



MERCHANT SHIPPING REGISTRATION ACT 1991

MERCHANT SHIPPING REGISTRATION OF FISHING VESSELS REGULATIONS 1991

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This text includes amendments, printed in bold italics made by:

- (a) The Criminal Justice (Penalties etc.) Act 1993 (C.18)***
- (b) The Merchant Shipping Registration Regulations 1996 (SD 689/96)***
- (c) The Transfer of Functions (Marine Administration) Order 1997 (SD 51/97)***
- (d) The Fishing Vessels (Tonnage and Registration) (Amendment) Regulations 2001 (SD 288/01)***
- (e) The Fishing Vessel (Safety Legislation) (Application) Order 2006 (SD73/06)***

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MERCHANT SHIPPING REGISTRATION ACT 1991

MERCHANT SHIPPING (REGISTRATION OF FISHING VESSELS) REGULATIONS 1991

In exercise of the powers conferred on the Department of Highways, Ports and Properties by sections 47 and 48 of, and Schedule 3 to, the Merchant Shipping Registration Act 1991¹ and of all other powers enabling it in that behalf, the following Regulations are hereby made.

PART I -GENERAL

Citation, commencement, Interpretation and Revocation

1. (1) These Regulations may be cited as the Merchant Shipping (Registration of Fishing Vessels) Regulations 1991 and shall come into operation on 1st.December, 1991.

(2) In these Regulations -

“the Act” means the Merchant Shipping Registration Act 1991;

“application for registration” includes, except where otherwise stated, application for registration of a vessel or share therein, application for re-registration of a vessel or share therein and application for registration of a transfer or transmission of a vessel or share therein;

“British Sea-Fisheries officer” means any person who is a British Sea-Fisheries officer by virtue of section 7(1) of the Sea Fisheries Act 1968 (an Act of Parliament)² and includes a Sea Fisheries officer appointed under Section 4 of the Sea Fisheries Act 1971³;

“Certificate of Registry” means a certificate of registration under Part III of the Act;

“Declaration of Manx Character” means a declaration complying with the provisions of Regulation 13;

“Department” means the *Department of Trade and Industry*;

“Inspector of Marks” means any person authorised by the Department to verify the carving and marking of a vessel pursuant to these Regulations;

“maximum continuous engine power” has the same meaning as “engine power” in Article 5.1 of Council Regulation (EEC) No. 2930/86⁴ (defining characteristics for fishing vessels);

¹ 1991 C.15. Functions transferred to the Department of Trade and Industry by SD 51/97

² 1968 C.77

³ 1971 C.18.

⁴ OJ No L 274, 25.9.86, p. 126

“Member State” means any State which is a member of the European Economic Community;

“modification explanation” means the clear explanation, referred to in Article 3.3 of Commission Regulation (EEC) No. 1381/87⁵ (establishing detailed rules concerning the marking and documentation of fishing vessels), of the method by which any modification of engine power has been carried out;

“owner” means, in relation to a vessel or share therein, the person owning the vessel or, as the case may be, a share therein, whether or not registered as owner;

“Part I register” means the register established under Part I of the Act and kept by the Department;

“permanently de-rated engine-power” means a modification of the maximum continuous engine power referred to in Article 3.3 of Commission Regulation (EEC) No. 1381/87;

“port letters and number” means in relation to a vessel of a port of registry, the letters and number within that port allocated to the vessel under regulation 15;

“the Register” means the Register of Manx Fishing Vessels established under Regulation 2;

“Register number” means the register number allocated under regulation 15;

“the registered particulars” means in relation to a vessel the particulars thereof numbered 1 to 13 in Schedule 2;

“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;

“simple registration” and “full registration” have those meaning given to them by Regulation 3;

“transfer of a vessel” includes, except where the context otherwise requires, transfer of a share in a vessel;

(3) The Merchant Shipping (Registration of Fishing Vessels) (Isle of Man) Regulations 1988⁶ are revoked.

⁵ OJ No L 132, 21.5.87, p. 9.

