



VIII CONSTITUTIONAL GOVERNMENT

Decree-Law No..... /2022

of September

National Registry of Ships and Vessels Timor-Leste

The United Nations Convention on the Law of the Sea (UNCLOS), of 10 December 1982, establishes a legal order applicable to the seas and oceans and establishes the principles governing flag States, nationality and ship registration.

According to UNCLOS, in particular Article 91, States must establish the necessary requirements for the attribution of their nationality to ships, for the registration of ships in their territory and for the right to fly their flag, whereby ships possess the nationality of the State whose flag they are entitled to fly and there must be a substantial link between the two. It is therefore, the responsibility of the Ministry of Transport and Communications, as a Government department and an organ of the State of Timor-Leste, to implement the necessary norms for this purpose.

The present diploma aims at regulating illegal, unregulated and uncontrolled ships, also defined in English as "IUU" or "Illegal, Unregulated & Uncontrolled" and thus, according to the definition of the status of ships laid down in Article 92.1 of UNCLOS, ships should sail under the flag of only one State and, except in exceptional cases expressly foreseen in international treaties or in the referred Convention, should submit themselves, on the high seas, to the exclusive jurisdiction of that State. Thus, during a voyage or in a port of call, a ship cannot change flag except in the case of an actual transfer of ownership or change of registry.

Paragraph 2 of the same article also prescribes that a ship sailing under the flags of two or more States and using them at its own convenience cannot claim any of those nationalities from a third State and may be regarded as a ship without nationality.

In accordance with the statute contained in article 94(a) of UNCLOS, the State of Timor-Leste shall maintain a register of ships which shall contain the names and characteristics of the ships flying its flag, with the exception of those ships which, due to their small size, are excluded from generally accepted international regulations.

In turn, under the terms of subparagraph f) of paragraph 1 of Article 15 of the Organic Law of the Ministry of Transport and Communications, approved by Decree-Law No. 6/2019 of 3 April, it is incumbent upon the National Directorate of Maritime Transport to ensure, in collaboration with other competent public services and entities, a National and International Registry of ships and other vessels.

Therefore, taking into account the need to legislate in the sense described above, it is imperative to create this instrument, in order to make possible the registration of ships and other vessels, granting them the privilege of flying the National flag of Timor-Leste.

It is also of interest to note that the State's control over the ships and other vessels flying the flag of Timor-Leste allows it to adopt the policies it deems most appropriate for the economic growth fostered by the development of the country's maritime capacities.

Considering the pressing need to promote Maritime Transportation in Timor-Leste and, simultaneously, guarantee the safety and welfare of the population, since the imposition of the registry implies that all ships and other vessels that navigate in the country outside the safety norms and sometimes without seaworthiness conditions, are now subject to the indispensable surveys to certify their safety, according to international standards;

Considering the adhesion of Timor-Leste to the International Maritime Organization (IMO/IMO), with the ratification of the respective Convention, under the terms of the National Parliament Resolution no. 10/2004, of the 9th December

Considering the accession of Timor-Leste to the United Nations Convention on the Law of the Sea (UNCLOS), under the terms of National Parliament Resolution No. 17/2012, of 17 December

Considering the provisions of Articles 91, 92 and 94 of the United Nations Convention on the Law of the Sea (UNCLOS);

Considering also the strategic national interest in sedimentary national independence and sovereignty in the nationality of ships and other vessels in the sea of Timor-Leste;

The Government hereby decrees the following, under the terms of Article 115 (1) (e) and Article 116 (d) of the Constitution of the Republic, to be valid as law:

CHAPTER I

GENERAL PROVISIONS

Article 1

Object

1. The present statute creates the Timor-Leste National Ship Registry and establishes the norms applicable to it.
2. National ships and other national vessels shall be compulsorily subject to registration of ownership, abbreviated to registration, so that they may fly the Timorese flag, as an indication of their nationality, and navigate under the jurisdiction of Timor-Leste.
3. The purpose of registering ships and other vessels is to ascertain whether they meet the requirements of a technical nature and the safety conditions necessary for their navigability and protection of the marine environment, taking into account their typology.

