



MERCHANT SHIPPING REGISTRATION ACT 1991

MERCHANT SHIPPING REGISTRATION REGULATIONS 1996

Approved by Tynwald : 21st January 1997

Coming into operation : 1st December 1996

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This text includes the amendments (indicated by ***bold italics***) made to the Regulations by:
SD396/03 Merchant Shipping (Pleasure Vessel) Regulations 2003 - the amendment changes the definition of a Pleasure Vessel.

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In exercise of the powers conferred on the Department of Transport by sections 4, 6, 8, 9, 10, 13, 17, 38, 46, 47, 48, 60, and 76 of the Merchant Shipping Registration Act 1991¹ and of all other powers enabling it in that behalf, the following Regulations are hereby made -

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping Registration Regulations 1996 and shall come into operation on 1st December 1996.

Interpretation

2. In these regulations -

"the Act" means the Merchant Shipping Registration Act 1991;

"authorised measurer" means any person authorised by the Department under the Tonnage Regulations to carry out the measurement of ships for the purposes of those Regulations;

"British ship" means a British ship within the meaning of section 1 of the Merchant Shipping Act 1995 (an Act of Parliament)²;

"builders certificate" means a certificate signed by the builder of the ship and containing a true account of the proper denomination and of the tonnage of the ship, as estimated by him, and of the date and place where it was built, and of the name of the person, if any, for whom the ship was built, or the name of the person to whom it was delivered;

"certificate of registry" means a certificate of registry issued to a ship under section 17 of the Act;

"classification society" means a person authorised to act as a 'Certifying Authority' for the purposes of the Tonnage Regulations;

"declaration of ownership" means a declaration made under section 10 of the Act;

"Department" means the *Department of Trade and Industry*³;

"GRT" means gross registered tonnage and the gross tonnage of a ship having alternative gross tonnages shall be taken to be the larger of those tonnages; for a ship having its tonnage determined both under Part II and regulation 16 of the Tonnage Regulations, the gross tonnage shall be that determined under regulation 16 of those Regulations;

¹ 1991 c. 15 amended by the Merchant Shipping Registration (Amendment) Act 1996 [1996 c. 2.]. Functions now vested in the Department of Trade of Industry by SD 51/97

² 1995 c.21

³ The functions in these Regulations have been transferred by SD155/10 to the Department of Economic Development and then to the Department for Enterprise by SD2017/0325 the Transfer of Functions (Economic Development and Education) Order 2017 with effect from 24 November 2017.

"inspector of marks" means an authorised measurer or any person authorised by the Department to verify the carving and marking of a ship under these Regulations;

"length" has the same meaning as in the Tonnage Regulations;

"owner" means the person registered as the owner of the ship and includes a disponent owner;

Definition of Pleasure Vessel as amended by SD 396/03 MS (Pleasure Vessel) Regulations 2003

“Pleasure Vessel” means any vessel which at the time it is being used:

(a) is wholly owned by an individual or individuals, and is used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or

(b) is owned by a body corporate, and is carrying only such persons as are the employees or officers of the body corporate, or their immediate family or friends; and

(c) is on a voyage or excursion which is one for which the owner does not receive money or money’s worth for or in connection with the operation of the vessel or the carrying of any person other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion, and no other payments are made by, on behalf of, or for the benefit of users of the vessel, other than by the owner; or

(d) is owned by a body corporate but pursuant to a long term lease agreement, is used only for the sport or pleasure of the lessee, and the immediate friends or family of the lessee, if an individual, or the employees or officers and their immediate friends and family, if a corporate lessee.

Such lease agreement must specify that:

(i) the vessel may only be used for private purposes and must not be used for commercial purposes;

(ii) the vessel must not be sub-leased or chartered, and

(iii) no other payments are made by, on behalf of, or for the benefit of users of the vessel, other than by the lessee.

(e) is wholly owned by or on behalf of a members’ club formed for the purpose of sport or pleasure, and at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and any charges levied in respect of that use are paid into club funds and applied for the general use of the club, and no other payments are made by, on behalf of, or for the benefit of users of the vessel, other than by the club.

"the Register" means the Register of Manx ships established under section 5 of the Act;

"registrar of companies" means the registrar or other officer performing under the Companies Acts 1931 to 1993 the duty of registration of companies;

"registration" means registration as a Manx ship in accordance with Part I of the Act;

"relevant British possession" means one of the territories specified in Schedule 3;

"relevant country" has the same meaning as in section 45 of the Act;

"representation" means probate, administration, confirmation, or other instrument constituting a person the executor, administrator or other legal representative of a deceased person, including a certificate of confirmation relating to a vessel;

"Tonnage Regulations" means the Merchant Shipping (Tonnage) (Isle of Man) Regulations 1984⁴;

"transcript" means a certified extract from the register, and a "closed transcript" means a transcript showing that the entry in the register in respect of a ship has been closed, the date of its closure, and the details about the ship and its ownership at the time of closure;

"transfer of a ship" includes, except where the context otherwise requires, transfer of a share in a ship.

