

Republic of the Marshall Islands

**Marshall Islands Marine Resources Authority**

**PO BOX 860 MAJURO, MARSHALL ISLANDS 96960**

**MIMRA VESSEL HIRING POLICY**

**EXECUTIVE SUMMARY OF MIMRA VESSEL HIRING POLICY**

**Introduction:**

The Marshall Islands Marine Resources Authority (MIMRA) has established a comprehensive policy framework for the hiring of its vessels. This framework is designed to manage vessel hire requests from other Ministries and third parties efficiently and transparently. The policy encompasses guidelines on vessel use, fuel provision, payment procedures, crew remuneration, liability issues, and compensation protocols for MIMRA staff during the hire period. The primary objective is to ensure that the hiring process is fair, transparent, and efficient, aligning with MIMRA's interests and resources while supporting the maritime needs of other Ministries and external entities.

**Eligibility Criteria:**

The policy sets forth specific eligibility criteria for applicants, including the relevance of the vessel hire to the applicant's core functions or strategic objectives, project-specific justification, availability of qualified personnel, financial stability, compliance with safety and environmental regulations, sufficient insurance coverage, a positive track record of adherence to maritime regulations, and avoidance of conflicts of interest. These criteria are crucial to ensure responsible and effective use of MIMRA vessels.

**Purpose and Use:**

Applicants are required to clearly define the purpose and use of the vessel, which may include research, monitoring, enforcement, government-related activities and other private users from communities and businesses.

**Application Process:**

The process involves an initial inquiry, submission of a formal application and a detailed proposal, and a thorough review by MIMRA. The proposal must include the purpose of hire, duration, scope of use, compliance plan, and financial plan. Following the review, successful applicants will enter into a hire agreement with MIMRA.

**Review and Approval:**

The review and approval process is detailed and includes an initial check of the application, a detailed evaluation against set criteria, internal consultation, risk assessment, decision making, and documentation. This process ensures that each application is evaluated fairly and in alignment with MIMRA’s objectives.

**Periodic Review:**

The policy will undergo periodic reviews and updates to reflect changing needs and circumstances, ensuring the continued effectiveness and efficiency of the vessel hiring process.

**Attachments:**

The policy includes two key attachments:

- **Attachment A**: The MIMRA Vessel Hire Application Form, designed to collect all necessary information for a thorough assessment of the vessel hiring request.

- **Attachment B**: The MIMRA Vessel Hire Agreement, outlining the terms and conditions of the vessel hire.

This policy is a testament to MIMRA's commitment to facilitating necessary maritime activities in a manner that is responsible, effective, and consistent with both MIMRA’s and the hiring entities' strategic goals.

**1. INTRODUCTION**

This policy framework for hiring MIMRA Vessels by other Ministries and third parties aims to establish a comprehensive system for managing vessel hire requests. It includes guidelines for vessel use, fuel provision, payment procedures for hiring, and addressing crew remuneration during the hire period. The policy also considers liability issues arising from vessel hire and outlines compensation protocols for MIMRA staff involved. This structured approach ensures a transparent, fair, and efficient process for considering and managing applications for vessel hire, safeguarding MIMRA's interests and resources while facilitating necessary maritime activities for other Ministries and external entities.

**2. ELIGIBILITY CRITERIA:**

In considering applications for hire, MIMRA will consider the following eligibility criteria

1. **Core Functions Relevance**: Applicants must demonstrate that vessel hire is crucial for their core functions or strategic objectives.
2. **Project-Specific Justification**: Vessel hire requests must be linked to a specific, MIMRA-approved project requiring marine access.
3. **Qualified Personnel**: Applicants must either possess trained personnel to operate the vessel or agree to utilize MIMRA-provided, qualified crew.
4. **Financial Proof**: Applicants must present evidence of financial stability to cover all hire-related costs, including incidental expenses.
5. **Regulatory Compliance**: Strict adherence to safety and environmental regulations is mandatory, with all necessary permits secured for operations.
6. **Insurance and Liability**: Sufficient insurance coverage is required to address any potential damages or liabilities during the hire period.
7. **Previous Compliance**: A positive track record of adherence to MIMRA and other relevant maritime regulations will be considered.
8. **Conflict of Interest Avoidance**: The hire must not result in conflicts of interest or compromise MIMRA's operational integrity.

MIMRA commits to ensuring that its vessels are utilized in a manner that is *responsible, effective,* and *consistent* with both MIMRA’s and the hiring entities' strategic goals.

**3. PURPOSE AND USE**

All applications for the utilization of vessels must expressly delineate the intended purpose and scope of use, encompassing activities such as scientific research, monitoring endeavours, regulatory enforcement, functions pertaining to governmental operations, as well as engagements within community domains and for private objectives.

**4. APPLICATION PROCESS:**

The procedure for applying to hire boats, as pertaining to the use of MIMRA vessels, shall be governed by the Application Process delineated herein. Applicants are required to complete the Application Form provided in **ATTACHMENT A**, which details the requisite information and stipulations for the submission process.

