
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:—

- [^{F1}(a) (i) British citizens; or
(ii) non-United Kingdom nationals exercising their right of freedom of movement of workers or right of establishment;]
- (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);
- [^{F2}(ea) Commonwealth citizens;
- (eb) citizens of a country listed in Schedule 6;
- (ec) non-United Kingdom nationals who are settled in the United Kingdom;
- (ed) bodies corporate incorporated in a Commonwealth state;
- (ee) bodies corporate incorporated in a country listed in Schedule 6;]
- (f) bodies corporate incorporated [^{F3}in the United Kingdom or in an EEA State] ;
- (g) bodies corporate incorporated in any relevant British possession ^{F4}...; and
- [^{F5}(h) UK Economic Interest Groupings.]

(2) A person who is not qualified under paragraph (1) to be the owner [^{F6}of a ship registered on Part I of the Register] 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 [^{F7}so qualified under paragraph (1)], and
- (b) the ship is registered on Part I of the Register.

(1) 1981 c. 61.
(2) S.I.1986/948.

- F1** Reg. 7(1)(a) substituted (1.1.1999) by The Merchant Shipping (Registration of Ships) (Amendment) Regulations 1998 (S.I. 1998/2976), regs. 1, **4(a)**
- F2** Reg. 7(1)(ea)-(ee) inserted (29.3.2019) by The Merchant Shipping (Registration of Ships) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/509), regs. 1(2), **5(a)**
- F3** Words in reg. 7(1)(f) substituted (31.12.2020) by The Merchant Shipping (Miscellaneous Provisions) (Amendments etc.) (EU Exit) Regulations 2018 (S.I. 2018/1221), reg. 2(b), **Sch. para. 1(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in reg. 7(1)(g) omitted (29.3.2019) by virtue of The Merchant Shipping (Registration of Ships) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/509), regs. 1(2), **5(b)**
- F5** Reg. 7(1)(h) substituted (31.12.2020) by The European Economic Interest Grouping (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1299), regs. 1, **63(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in reg. 7(2) substituted (21.3.1994) by The Merchant Shipping (Registration of Ships) (Amendment) Regulations 1994 (S.I. 1994/541), regs. 1, **3(a)**
- F7** Words in reg. 7(2)(a) substituted (21.3.1994) by The Merchant Shipping (Registration of Ships) (Amendment) Regulations 1994 (S.I. 1994/541), regs. 1, **3(b)**

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- I1** Reg. 7 in force at 21.3.1994, see **reg. 1(1)**

British connection and majority interest

8.—(1) Subject to [^{F8}the relevant provisions of the sanctions regulations,] regulation 36(4) (Refusal of registration) and paragraphs (2), [^{F9}(3), (4) and (5)] below a ship shall be entitled to be registered if a majority interest in the ship is owned by one or more persons qualified [^{F10}under regulation 7(1)].

(2) [^{F11}Where a majority interest in a ship is owned by] a person or persons qualified by reason of [^{F12}regulation 7(1), other than sub-paragraphs (c), (d) or (g)], 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) [^{F13}Where] 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) [^{F14}Where] the majority interest is owned by the following persons:—

- (a) one or more persons who are qualified by reason of [^{F15}regulation 7(1), other than sub-paragraphs (c), (d) or (g)], 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),
[^{F16}the ship shall only 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.

- F8** Words in [reg. 8\(1\)](#) inserted (31.12.2020) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/509\)](#), regs. 1(3), **6(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in [reg. 8\(1\)](#) substituted (21.3.1994) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) Regulations 1994 \(S.I. 1994/541\)](#), regs. 1, **4(a)(i)**
- F10** Words in [reg. 8\(1\)](#) substituted (21.3.1994) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) Regulations 1994 \(S.I. 1994/541\)](#), regs. 1, **4(a)(ii)**
- F11** Words in [reg. 8\(2\)](#) substituted (21.3.1994) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) Regulations 1994 \(S.I. 1994/541\)](#), regs. 1, **4(b)**
- F12** Words in [reg. 8\(2\)](#) substituted (29.3.2019) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/509\)](#), regs. 1(2), **6(b)**
- F13** Word in [reg. 8\(4\)](#) substituted (21.3.1994) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) Regulations 1994 \(S.I. 1994/541\)](#), regs. 1, **4(c)**
- F14** Word in [reg. 8\(5\)](#) substituted (21.3.1994) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) Regulations 1994 \(S.I. 1994/541\)](#), regs. 1, **4(d)(i)**
- F15** Words in [reg. 8\(5\)\(a\)](#) substituted (29.3.2019) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/509\)](#), regs. 1(2), **6(c)**
- F16** Words in [reg. 8\(5\)](#) substituted (21.3.1994) by [The Merchant Shipping \(Registration of Ships\) \(Amendment\) Regulations 1994 \(S.I. 1994/541\)](#), regs. 1, **4(d)(ii)**

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- I2** [Reg. 8](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

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 ^{F17}... it has a place of business in the United Kingdom.

- F17** Words in [reg. 9\(b\)](#) omitted (29.3.2019) by virtue of [The Merchant Shipping \(Registration of Ships\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/509\)](#), regs. 1(2), 7

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- I3** [Reg. 9](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Government ships

10. Nothing in this Part applies to a ship to which section 80 of the Merchant Shipping Act 1906(3) applies (Government ships).

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

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I4 [Reg. 10](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Fishing vessels excluded from Part I

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

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I5 [Reg. 11](#) in force at 21.3.1994, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Registration of Ships) Regulations 1993, PART III.