⁶ GC 331/88

PART II -REGISTRATION

The Register

2. The Department shall establish and maintain a register, which may be in a documentary or non-documentary form, to be known as the Register of Manx Fishing Vessels.

Registration to be of two kinds:

3. Registration in the Register shall be of two kinds,
- (a) registration of vessels in pursuance of paragraph 2(c) of Schedule 3 to the Act as vessels to which provisions of the Act relating to transfers by bill of sale and the registration of mortgages do not apply (in these Regulations referred to as “simple registration”); and
 - (b) Registration of vessels as vessels to which those provisions apply (in these Regulations referred to as “full registration”).

Eligibility for Registration as Manx Fishing Vessel

4. (1) Subject to section 48(3) of the Act, a Fishing Vessel shall only be 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.
- (2) For the purposes of paragraph (1)(a) a Fishing Vessel is 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 not less than 75 per cent 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 per cent of the remainder of the property in the vessel, by one or more qualified persons.

(3) Where any share in a vessel is beneficially owned jointly by persons not all of whom are qualified persons or companies, then, for the purposes of this Regulation, the whole of that share shall be treated as beneficially owned by persons who are not qualified persons or companies.

(4) In this regulation -

“qualified Company” means a company which satisfies the following conditions, namely -

- (a) it is incorporated in the Island and has its principal place of business there;
- (b) at least 75 per cent 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
- (c) at least 75 per cent of its directors are qualified persons.

"qualified person" means -

- (a) a person who is a British citizen resident and domiciled in the Island; or
- (b) a Department.

Application - Registration

5. Every application made pursuant to these Regulations shall be made to the Department in the case of an individual, by the individual registered or requiring to be registered as owner or by his agent, in the case of joint owners by any one of those owners, and in the case of a company by a duly authorised officer of that company.

Contents and form of Application

6. Every application for registration shall contain the particulars specified in Schedule 1, shall be in a form approved by the Department and shall state whether the application is for full or simple registration.

Change from Full to Simple Registration subject to conditions

7. A vessel which has once been registered with full registry shall not thereafter be transferred with simple registry unless -

- (a) there is no outstanding registered mortgage thereon; and
- (b) the vessel has in the meantime been registered outside the Island; and
- (c) the Department consents.

Previous Certificate to accompany application

8. Every application for registration shall be accompanied by the previous certificate of registry (if any).

Evidence of title on Registration of Vessel

9. The following evidence of title shall be produced on an application for full registration -

- (a) In the case of a new vessel, the builder's certificate;
- (b) In the case of a vessel which is not new, either -
 - (i) a previous bill of sale or bills of sale showing the ownership of the vessel for at least 3 years before the application is made; or
 - (ii) If the vessel has been registered with full registration at any time within the last three years, bills of sale evidencing all transfers of ownership during the period since it was so registered; or
 - (iii) evidence that the vessel has been continuously registered in the names of the owners applying to be registered as a Manx Fishing Vessel with simple registration for at least 3 years and remains so registered; or
 - (iv) other evidence of title satisfactory to the Department.

Evidence of Title on Registration of transfer of Vessel

10. On application for registration of a transfer of a registered vessel or a share therein pursuant to section 52(1) of the Act, the bill of sale shall be produced to the Department.

Form of Bill of Sale

11. Every bill of sale effecting a transfer pursuant to the Act and these Regulations shall be in a form approved by the Department.

Evidence of Title on registration of Transmission of Vessel

12. On an application for registration of a transmission of a registered vessel or a share therein pursuant to section 57(1) of the Act, the following evidence shall be produced to the Department:-

- (a) If the transmission was consequent on death, by the grant of representation or an official copy thereof or extract therefrom;
- (b) If the transmission was consequent on bankruptcy by such evidence as is for the time being receivable In Courts of justice as proof of title of persons claiming under a bankruptcy; or
- (c) If the transmission was consequent on an order of the court, then a copy of the order or judgment of that Court.