Article 2

Definitions

For the purposes of the present diploma:

- a) "Vessel" means any device that moves on water, with or without its own propulsion, including those that can only navigate by means of tugs;
- b) "Recreational craft" is any craft used for non-commercial purposes, being used solely for the practice of water sports, whether competitive or not, sport fishing or for leisure;
- c) "fishing vessel" means any vessel equipped and used commercially for catching fish or other living resources of the sea
- d) "Merchant vessel or trading ship" means any self-propelled vessel engaged in maritime navigation, intended for the transportation of passengers or goods;
- e) "Bareboat charter ship or ship", (bareboat charter), shall mean any ship or ship whose possession, use and control, as well as the right to appoint the captain and the crew, belongs to the charterer, for a fixed term, by virtue of a charter contract, being the respective registration effected under the terms of Chapter IV of the present diploma;
- f) "Recognized Organization" is any organization or classification society that, in accordance with the Timorese law, is considered to be qualified to, on behalf of the government entity responsible for the area of maritime transport, carry out official inspections to ships and surveys related with official services, issue seaworthiness certificates and other necessary documents, in accordance with the legislation in force;
- g) "Acquisition" means the incorporation, by an act between living persons or mortis causa, in the estate of a natural or legal person, of all or part of a vessel already built or under construction;
- h) "construction": the building of a craft;
- i) "Modification": any activity designed to rebuild a craft or to alter its main characteristics;
- j) "certificate of construction": the certificate signed by the builder of a vessel, containing of:
 - i) a true account of the appropriate name and tonnage, calculated by the builder

- ii) ii) the name of the person for whom it was built or to whom it was delivered;
- iii) the date and place of construction.

k). "GRT", gross registered tonnage, represents the total internal volume of a ship, expressed in tonnage (100 cubic feet = 2.83 m³).

Article 3

Scope

The present diploma applies to the registration of all ships and vessels, with the exception of the following:

- a) Those owned by the State of Timor-Leste used by the Defence or Security Forces;
- b) Lifeboats and rescue boats on board ships, provided that they are used for such purposes;
- c) All beach boats without engine or sails, such as dinghies, chariots, pneumatic boats and pedal boats, which are used up to 300 meters from the low tide line;
- d) Small craft made of wood, not self-propelled and less than 3.5 metres in length, which are used up to 1 mile in sea navigation.

Article 4

Facts subject to registration

The following shall be subject to registration, under the terms to be established in specific legislation, when related to ships and vessels:

- a) Legal facts leading to the recognition, acquisition or division of the right of ownership;
- b) Legal facts leading to the recognition, constitution, acquisition, modification or extinction of the right of usufruct;
- c) Construction or major repair contracts

- d) Mortgages, their modification or extinction, as well as the assignment of the mortgage or of the priority of the respective registration;
- e) The pledge of mortgages;
- f) The attachment, seizure and foreclosure of ships or mortgage credits, as well as any acts or measures affecting their free disposal
- g) Assignment of, and subrogation to, mortgage credits
- h) Actions and judicial decisions whose primary or ancillary purpose is to declare, have recognised, constitute, modify or extinguish any of the rights referred to in the preceding paragraphs, or the reformation, declaration of nullity or annulment of a registration or its cancellation.

Article 5

Typology

1. Vessels and ships, in accordance with the activities for which they are intended, shall be classified as:
 - a) Commercial
 - b) Fishing
 - c) Pleasure craft;
 - d) Tugboats
 - e) Auxiliary boats.
2. Without prejudice to other restrictions laid down in regulations, ships and vessels shall be classified, as regards their navigation area, as follows:
 - a) "Port", they may navigate up to 3 nautical miles from a home port;
 - b) "Local", they may sail up to 12 nautical miles from the coast;
 - c) "Coastal", you can navigate up to 24 nautical miles from the coast;
 - d) "Wide", can navigate up to 200 nautical miles from the coast
 - e) "High Seas", they may navigate without area limit.

