

THE ORDER BY THE
GOVERNMENT OF MONGOLIA

Date:

No...

Ulaanbaatar

Procedure for the Approval of Regulations
and Determination of Minimum Service Fees

Pursuant to Article 22.3, 22.4, and 22.7 of the Maritime Law of Mongolia, the Government of Mongolia hereby ORDERED:

1. In accordance with Appendix No. 1 and 2, it is hereby resolved to adopt "The Regulation of Ship Registration in the Ship Registry of Mongolia" and "Minimum Service Fees Related to the Registration of a Ship in the Ship Registry of Mongolia, Extension of Registration, Cancellation of Registration, and Flag State Control" respectively.

2. In connection with the issuance of this Resolution, Government Resolution No. 3 dated January 8, 2003, entitled "Approval of Regulation," shall be rendered null and void.

THE REGULATION OF SHIP REGISTRATION IN THE SHIP REGISTRY OF MONGOLIA

ONE. GENERAL PROVISIONS

- 1.1. The purpose of this Regulation is to regulate relations pertaining to the activities of ship registration.
- 1.2. The ship registration process shall be conducted by the Mongolia Maritime Administration (hereinafter referred to as the "Administration").
- 1.3. The ship registry of Mongolia shall only register vessels in accordance with Section 22.1 of Article 22 of the Maritime Law of Mongolia.
- 1.4. Mongolian and International vessels registered in compliance of this Regulation shall have the right to fly the Mongolian flag.

TWO. REQUIREMENTS FOR SHIP REGISTRATION

- 2.1. Ship owners, ship managers, ship registration agents and the representatives of the vessel shall meet the following requirements to register their vessels in the ship registry of Mongolia.
 - 2.1.1. Shall not be in the UN, International and local sanctions list;
 - 2.1.2. Shall not engage in activities related to countries, individuals, entities and vessels listed in clause 2.1.1 of this Regulation;
 - 2.1.3. Shall not transport illegal or banned cargoes or any related activities;
 - 2.1.4. The vessel shall be free of any disputes or claims relating to the ownership, registration or crew members of the vessel;
 - 2.1.5. Shall meet the requirements stated in the Article 7 and Article 31.2, Section 32.1 of the Maritime Law of Mongolia;
 - 2.1.6. The vessel shall not be detained more than once in the past year during Port State Control inspections and shall undergo inspections;
- 2.2. A legal entity that fulfills the criteria outlined in Section 2.3 of this Regulation shall function as a ship registration agent in accordance with a contractual agreement established with the Administration.
- 2.3. Ship registration agent shall meet the following requirements.
 - 2.3.1. The agent must be duly and legally incorporated;
 - 2.3.2. The agent must possess prior experience in functioning as a ship registration agent;
 - 2.3.3. The agent must have a professional with experience in the maritime field;
 - 2.3.4. The agent must be financially stable;
 - 2.3.5. The agent shall be free of tax liabilities;
 - 2.3.6. The agent shall meet the requirements specified in the Section. 2.1.1 and 2.1.2 of this Regulation;
 - 2.3.7. Other ship registration related activities.

THREE. SHIP REGISTRATION PROCESS

- 3.1. Ship owners, ship managers, ship registration agents and the representatives of the vessel shall provide the following information to the Administration to request for ship registration quotations.
 - 3.1.1. Vessel's name;
 - 3.1.2. Vessel's IMO number;
 - 3.1.3. Vessel's gross and net tonnage and deadweight;
 - 3.1.4. Registration certificates issued by the previous registry.

