



Merchant Shipping Act 1988

1988 CHAPTER 12

PART I

REGISTRATION OF BRITISH SHIPS

Registration under Part I of 1894 Act

4 Entitlement to registration under Part I of 1894 Act

- (1) Subject to sections 6 and 7 below, this section has effect for the purpose of determining whether a ship is entitled to be registered under Part I of the 1894 Act in the United Kingdom.
- (2) Subject to subsection (3), a ship shall be entitled to be registered if a majority interest in the ship is owned by one or more persons qualified to be owners of British ships by virtue of section 3(1)(a), (b), (e) or (f) above.
- (3) Where—
 - (a) a ship falling within subsection (2) is 24 metres or more in length, and
 - (b) the person, or (as the case may be) each of the persons, by whom the majority interest in the ship is owned is not resident in the United Kingdom,the ship shall only be entitled to be registered if a representative person is appointed in relation to the ship.
- (4) Where a majority interest in a ship is owned by one or more persons qualified to be owners of British ships by virtue of section 3(1)(c), (d) or (g) above, the ship shall be entitled to be registered—
 - (a) if that person, or (as the case may be) any of those persons, is resident in the United Kingdom, or
 - (b) (where that condition is not satisfied) if the Secretary of State furnishes him or them with a declaration that he consents to the ship being registered, and, in addition, a representative person is appointed in relation to the ship.
- (5) Where a majority interest in a ship is owned by the following persons, namely—

Status: This is the original version (as it was originally enacted).

- (a) one or more persons qualified to be owners of British ships by virtue of section 3(1)(a), (b), (e) or (f), and
 - (b) one or more persons so qualified by virtue of section 3(1)(c), (d) or (g),
- the ship shall be entitled to 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.
- (6) A ship shall, in accordance with section 13(2)(a) below, not be entitled to be registered if it is a fishing vessel within the meaning of Part II.
- (7) For the purposes of this section—
- (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 of the 64 shares into which the property in the ship is divided, for the purposes of registration, in accordance with section 5 of the 1894 Act (there being left out of account for this purpose any share in which any beneficial interest is owned by a person who is not qualified to be an owner of a British ship); and
 - (b) a body corporate shall be treated as resident in the United Kingdom if it is incorporated in the United Kingdom and has its principal place of business there.
- (8) Nothing in this section applies to a ship to which section 80 of the Merchant Shipping Act 1906 applies (Government ships).