Article 6

Competence for Registration

The National Directorate of Maritime Transport is responsible for the registration of ships and other vessels and shall ensure the application of the provisions of this statute as well as organize, manage, develop and maintain the national register of ships and vessels, acting in coordination with other governmental entities competent in the matter.

Article 7

Register

1. The register shall be organised through the use of computerised means and log books, and shall contain the following division:
 - a) Part A: intended for trading ships;
 - b) Part B: for all other vessels.
2. The documents containing facts subject to registration shall be filed electronically and in physical support in the registration section of the National Directorate of Maritime Transport.
3. The data to be entered in the register must comply with the requirements of Annex I, which is published as an annex to this decree-law and forms an integral part thereof.

Article 8

Nationality of Owners

1. Owners of vessels or ships registered under the terms of this statute may be of any nationality.
2. The registration of ships belonging to non-Timorese individuals or legal entities implies that the respective owner has, on the date of registration, a valid residence permit or representation in Timor-Leste.

Article 9

Port of Registry

1. Port of Registry is the port in whose maritime office the ownership of the ship or vessel is registered.
2. The Port of Registry for all ships and vessels of Timor-Leste is the Port of Entry into Timor-Leste.

CHAPTER II

REGISTRATION

Article 10

Provisional Registry

1. Ships and ships acquired or built abroad shall be provisionally registered, in summary terms to be established in a specific statute, at the Timorese consulate of the corresponding location, or at the National Directorate of Maritime Transport, after presentation there of the certificate of authorization from the Minister of Transport and Communications for the acquisition or construction, when necessary, and a provisional registration certificate shall be issued, in accordance with the model in Annex II of the present statute and which is an integral part of it.
2. Definitive registration shall be made at the competent maritime office of the National Directorate of Maritime Transport after the vessel arrives at the port of registration in Dili.

Article 11

Requirements and Terms of Reference of the First Definitive Registration

1. The first definitive registration shall be made by means of a record drawn up at the competent maritime office of the National Directorate of Maritime Transport, containing essentially the following elements, in accordance with Annex I:
 - a) Order number and date of its preparation;
 - b) Identification, according to the acquisition title, of the owner or, where appropriate, of the joint owners with individualization of the respective share;
 - c) Form of acquisition;

- d) The registration number and name, if any, of the vessel, its type, place and date of construction, its tonnage and signal dimensions, visual and radiotelegraphic (call sign) markings that have been officially allocated to it, its propulsion system and, in the case of sailing boats, the designation of the respective equipment;
 - e) Date of the registration survey.
2. The definitive registration shall be made upon request signed by the owner of the vessel or ship or by its legal or voluntary representative, stating the name, place and date of construction and the vessel's propulsion system or appliance, the activity for which it is intended and accompanied by:
- a) Document proving the Timorese nationality of the applicant or, in the case of foreigners, a valid residence permit, the registration, in Timor-Leste, of a company or any type of representation of the company legally admissible;
 - b) Construction certificate, for new boats;
 - c) Original acquisition title, or its certificate or public form;
 - d) Document proving the number and date of the license granted by the government entity responsible for maritime transport for the construction;
 - e) Tonnage certificate;
 - f) Document proving the call sign referred to in subparagraph d) of the previous number;
 - g) Certificate of the end of the registration survey;
 - h) Certificate of the duly updated articles of association, and of its commercial registration, when the applicant is a commercial company;
 - i) Document proving payment of duties and other customs expenses inherent to importation, in the case of imported or arrested boats
 - j) Ownership title, when applicable;
 - k) Certificate of cancellation issued by the previous Register, when applicable, or certificate proving the request to resign the Flag, being only the registration in the National Register allowed, when proving the authorization for the resignation of the Flag and the cancellation of the previous register;
 - l) Certificate of registration proving that the ship is free of liens and encumbrances, when applicable;

