
 STATUTORY INSTRUMENTS

1981 No. 740

MERCHANT SHIPPING

The Merchant Shipping (Fishing Boats Registry) Order 1981

<i>Made - - - -</i>	13th May 1981
<i>Laid before Parliament</i>	21st May 1981
<i>Coming into Operation</i>	11th June 1981

At the Court at Buckingham Palace, the 13th day of May 1981

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 373(5) of the Merchant Shipping Act 1894(a) (hereinafter referred to as "the principal Act") and section 14 of the Sea Fishing Boats (Scotland) Act 1886(b), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement and revocation

1.—(1) This Order may be cited as the Merchant Shipping (Fishing Boats Registry) Order 1981 and shall come into operation on 11th June 1981.

(2) The Merchant Shipping (Fishing Boats Registry) Order 1927(c) is hereby revoked.

Interpretation

2. In this Order:

"boat" means a boat to which this Order applies;

"port" includes place;

"the 1927 Order" means the Merchant Shipping (Fishing Boats Registry) Order 1927.

Application of Order

3.—(1) The provisions of this Order shall apply to every British sea fishing boat employed in fishing for profit from any port in the British Islands except:

(a) open and undecked boats navigated by oars only;

(b) such boats employed in fishing and dredging for scientific purposes as may be exempted by the Secretary of State.

(2) The boats excepted by sub-paragraphs (a) and (b) above shall be exempted from the provisions of section 373 of the principal Act.

(3) For the purposes of this Order a British sea fishing boat is one which is wholly owned by persons who are:

(a) 1894 c. 60; section 373(5)(d) is amended by the Merchant Shipping Act 1979 (c. 39), section 43(3) and paragraph 1 of Part VI, Schedule 6.

(b) 1886 c. 53.

(c) S.R. & O. 1927/642, amended by S.I. 1979/1455.

- (a) British subjects, or
- (b) bodies corporate established under and subject to the laws of some part of the British Islands, and having their principal place of business in those Islands.

Ports of Registry

4.—(1) The ports specified in column 1 of Schedule 1 hereto shall be ports of registry for boats and the letter or letters specified in column 2 of that Schedule shall be the distinguishing letter or letters for those ports respectively.

(2) The officers named in column 3 of Schedule 1 shall be the officers appointed to carry out the work of registration and the provisions of this Order, and are hereafter referred to as Registrars.

Register of British fishing boats

5. A Register in the form specified in Schedule 2 hereto with a consecutive series of numbers, shall be kept at each port of registry.

Application for registry

6.—(1) The owner of a boat required by section 373(2) of the principal Act to be entered in the fishing boat register shall make application to have such boat entered in the Register and shall obtain for the boat a certificate of registry.

(2) The application shall be made, in the form specified in Schedule 3 hereto and with the particulars therein indicated, to the Registrar of British Ships of the port of registry at which the boat is registered under Part I of the principal Act, or, if not so registered, to the Registrar of the port of registry which is, or is nearest to, the port from which the boat will be employed.

(3) The Registrar may require the applicant to show to his satisfaction that:

- (a) the information contained in the application in respect of any matter therein is true; or, as the case may be,
- (b) there is an entitlement under this Order for the boat to be entered in the Register.

Certificate of registry

7.—(1) The Registrar, on receipt of the application shall, subject to Article 6(3) above, allocate a letter or letters and a number to the boat; and shall:

- (a) satisfy himself as to the overall length, the register length and tonnage of the boat, in accordance with Article 8 and Schedule 4 hereto; and
- (b) satisfy himself as to the marking of the boat, in accordance with Article 9(1) and Schedule 5 hereto,

and shall then cause the boat to be registered and issue a certificate of registry to the applicant.

(2) The certificate shall be in the form specified in Schedule 6 hereto.

(3) A certificate issued under this Article shall be a certificate of registry or official paper within the meaning of the Sea Fisheries Act 1868^(a) and Part IV of the principal Act, and a document relating to the boat within the meaning of the Sea Fisheries Act 1968^(b) (and as such must at all times be carried on board the boat).

(a) 1868 c. 45.

(b) 1968 c. 77.

