



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART II

#### REGISTRATION

##### *General*

#### **16 Private law provisions for registered ships and liability as owner.**

- (1) Schedule 1 (which makes provision relating to the title to, and the registration of mortgages over, ships) shall have effect.
- (2) Schedule 1 does not apply in relation to ships which are excluded from its application by registration regulations under section 10(4)(a).
- (3) Where any person is beneficially interested, otherwise than as mortgagee, in any ship or share in a ship registered in the name of some other person as owner, the person so interested shall, as well as the registered owner, be liable to any pecuniary penalties imposed by or under this Act or any other Act on the owners of registered ships.
- (4) Where the registration of any ship terminates by virtue of any provision of registration regulations, the termination of that registration shall not affect any entry made in the register so far as relating to any undischarged registered mortgage of that ship or of any share in it.
- (5) In subsection (4) above “registered mortgage” has the same meaning as in that Schedule.
- (6) In this Part “the private law provisions for registered ships” means the provisions of Schedule 1 and registration regulations made for the purposes of that Schedule or the provisions of registration regulations made under section 10(4)(a).

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**Changes to legislation:** Merchant Shipping Act 1995, Section 16 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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**Modifications etc. (not altering text)**

- C1 S. 16(3) applied (31.3.2023) by [The Merchant Shipping \(Watercraft\) Order 2023 \(S.I. 2023/35\)](#), arts. 1(1), 4

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 145(2)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 13\(2\)](#)
- s. 145(2)(a)(ia) words substituted by [2015 c. 2 Sch. 11 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2)(a)(ia) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)
- s. 145(2A) inserted by [2003 c. 44 Sch. 36 para. 13\(3\)](#)
- s. 145(2A) words substituted by [2015 c. 2 Sch. 11 para. 16\(3\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2A) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)