



ASPECTS OF SHIP REGISTRATION

Jan 2002

1 Introduction

- 1.1 The Merchant Shipping Act sets out the legislation governing ships wishing to fly the British ensign but there is presently no compulsion to register every pleasure vessel as a "BritishShip" i.e. small yachts owned by private persons and used only within British waters. However, many owners will find that registration is desirable or even obligatory in certain specific circumstances.
- 1.2 For instance, any owner wishing to enter foreign territorial waters must ensure that the vessel is registered to prove its nationality and a vessel must also be registered to be eligible to fly a privileged ensign such as the defaced blue ensign of a yacht club.

2 Part I Registration

- 2.1 It is necessary first to explain that the term "BritishShip" is used in official circles to denote any vessel which is registered with the British authorities. The term encompasses not only merchant ships but also pleasure craft and fishing vessels.
- 2.2 Registration of all British ships is governed by the Merchant Shipping Act and Regulations made thereunder and is dealt with by the Registry of Shipping and Seamen (RSS) at their offices in Cardiff.
- 2.3 There are a number of different types of registration, the full procedure being termed "Part I" registration. A ship must be registered on Part I of the Register if it is over 24 metres in length or if the owner or a company wishes to register a mortgage on the ship. The latter case is frequently encountered when funding the purchase of a yacht by means of a marine mortgage effected through one of the specialist finance houses. Part I registration is the only way of registering title i.e. the legal right to ownership of a vessel, and when a registered ship is sold it is vital to ensure that the requisite transfer documentation is completed.
- 2.4 A yacht can be registered on the Part I Register following the completion of an application form and a declaration of eligibility. The latter form effectively ensures that only British citizens and other persons or companies who are established in the countries of the European Economic Area are qualified to register a ship.
- 2.5 Every vessel must have a unique name and owners are advised to establish that the desired name is available. If the chosen name is already that of a registered vessel it will be necessary to offer an alternative name or choice of names before the application can be accepted. It is possible to reserve a chosen name for a period of three months prior to registration. The same strictures apply in the case of an owner wishing to change the name of a registered ship.
- 2.6 When completing the application forms you will be asked to indicate a "Port of Choice" with which you wish the ship to be associated. A list of more than 100 designated ports is given

and the owner is free to select any one of them. Some yachtsmen select their home port whilst others prefer a short name such as *Ayr* or *Rye* to minimise the cost of sign-writing on the stern!

- 2.7 To register a new ship the builder's certificate or bill of sale or receipt must be provided to confirm original ownership. For older ships it is necessary to provide previous bills of sale evidencing the chain of ownership for at least the past 5 years.
- 2.8 A measurement survey is also required before a ship can be registered, the purpose being to confirm the recorded dimensions and tonnages which appear on the Certificate of Registry. Once the RSS is satisfied with the documents submitted it will issue a Carving & Marking Note which details the Official Number and other marks which must be indelibly carved into the structure of the ship. The owner of a pleasure vessel less than 24 metres in length can certify that the marking has been done. In other cases a surveyor's signature will be required.
- 2.9 The Official Numbers of British ships registered on Part I of the Register are six-figure numbers taken from a single series shared with many Commonwealth countries. The Official Number of a ship generally remains with it for the duration of its life and in the event that the ship returns to the UK register after a period of removal, the same number will be re-allocated to it.
- 2.10 When the carving note is returned and all fees have been paid the ship is formally registered and a Certificate of Registry is issued which contains details about the ship and its owners. For the purpose of registration ownership of all ships is divided into 64 shares and the certificate will indicate how many shares each owner has allocated to his name. Joint ownership of the total number of shares is permitted and it is also possible for a corporate body to hold shares.
- 2.11 Registration is effective for a period of 5 years after which it must be renewed and any change in ownership or details of the ship must be notified to the RSS for the Register to be updated.
- 2.12 A scale of fees is prescribed by the RSS for the services on offer and when combined with the charge levied by a surveyor, together with the time taken to complete the paperwork satisfactorily, the entire process cannot be regarded as either cheap or easy. You can expect to receive little change from £300 or £400 for the entire process.

3 Small Ships Register

- 3.1 To provide an easier and far less costly alternative to full Part I registration it is possible to register a small ship on Part III of the Register of British Ships. A "small ship" is defined as one which is less than 24 metres in overall length and this form of registration is consequently appropriate for many yacht owners who are ordinarily resident in the United Kingdom.
- 3.2 A vessel owned by a company or used for fishing may not be entered on the Small Ships Register but in most other cases it is a convenient method of proving the boat's nationality when cruising in European waters (but not if engaged in any commercial activity such as diving or chartering).
- 3.3 Registration on the SSR does not register "title" nor can mortgages be registered, so in such cases there is really no alternative but to follow the full Part I procedure described above.
- 3.4 Vessels entered on Part III of the register are allocated an "SSR" number. A simple application form can be completed by the owner giving details of the length of the boat and its name (which does not have to be unique). A fee of £10 is currently charged for the

certificate which lasts for 5 years. The SSR was originally administered by the Royal Yachting Association until it was transferred, with something less than total success, to the DVLA at Swansea. The SSR has now been incorporated into the activities of the RSS at Cardiff, to whom all enquiries should be directed.