3. The National Directorate for Sea Transport shall carry out the necessary surveys to the ships to be registered, issuing, after inspection, all the certificates required by the legislation in force, namely those intended to certify the safety and security conditions of the ships and vessels, and may, if necessary, resort to Recognised Organisations or experts appointed by them.
4. The signature on the application should be notarized, except when the application is presented by the applicant himself/herself and he/she identifies him/herself by means of an official personal identification document, which shall be certified upon presentation.
5. The acquisition, by legal transaction, of a vessel with a value greater than USD \$50,000.00 (fifty thousand US dollars) can only be registered against a certificate of the respective public deed; in the case of a lower value, a document authenticated under the terms of the civil law, proving the acquisition, may serve as the basis for the registration.
6. Documents issued in a foreign country, which are not written in one of the official languages of Timor-Leste, shall be admitted under the terms prescribed by the civil law, and the interested party shall present a translation thereof under the same terms, whenever necessary.
7. The documents that serve as the basis for registration shall be filed at the maritime division in the National Directorate of Maritime Transport.
8. Once the formalities foreseen in the present article have been complied with, the National Directorate of Maritime Transport shall issue a Certificate of Definitive Registration, in accordance with the models established in Annex III to V, which are published as an annex to the present statute and are an integral part of it.

Article 12

Certificate of Registration

1. The title deed is the certificate of registration of ownership of the vessel or ship.
2. The registration certificate shall be issued in the following cases:
 - a) provisional registration, pursuant to Article 10;
 - b) First definitive registration;

- c) Retirement from registration.
- 3. In cases of registration changes by simple endorsement, such changes shall also be endorsed to the registration certificate.
- 4. The following information shall be entered on the registration certificate:
 - a) Name of the vessel;
 - b) Registration number
 - c) Tonnage and signal dimensions
 - d) Visual and radiotelegraphic (call sign) markings, if the vessel has one
 - e) Classification under the terms of the legislation in force
 - f) Propulsion system, duly identified, and, in the case of sailing boats, name of the respective apparatus
 - g) Name of the owner or owners.
- 5. The official models for the registration certificate shall be those contained in Annexes II, III, IV and V.
- 6. The Certificate of Registration shall be carried on board the ship.
- 7. In the event of loss or destruction of the ownership certificate, a duplicate shall be issued, with reservations, at the request of the owner, who shall sign a statement of responsibility is the Director of the National Directorate of Maritime Transport.
- 8. Certificates, public-forms or photocopies of the ownership title may only be extracted for purposes permitted by law, and it must be stipulated that they are only valid for the purposes for which they are intended.
- 9. The Certificate of Registry shall be returned to the National Directorate of Maritime Transport in any case of cancellation of registration provided for in the present statute.

Article 13

Refusal of Registration

- 1. Without prejudice to the provisions of the previous article, the National Directorate of Maritime Transport may refuse registration of a ship or vessel in the register whenever:

- a) By its characteristics, it deems it detrimental to the interests of the country, namely because it is a nuclear propulsion vessel or a vessel transporting noxious or dangerous cargoes;
 - b) Due to its type, tonnage or activity, it does not have the technical capacity to guarantee its safety;
 - c) The on-board documents it possesses or the results of an inspection raise doubts as to its safety, namely with regard to its stability and state of repair and the respective means of preventing pollution;
 - d) There is a risk for the safety, health and well-being of the people on board;
 - e) Due to its characteristics, it is not adequate for the exercise of the intended activity.
2. The refusal of registration shall be notified to the applicant and duly justified.

Article 14

Registration of State Vessels and Ships

The registration of ships and boats of the State shall be subject to the provisions of this statute; however, the initial application shall be substituted by a letter, authenticated with the respective white seal, from the service to which the boat belongs, requesting registration and containing the same information.

Article 15

Cancellation of Registration

1. The National Directorate of Maritime Transport may cancel an illegitimate application for registration and refer the application to the two categories called registration reform and or registration cancellation.
2. For the purposes of this decree-law it is considered as follows:
 - a) "registration reform" is the replacement of a vessel or ship's registration by another;
 - b) "Removal from the register" is the deletion of a ship's or vessel's registration.