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1. **Initial Inquiry**: Ministries or third parties interested in hiring a MIMRA vessel should first contact MIMRA to express their interest and determine availability.
2. **Formal Application Submission**: Applicants must complete and submit a formal application form. The form should be designed to collect detailed information about the intended use of the vessel.
3. **Proposal Requirements**: Along with the application form, applicants should submit a detailed proposal. This proposal should include:

 - *Purpose of hire*: A clear statement of why the vessel is needed.

 - *Duration of hire*: Specific start and end dates.

 - *Scope of use*: Detailed description of the activities to be undertaken.

 - *Compliance plan*: How the applicant will adhere to safety, environmental, and operational regulations.

 - *Financial plan*: A detailed budget, including anticipated costs and funding sources.

1. **Review Process**: MIMRA will review the application and proposal, assessing them against the established eligibility criteria.
2. **Approval and Agreement**: Successful applicants will be notified and required to sign a hire agreement outlining terms and conditions.
3. **Orientation and Handover**: Prior to the hire period, an orientation session will be conducted for the crew and applicants, covering operational and safety procedures.

**5. REVIEW AND APPROVAL**

MIMRA Vessel Hiring Application Review and Approval Process.

**5.1. Application Receipt and Initial Check**

- **5.1.1** **Receipt of Application**: All applications received should be logged with the date of receipt. This ensures a record for tracking and accountability.

- **5.1.2** **Preliminary Check**: Conduct an initial review to ensure that the application is complete. Incomplete applications should be returned to the applicant with a note specifying missing information.

**5.2. Detailed Evaluation**

- **5.2.1** **Criteria Assessment**: Evaluate the application against a predefined set of criteria, which may include:

 - Purpose of hiring aligning with MIMRA’s objectives.

 - Applicant’s legal compliance and possession of necessary permits/licenses.

 - Adequacy of safety and emergency plans.

 - Financial feasibility and budget alignment.

 - Environmental impact considerations.

- **5.2.2 Capacity Check**: Assess the availability of vessels and the ability of MIMRA to support the requested operation, considering current commitments and resource allocation.

**5.3. Internal Consultation**

- **5.3.1 Departmental Review**: Relevant departments (e.g., Operations, Safety, Legal) should review the application to provide insights based on their expertise.

- **5.3.2 Meeting and Discussion**: If necessary, convene a meeting involving key stakeholders to discuss the application, focusing on any areas of concern or where clarification is needed.

**5.4. Risk Assessment**

- **5.4.1 Risk Analysis**: Conduct a risk assessment to identify any potential risks associated with the hiring, including operational, environmental, and financial risks.

- **5.4.2 Mitigation Strategies**: If risks are identified, determine if they can be mitigated. If so, outline necessary mitigation strategies.

**5.5. Decision Making**

- **5.5.1 Drafting a Recommendation**: Based on the evaluation, internal consultation, and risk assessment, draft a recommendation for approval or rejection.

- **5.5.2 Approval Authority Review**: The recommendation should be reviewed and approved by the designated approval authority within MIMRA.

- **5.5.3 Communication of Decision**: Communicate the decision to the applicant in writing, providing clear reasons in case of rejection or conditions of approval.

**5.6. Documentation and Record Keeping**

- **5.6.1 Documentation**: All decisions, along with the justification and any conditions attached, should be fully documented.

- **5.6.2 Record Keeping**: Maintain records of all applications and decisions for future reference and audit purposes.

**5.7. Approval and Hire Agreement**

- **5.7.1 The MIMRA Vessel Hire Agreement** is appended as **ATTACHMENT B.**

This process is designed to be thorough and transparent, ensuring that each application is evaluated fairly and in alignment with MIMRA’s objectives. It is important to maintain a balance between rigorous assessment and efficient processing to meet the needs of applicants while safeguarding MIMRA’s interests and resources. Regular reviews of the process will help in adapting to changing circumstances and enhancing efficiency.

**6. PERIODIC REVIEW**

The policy will be periodically reviewed and updated to reflect changing needs and circumstances.

This policy should be designed to ensure effective, efficient, and responsible use of MIMRA boats, aligning with the overall mission and objectives of MIMRA and contributing ministries.

**ATTACHMENT A**



**Marshall Islands Marine Resources Authority - Vessel Hire Application Form**

**Section 1: Applicant Details**

1. Applicant's Name: Click or tap here to enter text.

2. Organization (if applicable): Click or tap here to enter text.

3. Contact Address: Click or tap here to enter text.

4. Phone Number: Click or tap here to enter text.

5. Email Address: Click or tap here to enter text.

6. Position/Title: Click or tap here to enter text.

**Section 2: Vessel Requirement Details**

7. Purpose of Hiring (tick one): [ ] Research / [ ] Surveillance / [ ] Fishing / [ ] Other - Please Specify: Click or tap here to enter text.

8. Detailed Description of Purpose: Provide a comprehensive description of the activities to be undertaken. Click or tap here to enter text.