Ascertainment of lengths and tonnage

8.—(1) In the case of a boat registered under Part I of the principal Act the register length and the register tonnage for the purposes of this Order shall be the length and tonnage entered in the certificate of registry pursuant to the requirements of that Part. The overall length for the purposes of this Order shall be the overall length entered in the British Tonnage Certificate.

(2) In the case of a boat which is not registered under Part I of the principal Act, the measurements of such a boat's register length, register tonnage and overall length shall, before registry, be taken and calculated by the Registrar or an officer of Coastguard or of Customs and Excise, or in Scotland, an officer of the Secretary of State for Scotland in accordance with the rules specified in Schedule 4 hereto.

(3) The register length and register tonnage ascertained under Schedule 4 shall be the length and tonnage of the boat for the purposes of Part IV of the principal Act and, together with the build of the boat and such other particulars descriptive of the identity of the boat as may be required by the Secretary of State and ascertained by the measuring officer, shall be set out in the certificate of registry, which shall be conclusive of that length and tonnage. The overall length ascertained under Schedule 4 shall also be set out in the certificate.

(4) Where a boat is not measured by the Registrar, the officer who measures the boat shall give a certificate specifying the boat's length and tonnage and such certificate shall be delivered to the Registrar before registry.

Marking

9.—(1) Before registry the Registrar shall be satisfied that the boat is marked in accordance with Schedule 5 hereto. Where the Registrar does not inspect the boat himself, it shall be inspected by some other officer mentioned in Article 8(2) or, in the Isle of Man by the Harbourmaster for the port from which the boat is employed in fishing, who shall give a certificate that the boat is properly marked, and such certificate shall be delivered to the Registrar before registry.

(2) Subject to paragraph (4) of this Article, the marking of a registered boat already effected in accordance with the 1927 Order shall be deemed to have been as prescribed by this Order until such time as the registry of that boat is cancelled pursuant to the provisions of this Order.

(3) Whenever any question arises as to the effectiveness for the purposes of this Order of the colour of the letters and number for any sail of intermediate shade, the letters and numbers shall be marked in black or in white as the Secretary of State may in each case direct.

(4) The marking and colour of any name, letters or numbers prescribed by or under this Order for a boat shall at all times be effectively maintained and shall be renewed when necessary; and a boat shall not have either on its outside or on its sail any name, letter or number other than those herein prescribed.

(5) Where a registered boat is not marked or maintained in the manner prescribed by this Order, the owner and skipper of the boat shall each be liable on summary conviction to a fine not exceeding £50.

(6) Where any person alters, deliberately effaces or makes illegible, covers or conceals in any manner whatsoever the name, letters or numbers of a boat he shall be liable on summary conviction to a fine not exceeding £50.

(7) Where a boat, required to be registered under this Order, is not so registered but displays letters or numbers of the type prescribed by this Order,

the owner and skipper of the boat shall each be liable on summary conviction to a fine not exceeding £50 and the boat shall be liable to detention until the marking is removed to the satisfaction of the Registrar.

Period of validity of certificate

10.—(1) A certificate of registry issued under Article 7(1) shall remain in force for a period of five years from the date of issue and, unless application for its renewal has been made during the period of three months prior to the date of expiry of the certificate, the registry of the boat shall be cancelled by the Registrar on expiry.

(2) Subject to Articles 14 and 16 below, any certificate of registry issued under the corresponding provisions of the 1927 Order shall remain in force for a period of five years from the date on which this Order comes into operation and, unless application for its renewal is made during the period of three months prior to the date of expiry of the certificate, the registry of the boat shall be cancelled by the Registrar at the end of those five years.

(3) Renewal of a certificate of registry by the Registrar shall be by means of a signed endorsement on the certificate, which shall extend its validity for a further period of five years from the date on which it would otherwise have expired. All renewals of the certificate shall be noted in the Register.

(4) The Registrar may, on receipt of written application on or within three months after the date of expiry of the certificate and if satisfied that there was valid reason for the failure to apply for renewal of the certificate within the prescribed time, reinstate the registry of the boat, and may renew the certificate for a further period of five years from the date on which it expired.