3. Modification of a registration by means of an endorsement shall constitute simple alteration of the registration.
4. The National Maritime Transport Board may also deregister a ship on the grounds of the following circumstances vessel, due to the following circumstances:
 - a) At the request of the owner, with an indication of the reason;
 - b) If the ship or vessel no longer meets the necessary requirements or fails to fulfil obligations inherent to the registration, namely if it is being used for a purpose other than that stated in the registration;
 - c) If the state of maintenance or seaworthiness of the ship or vessel, or of its equipment, contains dangerous risks for the marine environment or for the safety of the ship, crew and passengers;
 - d) Where the National Directorate for Maritime Transport obtains information that a registered fishing vessel is no longer licensed by the competent authority for a period exceeding six (6) months;
 - e) Where the owner of the vessel or ship fails to respond to any notice of an administrative offence within a period of three (3) months;
 - f) (f) in the event of a transfer of ownership without the new owner proceeding with the respective registration.
5. Cancellation of registration under the terms of this article shall be notified immediately to the owner and to all mortgage creditors.
6. Upon receiving the cancellation notice, the owner must immediately deliver the Certificate of Registration to the National Directorate of Maritime Transportation.

Article 16

Reform and Amendment of Registration

1. The registration of a ship or vessel shall be reformed whenever there is: a) Transfer of ownership, either wholly or in part:

- a) Modification;
 - b) Change of type.
2. Registration may be simply altered by means of an endorsement in all other cases not involving deregistration.
 3. In the case of paragraph 1(a), the reform of registration is not prevented by the fact that there have been successive owners between the registrant and the applicant without such transfers having been registered, provided that the validity of all transfers is documented.
 4. Reform of registration shall give rise to the issue of a new Certificate of Registration, under the terms of paragraph 8 of Article 11.

Article 17

Terms of Registry Reform

1. A new registration shall be carried out under the terms of Article 11, paragraph 1, upon application signed by the vessel's owner or by his legal or voluntary representative, stating the previous registration, the reasons for the application and the elements referred to in paragraph 2 of the same article and accompanied by:
 - a) Documents referred to in Article 11(2)(a), (f) and (g);
 - b) Document proving the transfer of ownership, if there is one;
 - c) Ownership title according to the last registration of the vessel;
 - d) Certificate of the deed of inheritance or the partition map and the respective homologating judgement, in the event of transfer by inheritance.
2. The provisions of Article 11(4) to (6) shall apply.
3. The documents forming the basis for the new registration shall be filed at the maritime office together with those relating to the previous registration which remain valid.

Article 18

Amendment by simple endorsement

1. Amendment by simple endorsement shall be made by means of a request identifying the registration to be amended and stating the reasons for the request, accompanied by supporting documents of the facts determining the amendment.
2. The provisions of paragraphs 4, 6, and 7 of Article 11 shall apply.

Article 19

Updating of Ship's Documents

Once the registration has been reformed or altered, the ship's documents that need to be replaced or simply altered by endorsement shall be presented to the maritime office and returned together with the Certificate of Registry; a new certificate shall be issued in the event of reform of registration or an endorsement made to the existing certificate in the event of a simple alteration.

Article 20

Abandonment of Registration

1. The de-registration of a vessel shall be effected by:
 - a) Demolition
 - b) dismantling
 - c) Loss by shipwreck;
 - d) Presumption of loss due to lack of news for more than two (2) years counting from the departure from the port where it is registered or from the last news;
 - e) Loss of nationality under the terms foreseen in the law;
 - f) In the case of foreigners, end of residence permit or closure of the company or legal representation.
2. If, in the case of point d) of the preceding paragraph, the vessel reappears, the National Directorate of Maritime Transport shall record the fact, after which it shall declare the scrapping ineffective and make the necessary endorsement in the register.
3. Unseaworthiness shall not in itself constitute cause for cancellation of the registration.
4. In case the vessel is outside the maritime jurisdiction of Timor-Leste, the Timorese consular authorities shall communicate within thirty (30) days to the National

Directorate of Maritime Transport the cases of conviction for unseaworthiness, scrapping, sinking and wrecking by sea or sale of any vessel within the area of the respective consular jurisdiction.