Revocation

3. The Merchant Shipping Registration Regulations 1991⁵ are revoked.

Classes of Persons who are regarded as "Representative Persons"

4. (1) Subject to paragraph (2), a body corporate registered in the Island which -
 - (a) undertakes the principal functions of management of the ship from within the Island, and
 - (b) is responsible for those matters which are referred to in paragraph (3),

shall be treated as a representative person for the purposes of Part I of the Act.

(2) A representative person appointed in respect of a pleasure vessel of more than 80 GRT but less than 400 GRT shall be a person resident in the Island who is responsible for those matters which are referred to in paragraph (3)(b) to (d).

- (3) The matters referred to in paragraphs (1) and (2) are-
 - (a) the statutory certification of the ship or pleasure vessel;

⁴ GC 234/84. Now superseded by SD 513/98

⁵ GC 390/91

- (b) the operational safety of the ship or pleasure vessel;
- (c) the manning of the ship or pleasure vessel;
- (d) anti-pollution measures and
- (e) the settlement of accounts in respect of survey, registration and related matters.

Prescribed Classes of Manx Ships

5. Subject to the provisions of this Regulation, the following classes of Manx ships shall not be registered under Part I of the Act -

- (a) ships provided with a nuclear reactor;
- (b) ships which are not classed by a Classification Society approved by the Department other than -
 - (i) Vessels to which Part III of the Merchant Shipping (Yachts in Commercial Use) Regulations 1993 applies and pleasure vessels;
 - (ii) new ships which have not yet been classed and have not commenced trading;
 - (iii) ships of less than 500 GRT which operate solely between ports in the Island or solely between ports in the Island and ports elsewhere in the British Islands or the Irish Republic.

Ships' names

6. (1) On making an application for registration of a ship the applicant shall propose a name by which the ship is to be called.

(2) Every application to the Department to approve a name shall specify a name which is in Roman letters; any numerals shall be in Roman or European numerals.

(3) In respect of an application to register a ship under Part I of the Act, the Department shall not approve the proposed name if it is -

- (a) already the name of a registered Manx ship; or
- (b) a name so similar to that of a registered Manx ship as to be calculated to deceive or likely to confuse; or
- (c) a name which may be confused with a distress signal; or
- (d) a name which is prefixed by any letters or name which could be taken to indicate a type of ship or any other word, pre-fix or suffix which might cause confusion as to the name of the ship.

(4) Subject to paragraph (5), if the Department is satisfied that the proposed name

does not fall within sub-paragraphs (3)(a) to (d) it shall notify the applicant in writing that the name is approved.

(5) Notwithstanding that the Department is satisfied as to paragraph (3) it may refuse to approve a name -

- (a) which might cause offence or embarrassment;
- (b) which has a clear and direct connection with the Royal family.

(6) If the Department is not so satisfied it shall notify the applicant accordingly.

(7) Any approval given under paragraph (3) shall be valid only for the period of 3 months beginning with the date it is notified to the applicant.

(8) Notwithstanding paragraph (7), the Department may allow the reservation of a ship's name or designation for a period of 10 years if it is satisfied that :-

- (a) the ship is intended to replace another of the same name which is to be registered within 10 years of the date of the application, and
- (b) the applicant is the owner of a registered ship with the same name as that which is to be reserved and its British registration will be closed before the registration of the new vessel, or
- (c) the applicant is the owner of a registered ship with the same name as that which is to be reserved and it will be sold before the registration of the new vessel on condition that it changes its name and that its name is so changed.

Applications for a reservation under this paragraph must be made in writing and accompanied by a full statement of the circumstances of the case.

(9) Where a ship having once been registered as a British ship has ceased to be registered, no person (unless ignorant of the previous registration, proof whereof will lie on him) shall apply for registration of the ship other than by the name by which it was previously registered except with the written permission of the Department.

Allocation of official number and port of registry

7. (1) On making an application for registration of a ship the applicant shall specify one of the ports listed in section 5(1) of the Act which it is intended shall be the ship's port of registry.

(2) On receipt of an application for registration of a ship for the first time the Department if it is satisfied that that ship is eligible to be registered shall allocate to the ship an official number and shall issue a carving and marking note.

(3) The Department may, on request by a Classification Society, allocate an official number to a ship notwithstanding that it is not yet satisfied as to its eligibility.

