
STATUTORY INSTRUMENTS

1993 No. 3138

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

PART X

BAREBOAT CHARTER-IN

Qualification and entitlement for registration of bareboat charter ships other than fishing vessels

73. The persons qualified to be the owners of British ships by virtue of regulation 7(1) who charter a ship (other than a fishing vessel) on bareboat charter terms shall be qualified to register a bareboat charter ship under section 7 of the Act.

Commencement Information

I1 [Reg. 73](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Qualification and entitlement for registration of a fishing vessel as a bareboat charter ship

74.—(1) The persons prescribed by regulation 12 who charter a fishing vessel on bareboat charter terms shall be eligible to register it on Part IV of the Register under section 7 of the Act.

(2) A fishing vessel shall not be registered on Part IV of the Register unless it is managed, and its operations controlled and directed, from within the United Kingdom.

Commencement Information

I2 [Reg. 74](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Appointment of representative person

75. Where the charterer is not resident in the United Kingdom he shall appoint a representative person and Part V shall apply as if the charterer were the owner.

Commencement Information

I3 [Reg. 75](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Registration of Ships) Regulations 1993, PART X. (See end of Document for details)

Dispensations for the bareboat charterers of fishing vessels

76. The charterers of fishing vessels which are, or are to be, registered as bareboat charter ships may apply for dispensation from the eligibility requirements in accordance with regulation 15 (Dispensations).

Commencement Information

I4 Reg. 76 in force at 21.3.1994, see **reg. 1(1)**

Applications

77.—(1) Every application for registration of a bareboat charter ship shall be made to the Registrar at the General Registry of Shipping and Seaman in person or by post.

(2) Regulation 21 (The applicant) shall apply to this Part as if the charterer were the owner.

(3) Every application for registration of the ship shall be in a form approved by the Secretary of State and accompanied by:—

- (a) a declaration of eligibility which shall include:—
 - (i) a declaration by every charterer setting out his qualification to register a bareboat charter ship, and
 - (ii) in respect of fishing vessels, a declaration that the management, and direction and control, of the ship, will be carried out from within the United Kingdom.
- (b) a copy of the charter-party showing:—
 - (i) the name of the ship;
 - (ii) the name of the charterer or charterers and the name of the owner or owners of the ship;
 - (iii) the date of the charter-party;
 - (iv) the duration of the charter-party;
- (c) the certificate of registry, or other document, issued by the authority responsible for the registration of ships in the country of primary registration showing the ownership of the ship; and
- (d) where the charterer is a body corporate, the document or documents required by regulation 24 (Applications by bodies corporate).

(4) Regulation 29 (Survey and measurement) shall apply to this Part.

(5) The Registrar may refuse to register any fishing vessel as a bareboat charter ship if he is not satisfied that there is in force in respect of the vessel any certificate required to be so in force by virtue of section 4 of the Fishing Vessels (Safety Provisions) Act 1970.

Commencement Information

I5 Reg. 77 in force at 21.3.1994, see **reg. 1(1)**

Names

78.—(1) On making an application for registration of a bareboat charter ship the applicant shall propose a name which the ship is to be called while so registered.

(2) If the Registrar is satisfied that the name is in compliance with the provisions of Schedule 1 he shall approve the name.

Commencement Information

I6 Reg. 78 in force at 21.3.1994, see [reg. 1\(1\)](#)

Allocation of identifying number; port of choice and port numbers

79.—(1) On making application for registration of a bareboat charter ship the applicant shall specify one of the ports listed in part 1 or 2 of Schedule 2, as is appropriate, which it is intended shall be the port of choice.

(2) Where the application is made in respect of a fishing vessel, the Registrar shall, if he is satisfied that the ship in respect of which the application has been made is eligible to be registered as a bareboat charter ship, allocate a number within the vessel's port of choice.

(3) Any ship which does not have a unique identifying number ("identifying number") allocated by its primary register shall be allocated such a number by the Registrar.

Commencement Information

I7 Reg. 79 in force at 21.3.1994, see [reg. 1\(1\)](#)

Marking

80.—(1) On being satisfied that the ship is eligible for registration and on production of any certificate for survey required under regulation 29 (Survey and measurement of ship) the Registrar shall issue a carving and marking note.

(2) On receipt of a carving and marking note the charterer shall:—

- (a) where the ship is not already so marked cause it to be marked with;
 - (i) its name, and
 - (ii) its port of choice, and
 - (iii) in respect of a fishing vessel, the allocated number in its port of choice, and
- (b) where the ship is not already so carved, cause it to be carved with its identifying number and the number denoting its tonnage,

in accordance with Schedule 3.