Article 21

Time limit for updating registers

Any of the steps referred to in this chapter for updating the registers shall be applied for within thirty (30) days of the occurrence of the fact which determines it.

CHAPTER III

IDENTIFICATION

Article 22

Attribution of the Registration Number

1. The registration number is the one assigned by the National Directorate of Maritime Transport in the registration record.
2. In all cases of cancellation of a registration, the registration number cancelled shall not be used again, on the vessel itself or on another vessel, except when cancellation is due to retirement and the vessel maintains the same type.

Article 23

Name

1. The applicant shall indicate the name to be given to the ship or vessel it intends to register and the National Directorate of Maritime Transport shall be responsible for its approval, under the terms of the following number.
2. In approving the names the following shall be taken into consideration:
 - a) avoid not only their repetition, but also irreverent;
 - b) avoid not only their repetition but also irreverent, ridiculous or ridiculing designations;

- c) Not to allow those which can only be distinguished from others existing by the addition of an ordinal or cardinal number, whether or not written out in full, except when they are part of the same series of ships or vessels, all belonging to the same owner, and all those having the same name must be distinguished by ordinal numbers;
 - d) Single-word names are preferred.
3. Alteration of the name of the ship or vessel shall be subject to prior written authorisation from the National Directorate for Sea Transport and the name may not be changed except in the event of reformation of the registration.

Article 24

Marking of vessels 1.

1. All ships and vessels, prior to their registration at maritime offices, shall be marked with the following inscriptions:
 - a) Registration number or International Maritime Organisation (IMO) number, where applicable;
 - b) Name;
 - c) Port of registration;
 - d) Draught scales;
 - e) Freeboard and load line markings.
2. Freeboard and load line marks shall be used and marked in accordance with the provisions of international conventions and national legislation in force.

Article 25

Marking of Entries

1. The inscriptions to be marked on ships and vessels shall comply with the following standards:
 - a) They shall be kept permanently and clearly legible;
 - b) They shall be painted in colours contrasting with the background on which they are written;

- c) letters and figures shall be not less than one centimetre in height and of a proportional width.
- 2. In addition to the standards referred to in the previous number, the draught scales shall also comply with the following:
 - a) They shall always be marked on the starboard and port sides, on the bow wheel and rudder stem, graduated in decimetres, the marking being made with even Arabic numerals of a height equal to one decimetre;
 - b) The numbers shall be stamped in the case of steel vessels and notched in the case of wooden vessels;
 - c) The lower part of each number corresponds to the immersion it indicates;
 - d) the zero of the scale shall correspond to the lower part of the keel assumed to be extended by a straight line;
 - e) where it is impossible or very difficult to mark the bow wheel or the rudder stock, it may be permitted to mark the scale on the side of the vessel as close as possible to these normal positions; in addition, on very long vessels, it may be required that a scale be marked halfway down the rudder;
 - f) where scales reach curved surfaces they shall be marked by carrying the corresponding graduation on a vertical ruler.
- 3. The National Directorate of Maritime Transport shall issue registration and marking notes containing the appropriate indications for the type of vessel to be marked.

Article 26

Sailing Vessels

Sailing vessels with a gross tonnage equal to or less than 20 GRT shall have their registration number marked on their sails.

Article 27

Registration Surveys

The owner must request an inspection by the government body responsible for transport, after the inscriptions have been marked, in order to ensure that the vessel has been marked

in accordance with the indications given by the government body responsible for maritime transport.

Article 28

Errors in Tonnage Measurement or Marking of Entries

If the government entity responsible for the area of maritime transport verifies that the measurement and tonnage data of the ship are not correct, or that the ship has not been marked in the required manner, it shall direct the owner so that he may make the necessary corrections, granting him a period of thirty days for that purpose.