(4) If a carving and marking note is not duly completed and returned to the

Department within 3 months of its issue, the Department may cancel it and the application shall be treated as having been withdrawn.

Marking

8. (1) For the purposes of section 8 of the Act a ship shall be marked in accordance in Part I of Schedule 1.

(2) The classes of ships referred to in column 1 of Part II of Schedule 1 are exempted from the requirements of these regulations relating to marking to the extent specified in column 2.

(3) Every ship registered before the date the Regulations come into operation shall be marked in accordance with the law in force immediately before these Regulations come into operation.

Inspection of marks

9. (1) In respect of a ship, other than a pleasure vessel which is under 24 metres in length, an inspector of marks shall satisfy himself that the ship has been carved and marked in accordance with Part I of Schedule 1 and, when so satisfied, shall complete the carving and marking note and return it to the Department.

(2) In respect of a pleasure vessel which is under 24 metres in length the owner shall certify that the ship has been carved and marked in accordance with Part I of Schedule 1 and return the certified carving and marking note to the Department.

The Applicant

10. Every application made under these Regulations shall be made -

- (a) in the case of an individual, by the individual registered or requiring to be registered as owner or by his agent; or
- (b) in the case of joint owners by any one of those owners; or
- (c) in the case of a limited partnership by the general partner, or
- (d) in the case of a body corporate by a duly authorised officer of that body corporate, or by its agent.

Applications by bodies corporate

11. Where application is made on behalf of a body corporate, the application must be accompanied by -

- (a) if it is a company incorporated in the Island, a copy of its certificate of incorporation, and, in the case of a company which has changed its name since incorporation, its certificate of change of name, or
- (b) if it is a company incorporated in a relevant country, proof in accordance with the laws of that country that the company is an incorporated company,

- (c) if it is a company, other than a company incorporated in the Island with a place of business in the Island, a certificate from the Registrar of Companies that the company is registered with him as an overseas company, and
- (d) if it is a body corporate incorporated by virtue of an Act of Tynwald or of Parliament, a Charter granted by Her Majesty, or an Act or Ordinance, proof, sufficient to satisfy the Department of its incorporation.

Applications by limited partnerships

12. Where application is made on behalf of a limited partnership, the application must be accompanied by the documentation specified in Manx Shipping Notice No. 194.

Title Evidence

13. (1) On the first registry of a ship the following evidence shall be produced in addition to the declaration of ownership required under section 10 of the Act -

(a) *Unregistered ships.*

In the case of a ship which has never been registered, whether in the Island or elsewhere, a builder's certificate being a certificate signed by the builder of the ship and containing the following details -

- (i) particulars sufficient to identify the ship - that is to say the length, breadth, depth, estimated tonnage, make of engine, and method of propulsion of the ship;
- (ii) the date and place of build;
- (iii) the full name and address of the person for whom the ship was built;
- (iv) if the builder is an individual, the date and signature of the Builder, or,
- (v) if the builder is a body corporate, the date and company seal or stamp of the builder or other evidence that the builder's certificate has been executed in accordance with laws of the country of its incorporation;

and if there has been any sale, the Document of sale under which the ship, or a share therein, has become vested in the applicant.

If the builder's certificate cannot be produced the person who makes the declaration of ownership may declare that the date and place of building of the ship are unknown to him, or that the builder's certificate cannot be produced, in which case there shall only be required the Document of sale under which the ship, or a share therein, became vested in the applicant.

(b) *Ships registered under the law of a country other than the Island, the United Kingdom or a relevant British possession*

In the case of a ship which is owned by a person qualified to own a Manx ship and which is registered under the law of a country other than the Island, the United Kingdom or a relevant British possession, a transcript of the registration details issued by the registration authority of that country. If there has been any sale, the Document of sale under which the ship, or a share therein, has become vested in the applicant.

(c) *Ships condemned by a court*

In the case of a ship condemned by a competent court, an official copy of the condemnation.

(d) *Former Fishing Vessels.*

In the case of a vessel formerly registered in the Island under Part III of the Act or in the United Kingdom on the Part II register in accordance with the Merchant Shipping (Registration of Ships) Regulations 1993⁶ the applicants shall obtain a closed transcript from the Registrar of Fishing Vessels in the Island or the United Kingdom, and if there has been any sale, the Document of sale under which the former fishing vessel, or a share therein, has become vested in the applicant.

(e) *Former Small Ships Register vessels.*

In the case of a vessel formerly registered on the Small Ships Register in the Island under Part II of the Act or in the United Kingdom on the Part III register in accordance with the Merchant Shipping (Registration of Ships) Regulations 1993 the same title evidence is required as specified in paragraph (a) or (b) and in addition the applicant shall produce evidence that the former Small Ships Registration has been closed.

