

# Belize

Belize is a scenically beautiful, independent country located on the Caribbean seaboard of Central America. It has an area of approximately 9,000 square miles; 174 miles at its longest point and 68 miles at its widest point. Belize is an easy 2hour flight from the USA, and offers several daily flights to and from Miami, Houston, Los Angeles, and New Orleans. In addition there are regular flights from Honduras, Guatemala, Mexico and San Salvador. The total population is estimated at 200,000. Belmopan is the administrative capital. Belize City with a population of 60,000 is the major commercial. Belize's population is ethnically diverse including descendants of the original Mayan culture and various admixtures of Caribbean people, Caucasian, Chinese and East Indians. The primary language spoken is English. The climate is sub-tropical with an average temperature of 80°F.

The law of Belize is derived from English common law, supplemented by local legislation. The court system is also similar to that in England, and contract and commercial is based on the English law model.

English is the official and spoken language, but with many also speaking Spanish. Belize has a literacy factor of over 90%.

## *Incentives*

- No restrictions as to who can apply for registration;
- The maritime Law is derived from the English common Law system supplemented by local legislation. There is also a pool of legal professionals devoted to the expeditious processing of most maritime related affairs;
- No restrictions on the class, type, or size of vessel that can be registered;
- There is an extensive network of overseas deputy registrars to facilitate registration of vessels. Applications may be submitted by fax allowing for same day registration;
- No requirement to have a local crew;
- Belize is known for its high standard of safety and is signatory to numerous maritime safety conventions including: Safety of Life at Sea (SOLAS), Tonnage Measurement of Ships, International Convention on Load Lines, Civil Liability for Oil Pollution Damage, and International Regulations for Preventing Collisions at Sea;
- Vessels registered with IMMARBE are exempt from all forms of local income tax and stamp duties.

## *Eligibility for Registration*

There are no requirements concerning local ownership or participation in ownership, in order to apply for registration of a vessel in Belize. The Registry is open to any type, class, or size of vessel used for navigation that is engaged in any lawful trade, service or international maritime activity. However, vessels of 25 years old or more are subject to any of the following conditions at the discretion of the Administration:

- To submit a valid class certificate to the satisfaction of IMMARBE's Head Office, undertaking to maintain said class during the vessel's registration in Belize; or
- To pass a special safety inspection to the satisfaction of IMMARBE.

All vessels to which the ISM Code, ISPS code and the GMDSS regulations are applicable must submit proof of compliance to these regulations (DOC/SMC/ ISSC/ CSR and Cargo Ship Safety Radio Certificate or Record of Equipment) in order to be accepted for enrolment or for renewal of documents. In the case of new enrolments the existing and valid proof of compliance from the former registry is accepted on temporarily basis but the interested party will be given a reasonable period of time to obtain the corresponding certificate issued by any of the Recognized Organizations authorized by IMMARBE.

## ***Provisional Registration***

The registration of a vessel under provisional basis is effected for six months and may be requested to any IMMARBE's Designated Offices worldwide, for which purpose the following is required:

- Name's availability (name can be reserved in advance);;
- Application forms for Provisional License of Navigation, Ship Station License and Minimum Safe Manning;
- Notarised Power of attorney granted by the vessel's owner to the person who is entitled to apply for registration and represent the vessel at IMMARBE; ;
- Notarised Bill of Sale or Builder's Certificate for new buildings;
- Deletion Certificate from previous registry or time frame as when this will be issued;
- ISM Declaration forms and copy of previous DOC and SMC for vessels >500GRT;
- ISPS application for vessels > 500GRT;
- Copies of statutory certificates and class issued by previous flag administration;
- Copy of ISSC and CSR from previous flag administration for vessels >500GRT;
- Confirmation from Radio Accounting Authority;
- Confirmation from owning company as to who will issue statutory certificates on behalf of Belize administration;
- Letter of undertaking from the ship owner confirming that the applications for crew endorsements will be submitted immediately for processing;

For vessels of 7501 GRT and above the following is applicable:

- All applicants must confirm that they have Third Party Liability Insurance Cover e.g. P&I cover;
- Only vessels classed with IACS may be accepted ;
- Certificate of Deletion from previous Registry or permission to transfer or delete or other proof of consent to transfer Registry from current Registry is required;

## ***Permanent Registration***

Full term registration can be processed immediately if all necessary documents and requirements are readily at hand. Otherwise, it can be effected during or at the end of the provisional status once the documents are filed at IMMARBE and provided that the vessel is tax clear with the Administration. Where documents are in a language other than English an official translation shall accompany.