CHAPTER IV

BAREBOAT CHARTER

Article 29

Register

1. Vessels or commercial ships taken on bareboat charter by national shipowners may, with the authorisation of the Minister responsible for maritime transport, be registered, on a temporary basis, under the terms of the present statute, in accordance with the principles and with the formalities set out in the previous chapters, provided that they do not contravene the provisions of this Chapter.
2. The authorisation referred to in the previous number shall determine the period of validity of the temporary registration, which shall not exceed four years, but may be extended, provided that it does not exceed the term laid down in the respective chartering contract.
3. The ship or bareboat charter vessel, registered under the terms of this statute, has the right to fly the Timorese flag as an indication of its nationality, and shall be subject to the jurisdiction of Timor-Leste, as Flag State, for the duration of the said charter.
4. Ships or vessels flying the Timorese flag under the terms of the provisions of this Chapter are subject to compliance with the same technical requirements that are demanded from national ships, and all provisions provided for in the previous Chapters, with the necessary

adaptations, are applicable to them, as well as the norms contained in complementary legislation, aimed at guaranteeing the safety and navigability conditions of ships and vessels.

5. The government entity responsible for the area of maritime transport must notify the former original flag state that it has registered the ship or ship chartered on bareboat, as well as when it cancels the respective registration.

Article 30

Requirements and terms of registration

1. Registration shall be effected upon application by the national shipowner to the government entity responsible for the area of maritime transport, upon request and accompanied by the following documents:\
 - a) Original or certified copy of the bareboat charter contract, duly translated into the official language;
 - b) A note describing the advantages and interest for the national economy and for the applicant with the registration and temporary flagging of the foreign ship in question;
 - c) Declaration from the owner authorizing the nationalization and registration of his or her ship in Timor-Leste;
 - d) Document, issued by the competent entity of the country where the ship is registered, authorizing the registration in Timor-Leste, under the terms of the present document;
 - e) Certificate of the ship's property registration, where the mortgages and other charges on the ship are registered, duly translated into the official language;
 - f) Copy of the ship's tonnage certificate;
 - g) Copy of the ship and its classification society safety certificates, duly valid;
 - h) Document proving the applicant's Timorese nationality and that he/she is a national shipowner.
2. Registration shall be executed in accordance with the terms laid down in Article 11, which shall apply with the necessary adaptations and in accordance with Appendix I.

3. The Government entity responsible for the area of transport may request the presentation of a research certificate if it deems necessary.
4. Once the registration has been effected, the governmental entity responsible for the area of maritime transport shall issue the corresponding certificate, in accordance with the form set out in Annex IV.
5. The title referred to in the previous number shall also contain the following:
 - a) Name of the owner and the place of registration of the ship abroad;
 - b) Name of the national charterer;
 - c) Period of validity, in accordance with the authorisation provided for in Article 29, no. 1 and with the duration of the chartering contract.
6. The provisions relating to the owner, as provided for in this statute, shall apply to the charterer, with the necessary adaptations.

Article 31

Ownership of ships or vessels

Registration under the terms of this Chapter does not confer ownership of the vessels on the applicants, nor shall it be presumed.

Article 32

Subchartering

Bareboat sub-chartering of ships registered under the terms of this decree-law is prohibited.

Article 33

Cancellation of Registration

1. Apart from the cases provided for in Article 15 of the present statute, the cancellation of registration shall be based on the termination of the chartering contract with call option.

2. Temporary registration shall be cancelled automatically upon expiry of the registration certificate, unless it has been extended.

CHAPTER V

RECREATIONAL CRAFT

Article 34

Registration

1. The application for registration shall be made by means of a simple request addressed to the government entity responsible for maritime transport, containing the following information:
 - a) Description of the vessel and its main characteristics;
 - b) Name of the ship;
 - c) Total length of the vessel;
 - d) Name and address of each of the vessel's owners.
2. The government entity responsible for maritime transport may request additional information and documentary evidence, if deemed necessary.
3. The provisions of Chapters II and III shall apply mutatis mutandis to recreational craft of more than 50 GRT.