Commencement Information

I8 Reg. 80 in force at 21.3.1994, see [reg. 1\(1\)](#)

Inspection of marks etc

81. Regulations 33 (Inspection of marks) and 35 (Cancellation of carving and marking note) shall apply to this Part [^{F1}as if any reference in them to the owner was a reference to the charterer].

F1 Words in [reg. 81](#) added (21.3.1994) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) Regulations 1994 \(S.I. 1994/541\)](#), [regs. 1, 12](#)

Status: Point in time view as at 21/03/1994.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Registration of Ships) Regulations 1993, PART X. (See end of Document for details)

Commencement Information

I9 [Reg. 81](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Registration

82.—(1) Where the Registrar is satisfied in respect of an application:—

- (a) that the ship has been duly carved and marked, and
- (b) that, where required, the appropriate certificate of survey has been provided, and
- (c) that the other requirements preliminary to registration have been complied with,

he shall enter in the Register the details prescribed in Schedule 4.

(2) Upon registering a ship the Registrar shall issue and send to the charterer a certificate of bareboat charter containing the particulars set out in Schedule 5.

(3) Upon registering a ship the Registrar shall retain in his possession a copy of the charter, a copy of any certificate of survey and all declarations of eligibility, and if applicable any declarations required by regulation 24 (Applications by bodies corporate).

(4) Notwithstanding that a ship is otherwise entitled to be registered, the Registrar may refuse to register it if, taking into account any requirements of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, he considers that it would be inappropriate for the ship to be registered.

Commencement Information

I10 [Reg. 82](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Period of registration

83.—(1) The registration of a bareboat charter ship shall expire:—

- (a) on the expiry of the charter period, or
- (b) at the end of a period of 5 years beginning with the date of registration specified in the certificate of bareboat charter,

whichever is the earlier.

(2) 3 months before the expiry of the registration period the Registrar shall issue to the charterer of the ship a renewal notice.

(3) Application for renewal of registration may be made during the last three calendar months of the current registration period.

(4) Application for renewal shall be in a form approved by the Secretary of State and shall be accompanied by a declaration of eligibility and by the certificate of bareboat charter.

Commencement Information

I11 [Reg. 83](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Notification of changes

84.—(1) If at any time there occurs, in relation to a bareboat charter ship any change affecting the eligibility of the ship to be registered, the charterer of the ship shall, as soon as practicable after the change occurs, notify the Registrar.

(2) Notification made under paragraph (1) shall be made in writing, shall be signed by the charterer and shall specify the nature of the change and the name and the identifying number of the ship.

(3) Any person who contravenes paragraph (1) shall be guilty of an offence.

Commencement Information

I12 Reg. 84 in force at 21.3.1994, see reg. 1(1)

Application of other regulations to this Part

85. Regulations 51 (Change in registered particulars of ship), 52 (Change of name), 53 (Transfer of port of choice) and 54 (Re-marking of ship) shall apply to this Part [^{F2}as if any reference in them to the owner was a reference to the charterer].

F2 Words in reg. 85 added (21.3.1994) by The Merchant Shipping (Registration of Ships) (Amendment) Regulations 1994 (S.I. 1994/541), regs. 1, 12

Commencement Information

I13 Reg. 85 in force at 21.3.1994, see reg. 1(1)

Notification to foreign registries by Registrar

86. The Registrar shall notify the responsible authority for registration of ships in the country of primary registration when:—

- (a) the ship has been registered as a bareboat charter ship on the British Register, or
- (b) the ship's registration has closed by reason of the expiry of the certificate of registry under regulation 83(1)(b) (Period of registration), or
- (c) the ship's registration has been closed by the Registrar by reason of regulation 87 (Closure of bareboat charter ship's registration by the Registrar).

Commencement Information

I14 Reg. 86 in force at 21.3.1994, see reg. 1(1)

Closure of bareboat charter ship's registration by the Registrar

87.—(1) The Registrar may, subject to regulation 101 (Service of notices), close the registration of a bareboat charter ship:—

- (a) on application by the charterer;
- (b) on the ship no longer being eligible to be registered;
- (c) on the ship being destroyed (which includes, but is not limited to, shipwreck, demolition, fire and sinking);

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(d) if, taking into account any requirement of the Merchant Shipping Acts (including any instrument made under them) relating to the condition of the ship or its equipment so far as it is relevant to its safety or to any risk of pollution or to the safety, health and welfare of persons employed or engaged in any capacity on board the ship, he considers that it would be inappropriate for the ship to remain registered.

(2) On closure of a ship's registration under paragraph (1) the charterer shall forthwith surrender to the Registrar the certificate of bareboat charter for cancellation.

Commencement Information

I15 [Reg. 87](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Status:

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