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STATUTORY INSTRUMENTS

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**1993 No. 3138**

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

**PART XIV  
TRANSITIONALS**

**Definitions for this Part**

**115.** For the purposes of this Part,

‘five year period’ means the period between 21st March 1994 and 20th March 1999];

‘new certificate’ means a certificate of registry issued in accordance with these Regulations;

‘old certificate’ means any certificate of registry, other than a provisional certificate, issued under:—

- (i) the Merchant Shipping Act 1894;
- (ii) the Merchant Shipping Act 1983; or
- (iii) the Merchant Shipping Act 1988.

**Validity of old certificates**

**116.—(1)** An old certificate shall remain in force until, either

- (a) a new certificate is issued under these regulations, or
- (b) the expiry of the five year period,

whichever shall be the earlier.

**(2)** A provisional certificate of registry issued under:—

- (a) section 22 of the Merchant Shipping Act 1894<sup>(1)</sup>, or
- (b) Part IV of the Merchant Shipping (Registration of Fishing Vessels) Regulations 1988<sup>(2)</sup>,

shall remain in force until the date of its expiry in accordance with the legislation under which it was issued.

**Registered information**

**117.** Schedules 4 and 5 shall not apply to any ship until a new certificate of registry is issued in respect of that ship.

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(1) 1894 c. 60.  
(2) S.I.1988/1926.

### **Issue of new certificates of registry**

**118.**—(1) Notwithstanding regulations 51 (Change in registered particulars of ship) and 55 (Registration of changes of name or port of choice) any certificate of registry of a ship, other than a fishing vessel, which:—

- (a) is issued during the five year period, and
- (b) replaces an old certificate of registry

shall be valid for a period of five years from the date of issue.

(2) Any duplicate certificate issued to a ship including a small ship under regulation 108 (Duplicate certificate) during the five year period shall be a certificate issued in accordance with these Regulations and:—

- (a) for ships other than fishing vessels, shall be valid for a period of five years from the date of issue; and
- (b) for fishing vessels and small ships shall expire on the date that the old certificate would have expired.

(3) (a) The Registrar may, subject to (b) below, during the five year period, at his discretion replace a ship's old certificate with a new certificate of registry which shall be valid for a period of five years from the date of issue.

(b) Any such new certificate issued in respect of a fishing vessel shall expire on the date that the old certificate would have expired.

### **Advertisement rather than renewal notice**

**119.**—(1) Notwithstanding regulation 41 (Renewal notices and time limit for renewal), no renewal notice shall be issued by the Registrar when old certificates of registry are due to expire at the end of the five year period under regulation 116(b) (Validity of old certificates).

(2) Four months before the expiry of the five year period, the Registrar shall cause advertisements to be placed in suitable publications notifying owners of ships, excluding fishing vessels, who have not been issued with a new certificate that:—

- (a) all old certificates of registry will expire on 20th March 1999, and
- (b) application for renewal must be made in accordance with regulations 41(2) (Time limit for renewal) and 42 (Application for renewal of registration).

### **Applications for registration made before commencement of these Regulations**

**120.**—(1) Subject to paragraph (2) any application for registration of a ship or small ship which is made, but not completed, prior to the commencement of these Regulations shall be completed in accordance with these regulations.

(2) Where:—

- (a) an application for registration of a ship or small ship is made, but not completed, prior to the commencement of these regulations, and
- (b) the operation of paragraph (1) would render the ship or small ship ineligible for registration,

then the application shall be determined in accordance with the relevant legislation under which the application was made.

(3) An application shall be deemed to have been made when a properly completed application, accompanied by the proper fee, is received by a registrar of British ships in a port of registration.

(4) Where, for any reason the fee is not a proper and valid fee, or where the cheque used to pay a fee is returned by the bank on which it is drawn, then the application shall not be deemed to have been made.

(5) Any certificate of registry which is issued in accordance with this regulation shall be valid for a period of five years and shall contain the information contained in Schedule 5.

#### **Managing owners for fishing vessels**

**121.** Where regulation 23 (Appointment of managing owner) applies to a fishing vessel, any person who is recorded on the Fishing Vessel Register as the correspondent for that vessel shall, if that person is one of the owners of the vessel and is resident in the United Kingdom, be treated for the purposes of regulation 23 as the managing owner.