporary Authority Ship Radio Station License, valid for 90 days. During this period, the ship's representative must submit an application listing information necessary to determine if the vessel/yacht is properly equipped to be licensed.

### Full-Term Ship Radio Station License

Full-term licenses for commercial vessels and yachts are issued for a period of four (4) years for both conventionally equipped and Global Maritime Distress Safety System (GMDSS) equipped vessels.



start your business with the jurisdiction of choice Thanks to its unparalleled customer service philosophy and excellent reputation as a leading maritime registry, the RMI is the jurisdiction of choice for professionals around the world. In particular, the RMI Corporate Registry is experiencing tremendous success as one of the leading jurisdictions for initial public offerings (IPOs) on major stock exchanges.

The popularity of the RMI Corporate Registry is a direct result of the RMI's ability to aggressively and efficiently address the leading issues facing the corporate industry. With the intertwinement of governments and international organizations in corporate issues, it has become increasingly difficult for a jurisdiction to retain the elements that make a corporate registry successful. The RMI, however, has met these challenges while maintaining its fundamental elements.

The RMI is a zero tax jurisdiction that statutorily exempts non-resident domestic entities from taxation on income and assets. Entity formation is simple and documentation may be issued in one (1) day. There are many unique advantages for the investor, vessel/yacht owner, or international business person forming business entities in the RMI. IRI offers a wide range of corporate services, including access to both registrar and registered agent services. Furthermore, the Marshall Islands Management Company (MIMC), located in



the RMI, offers administrative services for all RMI business entities, including the use of an RMI mailing address and fax number for receipt of mail and mail forwarding. The MIMC also provides conference room facilities which are equipped with fax, internet, and telephone services.

### Corporate Registry Business Entities and the Law

Regardless of the circumstances surrounding the creation of a business entity, the usual goal is to maximize profitability while minimizing the risk of exposing beneficial owners to personal liability. For this reason, the corporate law of a jurisdiction takes on paramount importance. First enacted in 1990, the RMI Associations Law remains one of the most modern sets of statutes in the world. The RMI Associations Law contains the Business Corporations Act, Revised Partnership Act, Limited Partnership Act, and Limited Liability Company Act.

Common Uses of Business Entities Include:

- Asset Management
- Vessel/Yacht Ownership
- Tax Optimization
- Joint Ventures
- IPOs
- Real/Intellectual Property Holdings



### **Publicly Traded Entities**

Numerous RMI entities have experienced significant success trading publicly on exchanges worldwide. These publicly traded entities enhance the already outstanding reputation of the RMI Maritime and Corporate Registries. The RMI Corporate Registry is recognized worldwide by law firms, company formation specialists, and business professionals in major financial centers for its modern and flexible legislation, ease of formation, and high level of customer service.

### Legal Information

As a corporate services company, IRI cannot provide legal advice. However, it can: provide information and guidance on forming business entities, amendment preparation, dissolutions, and other filings; answer questions regarding the RMI Associations Law; and review drafts of corporate documentation. IRI can also assist clients in obtaining a legal opinion from a licensed RMI attorney.







# CONTACTS

### Urgent/Maritime Emergencies

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# building a global presence



IRI has a global network of offices that have the ability to register a vessel or yacht, including those under construction, record a mortgage or financing charter, form a business entity, issue seafarer documentation, and service clientele.

The most important asset to the RMI Registry is its clients and IRI strives to provide them with full service from any

office 24-hours a day. IRI is proud of the excellent service it provides to the international business community and looks forward to continuing to be at the forefront of vessel and corporate registration.

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International Registries, Inc. in affiliation with the Maritime and Corporate Administrators of the Republic of the Marshall Islands

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