(2) In this regulation, a Document of Sale is a document which covers the sale or transfer of a ship prior to Registry and contains sufficient information to -

- (a) identify the ship, including its previous name, if applicable;
- (b) establish that a transfer/sale took place: i.e. acknowledge receipt of a sum of money in full settlement; and
- (c) identify the seller and the purchaser.

(3) Every document produced under paragraph (1) shall be an original document and, if in a language other than English, shall be accompanied by a certified translation.

(4) Any such document which is executed in a country outside the Island, the United Kingdom, or a relevant British possession shall be certified by a notary established in that country.

Documents to be retained by the Department

⁶ S.I. 1993/3138

14. On registering a ship the Department shall retain in its possession a copy of any builder's certificate or bill of sale or other evidence of title produced on first registration, any certificate of measurement or survey, and all declarations of ownership.

Details to be recorded in the Register and the Certificate of Registry

15. The Register shall contain the particulars set out in Part I of Schedule 2. A Certificate of Registry shall contain the particulars set out in Part II of Schedule 2.

Transfer of Port of Registry within the Island

16. (1) The owner of a ship registered in the Island may apply to the Department for the registry of the ship to be transferred from one port of registry in the Island to another port of registry in the Island.

(2) The application shall be made in writing by all persons appearing on the register to be interested therein as owners in a form approved by the Department and shall be accompanied by the existing Certificate of Registry.

(3) If the ship is subject to a mortgage, the transfer of the ship shall not take effect until all persons appearing on the register as mortgagees have granted their consent to the transfer.

(4) On receipt of such application, and consent where appropriate, the Department shall issue a Carving and Marking Note to the owner. The owner shall cause the name of the ship's new port of registry to be substituted for the name of her former port of registry on the ship's stern.

(5) On completion of the alteration the marking thereof shall be inspected by a person, duly authorised by the Department for the purpose, who shall, if satisfied that the vessel is marked in the manner required by regulation 7, endorse the Carving and Marking Note and return it to the Department.

(6) On receipt of the Carving and Marking Note duly endorsed, the Department shall -

- (a) close the entry relating to the ship at her previous port and transfer the particulars relating to the ship and the names of all persons appearing on the previous register to be interested therein as owners or mortgagees to the intended port of registry.
- (b) cancel the existing Certificate of Registry; and
- (c) issue to the owner a new Certificate of Registry.

Transfer of registry to the United Kingdom, or a relevant British possession

17. (1) Subject to paragraph (2), the registration of a ship under Part I of the Act may be transferred from the Register to the United Kingdom Register, or a port of registry 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 Department shall not proceed to deal with the application unless the applicant satisfies the Department that registration of the ship in the United Kingdom Register or at the intended port of registration in a relevant British possession is not precluded by any provision of the law in force in the United Kingdom or relevant British possession in question. Any certificate purporting to be signed by the registrar of the intended port of registry 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 registry 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 Department 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 Department for cancellation.

Transfer of registry from the United Kingdom, or a relevant British possession

18. (1) Where a ship, excluding a fishing vessel, is registered in the United Kingdom or a relevant British possession, the registration may be transferred to a port in the Island subject to the following conditions -

- (a) the Department consents to the transfer;
- (b) 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 or mortgagees;
- (c) the following documents have been transmitted to the Department -
 - (i) a copy of the application and declaration required by sub-paragraph (b) 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 the persons appearing on his register to be interested in the ship as owners and mortgagees;
 - (iii) the ship's certificate of registry.
- (d) the applicant for transfer is eligible to be the owner of a Manx ship and makes a declaration to that effect; and
- (e) in the case of a ship over 24 metres in length and any merchant ship, a representative person has been appointed under section 3 of the Act.

(2) On making an application to transfer to the Register the applicant shall specify one of the ports specified in section 5(1) of the Act which it is intended shall be the ship's port of registration.

(3) The applicant shall propose a name by which the ship is to be called. On being satisfied that the name complies with the requirements of regulation 6 (ships' names), the Department shall issue a Carving and Marking note.

(4) On receipt of the Carving and Marking note the owner shall proceed as provided in regulation 8 (marking of ship).

(5) On receipt of the documents specified in paragraph (1) and the completed Carving and Marking note the Department shall :-

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

(6) Where entitlement of a ship to be registered is by virtue of section 3 of the Act (Entitlement to registration) subject to any condition specified in that section being satisfied, the registration of the ship shall not be transferred to the Register unless it appears to the Department that that condition is satisfied.

(7) The provisions of section 6 of the Act (refusal of registration) shall apply to an application for transfer as they apply to an application for registration.