Notification of changes

11.—(1) Upon any alteration of a boat affecting any measurement specified in Schedule 4, the owner of the boat shall report the fact to the Registrar and shall submit the certificate of registry of the boat for any necessary amendment. Any owner who fails to report or to submit the certificate in accordance with this Article shall be liable on summary conviction to a fine not exceeding £50: provided that it shall be a defence for a person charged under this paragraph to show that he had reasonable cause for his failure.

(2) The Registrar shall, on receipt of such report and certificate, require the boat to be remeasured in accordance with Schedule 4 and shall amend the certificate and the Register accordingly.

12.—(1) A report respecting any entry made in the Register shall be forwarded by the Registrar to the Registrar-General of Shipping and Seamen who shall maintain a central fishing boat register.

(2) The Registrar shall also forward annually to the Registrar-General a list of all the boats which have been entered on the Register during the preceding year.

13.—(1) In the case of boats not also registered under Part I of the principal Act, no change shall be made in the name of any boat after registration unless the Registrar is satisfied that the application for such change of name is made on reasonable and sufficient grounds, and directs that the name may be changed. In the event of any such direction being given, the name of the boat may be changed and if the Registrar is satisfied that it has been changed, the Register and the certificate relating to that boat shall then be altered accordingly. In all cases of change of name the former name (and any previous names) shall appear in the Register and on the certificate.

(2) In the case of boats also registered under Part I of the principal Act, no change shall be made in the name of a boat unless the name in which it is registered under Part I is also changed. In that event the name shall be changed to that in which it is registered under the said Part I, and the Register and certificate shall be altered accordingly. The former name (and any previous names) shall appear in the Register and on the certificate.

Change of ownership

14.—(1) On a change of ownership of a boat:

- (a) the person ceasing to be the owner or, in the event of his death his legal personal representative, shall notify the fact and shall deliver up the certificate of registry to the Registrar and the Registrar shall thereupon cancel the certificate and the registry of the boat;
- (b) the new owner, if qualified under Article 3(3), shall make application for registry of the boat in accordance with Article 6(2).

(2) Any person who fails to deliver up to the Registrar the certificate of a boat on his ceasing to be the owner thereof, or to account for his failure to do so to the satisfaction of the Registrar, shall be liable on summary conviction to a fine not exceeding £50: provided that it shall be a defence for a person charged under this paragraph to show that he had reasonable cause for his failure.

Transfer of Registry to another port

15. On the transfer of any boat to another port in the British Islands:

- (a) the owner may apply to the Registrar of the port at which it is registered to transfer the registry of the boat from that port to the new port, if it is a port of registry, or, if it is not such a port, to the nearest port of registry to that from which she is employed;
- (b) if he applies for a transfer of registry, the owner shall deliver up the existing certificate of registry for cancellation or account for his failure so to do to the satisfaction of the Registrar. If the certificate is not delivered and the Registrar is not so satisfied, the transfer shall not be carried out;
- (c) subject to paragraph (b) above, the Registrar shall transmit the application, together with all necessary particulars relating to the boat, to the Registrar of the port at which it is desired that the boat should be registered;
- (d) the last-mentioned Registrar shall:
 - (i) allocate a letter or letters and a number to the boat;
 - (ii) satisfy himself, or obtain a certificate of the kind mentioned in Article 9(1), as to the marking of the boat;
 - (iii) enter the boat in the Register of his port, and
 - (iv) issue a fresh certificate of registry.

The previous registry shall then cease to have effect.

Cancellation of Registry

16.—(1) In the event of a boat:

- (a) being either actually or constructively lost;
- (b) being broken up; or
- (c) ceasing to be employed in fishing for profit

the owner shall immediately give notice thereof to the Registrar and shall deliver up to the Registrar the certificate of registry or account for his failure to do so to the satisfaction of the Registrar. The Registrar shall thereupon cancel the certificate and the registry of the boat.

(2) Where it appears to the Secretary of State that there is any doubt as to the right of any boat registered as a British sea fishing boat to be so registered, then, whether or not the owner has failed to give notice as required by Article 14 or paragraph (1) of this Article, he may require the owner to give evidence to his satisfaction that the boat is entitled to be registered, and if evidence is not so given to his satisfaction within three months of being so required, he may direct that the registry of the boat be cancelled and the certificate shall be delivered up to the Registrar.

(3) Any owner who fails to give notice in accordance with this Article, or to deliver up or account for the certificate shall be liable on summary conviction to a fine not exceeding £50: provided that it shall be a defence for the person charged under this paragraph to show that he had reasonable cause for his failure.

17. Where under section 7 of the Sea Fishing Boats (Scotland) Act 1886 there is recorded in the register a mortgage of any boat or shares or share in any boat:

- (a) any cancellation of registry in terms of Articles 10, 14 or 16 above shall be effected by the Registrar and the registry of that boat shall be considered as cancelled except in so far as it relates to any such mortgage recorded in the register prior to such cancellation which is unsatisfied and
- (b) no such cancellation of registry shall affect any rights of a mortgagee then existing under sections 9, 10, 11 and 12 of the Sea Fishing Boats (Scotland) Act 1886 in respect of any unsatisfied mortgage.

Loss of certificate

18. When it is shown to the satisfaction of the Registrar that the certificate of registry of a boat has been mislaid, lost or destroyed, the Registrar may grant to the registered owner a copy of the certificate of registry of the boat certified under his hand to be a true copy and that copy shall have all the effect of the original.

N. E. Leigh,
Clerk of the Privy Council.

SCHEDULE 1

Article 4

PORTS OF REGISTRY

The Chief Officer of Customs and Excise herein referred to shall mean the Officer of Customs and Excise superintending the port.

ENGLAND AND WALES

Ports of Registry (1)	Distinguishing Letters (2)	Registrars (3)
Aberystwyth	AB	Chief Officer of Customs and Excise
Barnstaple	BE	do.
Barrow	BW	Chief Officer of Customs and Excise (stationed at Heysham)
Beaumaris	BS	Chief Officer of Customs and Excise (stationed at Holyhead)
Berwick-on-Tweed	BK	Chief Officer of Customs and Excise
Bideford	BD	Chief Officer of Customs and Excise (stationed at Appledore)
Blyth	BH	Chief Officer of Customs and Excise
Boston	BN	do.
Bridgwater	BR	do.
Bristol	BL	do.
Brixham	BM	do.
Caernarvon	CO	do.
Cardiff	CF	do.
Cardigan	CA	Chief Officer of Customs and Excise (stationed at Fishguard)
Carlisle	CL	Chief Officer of Customs and Excise (stationed at Workington)
Chester	CH	Chief Officer of Customs and Excise (stationed at Mostyn)
Colchester	CK	Chief Officer of Customs and Excise
Cowes	CS	do.
Dartmouth	DH	do.
Dover	DR	do.
Exeter	E	do.
Falmouth	FH	do.
Faversham	F	Chief Officer of Customs and Excise (stationed at Whitstable)
Fleetwood	FD	Chief Officer of Customs and Excise
Folkestone	FE	do.
Fowey	FY	do.
Gloucester	GR	do.
Goole	GE	do.
Great Yarmouth	YH	do.
Grimsby	GY	do.
Hartlepool	HL	do.
Harwich	HH	do.
Hull	H	do.
Ipswich	IH	do.
King's Lynn	LN	do.
Lancaster	LR	Chief Officer of Customs and Excise (stationed at Heysham)
Littlehampton	LI	Chief Officer of Customs and Excise
Liverpool	LL	do.

Ports of Registry (1)	Distinguishing Letters (2)	Registrars (3)
Llanelly	LA	Chief Officer of Customs and Excise (stationed at Swansea)
London	LO	Chief Officer of Customs and Excise
Lowestoft	LT	Chief Officer of Customs and Excise (stationed at Great Yarmouth)
Maldon	MN	Chief Officer of Customs and Excise
Manchester	MR	Chief Officer of Customs and Excise (stationed at Salford)
Maryport	MT	Chief Officer of Customs and Excise (stationed at Workington)
Middlesbrough	MH	Chief Officer of Customs and Excise
Milford Haven	M	do.
Newcastle	NE	do.
Newhaven	NN	do.
Newport, Mon.	NT	do.
Padstow	PW	do.
Penzance	PZ	do.
Plymouth	PH	do.
Poole	PE	do.
Portsmouth	P	do.
Port Talbot	PT	Chief Officer of Customs and Excise (stationed at Swansea)
Preston	PN	Chief Officer of Customs and Excise
Ramsgate	R	do.
Rochester	RR	do.
Runcorn	RN	do.
Rye	RX	do.
St. Ives	SS	Chief Officer of Customs and Excise (stationed at Penzance)
Salcombe	SE	Chief Officer of Customs and Excise
Scarborough	SH	do.
Scilly	SC	do.
Shields, North	SN	do.
Shields, South	SSS	Chief Officer of Customs and Excise (stationed at North Shields)
Shoreham	SM	Chief Officer of Customs and Excise
Southampton	SU	do.
Stockton	ST	Chief Officer of Customs and Excise (stationed at Middlesbrough)
Sunderland	SD	Chief Officer of Customs and Excise
Swansea	SA	do.
Teignmouth	TH	do.
Truro	TO	Chief Officer of Customs and Excise (stationed at Falmouth)
Weymouth	WH	Chief Officer of Customs and Excise
Whitby	WY	do.
Whitehaven	WA	Chief Officer of Customs and Excise (stationed at Workington)
Wisbech	WI	Chief Officer of Customs and Excise (stationed at King's Lynn)
Workington	WO	Chief Officer of Customs and Excise

SCOTLAND

Ports of Registry (1)	Distinguishing Letters (2)	Registrars (3)
Aberdeen	A	Chief Officer of Customs and Excise
Alloa	AA	do.
Arbroath	AH	do.
Ballantrae	BA	Officer of the Secretary of State for Scotland (stationed at Ayr)
Banff	BF	Chief Officer of Customs and Excise (stationed at Macduff)
Borrowstoness	BO	Chief Officer of Customs and Excise (stationed at Grangemouth)
Broadford	BRD	Officer of the Secretary of State for Scotland (stationed at Mallaig)
Buckie	BCK	Chief Officer of Customs and Excise
Burntisland	BU	Chief Officer of Customs and Excise (stationed at Kirkcaldy)
Campbeltown	CN	Officer of the Secretary of State for Scotland
Castlebay, Barra	CY	Officer of the Secretary of State for Scotland (stationed at Stornoway)
Dundee	DE	Chief Officer of Customs and Excise
Fraserburgh	FR	do.
Grangemouth	GH	do.
Granton	GN	Chief Officer of Customs and Excise (stationed at Leith)
Greenock	GK	Officer of the Secretary of State for Scotland (stationed at Ayr)
Inverness	INS	Chief Officer of Customs and Excise
Kirkcaldy	KY	do.
Kirkwall	K	do.
Leith	LH	do.
Lerwick	LK	do.
Methil	ML	Chief Officer of Customs and Excise (stationed at Kirkcaldy)
Montrose	ME	Chief Officer of Customs and Excise
Oban	OB	Officer of the Secretary of State for Scotland
Peterhead	PD	Chief Officer of Customs and Excise
Rothsay	RO	Officer of the Secretary of State for Scotland (stationed at Campbeltown)
Stornoway	SY	Officer of the Secretary of State for Scotland
Tarbert, Loch Fyne	TT	Officer of the Secretary of State for Scotland (stationed at Campbeltown)
Ullapool	UL	Officer of the Secretary of State for Scotland
Wick	WK	Chief Officer of Customs and Excise

Fishing boats registered under Part I of the Merchant Shipping Act 1894 at the following ports must be registered under Part IV of the Act at the same port of registry by the Chief Officer of Customs and Excise.

Ports of Registry (1)	Distinguishing Letters (2)	Registrars (3)
Ardrossan	AD	Chief Officer of Customs and Excise
Ayr	AR	do.
Campbeltown	CN	do.
Dumfries	DS	do.
Glasgow	GW	do.
Greenock	GK	do.
Irvine	IE	Chief Officer of Customs and Excise (stationed at Ardrossan)
Stornoway	SY	Chief Officer of Customs and Excise
Stranraer	SR	Chief Officer of Customs and Excise (stationed at Newton Stewart)
Troon	TN	Chief Officer of Customs and Excise (stationed at Ayr)
Wigtown	WN	Chief Officer of Customs and Excise (stationed at Newton Stewart)

NORTHERN IRELAND

Ports of Registry (1)	Distinguishing Letters (2)	Registrars (3)
Belfast	B	Chief Officer of Customs and Excise
Coleraine	CE	do.
Londonderry	LY	do.
Newry	N	do.

CHANNEL ISLANDS AND ISLE OF MAN

Ports of Registry (1)	Distinguishing Letters (2)	Registrars (3)
Guernsey	GU	Chief Officer of Customs and Excise
Jersey	J	do.
Castletown	CT	Officer of the Isle of Man Harbour Board (stationed at Douglas)
Douglas	DO	Officer of the Isle of Man Harbour Board
Peel	PL	Officer of the Isle of Man Harbour Board (stationed at Douglas)
Ramsey	RY	do.

SCHEDULE 2

Article 5

FORM OF REGISTER

Under Part IV of the Merchant Shipping Act 1894

Port.....

Name of Boat.....

Registered Number	Description of Boat		If registered under Part I of the Merchant Shipping Act 1894	
	Motor, Auxiliary Motor or Sail	When and where built	Official Number	Port number and year

Register Dimensions			Tonnage		Overall Length
Length	Breadth	Depth	Gross	Net	

No. of Entry	Date of Entry	Name(s) and address(es) of Owner(s)	Remarks

Article 6(2)

SCHEDULE 3

DEPARTMENT OF TRADE

FSG 37
(Revised 1981)APPLICATION TO REGISTER
A BRITISH SEA FISHING BOAT*Under Part IV of the Merchant Shipping Act 1894*

A BOAT IS NOT ENTITLED TO BE REGISTERED AS A BRITISH SEA FISHING BOAT UNLESS IT IS EMPLOYED IN FISHING FOR PROFIT FROM A PORT IN THE BRITISH ISLANDS AND IS OWNED WHOLLY BY BRITISH SUBJECTS OR BODIES CORPORATE ESTABLISHED UNDER AND SUBJECT TO THE LAWS OF SOME PART OF THE BRITISH ISLANDS AND HAVING THEIR PRINCIPAL PLACE OF BUSINESS IN THOSE ISLANDS.

Name of Boat

Letters*No.*

Port of Intended Registry

If registered under Part I of the Merchant Shipping Act 1894:—

Port of RegistryOfficial Number

Port Number and Year

**These spaces are to be left blank when the application is for first registry of the boat.*

DESCRIPTION OF BOAT, ETC.

Motor, Auxiliary Motor or Sail

When and where built

Overall lengthMetres (rounded up to nearest centimetre)

Owner

.....

FOR USE BY BODIES CORPORATE

I Secretary
Director

of
(Name of owner with address of registered office)

.....
Owner of the boat described, declare that the said Company was incorporated by virtue of † and is subject to the laws of ‡ The said Company has its principal place of business at where all the important business of the Company is controlled and managed at meetings of Directors or Managers of the Company.

I further declare that the said boat has * not been previously registered as a British Sea Fishing Boat been previously registered as a British Sea Fishing Boat and I now request that it may be registered as such at

.....
Date Signature of * Secretary Director

FOR USE BY INDIVIDUALS OR JOINT OWNERS

*I/We
(Names of owner(s) with address(es) and occupation(s))

.....
Owner(s) of the boat described, declare that *I am/we are British Subject(s), and that the said boat has * not been previously registered as a British Sea Fishing Boat been previously registered as a British Sea Fishing Boat at (Port) and *I/We now request that it may be registered as such at

.....
Date Signature of Owner(s)

*Cross out the words which do not apply.
† The Companies Acts 1948-1980 (or for the time being in force).
‡ The United Kingdom (or as the case may be).

