

HONG KONG SHIP MORTGAGE
香港船舶抵押契約

Entered into pursuant to section 44 of the Merchant Shipping (Registration) Ordinance
按商船(註冊)條例第44條訂立

BY THIS MORTGAGE the Mortgagor referred to in Part ONE Mortgages the Ship referred to in Part TWO to the Mortgagee referred to in Part THREE as security for the due and punctual performance of all the Mortgagor's obligations to the Mortgagee pursuant to the [document] [transaction] referred to in Part FOUR as such [document] [transaction] may from time to time hereafter be amended modified and supplemented.
憑此抵押契約，第一部所載的抵押人將第二部所載的船舶抵押給第三部所載的抵押權人，作為抵押人妥善並按期根據第四部所載的 [文件] [交易] 所指對抵押權人履行有義務的保證，而該 [文件] [交易] 日後得隨時修訂、修改、和增補。

By its execution of this mortgage the Mortgagor warrants to the Mortgagee that (a) it has power to enter into this mortgage (b) the said ship is free of encumbrances save for any shown in the Hong Kong Register of Ships at the time this mortgage is presented for recording and (c) this mortgage is binding on and enures for the benefit of the successors and assigns of the Mortgagor and Mortgagee. [The Mortgagor further warrants that the Mortgagee's representative has authority to insert the official number of the Ship upon such number being designated to the Ship.]
憑此抵押契約的簽立，抵押人向抵押權人保證 (a)抵押人有權訂立此抵押契約; (b)除在香港船舶註冊紀錄冊內另有顯示的產權負擔外，在本抵押契約遞交註冊時，本船舶並無任何產權負擔; 及 (c)此抵押契約對抵押人及抵押權人的繼承人和受讓人具有約束力並對彼等的利益具有效力。[抵押人進一步保證，當本船舶取得註冊編號後，抵押權人的代表有權在本抵押契約內加入這個註冊編號。]

PART ONE 第一部		MORTGAGOR (Ship's owner) 抵押人 (船東)	
Name 名稱	a. Address 地址 b. Place of Incorporation and Members' Limited Liability 成立為法團所在地方及成員的有限法律責任(for registered Non-Hong Kong Company 適用於註冊非香港公司)		

PART TWO 第二部		SHORT DESCRIPTION OF MORTGAGED SHIP 抵押船舶的簡短資料	
Official Number (see Note 2) 註冊編號 (見註釋2)	Ship's Name 船舶名稱		
HK-			
and as more particularly described in the Register 以及在船舶註冊紀錄冊內更詳盡的記述			

PART THREE 第三部		MORTGAGEE (see Note 3) 抵押權人 (見註釋3)	
Name[s] 名稱	a. Address 地址 b. Place of Incorporation and Members' Limited Liability 成立為法團所在地方及成員的有限法律責任(for registered Non-Hong Kong Company 適用於註冊非香港公司)		
		Email address 電郵地址	Fax 傳真:

PART FOUR **Particulars of Document[s] or transaction[s], the obligations whereunder are secured by this mortgage**
(see note 4)

第 四 部 文件或交易的資料，其範圍以內的義務均由本抵押契約保證（見註釋4）。

Date and Nature of Transaction and Description of Document (if any) 交易的日期和性質及文件的資料(如有的話)	Parties 當事人

IN WITNESS whereof the Mortgagor has caused this mortgage to be executed on _____
抵押人謹於_____年_____月_____日簽立此抵押契約。