- 3.2. The Administration shall provide ship registration quotation to the vessel after conducting thorough due diligence based on information specified in the Section 3.1 of this Regulation.
- 3.3. Upon accepting the ship registration quotation, the registration form specified in Article 23, Section 23.2 in the Maritime Law of Mongolia shall be filled out accurately and completely, and the following documents shall be attached and submitted to the Administration.
 - 3.3.1. Copy of ship owner's identification card and/or passport and/or Certificate of Incorporation;
 - 3.3.2. The applicant must provide an official documentation that proves the ownership of the vessel. In the case of a newly constructed vessel, a builder's certificate issued by the manufacturer must also be submitted;
 - 3.3.3. Relevant statutory certificates issued by the Recognized Organization;
 - 3.3.4. Vessel's Continuous Synopsis Records;
 - 3.3.5. A list of the vessel's master and crew;
 - 3.3.6. Proof of documentation if the vessel had technical modifications to her type, purpose, design, and tonnage;
 - 3.3.7. Information on the ship's manufacturer;
- 3.4. If deemed necessary by the Administration, additional documents and information pertaining to the ship and its ownership may be requested in addition to the documents specified in clause 3.3 of this Regulation.
- 3.5. The Administration shall decide to register or decline the vessel's registration in accordance with the Mongolian international agreement, Maritime Law of Mongolia, applicable rules and Regulations, the requirements stipulated in Section 2.1 of this Regulation, as well as the documents and information outlined in Section 3.3.
- 3.6. Upon successful registration, the vessel will be allocated an official number, call sign, and MMSI number, all of which will be documented in the ship's registration certificate. These details will be duly recorded in the ship's registry records and entered into the database.
- 3.7. The name of the vessel must be visibly displayed on both the bow and stern of the vessel.
- 3.8. As per Article 21, Section 21.2 of the Maritime Law of Mongolia, the name of the port of registration, "Ulaanbaatar," must be prominently displayed below the ship's name at the stern. The display must be in Latin letters in a light or white color, ensuring clarity and visibility.

FOUR. SHIP REGISTRATION TYPES

- 4.1. The ship registry of Mongolia shall have provisional, permanent, single delivery and bareboat charter types of registrations.

Provisional Registration

- 4.2. The Administration shall issue provisional certificate of registry to initial registration.
- 4.3. The provisional registration certificate shall have validity of six months.
- 4.4. The vessel shall meet the following requirements during her provisional registration period:
 - 4.4.1. The vessel must undergo survey and inspection conducted by a Recognized Organization and obtain the necessary statutory certificates.
 - 4.4.2. All seagoing vessels with gross tonnage of 1000 and above shall be insured in accordance with the Article 7 of the International Convention on Civil Liability for Bunker Oil Pollution Damage (BCC).
 - 4.4.3. All seagoing vessels carrying 2,000 tons of oil and above shall be insured in accordance with the Article 7, Section 1 of the International Convention on Civil Liability for Oil Pollution Damage (CLC).

- 4.4.4. The vessel shall be covered by the insurance as stipulated in Article 20, Section 20.2 of the Maritime Law of Mongolia.
- 4.5. In circumstances where the vessel is unable to undergo inspection by the Recognized Organization within the valid duration of the provisional registration due to justifiable reasons, the Administration may grant a single extension of the provisional registration for a maximum period of 3 months. This extension shall be granted based on the submission of supporting evidence.

Permanent Registration

- 4.6. Ship owners, ship managers, ship registration agents and the representatives of the vessel who meets the requirements specified in Section 4.4 of this Regulation may apply for permanent registration before the expiration of the provisional registration.
- 4.7. The permanent registration period shall be up to one year, inclusive of the provisional registration period.
- 4.8. When applying for permanent registration, the ship owner must submit the deletion certificate from the previous registration and the Carving and Marking Note, which must be signed and stamped by the Recognized Organization, to the Administration.
- 4.9. If the registration renewal request is submitted prior to the expiration of the registration, the Administration shall extend the period of permanent registration by 1 year and record it on the registration certificate.
- 4.10. Ship owners, ship managers, ship registration agents, and the representatives of the vessel are required to submit renewed statutory certificates, issued by the Recognized Organization, to the Administration during the annual renewal of registration.

Single Delivery Registration

- 4.11. The Administration shall register vessel that is engaged in a single voyage from one port to another in single delivery registration and issue Single Delivery Voyage certificates together with a Special Voyage Permit.
- 4.12. Single delivery registration shall have validity of up to 3 months and will be registered under the following conditions;
- 4.12.1. Delivery of the vessel to the buyer in accordance with the Bill of Sale;
 - 4.12.2. Delivery of the vessel for the purpose of demolition or scrapping;
 - 4.12.3. Delivery of the vessel to the shipyard for major repairs;
- 4.13. Vessels registered under the single delivery registration are strictly prohibited from engaging in fishing and fishing-related activities, as well as cargo and passenger transportation.
- 4.14. Vessel registered in the single delivery registration may be towed by another vessel if it is unable to sail on its own, in which case information regarding the towing vessel shall be submitted to the Administration.
- 4.15. In the event that the vessel is unable to embark on the single delivery voyage due to valid reasons or force majeure, the certificates may be reissued for a maximum duration of 3 months upon the submission of supplementary supporting documents.