Requirement for supplementary information

19. Where the Department is not satisfied by the information provided on an application for registration of a ship that the ship is eligible for registration, it may require such supplementary information or evidence as it considers appropriate for the purpose of satisfying itself that it is so eligible.

Content of Notices by Intending Mortgagees

20 A notice under paragraph 4 of Schedule 1 to the Act shall contain the following information -

- (a) if the ship is registered in the Island -
 - (i) the name of the ship;
 - (ii) the port of registry of the ship;
 - (iii) the official number of the ship;
 - (iv) the name and address of the registered owner of the ship and;
 - (v) the name, address and signature of the intending mortgagee.
- (b) if the ship is not for the time being a registered in the Island-
 - (i) the present name of the ship;
 - (ii) the intended name of the ship;
 - (iii) the intended port of registry;

- (iv) the approximate tonnage of the ship;
- (v) where the ship is registered outside the Island a copy of its Certificate of Registry or other document evidencing that registry and giving its port of registry and its official or registration number, if any;
- (vi) where the ship is a new ship, the builder's certificate or, if that is not available, the name and address of the builder and his yard number;
- (vii) where the ship is neither a new ship nor a registered ship details of any permanent marks thereon which enable the ship to be clearly identified;
- (viii) the name and address and signature of the intending mortgagor, the number of shares to be mortgaged, and the name and address of intending owner of the ship.

Removal of marks on cessation of registration

21. If a ship's registration under any Part of the Act is terminated, whether by expiration of the registration period or otherwise, the marking prescribed by Regulations made under that Part of the Act must be removed from the ship and written confirmation of that removal must be sent to the Department.

Amendment of GC 392/91

22. The Merchant Shipping (Registration of Fishing Vessels) Regulations 1991⁷ shall be amended as follows -

- (a) after regulation 21 insert -

"Custody of certificate

21A. A certificate of registration shall be used only for the lawful navigation of the fishing vessel, and shall not be subject to detention by reason of any title, lien, charge or interest whatever had or claimed by any owner, or other person to, on, or in the fishing vessel."

- (b) after regulation 29 insert -

"Change of name

29A. (1) An owner of a registered fishing vessel may apply to the Department to change the name of the vessel. The application shall be made on a form approved by the Department and shall be accompanied by the certificate of registry.

(2) If it appears to the Department that the proposed name is not undesirable, it shall issue a marking note to the owner."

⁷ GC 392/91.

- (c) in regulation 42, after paragraph (4) insert -

"(4A) If any person refuses to surrender the certificate of registration when in his possession or under his control to the person entitled to its custody for the purposes of the lawful navigation of the fishing vessel, or to the Department, or an officer of customs, or any other person entitled by law to demand such delivery, he shall be guilty of an offence."

Amendment of GC 393/91

23. The Merchant Shipping (Small Ships Register) Regulations 1991⁸ shall be amended as follows.

- (a) In regulation 3, after paragraph (10) insert -

"(11) Where the Department is not satisfied that the ship is eligible to be registered, it may, subject to paragraph (9) (Requirement for supplementary information), refuse to register the ship."

- (b) After regulation 6, insert the following new regulations -

"Notification of changes of ownership etc.

6A. (1) If at any time there occurs, in relation to a ship registered under these Regulations -

- (a) any change affecting the eligibility of the ship to be registered; or
- (b) any change in relation to the address of the registered owner of the ship; or
- (c) any details relating to the ship,

the registered owner of the ship shall, as soon as practicable after the change occurs, notify the Department.

(2) Notification made under paragraph (1) shall be in writing, shall be signed by the registered owner and shall specify the nature of the change and the name and the number of the ship.

Custody of certificate

6B. A certificate of registration shall be used only for the lawful navigation of the ship, and shall not be subject to detention by reason of any title, lien, charge or interest whatever had or claimed by any owner, or other person to, on, or in the ship.

⁸ GC 393/91

Termination of registration

6C. In the event of -

- (a) a ship ceasing to be ship to which these Regulations apply; or
- (b) a change in the details recorded on the certificate of registration;

the registration of the ship shall terminate.”.

(c) In regulation 9 after paragraph (4) add -

“(5) If any person refuses to surrender the certificate of registration when in his possession or under his control to the person entitled to its custody for the purposes of the lawful navigation of the ship, or to the Department, or an officer of customs, or any other person entitled by law to demand such delivery, he shall be guilty of an offence.”.

Amendment of GC 394/91

24. The Merchant Shipping (Demise Charter Register) Regulations 1991⁹ shall be amended as follows.

(a) After regulation 9 insert -

"Cancellation of carving and marking note

9A. If a carving and marking note issued under regulation 7 is not duly completed and returned to the Department within 3 months of its issue, the Department may cancel it and the application shall be treated as having been withdrawn.”.

