



RAN 10

DEPARTMENT OF ECONOMIC DEVELOPMENT

REGISTRATION OF FISHING VESSELS IN THE ISLE OF MAN

Most regulations, notices and advice notes are available on The Isle of Man Government web site: www.iomshipregistry.com or by contacting marine.registry@gov.im

- 1.** The present registration system for fishing vessels was introduced in the Isle of Man under Part II of the Merchant Shipping Act 1988 (of Parliament) on the 1st December 1988. That Act was superseded by the provisions of Part III of the Merchant Shipping Registration Act 1991 and the Merchant Shipping (Fishing Vessels Registration) Regulations 1991. These provisions continued the detailed requirements of the registration system which were contained in the Merchant Shipping (Fishing Vessels Registration) (Isle of Man) Regulations 1988 which were revoked by the 1991 Regulations. The only differences are -
 - 1.1** Provisional registration was omitted;
 - 1.2** Most of the provisions relating to mortgages are now specified in Schedule 1 to the Act. The Regulations only contain provisions relating to arrangements for dealing with mortgages on vessels which are transferred between the Part I Register and the Fishing Vessels Register, and a requirement for a copy of a termination notice under section 50 of the Act to go to mortgagee.

OPERATION OF THE NEW REGISTER IN THE ISLE OF MAN

- 2.** The detailed requirements of the registration system are specified in the Merchant Shipping (Fishing Vessels Registration) Regulations 1991. The Fishing Vessels Register continues in the form of computerised records administered by the Department of Trade & Industry. The records of vessels on the new register are annotated "Title proven/not proven" depending upon the case. Vessels who

have "not proven title" initially may have title proven subsequently if the owner provides evidence of continuous clear ownership over three years, either by bill of sale or continuous registration for three years on the Register. In the case of new registrations on the Fishing Vessels Register from a port of registry outside the Island, a transcript of registry will be accepted as evidence of previous ownership and title. Vessels will be registered for an indefinite period but subject to the certificate of registry for each vessel being produced to the Department once in every 4 years for inspection.

PORT OF REGISTRY

- 3.** The existing system of ports of registry and port letters and number (e.g. Castletown/CT; Douglas/DO; Peel/PL; Ramsey/RY) continues and vessels retain their present Port letters and numbers. Vessels names will have to be acceptable to the Department to ensure no confusion over vessels with the same name or undesirable names. Vessels continue to be required to be marked with their names and ports of registry on the stern, and their port letters and numbers on each bow and quarter and on the top of the wheelhouse.

REGISTER NUMBER

- 4.** Unless the fishing vessel is already marked with an Official Number by virtue of having been previously registered under Part I, the vessel will be allocated a Register number to permanently identify the vessel even if she is subsequently renamed or the fishing vessel letters and numbers are changed. The Register number is to be carved into the vessel in the same way as the Part I Official Number, and must be certified at the same time as the Port letters and numbers. The date of issue of the marking and carving certificate allocating the numbers will be entered in the register file. If a fisherman fails to return a carving note after 3 months his application to register will be cancelled.

MORTGAGES

- 5.** Fishermen are able to register mortgages using the vessels as security in the same way as previously. This facility of course only applies in the case of "Title proven" vessels. Mortgages will be recorded in a separate computer file linked to the main register file in respect of a particular vessel. To aid Registry in tracing which branch of a bank is dealing with a particular mortgage a facility is provided on the mortgage deed for insertion of a bank reference. Facilities are also provided to enable intending mortgagees to have their interest noted by the Registrar before the vessel over which it is intended to register the mortgage has itself been registered with title proven registry.

DIVISION INTO 64 SHARES

- 7.** By virtue of section 59(5) of the 1991 Act, 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.

TONNAGE MEASUREMENT

- 8.** Vessels of less than 15 metres in length are to be measured in accordance with a simplified system similar to that previously employed. Vessels of over 15 metres are required to be measured in accordance with the requirements of the 1969 Tonnage Convention as detailed in the Merchant Shipping (Tonnage) Regulations 1998 (SD 513/98), as amended by the Fishing Vessels (Tonnage and Registration) (Amendment) Regulations 2001 SD 288/01.

CHANGES IN OWNERSHIP

- 9.** All changes in ownership must be effected by execution of a Bill of Sale in a form approved by the Department. In the case of the decease of a registered owner title would be transferred by transmission by means of a will or letters of administration. In all cases the person ceasing to be the registered owner, (or in the event of the death of the owner his legal representative) must notify the Registrar in writing that the vessel has been sold to a new owner, and he must deliver up the Certificate of Registration for cancellation. A proforma letter can be obtained from the Registrar's Office. It is then the responsibility of the new owner (if qualified - i.e. he must be a Manx subject domiciled in the Isle of Man or a Company registered in and having its principal place of business in the Island, and if the vessel is still used for commercial fishing) to make application on form MFV 1 to register the vessel. The new owner is also required to make a Declaration of Manx Character, and must produce the Bill of Sale to the Registrar.