Declaration of Manx Character to accompany application

13. Every application for Registration, whether full or simple registration, shall be accompanied by a Declaration of Manx Character which shall be in a form approved by the Department and shall contain the following particulars:

- (a) In relation to each share in the vessel -
 - (i) the relevant particulars of every person who is the legal owner (including, where there is more than one legal owner, each such owner) of the share; and

- (ii) Where the beneficial ownership of the share is different from its legal ownership, the relevant particulars of the beneficial owner, or where there is more than one, of each beneficial owner of the share; and
- (iii) the name and address of the manager or managing owner of the vessel; and
- (iv) the name and address of any charterer or operator of the vessel (if any); and
- (v) the address of the place from which the operations of the vessel are directed and controlled.

Survey and measurement of vessels

13A. (1) A fishing vessel shall before registration be measured by an authorised measurer and her tonnage calculated in accordance with the tonnage regulations.

(2) After measurement the authorised measurer shall issue a certificate specifying the vessel's tonnage and build and such other particulars describing the identity of the vessel as may be required by the Department. The certificate shall be delivered to the Department before the vessel may be registered.

- (3) Subject to paragraph (4), a fishing vessel which is being :**
- (a) registered for the first time which has been measured and its tonnage ascertained within the previous 12 months; or**
 - (b) re-registered within 12 months of its registration on the Register ceasing, or**
 - (c) a vessel which was previously registered in the United Kingdom and was measured in accordance with provisions equivalent to these Regulations, or**
 - (d) a vessel of 15 metres or over length overall which was previously registered in a Member State and was measured in accordance with the provisions of Council Regulation 2930/86 as amended by Council Regulation 3259/94⁷,**

shall not be required to be measured, and its tonnage ascertained, again in accordance with the tonnage regulations, if a declaration is made by the owner confirming that the measurement and tonnage details have not changed from those previously provided to the Department.

(4) The Department may direct, if it thinks it appropriate, that such declaration be provided by an authorised measurer.

⁷ OJ No L 339, 29.12.94 p. 11

Engine power of fishing vessels registered on Part III of the Act

13B. (1) *This regulation applies where any of the following applications is made on or after 1st July 2001 -*

- (a) an application under regulation 5 to register a fishing vessel;*
- (b) an application under regulation 28 to record a change in the ownership of a registered fishing vessel or share in such vessel; or*
- (c) an application under regulation 29 to record a change in the length, breadth or engine power of a registered fishing vessel.*

(2) *When making an application referred to in paragraph (1), the applicant shall submit:*

- (a) details of the maximum continuous engine power, determined in accordance with Article 5 of Council Regulation (EEC) No. 2930/86, and*
- (b) where an engine is permanently de-rated, the modification explanation.*

Remeasurement of engine power

13C. *Where the Department is not satisfied that the engine power details notified to it, or recorded, for any fishing vessel are correct, it may require the owner to have the engine power measured in accordance with Article 5 of Council Regulation (EEC) No. 2930/86 and to notify the details to it.*

Register entries

13D. *Where the engine power details of a vessel are submitted the Department shall record the following information in the Register -*

- (a) the maximum continuous engine power in kilowatts, or, if the owner notifies the Department of a modification, permanently de-rated engine power in kilowatts,*
- (b) the number of cylinders,*
- (c) the number of engines,*
- (d) the number of revolutions per minute,*
- (e) the modification explanation.*

Supplementary information

14. Where the Department is not satisfied by the information provided on an application for registration of a vessel or of a transfer of a vessel that the vessel is eligible for registry as a Manx Fishing Vessel, it may require such supplementary information and evidence as it thinks fit for the purpose of satisfying itself that the vessel is so eligible.

Allocation of letters and numbers

15. If on receipt of an application for registration, the Department is satisfied that the vessel in respect of which application has been made is eligible to be registered as a Manx fishing vessel, and that the name of the vessel does not appear to the Department to be undesirable, the Department shall allocate to the vessel port letters from the list of ports of registry listed in Schedule 4 and a number within that port together with a register number and shall issue to the owner a Carving and Marking Note.

Marking

16. The owner shall cause the vessel to be marked with its name, port of registry, the port letters and number allocated to it and carved with the register number allocated to it under regulation 14, and, if the vessel is over 12 metres in registered length, draught marks in accordance with Schedule 3.