(b) After regulation 14 insert -

"Change in registered particulars of ship

14A. (1) Where there is a change -

- (a) in the registered particulars of a ship other than a change in the tonnage of the ship; or
- (b) in the name or address of an owner entered in the Register (not being a change of ownership);

application shall be made as soon as practicable to the Department for the change to be recorded in the Register.

⁹ GC 394/91

(2) Such application shall be in writing and shall be accompanied by the certificate of demise charter registration and such evidence as to the change as may be required by the Department.

(3) Where there is a change in the tonnage of a ship, it shall be resurveyed or remeasured in accordance with regulation 6 (Ascertainment of tonnage). Thereafter application in a form approved by the Department shall be made as soon as practicable for the change to be recorded in the Register. The application shall be accompanied by the certificate of survey or measurement and certificate of demise charter registration.

(4) On recording the change in the registered particulars the Department shall cancel the existing certificate of demise charter registration and issue to the charterer a new certificate expiring on the same date as the existing one.”.

(c) In regulation 28 (Extension of certain statutory provisions to ships entered in the Demise Charter Register), after paragraph (1) add -

“(1A) In any statutory provision applicable to Manx ships any reference, (however phrased) to the owner of a Manx ship or a ship registered in the Island, shall mean, in relation to a ship entered in the demise charter register, the person registered as the charterer.”.

(d) In Schedule 2, at the end of Part II add -

<i>GC NO.</i>	<i>TITLE</i>	<i>EXTENT OF APPLICATION</i>
392/92	Merchant Shipping (Safety Provisions) (Amendment) Regulations	The whole regulations
.....	<i>Reference to GC182/93 omitted by Merchant Shipping (MARPOL Annex V) Order 2014 SD2014/0065</i>	
183/93	Merchant Shipping (Prevention of Oil Pollution) (Amendment) Order 1993	The whole order
247/93	Merchant Shipping (Safety Provisions) (Application) Order 1993	The whole order

<i>GC NO.</i>	<i>TITLE</i>	<i>EXTENT OF APPLICATION</i>
248/93	Merchant Shipping (Yachts In Commercial Use) Regulations 1993	The whole regulations
....	<i>Reference to GC407/93 omitted by Merchant Shipping (MARPOL Annex V) Order 2014 SD2014/0065</i>	
408/93	Merchant Shipping (Prevention of Oil Pollution) (Amendment) Regulations 1993	The whole regulations
116/94	Merchant Shipping (Musters and Training) (Amendment) Regulations 1994	The whole regulations
117/94	Merchant Shipping (Pilot Ladders and Hoists) (Amendment) Regulations 1994	The whole regulations
244/94	Merchant Shipping (Masters and Seamen) (Application) Order 1994	The whole order
332/94	Merchant Shipping (Fees) Regulations 1994	The whole regulations
333/94	Merchant Shipping (Prevention of Pollution) (Fees) Regulations 1994	The whole regulations
334/94	Merchant Shipping (Load Lines) (Fees) Regulations 1994	The whole regulations
335/94	Merchant Shipping (Masters and Seamen) (Fees) Regulations 1994	The whole regulations
395/94	Merchant Shipping (RO RO Passenger Ship Survivability) Regulations 1994	The whole regulations

<i>GC NO.</i>	<i>TITLE</i>	<i>EXTENT OF APPLICATION</i>
464/94	Merchant Shipping (Safety Provisions) (Application) Order 1994	The whole Order
536/94	Public Health (Ships) Regulations 1995	The whole regulations
128/95	Merchant Shipping (Reporting Requirements For Ships Carrying Dangerous or Polluting Goods) Regulations 1995	The whole regulations
368/95	Merchant Shipping (Liability of Shipowners and Others) (Rate of Interest) Order 1995	The whole Order
465/95	Merchant Shipping (Prevention and Control Pollution) (Amendment) Regulations 1995	The whole regulations
466/95	Merchant Shipping (Gas Carriers) Regulations 1995	The whole regulations
171/96	Merchant Shipping (Standby Vessels) Regulations 1996	The whole regulations
172/96	Merchant Shipping (Mandatory Reporting) Regulations 1996	The whole regulations

SCHEDULE 1

**PART I
CARVING AND MARKING**

1. Subject to any exemption in respect of that class of ship, a ship other than a pleasure vessel which is under 24 metres is to be marked to the satisfaction of the Department as follows;

- (a) its name shall be marked on each of its bows, and its name and its port of registry shall be marked on its stern;
- (b) The colour of the markings shall contrast with the colour of the ground on which they are located. The letters shall not be less than 1 decimetre in height and 2;5 centimetres in breadth;
- (c) its official number shall be cut into its main beam or otherwise marked or fixed thereon to the satisfaction of the Department in such a way that it cannot be readily effaced.

