

Isle of Man Ship Registry Registry Advice Notice

Representative Persons

Ref. RAN 015
Issued 29/04/2019

This advice note is intended to inform of the appointment of a Representative Person for each vessel over 24m registered in the Isle of Man and to set out what they are required to do. It has been drafted in the form of 'Frequently Asked Questions' as the most effective way to present this information.

1. Why appoint a Representative Person?

The Merchant Shipping Registration Act 1991¹ requires owners of vessels of 24 metres in length or more to be either resident in the Isle of Man or if not resident, to appoint a Representative Person.

This is a key element in providing a 'genuine link' between the ship and its country of registry.

2. What is a Representative Person?

A Representative Person may be an individual resident in the Isle of Man or a body corporate incorporated in the Island and having its principal place of business there.

3. What are they required to do?

The function of a Representative Person as set out in the 1991 Registration Act is to enable the Department to serve the following documents in relation to a ship for which they are appointed:

- Notice of the Department's intention to de-register a ship; and
- Papers for the purpose of the institution of, or otherwise in connection with, any criminal or civil proceedings.

4. What else can they do?

There are a number of companies on the Isle of Man who currently act as Representative Person for Isle of Man registered ships. All are subject to the statutory functions described in 3. above, but many will offer additional services to their clients (which are optional).

Many companies acting as Representative Persons are contracted to carry out additional services which have proven over the years to be beneficial, particularly when acting as a

¹ C.15



liaison point between the Isle of Man Ship Registry and their client. Where the Ship Registry's key personnel and its rules, regulations, and procedures are known to representatives on the Isle of Man, the contract of additional services can smooth the processes with regard to registration, crew endorsements and handling of invoices.

Services which may be provided as additional services include (but are not limited to):

- Technical Management
- Crew Management
- Yacht Management
- Industrial Relations
- Company formation (Fiduciary services)
- Tax planning and advice
- Processing of seafarer's documentation (including STCW endorsements)
- Processing of invoices relating to Ship Registry services
- Assistance with and/or act as Authorised Officer for owners at registration
- Forwarding of documents between the Ship Registry and clients
- Payment/handling of Ship Registry fees
- Liaison with the Ship Registry on problems/issues/technical matters
- Representation and consultation on regulatory impact/fees/initiatives of the Ship Registry

5. What are the costs involved?

Representative Persons charge a fee for the provision of the statutory functions described in section 3 and for any additional services they are asked to provide. Fees are not set by statute and it is recommended that owners/operators seek quotes from a number of on-Island representatives and negotiate fees before appointing a Representative Person.

6. Where can I find a Representative Person?

The Isle of Man Ship Registry maintains lists of current Representative Persons acting for merchant ships and yachts and this can be accessed by following the links from the Ship Registry website at: <https://www.iomshipregistry.com/media/2112/iom-representative-persons.pdf> or a list can be supplied on request by email to registry.marine@gov.im

Many of the companies acting as Representative Persons are members of the Isle of Man Maritime (IOMM). Details can be accessed from their website at: www.maritime.im

Please note - The Isle of Man Ship Registry cannot give legal advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.

