
STATUTORY INSTRUMENTS

1993 No. 3138

**The Merchant Shipping (Registration
of Ships) Regulations 1993**

PART IX

TRANSFER OF REGISTRATION

Transfer of registration to relevant British possession

71.—(1) Subject to paragraph (2) the registration of a ship registered on Part I of the Register may be transferred from the Register to the register of a port in a relevant British possession.

(2) Where an application is made under this regulation for the transfer of a ship's registration under paragraph (1), the Registrar shall not proceed to deal with the application unless he is satisfied that registration of the ship at the intended port of registration is not precluded by:—

- (a) any Order in Council in force under section 11 of the Merchant Shipping Act 1988⁽¹⁾, or
- (b) any provision of the law in force in the possession in question;

and any certificate purporting to be signed by the registrar of the intended port of registration and stating that any such provision is in force shall be conclusive evidence for the purposes of this paragraph of the matters stated in it.

(3) Where the registrar of the intended port of registration issues a certificate of registry following any such application and on notification of the transfer by the registrar of the new port of registration, the Registrar shall terminate the registration of the ship.

(4) Where the registration of a ship is transferred under this regulation the certificate of registry shall be surrendered to the Registrar for cancellation.

Transfer of registration from relevant British possession

72.—(1) Where a ship, excluding a fishing vessel, is registered in a relevant British possession, the registration of that ship may be transferred to Part I of the Register if:—

- (a) an application to the registrar of the existing port of registration has been made for that purpose by a declaration in writing by all the persons appearing on his register to be interested in the ship as owners, and
- (b) the following documents have been transmitted to the Registrar;
 - (i) a copy of the application and declaration required by sub-paragraph (a) transmitted by the registrar at the existing port of registration;
 - (ii) a copy transmitted by him of all the registered particulars of the ship and the names of all person appearing on his register to be interested in the ship as owners and mortgagees; and
 - (iii) the ship's certificate of registry.

(1) 1988 c. 12.

(2) On making an application to transfer to the Register the applicant shall specify one of the ports listed in part 1 of Schedule 2 which it is intended shall be the ship's port of choice.

(3) Where the ship has not previously been required by the registrar of its existing port of registration to have its name approved by the Registrar in accordance with Schedule I the applicant shall propose a name which the ship is to be called.

(4) On being satisfied that the name complies with the requirements of Schedule I the Registrar shall issue a marking note.

(5) On receipt of a marking note the owner shall proceed as provided in regulation 54 (Re-marking of ship).

(6) On receipt of the documents specified in paragraph (1) and the completed marking note the Registrar shall:—

- (a) enter in the Register all the particulars and names so transmitted, and
- (b) issue a new certificate of registry.

(7) Where entitlement of a ship to be registered is by virtue of regulation 8 (British connection and majority interest) subject to any condition specified in that regulation being satisfied, the registration of the ship shall not be transferred to the Register of British ships in the United Kingdom unless it appears to the Registrar that that condition is satisfied.

(8) A transfer of registration under this regulation shall not affect the rights of any person mentioned in paragraph (1)(a) of this regulation.

(9) Notwithstanding that a ship is otherwise entitled to be registered, the Registrar may refuse to register if, taking into account any requirement of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as it is relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, he considers that it would be inappropriate for the ship to be registered.