2. A pleasure vessel which is under 24 metres in length is to be marked as follows;

- (a) the official number shall be ;
 - (i) marked on the main beam or if there is no main beam, on a readily accessible visible permanent part of the structure of the pleasure vessel either by cutting in, centre punching or raised lettering; or
 - (ii) to be engraved on plates of metal, wood or plastic, secured to the main beam (or, if there is no main beam, to a readily accessible visible permanent part of the structure) with rivets, through bolts with the ends clenched, or screws with the slots removed;
- (b) the name and port of registry (unless an exempted ship), are to be marked on a conspicuous and permanent part of the stern. The colour of the markings shall contrast with the colour of the ground on which they are located. The letters shall not be less than 5 centimetres high and of proportionate breadth, or where this is not possible, by the alternative methods given below ;
 - (i) by engraving on plates of metal, or of plastic or by cutting in on a shaped wooden chock. Where a shaped wooden chock is used it should be secured to the hull through bolts, the ends being clenched; or
 - (ii) by individual glass-reinforced plastic letters and numbers approximately 2 millimetres in thickness. These to be fixed to the hull with epoxy adhesive, and painted with suitable paint and coated with translucent epoxy resin;
 - (iii) where metal or plastic plates have been used these must be fixed by the use of epoxy adhesives. Metal or plastic plates secured by

adhesives should be coated with translucent epoxy resin after they have been fixed in position.

3. A scale of decimetres, or of metres and decimetres, denoting a draught of water shall be marked on a ship, other than an exempted ship, on each side of its stem and of its stern post, as follows ;

- (a) in figures at two decimetre intervals, if the scale is in decimetres; and
- (b) the figures at each metre interval and at intervening two decimetre intervals, if the scale is in metres and decimetres;

the capital letter "M" being placed after each metre figure; the top figure of the scale showing both the metre and (except where it marks a full metre interval) the decimetre figure; the lower line of the figures, or figures and letters (as the case may be), coinciding with the draught line denoted thereby; the figures and letters being not less than one decimetre in height and being marked by being cut in and painted white or yellow on a dark ground, or in such other way as the Department approves.

4. The name of a ship shall be marked in Roman letters and any numerals shall be in Roman or European numerals.

EXEMPTIONS FROM MARKING REQUIREMENTS

The classes and descriptions of ships specified in column 1 are exempted from marking requirements to the extent specified in column 2.

<i>Column 1: Description of Vessel</i>	<i>Column 2 : Exemptions</i>
Pleasure vessels Pilot vessels Barges (other than sea going barges) Vessels employed solely in river navigation.	Name on each of the bows and scale of decimetres on stem and stern.
Pleasure vessels belonging to Yacht Clubs approved by the Department.	Name on each of the bows, port of registry on the stern and a scale of decimetres on stem and stern.
Ships used only for the purposes of Cinematograph or television productions in which the appearance of the markings required by section 8 of the Act and these Regulations would be inconsistent with the purposes of the productions.	Name on each of the bows, name and port of registry on the stern, and a scale of decimetres on stem and stern.
Lifeboats belonging to the RNLI : (i) Steel vessels and Glass Reinforced Plastic vessels (ii) Other vessels	All requirements except name either marked on the bows or displayed in a permanent manner on each side of the deckhouse. Name and port of registry on the stern and a scale of decimetres on stem and stern.
Steam and Motor pilot vessels	Name on each side of the bows, name on the stern, and scale of decimetres on stem and stern.

SCHEDULE 2

PART I

DETAILS TO GO ON REGISTER

1. The following information is to be registered about each owner who is an individual;
 - (a) surname, forename and title;
 - (b) address;
 - (c) nationality, of each owner who is an individual;
 - (d) number of sixty-fourth shares held by him, and if held jointly, with whom the shares are held.

2. The following information is to be registered about each owner which is a body corporate;
 - (a) name of owner;
 - (b) the address of its registered office;
 - (c) country of incorporation;
 - (d) where it is a body corporate incorporated in the Island, the United Kingdom or a relevant British possession, its principal place of business;
 - (d) number of sixty-fourth shares held the company, and if held jointly, with whom the shares are held.

3. The following information is to be registered about each owner which is a limited partnership;
 - (a) name of owner;
 - (b) the address of its registered office;
 - (c) country of registration;
 - (d) its principal place of business;
 - (e) its general partner;
 - (f) the number of sixty-fourth shares held by the limited partnership and if held jointly, with whom the shares are held.

4. The following information is to be registered about:-

- (a) any representative person, manager or managing owner, and
- (b) in respect of any Mortgagee ;
 - (i) the full name of the individual or body corporate;
 - (ii) the address of the individual, or principal place of business in the Island, the United Kingdom or a relevant British possession of the body corporate.

5. The following information is to be registered about ships registered or to be registered on the Register;

- (a) Ship's name;
- (b) IMO number;
- (c) Radio call sign;
- (d) Number, year and Port of registry;
- (e) Number, year and Port of previous registry (if any);
- (f) Ship's official number;
- (g) method of propulsion ; sail, steam, motor or dumb;
- (h) Place of build;
- (i) date keel laid/when built;
- (j) Name and address of builders;
- (k) Measurement of length, depth and breadth;
- (l) type of ship ; dry cargo, oil tanker, passenger, bulk carrier,
- (m) material used to construct hull;
- (n) Particulars of engines (including boilers if fitted) and Engine power in kilowatts;
- (o) Particulars of the ship's gross, net and registered tonnages; and
- (p) Number of seamen for whom accommodation is certified.

PART II

Particulars to be recorded on a Certificate of Registration;

1. Ship's official number;
2. IMO number;
3. Radio call sign;
4. Ship's name;
5. Number, year and Port of registry;
6. Number, year and Port of previous registry (if any);
7. Whether a sailing, steam or motor ship and how propelled;
8. Place of build;
9. Year of build;
10. Name and address of builders;
11. Descriptive particulars of the ship;
12. Measurement of length, depth and breadth;
13. Particulars of engines (including boilers if fitted) and Engine power in kilowatts;
14. Particulars of the ship's Tonnages;
15. Number of seamen for whom accommodation is certified;
16. Name and address of each owner who is an individual;
17. Name and registered office of each owner which is a company;
18. Name and registered office of each owner which is a limited partnership;
19. The number of sixty-fourth shares held by each owner;
20. Date of issue of the Certificate of Registration; and
21. Whether an original or duplicate certificate.

SCHEDULE 3

THE RELEVANT BRITISH POSSESSIONS

The following territories are prescribed as relevant British possessions for the purposes of the Regulations;

Anguila;
Bermuda;
British Virgin Islands;
Cayman Islands;
Falkland Islands;
Gibraltar;
Guernsey;
Jersey;
Montserrat;
St Helena and Dependencies;
Turks and Caicos Islands.

Made 25th. November, 1996

David North,
Minister for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations relate to the Registration of Manx Ships of Merchant Ships and Pleasure Vessels under Part I of the Merchant Shipping Registration Act 1991. They are supplemental to the provisions of that Part of the 1991 Act.

The regulations specify the undermentioned matters :-

- (a) The classes of persons to be regarded as Representative Persons;
- (b) The classes of ships which are not acceptable for registration;
- (c) The approval of ships' names. The marking of the ship with the ship's name, port of registry, draught marks and official number. Exemptions for pilot boats, yachts etc. are incorporated in Schedule 1 to the regulations.
Markings are required to be removed when the ship's registry is closed;
- (d) The persons who may apply for Registry;
- (e) The title evidence to be produced to the Department in support of an application. This will be a Builder's Certificate, Bill of Sale, or a Transcript depending on the circumstances.
- (f) The documents to be retained by Department after registry has been completed;
- (g) The details to be incorporated in the Registry and Certificate of Registry (Schedule 2);
- (h) Arrangements for port to port transfers within the Island, and also between the Island and the United Kingdom, or a relevant British possession listed in Schedule 3.
- (i) The content of notices by intending mortgagees.
- (j) Amendments are made to the Merchant Shipping (Registration of Fishing Vessels) Regulations 1991, the Merchant Shipping (Small Ships Register) Regulations 1991, and the Merchant Shipping (Demise Charter Register) Regulations 1991, to bring these regulations into line with recent developments in the United Kingdom.

The Merchant Shipping Registration Regulations 1991 (GC 390/91) are revoked by the Regulations. Those provisions of the Regulations, which are still relevant, are now incorporated in the new Regulations.

Amendment:

This text includes the amendments (indicated by *bold italics*) made to the Regulations by SD396/03 Merchant Shipping (Pleasure Vessel) Regulations 2003 - the amendment changes the definition of a Pleasure Vessel.

SD2014/0065 Merchant Shipping (MARPOL Annex V) Order 2014

The functions in these Regulations have been transferred by SD155/10 to the Department of Economic Development and then to the Department for Enterprise by SD2017/0325 the Transfer of Functions (Economic Development and Education) Order 2017 with effect from 24 November 2017.