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STATUTORY INSTRUMENTS

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**1993 No. 3138**

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

**PART VI  
REGISTRATION**

**Removal from the Register**

**56.**—(1) The Registrar may, subject to regulation 101 (Service of notices) terminate a ship's registration in the following circumstances:—

- (a) on application by the owner;
- [<sup>F1</sup>(aa) if the registered owner has not notified the Registrar that ownership of the ship has changed;]
- [<sup>F2</sup>(ab) on determining that, at the time of registration, the ship was not eligible to be registered;]
- (b) on the ship no longer being eligible to be registered;
- [<sup>F3</sup>(ba) on receipt of a termination direction relating to the ship;]
- (c) on the ship being destroyed (which includes, but is not limited to, shipwreck, demolition, fire and sinking);
- (d) 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 remain registered;
- (e) when a registered fishing vessel which has been licensed to fish ceases to be so licensed for a continuous period of 6 months or more;
- (f) when a fishing vessel which requires a licence to fish but at the time of registration did not have such a licence and has not acquired such a licence within 6 months of the issue of its certificate of registry;
- (g) when any penalty imposed on the owner of a ship in respect of a contravention of the Merchant Shipping Acts, or of any instrument in force under those Acts, has remained unpaid for a period of more than 3 months (and no appeal against that penalty is pending);
- (h) when any summons for any such contravention has been duly served on the owner of a ship but the owner has failed to appear at the time and place appointed for the trial of the information or complaint in question and a period of not less than 3 months has elapsed since that time.
- [<sup>F4</sup>(i) except in the case of a fishing vessel below 24 metres in length to which Part IIA of the Tonnage Regulations does not apply, when the tonnage of a fishing vessel has not been measured in accordance with those Regulations, or though so measured, that information has not been notified to the Registrar.]

- [<sup>F5</sup>(j) where the owner of a fishing vessel fails to respond to the Registrar within 15 days of a request from him to supply information concerning details on the Register of a fishing vessel;
- (k) where the owner of a fishing vessel supplies information requested by the Registrar, but that information is either false or incorrect, or is reasonably considered by the Registrar to be insufficient;
- (l) where a fishing vessel certificate has expired;
- (m) where under regulation 50 a person is required to notify the Registrar, or make an application, and has not done so; or
- (n) where under regulation 51 a person is required to make an application, and has not done so.]
- (2) Where the Registrar terminates registration under (a) [<sup>F6</sup>, (ba)] or (c) above, he shall:—
- (a) forthwith issue a closure transcript to the owner of the ship, and
- (b) notify any mortgagees of the closure of the registration.
- [<sup>F7</sup>(2A) Where the Registrar terminates registration under paragraph (1)(i) above he shall issue a closure transcript—
- (a) in the case of fishing vessels of 24m or more in length, having effect on or, as the case may be, after 1st January 1999;
- (b) in the case of fishing vessels to which Part IIA of the Tonnage Regulations apply, having effect on or, as the case may be, after the date on which that Part applies to them.]
- (3) On receipt of the closure transcript the owner shall immediately surrender the ship's certificate of registry to the Registrar for cancellation.
- (4) Where the registration of a fishing vessel has been terminated by virtue of paragraph (1)(b), then, without prejudice to the operation of any provision of the Act or these Regulations the ship shall not again be registered as a British ship unless:—
- (a) the Registrar consents to the vessel being so registered, or
- (b) the Registrar is satisfied that the vessel has been disposed of by its former registered owner by means of a transaction at arm's length and that no person who for the time being is a relevant owner of the vessel was a relevant owner of it at the time registration was terminated.
- (5) For the purposes of paragraph (4) a person is a relevant owner of a vessel at any time if at that time:—
- (a) the legal title to the vessel or any share in it is vested in that person, or
- (b) the vessel or any share in it is beneficially owned by that person, or
- (c) any share in a body corporate falling within (a) or (b) above are legally or beneficially owned by that person,
- whether vested in, or (as the case may be) owned by, that person alone or together with any other person or persons.

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| <b>F1</b> | Reg. 56(1)(aa) inserted (1.1.1999) by <a href="#">The Merchant Shipping (Registration of Ships) (Amendment) Regulations 1998 (S.I. 1998/2976)</a> , regs. 1, <b>12</b>   |
| <b>F2</b> | Reg. 56(1)(ab) inserted (31.12.2020) by <a href="#">The Merchant Shipping (Registration of Ships) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/509)</a> , regs. 1(3), <b>17(a)(i)</b> ; 2020 c. 1, Sch. 5 para. 1(1)  |
| <b>F3</b> | Reg. 56(1)(ba) inserted (31.12.2020) by <a href="#">The Merchant Shipping (Registration of Ships) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/509)</a> , regs. 1(3), <b>17(a)(ii)</b> ; 2020 c. 1, Sch. 5 para. 1(1) |

- F4** Reg. 56(1)(i) added (4.9.1998) by The Merchant Shipping (Registration of Ships) (Tonnage Amendment) Regulations 1998 (S.I. 1998/1915), regs. 1, **7**
- F5** Reg. 56(1)(j)-(n) added (10.1.2000) by The Merchant Shipping (Registration of Ships, and Tonnage) (Amendment) Regulations 1999 (S.I. 1999/3206), regs. 1, **12**
- F6** Word in reg. 56(2) inserted (31.12.2020) by The Merchant Shipping (Registration of Ships) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/509), regs. 1(3), **17(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Reg. 56(2A) inserted (4.9.1998) by The Merchant Shipping (Registration of Ships) (Tonnage Amendment) Regulations 1998 (S.I. 1998/1915), regs. 1, **8**

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**Commencement Information**

- I1** Reg. 56 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, Section 56.