

AFFIDAVIT RE: NON-CARRIAGE OF PASSENGERS OR CARGO FOR FIRE, CHARTERING AND SALE OF YACHT OR INTEREST IN OWNING ENTITY

I,      , having been sworn, depose and say that I am       (Title/Position) of      , Owner or prospective owner of the yacht      , to be registered in the Commonwealth of Dominica under Official Number      ; and that such vessel is a pleasure yacht which complies with the requirements of a Private Yacht as defined by the Maritime Administrator; and further;

1. That said yacht will not be offered for any type of charter operation; or be engaged in trade for the transportation of merchandise or the carriage of passengers for reward, remuneration or gain (other than as a contribution to the actual cost of the yacht or its operation for the period of the voyage or excursion).
2. That the owner further understands that under paragraph a) the Registry permits a private yacht to be demise/bareboat, time, or voyage chartered out for up to 84 days in any one (1) calendar year to allow for the yacht owner to recoup some of their operating expenses. This chartering privilege exempts the yacht from having to be registered as a commercial yacht. However those who wish to charter their private yacht will be required to satisfy the following additional requirements:
   1. At the time of application for registry in the Commonwealth of Dominica, the owner will declare on the application form, CDVR-2001Y, the intent to avail the yacht of the 84 days of chartering per calendar year.
   2. All private yachts of 80 gross tons or greater, or 24 meters in length, and engaged in chartering, must apply for, and operate under, a Minimum Safe Manning Certificate, which requires crew members to hold a Commonwealth of Dominica Certificate of Competence or Commonwealth of Dominica endorsements on their national licenses for the position in which they are serving aboard the yacht. Additionally, all crew members must hold a valid Commonwealth of Dominica Seafarer’s Identification and Record Book, which requires the minimum STCW training.
   3. Demise/Bareboat Charter Party and/or the Yacht Service Agreement must have specific language clearly stating that a “competent master and crew will operate the yacht in accordance with the Commonwealth of Dominica Law and Regulations.”
   4. Proper P&I insurance coverage is in place for the period and scope of the charter.
3. That the owner understands that in the event of the sale of the yacht or the interest in the owning entity or individual, the purchaser will have no automatic right to re-register the yacht in their ownership or to continue the registration of the yacht under the Commonwealth of Dominica flag.
4. That the owner understands that if it is determined after registration of the yacht that this Declaration has been deliberately and fraudulently filed with the Deputy Maritime Administration, it will result in the immediate termination of the Private Yacht Certificate of Registry and the striking of the yacht from the registry.

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(Signature)

Subscribed and sworn before me on \_\_\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_ at

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Signature of Notary Public or

Dominica Authorized Agent

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| ACKNOWLEDGEMENT FROM MASTER  Master, [Yacht Name]  c/o [Company Name]  Dear Captain,  Please acknowledge receipt and understanding of this Declaration of Private Use by signing the below and promptly returning this document to the Office of the Deputy Maritime Administrator.  [Signatory]  [Signatory Title]  Receipt is herewith acknowledged:  Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature of Master: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |