

# Isle of Man Ship Registry Registry Advice Notice



## Registration of Fishing Vessels in the Isle of Man

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Issued 28/01/22

### **1. Introduction**

This notice provides guidance on the procedure for owners seeking to register Manx Fishing Vessels under Part III of the Merchant Shipping Registration Act 1991.

Part III of the register is the fishing vessel register for the Shipping Registry and is open to locally owned and operated fishing vessels. It offers two types of registration: 'simple' for owners who do not require a mortgage to be registered against the vessel and 'full' where mortgage registration is required.

Owners choosing to register a vessel under 'simple' registration have the choice of whether to register title against the vessel. Evidence of title must always be provided in the case of 'full' registration. The record of the vessel on the register will be annotated as 'Title proven/not proven' as appropriate.

Vessels that do not have their proven title initially may subsequently have their title proven if the owner provides evidence of clear continuous ownership over three years, either by a bill of sale or three years of continuous registration on the register. If a vessel has been previously registered in a port outside of the Island a transcript of registry will be accepted as evidence of previous ownership and title.

The primary contact for the Registry Team is [registry.marine@gov.im](mailto:registry.marine@gov.im) and any further guidance or clarification of procedure may be obtained from the team as required. All Forms can be submitted electronically except for title documents (Bill of Sale / Builders Certificate) and Mortgage Documents.

All postal correspondence should be addressed to:

Registrar of Ships  
Isle of Man Ship Registry  
St Georges Court  
Upper Church Street  
Douglas  
Isle of Man  
IM1 1EX

### **2. Eligibility to Register**

A Fishing Vessel is only eligible to be registered as a Manx Fishing Vessel if:

- a) The vessel is Manx-owned; and
- b) The vessel is managed, and its operations are directed and controlled, from within the Island; and



- c) Any charterer, manager or operator of the vessel is a qualified person or company; and
- d) The Fishing Vessel is less than 24m in overall length.

A Fishing Vessel is considered to be Manx-owned if:

- a) The legal title to the vessel is vested wholly in one or more qualified persons or companies; and
- b) The vessel is beneficially owned –
  - i) As to note less than 75 percent of the property in the vessel, by one or more qualified persons; or
  - ii) Wholly by a qualified company or companies; or
  - iii) By one or more qualified companies and, as to not less than 75 percent of the remainder of the property in the vessel, by one or more qualified persons

In the context of Part III of the register, a Qualified Person means:

- A person who is a British citizen resident and domiciled in the Isle of Man; or
- An Isle of Man Government Department.

A Qualified Company means:

- A company which is incorporated in the Isle of Man AND has its principal place of business in the Isle of Man; and
- A company with at least 75% of its shares (taken as a whole), and of each class of its shares is legally and beneficially owned by one or more qualified persons or companies; and
- A company which has at least 75% of its directors as qualified persons.

When any share in a vessel is jointly beneficially owned and not all of the owners are qualified persons or companies, the share is considered to be owned by persons who are not qualified persons or companies.

Under the [Merchant Shipping Registration Act 1991](#) the ownership of all vessels is divided into 64 shares. This applies equally to 'title proven' and 'title not proven' vessels and to vessels in multiple or joint ownership. Please refer to section 5 of the act for more information on division of shares where required.

### **3. Registration Procedure**

Applicants wishing to register a fishing vessel under part III of the register should complete and return form [MFV 1](#) to the registry team.

The application must be accompanied by a [Bill of Sale](#) and [Builder's Certificate](#) (as appropriate) and in the case of:

- An Individual – A copy of their Passport and a recent Utility Bill
- A Body Corporate – A Certificate of Incorporation

If the vessel is already registered elsewhere, this registration must be closed prior to registration on the Manx Register and a deletion certificate provided as evidence showing 'nil encumbrances' or no mortgages outstanding.

Manx Fishing Vessels may be registered in the Island in the ports of Douglas, Castletown, Peel or Ramsey.



Prior to registration, all fishing vessels must undergo a [survey](#) by an Isle of Man Ship Registry Surveyor. To arrange this service please contact [marine.survey@gov.im](mailto:marine.survey@gov.im). There is a fee for this service. The fees relating to survey are charged at an hourly rate and based on geographical location.

The fees are applicable to all fishing vessels registered in the Isle of Man, however they only apply to vessels of less than 15 metres for work done prior to registration in the Isle of Man or as a result of deficiencies found during survey that would require the revisit of a surveyor to ensure that the deficiencies have been rectified.

For further information on fees please refer to our [website](#).

#### **4. Measurement**

All fishing vessels must be measured and have their tonnage ascertained by an Authorised Measurer (either a Recognised Authority or an Isle of Man Ship Registry Surveyor) prior to registration.

Fishing Vessels of less than 15m in overall length will be measured using the simplified system of measurement described in schedule 1 of the [Fishing Vessels \(Tonnage and Registration\)\(Amendment\) Regulations 2001](#).

Fishing Vessels of 15 metres or more but less than 24 metres overall length must be measured in accordance with the requirements of the 1969 Tonnage Convention as detailed in the [Merchant Shipping \(Tonnage\) Regulations 1998](#).

In either case, following completion of measurement the authorised measurer will issue a certificate specifying the tonnage, build and other particulars relating to the ship in line with the form of measurement taken. This should be forwarded to the Ship Registry prior to registration of the vessel.

#### **5. Marking**

Following receipt of application and satisfactory submission of the required documentation, the Ship Registry will allocate port letters from the list of ports of registry and a number within that port along with a register number to the vessel and issue to the owner a carving and marking note.

The owner must then cause the vessel to be marked with its name, port of registry, the port letters and numbers, and carved with the register number allocated to it. If the vessel is over 12 metres in registered length it must additionally be carved with draught marks in accordance with schedule 3 of the [Merchant Shipping Registration of Fishing Vessels Regulations 1991](#).

Following completion of the carving and marking, an Inspector of Marks (either a Recognised Authority or an Isle of Man Ship Registry Surveyor) must attend the vessel and confirm that the vessel has been satisfactorily marked by completing the carving and marking note.

Upon completion, the note must be returned to the Ship Registry as soon as possible. If a note is not returned within 3 months of issue then it may be cancelled by the Ship Registry.

#### **6. Completion of Registration and Temporary Registration**

Following submission of all required documentation and confirmation from the Registry team that all requirements have been completed to their satisfaction, the registration is complete and the vessel will be registered with full or simple registration as appropriate. The Ship



Registry will issue the vessel with a Certificate of Registry confirming that the vessel is registered and detailing the particulars of the vessel.

Where required, owners can request a temporary registration document whilst awaiting receipt of the Certificate of Registry. This document contains the particulars of registration of the vessel and will be valid for a maximum of two months. During the period of its validity, a temporary registration document shall have the same effect as a Certificate of Registry. Please advise the Registry team upon completion of registration if this facility is required.

## **7. Transfer of Port**

An owner of a registered Fishing Vessel may apply to the Ship Registry for the vessel to be transferred from its existing port of Registry to another port of Registry within the Island and to alter the port letters and/or numbers allocated to the vessel. The application should be made using form MFV 1 and accompanied by the existing Certificate of Registry.

Upon receipt of application if the Ship Registry is satisfied that there is not already a vessel of that name at the new port, the vessel will be issued with a new Carving and Marking note denoting the new port letters and numbers. Following satisfactory completion of the Carving and Marking note by an authorised inspector of marks and its subsequent return to the Ship Registry, the existing Certificate of Registry will be cancelled and a new certificate issued denoting the changes.

## **8. Changes in Ownership**

All changes in ownership must be affected by execution of a bill of sale in a [form](#) approved by the Ship Registry. Where the current registered owner of a vessel has passed away, title would be transferred by means of a will or letters of administration. In all cases, the person ceasing to be the registered owner (or their legal representative in the event of death) must notify the registrar in writing that the vessel has been sold to a new owner and the current Certificate of Registry must be returned to the Ship Registry for cancellation.

It is the responsibility of the new owner (if qualified) to make an application on form MFV 1 to register the vessel. The application must be accompanied by a Bill of Sale and a Passport/Utility Bill or Certificate of Incorporation as appropriate.

## **9. Fees**

All fees applicable to the registration of Fishing Vessels can be found on our [website](#).

*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.*