4 Lloyds Register

- 4.1 Those of us who started boating when code flag "A" meant "I am undergoing speed trials" will remember the Yacht Register published by Lloyd's Register of Shipping. My own cherished 1973 edition of this magnificent leather-bound tome contained details of no fewer than 13,000 yachts, their builders and their owners - many of whom were show-biz personalities and celebrated public figures. Many mesmerised hours could be passed whilst checking the information on the craft of fellow yachtsmen.
- 4.2 Unfortunately, the practice of listing all yachts notified by subscribers has now ceased and the most recent (1996) edition of the Register is restricted to details of yachts classed with Lloyd's Register. This change has reduced the listing to just over 400 LR classified yachts, many of them being recently built "super-yachts" owned by corporate bodies in overseas tax-havens. It is gratifying, however, to observe that a few smaller yachts have survived the demanding periodic survey procedures and have retained their classifications.
- 4.3 One frequently sees yachts offered for sale as being "Lloyd's Registered" but the buyer should treat this with caution. Vendors sometimes innocently mistake British registration with Lloyd's classification. Others, one suspects, attempt to mislead buyers into believing that the yacht is of a superior quality. The legal term for this is "misrepresentation"!
- 4.4 With the introduction of the Recreational Craft Directive which became fully effective in EU states from 16 June 1998, Lloyd's Register ceased to classify new yachts under 24 metres although larger craft still continue to be eligible for classification under its rules for Special Service Vessels. LR is now one of a number of notified bodies able to carry out product certification in accordance with the Directive but compliance is now a matter for enforcement by local authority Trading Standards Departments.

5 Fishing Vessels

- 5.1 All British vessels engaged in commercial sea fishing have to be registered with the RSS on the Part II Register. Each vessel is allocated distinctive port letters and numbers which are a familiar sight to yachtsmen.

The following list contains some of the commonly seen abbreviations:

A Aberdeen	BF Banff	BE Barnstaple	BM Brixham
CK Colchester	CS Cowes	DH Dartmouth	E Exeter
FD Fleetwood	FY Fowey	YH Great Yarmouth	H Hull
LT Lowestoft	PW Padstow	PZ Penzance	PH Plymouth
RX Rye	SS St Ives	TH Teignmouth	

There are well over 100 such port letters - see how many others you can spot when out for a coastal cruise.

6 Measurement Surveys

- 6.1 All registration procedures require the yacht to be measured so that its dimensions can be entered on to the certificate of registry but, as outlined above, varying degrees of detail are stipulated.
- 6.2 For full Part I registration a detailed measurement survey must be performed by an approved surveyor who will charge a professional fee for his work. Entry on the Small Ships Register is more straightforward and the owner is able to certify the overall length of the vessel himself.
- 6.3 In all cases it must be remembered that current registration does not signify that the yacht has had a comprehensive survey undertaken nor can its condition be assured. Prospective purchasers of second-hand boats should always commission an independent survey before parting with their money.
- 6.4 Suitably qualified surveyors can be contacted by responding to trade advertisements or via the Yacht Brokers, Designers & Surveyors Association (see address below).
- 6.5 The Royal Yachting Association can also provide a list of surveyors who can carry out the required work for yachts up to 13.7 metres.

7 Transfer of Ownership

- 7.1 Every time a Part I registered ship is sold it is necessary for the transfer of ownership to be properly documented using forms approved by RSS.
- 7.2 A Bill of Sale and Declaration of Eligibility must be completed and submitted to RSS with the designated fee. It is important to understand that failure to follow the required transfer procedure will mean that legal "title" will not be traceable and marine mortgages relating to the vessel may remain undetected.
- 7.3 When buying a vessel that is British Registered you must ensure that the sale contract allows for transferring title and for complying with the procedures required by the Merchant Shipping Act. If the ownership sequence documents are not submitted it may be difficult to sell the vessel and may entail tracing the previous owners in order to obtain the bills of sale and transfer papers - all very costly.
- 7.4 When a ship registered on the Small Ships Register is sold to a new owner, the registration lapses and a new certificate should be obtained by completing an application form as previously described.

8 Contacts

- 8.1 Information relating to Part I registration, the scale of charges and official forms can be obtained from:

Registry of Shipping & Seamen (RSS)
P O Box 165
Cardiff
CF14 5FU

Telephone 029 2074 7333

Fax 029 2074 7877

Personal applications can be made by visiting the RSS at:

*Anchor House
Cheviot Close
Parc Ty Glas
Llanishen
Cardiff
CF14 5JA*

Monday to Thursday 0900 - 1630 hrs.
Friday 0930 - 1630 hrs.

N.B. Extra fees may be payable for counter service

8.2 Information and application forms for the Small Ships Register can be obtained from:

*Small Ships Register
Registry of Shipping & Seamen
P O Box 508
Cardiff
CF14 5FH*

Telephone 029 2076 8205 or 029 2076 8206 Fax 029 2074 7877

8.3 The principal trade organisation for many recognised yacht surveyors is the YBDSA whose address is:

*Yacht Brokers, Designers and Surveyors Association
Wheel House
Petersfield Road
Whitehill
Bordon
Hants.
GU35 9BU*

Telephone 01420 473862 Fax 01420 488328

8.4 The contact address for the RYA is:

*Royal Yachting Association
RYA House
Romsey Road
Eastleigh
Hants.
SO50 9YA*

Telephone 023 8062 7400 Fax 023 8062 9924

8.5 In case of difficulty, members of NABO may contact a member of Council or the NABO River Users' Co-ordinator / Technical Representative.

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