Carving and Marking Note

17. An Inspector of Marks shall satisfy himself that the vessel has been marked and carved in the manner required by regulation 16 and Schedule 3, and then complete the Carving and Marking Note and return it to the Department.

Cancellation of Carving and Marking Notes

18. If a carving and marking note issued under regulation 15 is not duly completed and returned to the Department in accordance with regulation 17 within 3 months of its issue, the Department may cancel it.

Registration

19. When the Department is satisfied in respect of an application -
- (a) that the vessel has been duly measured, marked and carved; and
 - (b) that the details furnished to it are correct; and
 - (c) (In the case of a n application for full Registration) that title to the vessel has been adequately proved; and
 - (d) that the vessel is eligible under these Regulations to be registered as a Manx Fishing Vessel;

it shall register the vessel, with full registration or simple registration as appropriate and, in the case of full registration, register any mortgage thereon and if more than one, in the order required by paragraph 3 of Schedule 1 to the Act.

Documents to be Retained by the Department

20. On registering a vessel the Department shall retain in its possession the following documents -

- any builder's certificate;
- any measurement certificate issued in respect of the vessel;
- any Carving and Marking Note certified pursuant to Regulation 17; and
- all Declarations of Manx Character.

Issue of Certificate of Registry

21. Upon registering a vessel, the Department shall issue and send to the owner a Certificate of Registry containing the particulars set out in Schedule 2.

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

(Regulation 21A is inserted by the Merchant Shipping Registration Regulations 1996 (SD 689/96)

Temporary Registration Document

22. The Department may, upon registering a vessel if the owner so requests, issue to the owner a temporary registration document. The document shall contain the particulars of registration of the vessel and shall specify, the period (which shall not exceed two months) for which the document is valid.

Effect of Temporary Registration document

23. During the period of its validity, a temporary registration document shall have the effect of a Certificate of Registry.

Duplicate Certificate

24. (1) If it is shown to the satisfaction of the Department that the Certificate of Registry of a vessel has been lost, stolen or destroyed or has become illegible it may issue to the owner or skipper of the vessel a duplicate of that certificate and that duplicate, which shall be marked as such, shall be of the same effect as the original.

(2) Where a duplicate Certificate of Registry is issued the original if then available or if subsequently found shall be forthwith surrendered by the owner of the vessel to the Department.

Status of Certificate etc. under Sea Fisheries legislation

25. A Certificate of Registry (including a valid temporary registration document) shall be a certificate of paper or official paper within the meaning of the Sea Fisheries Act 1868⁸ and a 'document relating to the boat' within the meaning of the Sea Fisheries Act 1968 (and as such must at all times be carried on board the vessel).

Production of Certificate to the Department

26. (a) *The owner of every registered fishing vessel of 24 metres registered length and over shall produce the Certificate of Registry of his vessel to the Department for examination at least once every four years or when applying for survey in accordance with Rules applied to the Island by section 7 of the Fishing Vessels (Safety Provisions) (Isle of Man) Act 1974⁹,*

(b) *The owner of every registered fishing vessel of 15 metre (LOA) to less than 24 metres registered length shall produce the Certificate of Registry of his vessel to the Department for examination at least once every five years or when applying for survey in accordance with Fishing Vessel (Safety of 15-24 Metre Vessels) Regulations 2002¹⁰; or*

(c) *The owner of every registered fishing vessel of less than 15 metres length overall shall produce the Certificate of Registry of his vessel to the Department for examination at least once every five years or when applying for survey in accordance with Fishing Vessel (Code of Practice for the Safety of Small Fishing Vessels Regulations) Regulations 2001¹¹.*

Notification of changes In Ownership etc.

27. Notifications made pursuant to section 56(1) (a) and (b) of the Act being respectively:-

⁸ 1868 C. 45

⁹ 1974 C.7

¹⁰ S.I. 2002 No. 2201 as applied to the Isle of Man by SD 73/06 Fishing Vessel (Safety Legislation) (Application) Order 2006

¹¹ S.I. 2001 No. 9 as amended and applied to the Isle of Man by SD 73/06 Fishing Vessel (Safety Legislation) (Application) Order 2006

- (a) notification of a change affecting the eligibility of the vessel to be registered, and
- (b) notification of a change, not affecting that eligibility, in the percentage of the property in the vessel beneficially owned by qualified persons

shall be made in writing, shall be signed by the owner and shall specify the nature of the change and the name, register number and port letters and number of the vessel.