For the purpose of permanent registration the following requirements must be accomplished:

- Original notarised Builder's certificate, if it is a newly built vessel;;
- Original notarised Bill of Sale. Both buyers and sellers should sign this documents;
- Judicial sale Instrument or Resolution.
- Original Deletion certificate from previous registry;
- Original notarised Power of Attorney on behalf of Mansoc Shipping Services;
- Original application forms (registration, radio license and minimum safe manning);
- Statutory Certificates issued on behalf of Belize administration;
- DOC/SMC issued on behalf of Belize administration for vessels >500 GRT;
- ISSC issued on behalf of Belize administration for vessels >500 GRT;

Documents are considered duly notarised only in the following manner:

- A public notary or any other recognized and authorized public official vested with such a power must insert a written statement in the document certifying the authenticity of the signature(s) appearing on the document as well as the authority of the person(s) executing the document.

Copy of a document is considered a duly certified true copy of its originals in the following case:

- A notary or any other recognized and authorized public official vested with such a power must insert in the document a statement indicating that based on the original document to him submitted he attests that he has collated the document and it corresponds to the original in all its parts.
- IMMARBE's Deputy Registrars are vested by the Merchant Ships Act with authorization to notarise documents and to perform as certifying officials for all IMMARBE's purposes.

## ***Registration of Yachts and Non-Commercial Crafts***

A simplified procedure for the registration of pleasure vessels and yachts as well as other non-commercial crafts provides for the enrollment under permanent status for two years and a special registration cost.

## ***Vessels Under Construction***

Vessels still under construction may be registered at IMMARBE following same procedure for general registration, but in such instances charges other than the registration fee are levied until the vessel is ready to sail. Mortgages and liens can also be recorded upon vessels under construction already registered. Documents produced for this type of registration will have the indication that are not valid for navigation and will be replaced for regular ones as soon as the construction is finished and the vessel complies with all necessary requirements for a safe navigation.

## ***Special Registration***

- IMMARBE accepts vessels to be registered on short term basis under special circumstances and for special purposes, such as one delivery voyage or the final voyage for scrapping purposes. In the case of special registration due to the final voyage a copy of the agreement with the scrap yard shall be submitted at the moment of applying for enrolment.

- Procedures for this special registration allows for documents to be issued with a validity of three months which automatically expires when this period elapses.
- The status granted by this special procedure does not entitle the vessel to obtain a deletion certificate in general terms and except in the case of final voyage when the scrap yard requires a certification attesting that the vessel has been cancelled from the registry.

## ***Dual Registration***

- Dual Registration or Bareboat Charter Registration is an internationally accepted procedure whereby a vessel can legally obtain, on exceptional basis, a second flag for a limited period of time without losing its status at the original country of registration. This dual status is based on a Charter agreement under which the vessel is being operated by a person or company which is not the accredited or registered owner.
- While mortgages against the vessel on dual registration shall be recorded in the original registry, most of the countries accepting this procedure, require on the other hand, that during the time of dual registration vessels comply with the safety regulations of the second flag being the one under which the actual trade and navigation is effected. When the dual status expires the vessel returns automatically to its original flag and the safety requirements of said registry are to be accomplished.

## ***Charter out***

- Vessels registered at IMMARBE may obtain a second temporary registration in a foreign registry without affecting their status in Belize.
- For the purpose of registering in a second country the applicant shall submit a formal application and provide copy with full details of the Charter Party Agreement. If satisfied that all formalities have been accomplished, IMMARBE's Head Office may issue a written approval for the vessel's dual registration for a period of up to two years in the first instance.
- During the period of the dual registration the vessel shall maintain its status updated and shall continue paying all relevant annual fees and dues to IMMARBE. The ownership title or any mortgage deed thereon shall be recorded at IMMARBE.