Article 35

Registration Certificate

Following registration under the terms of the previous article and the provisions of this statute, applicable with the necessary adaptations, the government entity responsible for maritime transport shall issue a registration certificate, in accordance with the model in Annex V.

Article 36

Marking

1. After registration, the owner has a period of thirty days to mark the vessel with the letters "TL" and with the respective registration number and name, in a visible manner, on the external surface of the ship.
2. The marking described in the previous number must be maintained and renewed as necessary during the period the vessel is registered.

CHAPTER VI

SMALL-SCALE FISHING VESSELS

Article 37

Summary registration

Small-scale fishing vessels that are not self-propelled and are less than 3.5 metres in length, which are exempt from the obligation to register under the terms of Article 3 d) of this statute, must nevertheless comply with the provisions of the following sub-paragraphs.

- a) The owner shall register his vessel with the competent maritime office for registration of the government entity responsible for the area of maritime transport in order to obtain a registration number, assigned by a sequential system;
- b) The owner must declare in writing, under oath and in the presence of three witnesses, that he is the true owner of the vessel
- c) the owner must paint the registration number on the port and starboard sides in visible colours and in letters one decimetre long
- d) The owner must fit the vessel with the rescue equipment described in a Ministerial Order issued by the Minister responsible for maritime transport.

Article 38

Rates

1. The following fees are due for the registration of a ship

a. Fixed fee in the amount of \$1,800.00;

b. Variable fee:

Scale	Tax rate per bracket
Up to 250 NT	\$225 per NT
From 250 NTL to 2.500 NTL	0.90 per NT
From 2.500 TAL to 10.000 TAL	0,70 per NT
From 10.000 LAF to 20.000 LAF	0,50 per NT
From 20.000 LAF to 30.000 LAF	0,30 per NT
Over 30 000 tons above	0,10 per NT

Where: TAL = Net Tonnage

2. For the annual maintenance fee the following amounts are due:

a. Fixed fee in the amount of USD 1,400; b. Variable fee:

Scale	Tax rate per bracket
Up to 250 TAL	200 TAL
From 250 to 2.500 LAF	0.80 dollars per TAL
From 2.500 to 20.000 LAF	0.40 dollars per TAL
Over 20,000 NAV	0.25 dollars per TAL

Where: TAL = Net Tonnage

3. The rates to be applied to passenger ships, tugboats and other auxiliary vessels are those referred to in numbers 1 and 2, increased by 15% for number 1 and 30% for number 2, respectively.
4. Other fees shall apply to the issue, recognition or renewal of various documents, declarations and certificates, as well as to inspections on board vessels registered or to be registered.

CHAPTER VIII

SURVEILLANCE AND SYSTEM OF SANCTIONS

Article 39

Supervisory Entities

The government entity responsible for the area of maritime transport is competent for the inspection of the norms contained in the present diploma, without prejudice to the inspection competencies legally attributed to other entities.

Article 40

Administrative Offences

1. It is an administrative infraction punishable with a fine ranging from 25 (American dollars) to 500 (American dollars) not to have a valid property registration.
2. Should the offence be committed by a legal person, the minimum and maximum amount of the fine provided for in the preceding paragraph shall be increased to USD 500 (American dollars) and USD 20,000 (American dollars).

CHAPTER IX

FINAL PROVISIONS

Article 41

Applicable Law

1. All legal provisions relating to commercial registry that are not contrary to the nature of the latter and to the special provisions of this statute shall apply to the national registry of ships and vessels, with the necessary adaptations.
2. The regulatory norms of the government entity responsible for the area of maritime transport shall also apply to the registration of ships, under the same terms.

Article 42

Entry into Force

The present statute enters into force on the day following the date of its publication.

Approved by the Council of Ministers.

The Prime Minister,

Taur Matan Ruak

The Minister of Transport and Communications

José Agostinho da Silva

Promulgated on ____ of _____ of _____

To be published.

The President of the Republic,

Dr. José Ramos Horta

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