Change in ownership of registered vessels

28. Where there is any transfer or transmission of a registered vessel or a share therein

- (a) The person ceasing to own, or in the event of his death, his legal personal representative, shall notify the fact to the Department; and
- (b) The new owner shall promptly make application in accordance with these regulations for the transfer or transmission to be registered; and, if such application is not made within three months of the change being notified, the Department may, subject to section 54(2) of the Act, cancel the registry of the vessel and the Certificate of Registry

Change in registered particulars of vessel

29. (1) Where there is a change:-

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

application shall be made, as soon as practicable to the Department for the change to be recorded in the Register. Such application shall be in the form approved for that purpose by the Department and shall be accompanied by the Certificate of Registry.

(2) On recording the change the Department shall cancel the existing certificate and issue to the owner a new Certificate of Registry.

Change of name

29A. 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.

(Regulation 29A is inserted by the Merchant Shipping Registration Regulations 1996 (SD 689/96)

PART III - MORTGAGES

Mortgages transferred to Part I registry

30. (1) Where an undischarged mortgage is registered in the Register in respect of a vessel and that vessel becomes a ship registered under Part I of the Act, the undischarged mortgage shall be transferred to the Part I register in which the ship is registered and shall thereafter for all the purposes of Part I be treated as a mortgage registered under that Part.

(2) Any such transferred mortgage shall be entitled to priority according to the date at which it was registered in the fishing vessel register and paragraph 3 of Schedule 1 to the Act shall be construed accordingly.

Mortgages transferred to Manx Fishing Vessel register

31. (1) Where an undischarged mortgage is registered in the Register in respect of a vessel and that vessel becomes a fishing vessel registered under the Manx Fishing Vessel Register, the undischarged mortgage shall be transferred to the Manx Fishing Vessel register in which the vessel is registered and shall thereafter for all the purposes of Part III of the Act be treated as a mortgage registered under that Part.

(2) Any such transferred mortgage shall be entitled to priority according to the date at which it was registered in the fishing vessel registry and paragraph 3 of Schedule 1 to the Act shall be construed accordingly.

Copy notice under section 54(1) or (4) of the Act (termination) to go to mortgagee

32. Where the Department serves a notice under section 50(1) (notice that a vessel may no longer be eligible for registry) or section 50(4) (notice requiring presentation of vessel for survey) of the Act on a vessel in respect of which a mortgage is registered, it shall send a copy of that notice to the mortgagee at the address for the time being recorded in relation to him in the registry.

PART IV - MISCELLANEOUS

Surrender of Certificates

33. (1) Where the registration of a vessel is terminated by virtue of section 50(3) (vessel no longer eligible) or section 50(5) (vessel not presented for survey) of the Act,
- (a) the owner of the vessel shall forthwith surrender the Certificate of Registry (or if it is not in his possession, ensure that it is surrendered as soon as practicable) to the Department or to a British Sea Fisheries Officer; and
 - (b) if it is on board the vessel the skipper or other person having possession of the Certificate of Registry shall as soon as practical surrender it to the Department or a British Sea Fisheries Officer.
- (2) Where a vessel-
- (a) is actually lost;
 - (b) is broken up;
 - (c) ceases to be employed in fishing for profit;
 - (d) ceases (and the owner thereof has expressly or impliedly acknowledged that it has ceased) to be eligible for registry as a Manx Fishing Vessel,

the Department shall cancel the registry of the vessel and the owner of the vessel shall forthwith surrender the Certificate of Registry to the Department.

Exemption

34. The Department may grant exemptions from all or any of the provisions of these Regulations (as may be specified in the exemption) for classes of cases or individual cases on such terms (if any) as it may so specify and may, subject to giving reasonable notice, alter or cancel any such exemption.

