
STATUTORY INSTRUMENTS

1993 No. 3138

**The Merchant Shipping (Registration
of Ships) Regulations 1993**

PART III

**QUALIFICATION AND ENTITLEMENT FOR
REGISTRATION ON PART I OF THE REGISTER**

Persons qualified to be owners of ships to be registered on Part I of the Register

7.—(1) The following persons are qualified to be the owners of ships which are to be registered on Part I of the Register:—

- (a) British citizens or persons who are nationals of a member State other than the United Kingdom and are established (within the meaning of Article 52 of the EEC Treaty) in the United Kingdom;
- (b) British Dependent Territories citizens;
- (c) British Overseas citizens;
- (d) persons who under the British Nationality Act 1981⁽¹⁾ are British subjects;
- (e) persons who under the Hong kong (British Nationality) Order 1986⁽²⁾ are British Nationals (Overseas);
- (f) bodies corporate incorporated in a member State;
- (g) bodies corporate incorporated in any relevant British possession and having their principal place of business in the United Kingdom or in any such possession; and
- (h) European Economic Interest Groupings being groupings formed in pursuance of Article 1 of Council Regulation (EEC) No.2137/85⁽³⁾ and registered in the United Kingdom.

(2) A person who is not qualified under paragraph (1) to be the owner of a British ship may nevertheless be one of the owners of such a ship if:

- (a) a majority interest in the ship (within the meaning of regulation 8) is owned by persons who are qualified to be the owners of British ships, and
- (b) the ship is registered on Part I of the Register.

British connection and majority interest

8.—(1) Subject to regulation 36(4) (Refusal of registration) and paragraphs (2), (3) and (4) below a ship shall be entitled to be registered if a majority interest in the ship is owned by one or more persons qualified to be owners of British ships.

(1) 1981 c. 61.

(2) S.I.1986/948.

(3) Set out in Schedule 1 to S.I. 1989/638.

(2) Where entitlement to register arises by virtue of the majority interest being made up of a person or persons qualified by reason of regulation 7(1)(a), (b), (e), (f), or (h), the ship shall, subject to paragraphs (3) and (4) below, be registered only if that person or (as the case may be) any of those persons is resident in the United Kingdom.

(3) Where the condition in paragraph (2) is not satisfied the ship shall be registered only if a representative person is appointed in relation to the ship under Part V.

(4) Where entitlement to be registered arises by virtue of the fact that the majority interest is owned by persons one or more of whom are persons who are qualified by reason of:—

- (a) regulation 7(1)(c) or (d), the ship shall be registered only if:—
 - (i) that person, or (as the case may be) any of those persons, is resident in the United Kingdom, or
 - (ii) where that condition is not satisfied, the Secretary of State furnishes a declaration that he consents to the ship being registered, and, in addition, a representative person is appointed in relation to the ship;
- (b) regulation 7(1)(g), the ship shall be registered only if:—
 - (i) the body corporate has a place of business in the United Kingdom, or
 - (ii) where that condition is not satisfied, if a representative person is appointed in relation to the ship.

(5) Where entitlement to be registered arises by virtue of the fact that the majority interest is owned by the following persons:—

- (a) one or more persons who are qualified by reason of regulation 7(1)(a), (b), (e), (f), or (h), and
- (b) one or more persons qualified by reason of regulation 7(1)(c) or (d), or
- (c) one or more persons qualified by reason of regulation 7(1)(g),

the ship shall be entitled to be registered—

- (i) if any of those persons is resident in the United Kingdom, or
- (ii) (where that condition is not satisfied) if a representative person is appointed in relation to the ship.

9. For the purposes of regulation 8:—

- (a) one or more persons shall be treated as owning a majority interest in a ship if there is vested in that person or in those persons, taken together, the legal title to 33 or more shares in the ship (there being left out of account for this purpose any share in which any beneficial interest is owned by a person who is not entitled to be an owner of a British ship); and
- (b) a body corporate shall be treated as resident in the United Kingdom if, being a body incorporated in a member State, it has a place of business in the United Kingdom.

Government ships

10. Nothing in this Part applies to a ship to which section 80 of the Merchant Shipping Act 1906(4) applies (Government ships).

Fishing vessels excluded from Part I

11. A fishing vessel may not be registered on Part I of the Register.

(4) 1906 c. 48.