9. Preferred Vessel Type (tick one below):

[ ]  MS Timur/MS Jebro (service between Majuro & neighboring islands) – **13 passengers**

[ ] MS Laintok (service between Ebeye & neighboring islands) – **13 passengers**

[ ]  Jolok Boat (service within Arno, Majuro & Mili Atolls ONLY) – **13 passengers**

10. Duration of Hire (Dates): From Click or tap to enter a date. To Click or tap to enter a date.

11. Area of Operation (within Ebeye, Majuro, Arno, Mili or neighboring islands: Click or tap here to enter text.

12. Number of Personnel Involved: Click or tap here to enter text.

**Section 3: Compliance and Safety**

13. Do you have the necessary permits/licenses for the intended operation? [ ] Yes / [ ] No

14. Safety Plan: [Provide a brief outline of your safety plan, including emergency procedures.] Click or tap here to enter text.

15. Insurance Details: [Provide details of any insurance coverages relevant to the hire.] Click or tap here to enter text.

**Section 4: Financial Information**

16. Estimated Budget for Vessel Hire: Click or tap here to enter text.

17. Payment Method: [ ] Bank Transfer / [ ] Cheque / [ ] Other – Please Specify Click or tap here to enter text.

**Section 5: Additional Information**

18. Special Requirements: [Detail any specific requirements or accommodations needed on the vessel.] Click or tap here to enter text.

19. Previous Experience with Vessel Operations (if any): [Provide a brief overview of any relevant past experiences.] Click or tap here to enter text.

**Section 6: Declarations and Consent**

20. Declaration: [I, the undersigned, declare that the information provided in this application is true and accurate to the best of my knowledge. I understand that any false information may result in the rejection of this application or termination of the hire agreement.]

 - Signature: \_\_\_\_\_\_\_\_\_\_

 - Date: [\_\_\_/\_\_\_/\_\_\_\_]

 DD/MM/YYYY

21. Consent: [I consent to MIMRA processing the information contained in this application for the purpose of vessel hiring.]

 - Signature: \_\_\_\_\_\_\_\_\_\_

 - Date: [\_\_\_/\_\_\_/\_\_\_\_]

 DD/MM/YYYY

**Section 7: Office Use Only**

22. Application Received By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

23. Date Received: [\_\_\_/\_\_\_/\_\_\_\_]

 DD/MM/YYYY

24. Application Review Status: [[ ] Pending / [ ] Approved / [ ] Rejected]

25. Comments: \_\_\_\_\_\_\_\_\_\_

This form is designed to gather all necessary information for a thorough assessment of the vessel hiring request. It is important to ensure that the form is filled out completely and accurately to facilitate a smooth hiring process. Additionally, the inclusion of a section for office use will assist MIMRA in tracking and managing applications efficiently.

**ATTACHMENT B**



**MIMRA Vessel Hire Agreement**

This Vessel Hire Agreement (“Agreement”) is made and entered into as of [Date], by and between the Marshall Islands Marine Resources Authority (“MIMRA”), with its principal place of business at [MIMRA Address], and [Hirer's Name], with its principal place of business at [Hirer's Address] (“Hirer”).

1. Vessel Description

MIMRA agrees to hire out the vessel named [Vessel Name], registration number [Registration Number], hereinafter referred to as the “Vessel”, subject to the terms and conditions set forth in this Agreement.

2. Term of Hire

The term of hire shall commence on [Start Date] and shall terminate on [End Date], unless terminated earlier in accordance with the provisions of this Agreement.

3. Purpose of Hire

The Vessel is hired for the purpose of [Specify Purpose], and the Hirer agrees not to use the Vessel for any other purpose without the prior written consent of MIMRA.

4. Hire Charges

The Hirer shall pay MIMRA a total hire charge of [Amount], payable as follows: [Payment Terms]. Any additional costs incurred shall be borne by the Hirer.

5. Delivery and Redelivery

The Vessel shall be delivered to the Hirer in good working condition at [Delivery Location] on the commencement date. The Hirer shall redeliver the Vessel to MIMRA in the same condition at [Redelivery Location] upon termination of the hire.

6. Use of Vessel

The Hirer agrees to operate the Vessel in a safe, responsible, and lawful manner, adhering to all applicable laws and regulations.

7. Crew and Personnel

MIMRA shall provide a qualified crew for the operation of the Vessel.

8. Insurance and Liability

MIMRA shall procure and maintain, at its own expense, comprehensive insurance for the Vessel, including but not limited to, hull and machinery insurance, protection and indemnity insurance, and third-party liability insurance.

9. Indemnification

The Hirer agrees to indemnify and hold harmless MIMRA from any claims, damages, losses, and expenses arising out of the Hirer’s use, operation, or possession of the Vessel.

10. Termination

Either party may terminate this Agreement for material breach, upon giving [Number] days written notice to the other party.

11. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the Marshall Islands.

12. Dispute Resolution

Any disputes arising out of or in connection with this Agreement shall be resolved through amicable negotiations. Failing which, disputes shall be settled by arbitration in accordance with the rules of the Marshall Islands.

13. Miscellaneous

This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements and understandings, whether written or oral, relating to the subject matter of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Vessel Hire Agreement as of the date first above written.

MIMRA:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name:

Title:

Date:

HIRER:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name:

Title:

Date:

ADOPTED BY

Hon. Tony Muller

Chairman of MIMRA Board