Witnessing of Documents

35. Where the signature on any document made pursuant to these Regulations is required to be witnessed any witness there shall be a person not being the spouse of the signatory, a child or a young person.

Transcripts of the Registry

36. Any person shall be entitled on application to the Department to obtain a transcript, certified by the Department, of the entries in the Register relating to a vessel which is or was registered therein.

Inspections of the Registry

37. Any person shall be entitled on request on attending the office where the Registry is kept at during the hours of its official opening, to inspect the entries registry relating to any vessel.

Fees

38. Where a fee is prescribed in respect of any service or other transaction to be carried out pursuant to these Regulations or to Schedule 1 to the Act (registration of mortgages of registered vessels), the Department shall not be required to carry out the service or other transaction until the appropriate fee has been paid.

Transfer of Port

39. An owner of a registered fishing vessel may apply to the Department for the vessel to be transferred from its existing port of Registry to another such port of registry mentioned at Schedule 4 (“the new port”), or to alter the port letters and/or numbers allotted to that vessel. The application shall be made in a form approved by the Department and shall be accompanied by the existing Certificate of Registry. On receipt of such application the Department if satisfied that there is not already a vessel of that name at the new port, shall allocate to the vessel Port Letters and Number at the new port and shall issue a Carving and Marking Note to the owner.

Re-marking of Vessel

40. On receipt of the Carving and Marking Note, the owner shall cause the vessel to be marked with the new Port Letters and Number allotted to it and shall cause the marking thereof to be inspected by the Inspector of Marks. The Inspector of Marks shall, if satisfied that the vessel is marked in the manner required by Schedule 3 complete the Carving and Marking Note and return it to the Department.

Re-registration at new Port

41. On receipt of the Carving and Marking Note duly completed, the Department shall re-register the vessel at the new port and shall cancel the existing certificate and issue to the owner a new Certificate of Registry.

Offences

46. (1) Any person who, with intent to deceive, uses or lends or allows to be used by another, a certificate of registration, whether in force or not, shall commit an offence.

(2) It shall be an offence on the Part of the owner or skipper of a vessel if any of the marks required by Schedule 3 to be marked on the vessel is effaced, altered, allowed to become illegible, covered or concealed.

(3) It shall be a defence for a person charged with an offence under paragraph (2) to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(4) Any person who fails, without reasons acceptable to the Department, to surrender a certificate of registration when required to do so by these Regulations, shall commit an offence.

(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.

(4B) Any owner who contravenes paragraph 13B(2) shall be guilty of an offence.

(5) The offences specified in paragraphs (1), (2) and (4) shall be punishable on summary conviction as follows :

- (a) an offence under paragraph (1) with a fine not exceeding £5,000;
- (b) an offence under paragraph (2) with a fine not exceeding £2,500;
- (c) an offence *under paragraphs (4), (4A) and (4B)* with a fine not exceeding £1,000.

SCHEDULE 1

Regulation 6.

PARTICULARS OF APPLICATION FOR REGISTRATION

(1) Particulars of vessel -

Proposed name of vessel;

Port or intended port of Registry;

Year of build of vessel;

Place of build of vessel;

Construction material of vessel;

Name of builder of vessel;

Overall or Approximate overall length in metres;

Engine make and model;

Engine power in Kilowatts.

(2) Particulars of Owners -

Full name, address, telephone number (if any), nationality and domicile of each registered or intended registered owner who is an individual; and

Name, registered office, principal place of business, and telephone number (if any), of any registered or intended registered owner which is a company.

(3) Details of Previous Registry -

Previous name of vessel;

Previous port letters and number (if any);

If previously registered under Part I of the Act or under Part I of the Merchant Shipping Act 1894¹² (an Act of Parliament):

the official number and port of Registry thereunder;

If previously registered under Part II of the Merchant Shipping Act 1988¹³ (an Act of Parliament) in the Isle of Man or the United Kingdom :

the registry number or RSS number thereunder;

¹² 1894 c. 60

¹³ 1988 c. 12.