Bareboat Charter Registration

- 4.16. Ship owners, ship managers, ship registration agents and the representatives of the vessel shall submit documents specified in the Section 24.1 of the Maritime Law of Mongolia in addition to the documents specified in the Section 3.3 of this Regulation for Bareboat Charter registration.
- 4.17. The Bareboat Charter registration certificate shall be issued for the duration specified in Section 24.1 of the Maritime Law of Mongolia. If the registration renewal request is submitted prior to the expiration of the registration, the registration period shall be extended from the initial registration date.

- 4.18. Ship owners, ship managers, ship registration agents, and the representatives of the vessel are required to submit renewed statutory certificates, issued by the Recognized Organization, to the Administration during the renewal of registration.

FIVE. MORTGAGE REGISTRATION

- 5.1. Registration and certification of mortgage deed will be issued in accordance with the Article 25 of the Maritime Law of Mongolia.
- 5.2. The applicant shall submit the original or notarized copy of Mortgage Deed and Certificate of Ownership to the Administration when applying for Mortgage Registration.
- 5.3. If deemed necessary by the Administration, additional documents and information pertaining to the mortgage registration may be requested.

SIX. CERTIFICATE OF REGISTRY

- 6.1. The Certificate of Registry must be validated through the signature, seal, and stamp of the registrar, as well as a QR code.
- 6.2. The certificate may be issued electronically, and it will be validated through the QR code.
- 6.3. The Certificate of Registry shall be issued along with Minimum Safe Manning Certificate, Ship Radio Station Licence and Carving and Marking Note.
- 6.4. In addition to the certificates specified in Section 6.3 of this Regulation, the following additional certificates may be issued depending on the type of ship, gross tonnage and trading areas:
- 6.4.1. Continuous Synopsis Records;
 - 6.4.2. Certificate of Insurance issued in accordance with paragraph 1 of Article 7 of the International Convention on Civil Liability for Bunker Oil Pollution Damage;
 - 6.4.3. Certificate of Insurance issued in accordance with paragraph 2 of Article 7 of the International Convention on Civil Liability for Oil Pollution Damage;
- 6.5. The following information shall be included in the certificate specified in Section 6.3 of this Regulation:
- 6.5.1. Name of vessel;
 - 6.5.2. IMO identification number;
 - 6.5.3. Official number, Call Sign, and MMSI
 - 6.5.4. Name of owner, address, shares and owner's IMO identification number;
 - 6.5.5. Name of vessel's previous flag of registry;
 - 6.5.6. Vessel's previous name;
 - 6.5.7. Description of vessel such as type, name and country of builder, year of built, hull material, gross and net tonnage, deadweight, length, breadth and depth;
 - 6.5.8. Description of vessel's type of engine, total power, number of engines, engine make and model, and speed of vessel (knots);
 - 6.5.9. Port of registry;
 - 6.5.10. Vessel's operation company (manager);
 - 6.5.11. Vessel's trading area;
 - 6.5.12. Vessel's crew member's position and grading;
 - 6.5.13. Specification of the minimum safe manning requirement.
 - 6.5.14. Vessel's radio station particulars such as transmitter, make and type number and frequency.
 - 6.5.15. Date of issuance and expiration of the certificate.
- 6.6. Port of arrival and port of departure shall be specified on the Single Delivery Voyage certificate in addition to the information specified in Section 6.5 of this Regulation.

- 6.7. Name, address and IMO Identification number of charterer shall be specified on the Bareboat Charter registration certificate in addition to the information specified in Section 6.5 of this Regulation.
- 6.8. Upon the request of the ship owners, ship managers, ship registration agents and the representatives of the vessel, recognized organization, or the port state control, the Administration may issue exemption certificates to the vessel based on the condition that the vessel will not adversely affect the safety and security of the vessel or jeopardize the health and well-being of the crew members.
- 6.9. In the event of damage or loss of the original certificates, registration certificates and other supporting certificates may be reissued with charge.
- 6.10. It is mandatory for the Master of the vessel to possess and maintain the original and/or electronic certificate of the Certificate of Registry, Certificate of Endorsement, and Statutory Certificates issued by the Recognized Organization on board the vessel at all times.

SEVEN. DELETION AND CANCELLATION OF SHIP REGISTRATION

- 7.1. A vessel registered in the ship registration shall be deleted under the following cases:
 - 7.1.1. Expiration of ship registration certificate;
 - 7.1.2. The vessel has undergone the process of reflagging and is registered under a different flag of registry;
 - 7.1.3. The ship owner has made the decision to sell the vessel;
 - 7.1.4. The vessel has reached its expiration date or is no longer deemed serviceable;
 - 7.1.5. The vessel has capsized or sank due to an accident or force majeure;
- 7.2. A Deletion certificate shall be issued under the following condition;
 - 7.2.1. The mortgage has been duly discharged, and it has been duly recorded in the register that the mortgage has been discharged;
 - 7.2.2. There shall be no outstanding liabilities pertaining to the registration of the vessel;
 - 7.2.3. There shall be no complaints or claims relating to the labor rights of the ship's crew members;
 - 7.2.4. In the event that the vessel has been detained during a Port State Control inspection, all deficiencies must be rectified;
- 7.3. A vessel's registration will be cancelled from registration under the following condition;
 - 7.3.1. The vessel has been detained more than twice during a Port State Control inspection;
 - 7.3.2. The vessel has violated sanctions imposed by the United Nations (UN), international authorities, and local governing bodies;
 - 7.3.3. The vessel has transported prohibited cargo or related activities;
 - 7.3.4. The vessel has switched off the AIS transponder and/or LRIT without valid reason or explanation for prolonged period;
 - 7.3.5. The vessel has conducted fishing or related activities;
 - 7.3.6. The vessel has fabricated the ship registration and other certificates;
 - 7.3.7. If the Administration identifies a situation related to a ship registered in the ship registry of Mongolia that could potentially harm the reputation and national interests of the flag.
- 7.4. In the event that a vessel registered in the ship registry of Mongolia has engaged in the activities specified in Section 7.3 of this Regulation, the registration shall be cancelled, irrespective of any International law. Furthermore, the International Maritime Organization and relevant authorities shall be duly informed.
- 7.5. No compensation shall be provided in the event of registration cancellation.

EIGHT. ENDORSEMENT OF CERTIFICATES OF COMPETENCY OF CREW MEMBERS

- 8.1. Crew members of Mongolian-registered vessels must possess valid certification as specified in the Article 6 of the "International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)" and a Certificate of Competency as specified in Section 18.1.1 of the Maritime Law of Mongolia.
- 8.2. The approved application form from the Administration must be completed accurately and submitted with the following documents in order to apply for a Certificate of Endorsement;
 - 8.2.1. Certificate of Competency and other relevant Certificate of Proficiency;
 - 8.2.2. Medical Certificates;
 - 8.2.3. Copy of identification card and/or passport;
- 8.3. The Certificate of Endorsement will be issued in provisional term and full term.
- 8.4. The Provisional Certificate of Endorsement shall have validity of 3 months.
- 8.5. During the Provisional Certificate of Endorsement period, the Administration shall verify the authenticity of the certificates and documents with the issuing authority.
- 8.6. Upon verifying the authenticity of the certificates and documents with the issuing authority, the full-term Certificate of Endorsement shall be issued for the same validity period of the Certificate of Competency.
- 8.7. If the Certificate of Endorsement expires, it shall be renewed upon the request of the ship owner.
- 8.8. Certificate of Endorsement shall be invalidated under the following circumstances;
 - 8.8.1. The vessel has been deleted or cancelled from registration;
 - 8.8.2. The crew member is employed on another vessel with different flag of registry.

NINE. SHIP REGISTRATION SERVICE FEES

- 9.1. Fees for ship registration services shall be paid in accordance with the invoice issued by the Administration.
- 9.2. In the event of registering a vessel through an agent, the terms and conditions for payment of registration service fees and fleet rebate shall be specified in the agency agreement concluded with the Administration.

TEN. MISCELLANEOUS

- 10.1. If the individual or legal entity who violates this Regulation is not subject to the Criminal Code of Mongolia, the Law of Infringement shall be enforced.