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NOTES

1. [] complete/delete as appropriate.
[]請填上適當資料/將不適用者刪去。
2. If this mortgage is executed before the Ship is registered on the Hong Kong Register of Ships, the mortgage will only take effect as a statutory mortgage upon such registration.
如果此抵押契約在本船舶於香港船舶註冊紀錄冊上註冊之前簽立，則本抵押契約須在註冊完成後方正式成為法定的抵押契約。
3. If more than one mortgagee, insert all names, in which case all those named will be treated in the Hong Kong Register of Ships as joint mortgagees.
如果抵押權人多於一個，請加入所有名稱，而所有填報的抵押權人在香港船舶註冊紀錄冊內均被視為聯名抵押權人。
4. "Transaction" contemplates transactions (e.g. overdraft facilities) not necessarily the subject of any specifically identifiable document.
"交易"是指任何業務而毋須是某特定可識別的文件所指的事務(如透支服務)。
5. Prompt registration at the Hong Kong Registry of Ships is essential to the security of a mortgagee, as a mortgage takes its priority from the date of production for registry, not from the date of the instrument.
從速在香港船舶註冊處辦理註冊對抵押權人的保障至為重要，因為抵押的優先權取決於抵押契約遞交註冊的日期，而非取決於抵押文書簽立的日期。
6. Registered owners or mortgagees are reminded of the importance of keeping the Registrar of Hong Kong Ships informed of any change of address on their part.
註冊船東或抵押權人務須緊記，地址如有任何更改，必須通知香港船舶註冊官。
7. Registered owners and mortgagees are also reminded that a mortgage on a ship belonging to a company incorporated in Hong Kong or a company registered under Part 16 of the Companies Ordinance is void against the liquidator or any creditor of the company unless a notification of the mortgage is delivered to or received by the Registrar of Companies for registration within one month after the date of its creation.
註冊船東及抵押權人亦須緊記在香港成立的公司或按公司條例第 16 部註冊的公司，其轄下船舶的抵押對清盤人或該公司的任何債權人均不會生效，除非該公司在抵押訂立後一個月內將一份關於該抵押的通知書送達公司註冊處處長登記。
8. To facilitate entries into the Register, please provide information in English.
為方便以電腦整理資料，請用英文填寫。

Personal Data Collection Statement

1. Purposes of Collection

The personal data provided by means of this form will be used by Marine Department for the following purposes:

- (a) activities relating to the processing of your application in this form;
- (b) facilitating communication between Marine Department and yourself;
- (c) for any other legitimate purposes as may be required, authorized or permitted by law;
- (d) limited personal data of successful applicants may be used via the Marine Department's Internet web site for verification of the issued certificate by any third party; and
- (e) for statistics and research purposes on the condition that the resulting statistics or results will not be made available in a form which will identify the data subjects.

It is obligatory for you to supply the personal data as required by this form. If you fail to supply the required data, your application may be refused.

2. Classes of Transferees

The personal data you provided by means of this form may be disclosed to other Government Bureaux and Departments for the purposes mentioned in paragraph 1 above.

3. Access to Personal Data

You have a right of access and correction with respect to personal data as provided for in Sections 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance. Your right of access includes the right to obtain a copy of your personal data provided by this form.

4. Enquires

Enquiries concerning the personal data collected by means of this form, including the making of access and correction, should be addressed to:

Officer-in-charge
Ship Registration Services Section
Marine Department
3/F, Harbour Building
38 Pier Road, Central
Hong Kong.

收集個人資料聲明

1. 目的

海事處會使用透過本申請表所獲得的個人資料作下列用途：

- (a) 辦理有關審批你在本申請表中所提出的申請的事務；
- (b) 方便海事處與你聯絡；
- (c) 供作法例規定、授權或准許的其他合法用途；
- (d) 成功申請人的有限個人資料會用於海事處的互聯網網頁以供第三者查證本處所發出的證書；以及
- (e) 供作統計及研究用途，但所得的統計數字或研究成果，不會以能辨識各有關的資料當事人或其中任何人的身份的形式提供。

你必須提供本申請表格所要求的個人資料。假如你未能提供所需資料，你的申請可能不獲接納。

2. 獲轉交資料的部門／人士

你透過本申請表所提供的個人資料會向其他政府部門、決策局及有關機構，以作上述第1段所列的用途。

3. 索閱個人資料

根據《個人資料（私隱）條例》第18及22條及附表1第6條，你有權索閱和修正你的個人資料。你的索閱權包括獲取本申請表所提供的個人資料副本一份。

4. 查詢

有關透過本申請表收集的個人資料的查詢，包括索閱及修正資料，應寄往：

香港
中環統一碼頭38號
海港政府大樓3樓
海事處船舶註冊服務組主管