Particulars of any undischarged registered mortgage, including -

name of mortgagee;

date of mortgage;

If previously foreign registered:

Country of Registration.

SCHEDULE 2

Regulation 21

PARTICULARS TO BE RECORDED ON A CERTIFICATE OF REGISTRATION -

1. Name of vessel;
2. Port Letters and number;
3. Register number;
4. Registered length;
5. Overall length;
6. Breadth;
7. Depth;
8. Nett Tonnage;
9. Gross Tonnage (if any);
10. Engine make and model;
11. Engine power in kilowatts;
12. Year of build of vessel;
13. Place of build of vessel;
14. Name and address of each owner who is an individual;
15. Name and principal place of business of each owner which is a company; _
16. Name and address of Manager (if different from Owner);
17. Type of Registration (Full or Simple);
18. Date of issue of the Certificate of Registration;
19. Whether an original or duplicate Certificate.
20. *maximum continuous engine power, in kilowatts, or if the owner notifies the Registrar of a modification, permanently de-rated engine power in kilowatts;*
21. *modification explanation.*

SCHEDULE 3

Regulation 56

MARKING

1. The name of the vessel and the port of registry shall be painted in a colour contrasting with the colour of the ground on which they are located, outside the stern of the vessel in letters which shall not be less than 8 centimetres in height and 1.5 centimetres in breadth.
2. The Port Letters and Number of the vessel shall be painted or displayed as follows:-
 - (a) the letters shall precede the number;
 - (b) the letters and number shall be placed outside each bow and quarter of the vessel, as high above the water as is possible so as to be clearly visible from the sea and air, in a colour contrasting with the colour of the ground on which they are painted; _
 - (c) The letters and numbers shall in addition, be placed in a similar manner to the satisfaction of the Department on the wheelhouse top or other horizontal surface;
 - (d) For vessels not over 17 metres in length, the height of the letters and numbers shall be at least 25 centimetres with a line thickness of at least 4 centimetres. For vessels over 17 metres in length the height of the letters and numbers shall be at least 45 centimetres, with a line thickness of at least 6 centimetres.
3. The contrasting colours referred to in paragraphs 1 and 2 shall be black and white

CARVING

4. The Registry number shall be carved into the main beam of the vessel or otherwise marked or fixed thereon in such a way that it cannot be readily effaced.

DRAUGHT MARKINGS

5. Every fishing vessel to which these Regulations apply of over 12 metres registered length, shall be marked with a scale of decimetres, or of metres and decimetres, denoting a draught of water on each side of her stem and of her stern post
 - (i) in figures at two-decimetre intervals, if the scale is in decimetres; and

- (ii) 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 length and being marked by being cut in and painted white on a dark ground, or in such other way as the Department approves.

6. The Department may exempt a fishing vessel from the requirements of paragraph 5 if the vessel is already marked with draught markings in a scale of feet and tenths.

7. In the scale showing the vessel's draught of water is in any respect inaccurate, so as to be likely to mislead, the owner of the vessel shall be liable to a fine not exceeding £2,500.

SCHEDULE 4

Regulation 15

PORTS OF REGISTRY AND PORT LETTERS

<i>Ports of Registry</i>	<i>Port Letters</i>
Castletown	CT
Douglas	DO
Peel	PL
Ramsey	RY

Made this 13th. day of November, 1991

A. Arnold Callin,

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MINISTER for Highways, Ports and Properties.

EXPLANATORY NOTE

(This note is not Part of the Regulations)

Part III of the Merchant Shipping Registration Act 1991 provides for the registration of fishing vessels. These Regulations replace and re-enact the previous Regulations (GG 331/88) which were made under Part II of the Merchant Shipping Act 1988. The computerised registry established under that Act, administered by the Department of Highways, Ports and Properties, together with existing requirements for registration of title and mortgages, will continue under the new regulations.

As under the 1988 Regulations, vessels registered on the Part I or small ships registers, may transfer to the new registry if they are used as a commercial fishing vessel.

It will continue to be an offence to use a certificate with intent to deceive, to fail to keep the vessel marked as required or to surrender a certificate of registry when required to do so.