**南京海事法院诉讼指南（债权登记申请篇）**

**一、债权登记的申请条件是什么？**

1、海事法院裁定强制拍卖船舶的公告发布后，债权人应当在公告期间，就与被拍卖船舶有关的债权登记。“与被拍卖船舶有关的债权”指与被拍卖船舶有关的海事债权。

2、海事法院受理设立海事赔偿责任限制基金的公告发布后，债权人应当在公告期间就与特定场合发生的海事事故有关的债权申请登记。

**二、债权登记应提交的材料有什么？**

1、债权登记申请书及有关债权证据

申请书写明申请海事债权登记与受偿债权的金额。在事实和理由部分写明海事债权债务产生的时间、地点、原因、经过的陈述、海事债权的主要内容。

2、债权证据

包括证明债权的具有法律效力的判决书、裁定书、调解书、仲裁裁决书和公证债权文书，以及其他证明具有海事请求的证据材料。

3、申请人主体资格材料

申请人是自然人的，提交身份证明复印件；申请人是法人或者非法人组织的，提交营业执照或者组织机构代码证复印件、法定代表人或者主要负责人身份证明书。

4、授权委托书

代理人是律师的，提交授权委托书及律所公函；代理人是公司员工的，提交员工身份证复印件、授权委托书及劳动合同复印件并由公司盖章。

5、法律文书送达地址确认书

**Application guide for registration of creditors’ rights**

1. **What are application conditions for registration of creditor’s rights?**

1. After the publishing of a public announcement by the maritime court concerning the order of compulsory auction of a ship, the creditors shall apply to register the creditors’ rights (this mainly refers to maritime rights) relating to the ship that is to be auctioned within the period of the public announcement.

2. After the publishing of a public announcement concerning entertaining an application by the maritime court for constituting a limitation fund for maritime claims, the creditors shall, within the period of the public announcement, apply to register the creditors’ rights relating to the maritime accident occurred in specific circumstances.

**II. What are files to be submitted for credit registration?**

1. Written application and evidence of creditors’ rights.

The written application shall state the amount for registering creditors’ rights and repayment of debt and specify the time, location, cause, details and main content concerning the maritime rights and debts in the part of facts and reasons.

2. Evidence of creditor’s rights

Evidence of creditors’ rights include judgments, orders, conciliation statements, arbitration awards and documents evidencing creditors’ rights, as well as other evidential materials certifying the existence of maritime claims.

3. Documents for the applicant’s subject qualification

If the applicant is a natural person, submit the copy of identification card; if the applicant is a legal person or other organization, submit the copy of business license or organization code certificate and the identity certificate of the legal representative or the person chiefly in charge.

4. Power of attorney

If the agent ad litem is a lawyer, submit the power of attorney and the letter of law firm; if the agent ad litem is a company employee, submit the copy of the employee’s identification card, power of attorney, the copy of labor contract and the aforesaid documents should be affixed with the company’s stamp.

5. Confirmation of service address for legal documents