## ***Charter in***

- Foreign vessels may also be registered at IMMARBE under the terms of a charter party contract.
- Designated Offices, upon approval from the Head Office and payment of the relevant charges, can issue a special navigation and radio license valid for up to two years, which can be renewed for same period provided that the Charter agreement remains in effect.
- On each case of dual registration, an authenticated copy of the Charter Party Contract and written consent for dual registration from the original flag shall be submitted by the applicant to IMMARBE.
- During the period of second registration in Belize no title deed, mortgage or documents thereto may be registered at IMMARBE. Such documents must be registered at the place of original registration.
- For foreign vessels registered at IMMARBE under the terms of a charter party contract, in addition to the regular registration the fees for enrolment and annual taxes, there is one-off dual registration charge applicable.

## ***Seafarer Documents***

There are no training facilities for seafarers in Belize and IMMARBE has no examination

program for the issuance of certificates of competence for which reason, only endorsement certificates are granted to seafarers working on Belize flag vessels.

The procedure for issuance of seafarers' documents by IMMARBE is presently based on equivalence, requiring evidence that the applicant is in possession of an appropriate, recognized and valid certificate from any other country. The endorsement certificate is to be produced for the same category and limitations of the supporting license submitted and no upgrade can be obtained. Also seamen identification books are issued to ratings on voluntary basis.

As a result of the ratification of the STCW Convention by Belize on January 1997, and further implementation of the requirements of STCW, 1995, IMMARBE is committed to adjust procedures in order to ensure compliance of the requirements of the convention and its amendments and enter the list of countries whose certification procedures are approved by the International Maritime Organization.

## ***Company Formation***

- Company Law: International Business governed by the International Business Companies
- Taxation: For IBC's no local taxation.
- Method of incorporation: By filling memorandum and articles of association.
- Time to incorporate: Approximately one hour.
- Who may incorporate: Personal or Corporate. Nominee shareholding is also permissible
- Articles: Can be adapted to the needs of the company
- Capital requirements: No minimum paid up capital requirements. IBC's may issue bearer
- Directors and Secretary: IBC's must have minimum of one director, who may be an
- Membership: Can be individuals or corporations. IBC's may have only one member.
- Registered Office/Registered Agent: IBC's must have a registered office and registered
- Filing Requirements: For IBC's no filling of shareholders, directors' details, no audit and
- Meeting: For IBC's no members meetings are required. Directors may meet when preferred
- Migration: IBC's may migrate into and out of Belize
- Exchange Control: For IBC's no.

## ***Authorised Classification Societies***

Authorization has been granted by IMMARBE to the following companies:

- China Classification Society (CCS), People's Republic of China
- China Corporation Register of Shipping (CR), Taiwan
- Class NK, formerly Nippon Kaiji Kyokai (NK), Japan
- Cyprus Bureau of Shipping (CBS), Cyprus
- Det Norske Veritas (DNV), Norway
- Germanischer Lloyd (GL), Germany
- Hellenic Register of Shipping (HRS), Greece
- Inspection y Clasificación Marítima (INCL), Cyprus
- Isthmus Bureau of Shipping (IBS), Panama
- Korean Register of Shipping (KRS), Korea
- Lloyd's Register of Shipping (LRS), U.K.
- Maritime Technical System & Services, Ltd. (MTSS), formerly R. J. Del Pan Co. Ltd. (RJDP), Philippines
- Panama Bureau of Shipping (PBS), Panama
- Panama Maritime Documentation Services (PMDS), Panama
- Panama Shipping Registrar, Inc. (PSR), Panama
- Polski Rejester Statkow (PRS), Poland
- RCB Sociedad Clasificadora (RCB), formerly Registro Cubano de Buques Cuba
- Registro Italiano Navale (RINA), Italy
- Registro Internacional Naval S.A. (RINAVE), Portugal
- Russian Maritime Register of Shipping (RS), Russia

## ***Fishing Vessels***

For the registration of fishing vessels, the application will require data as to the specific intended area of fishing, the specification of the particular type and means of fishing as well as the species targeted. Fishing vessels discharging their catch at European ports are required to pass a special sanitary inspection in compliance with the relevant EU directives. Fishing vessels are subject to the regional and international regulations applicable in the area of fishing that are implemented by regional organizations such as ICCAT, bilateral or multilateral agreements for the protection of certain areas or endangered marine species. A fishing license is applied for upon provisional registration and it is renewable annually.