Article 8

SCHEDULE 4

RULES FOR THE ASCERTAINMENT OF THE REGISTER AND OVERALL LENGTHS AND TONNAGE OF A BOAT NOT REGISTERED UNDER PART I OF THE PRINCIPAL ACT

The measurement of a boat's lengths and tonnage shall be ascertained as follows:—

Register length

- (a) Measure the length from the foreside of the foremost fixed permanent structure to the aftermost part of the rudder post, or, in a ship not having a rudder post, to the foreside of the rudder stock at the point where the rudder stock passes out of the hull. In ships not having a rudder post or rudder stock, measure to the aftermost part of the stern or transom. The measurement so obtained shall be the register length of the boat.

Breadth

- (b) Measure the greatest breadth of the vessel to the outside of shell, planking or plating.

Depth

- (c) Measure the depth amidships in one of the following ways:—
- (i) from the underside of the deck on the centre line to the upperside of bottom frames or timbers, deducting the thickness of ceiling if fitted;
 - (ii) for open boats, from the upper edge of the shell or the upper strake of planking or plating to the upper side of bottom frames or timbers, deducting the thickness of ceiling if fitted:

Provided that where no frames or timbers are fitted, the inside of the hull on the centre line shall be measured in lieu of the upper side of bottom frames of timbers;

For the purposes of this measurement, no thickness of ceiling shall be treated as being more than 8cm.

Calculation of register tonnage

- (d) Multiply together the register length, breadth and depth in metres and multiply the product by the factor 0.16. The result shall be the register tonnage of the boat, except for those boats to which sub-paragraph (e) also applies.
- (e) For boats with a break or breaks above the line of deck multiply together the length, breadth and depth in metres of the space or each of the spaces thereby formed, then multiply the product for each space so measured by the factor 0.35 and add the result to the figure obtained by the calculation set out in sub-paragraph (d). For such boats the final result shall be the register tonnage of the boat.

Overall length

- (f) Measure the length from the foreside of the foremost fixed permanent structure to the aftside of the aftermost fixed permanent structure. The measurement shall be the overall length.

SCHEDULE 5

Article 9(1)

MARKING

Requirements before registry

1. Before registry, the name of the boat and of the port of registry shall be painted, in a light permanent colour on a dark ground or in a dark permanent colour on a light ground, outside the stern of the boat in letters which shall not be less than 8 centimetres in height and 1.5 centimetres in breadth.
2. Before registry, every boat shall bear in the following manner the letter or letters and the number allocated to the boat by the Registrar:—
 - (a) the letters shall precede the number;
 - (b) the letters and number shall be placed outside each bow of the boat 8–10 centimetres below the gunwale and so as to be clearly visible;
 - (c) in the case of mechanically propelled boats, the letters and number shall, in addition, be placed in a similar manner on each quarter. They shall also be placed on the wheel-house top or on some other prominent horizontal surface;
 - (d) the letters and number shall be painted in white or yellow on a dark ground or in black on a white ground. Subject to paragraph (e) below, such letters and numbers shall be at least 45 centimetres high and at least 7 centimetres in breadth. Additionally the horizontal surface letters and numbers shall be painted as large as space allows;
 - (e) in boats which have a “bend piece” or “rubbing strake”, the letters and numbers shall be as high as the space above it will admit. In boats where the space between the gunwale and water-line is not sufficient for the prescribed height, the letters and numbers shall be as high as the space will admit;
 - (f) a space equal to one-third of the height of the letters shall be left between adjacent letters and adjacent figures and the letters shall be separated from the number by twice that space.
3. In the case of boats with sails:—
 - (a) before registry, the same letters and number shall be marked in permanent colour on each side of the centre cloth or cloths of the main sail of the boat immediately above the close reef and in such a manner as to be plainly visible. They shall be marked on white sails in black and on black sails in white, and where the sails are of an intermediate shade the said letters and number shall be marked in black on sails of light shade and in white on sails of dark shade;
 - (b) in the case of sailing boats with auxiliary power the mizzen sail shall be marked, in addition to the main sail, with the letters and number prescribed by subparagraph (a) of this paragraph;
 - (c) the letters and numbers on the sails shall be at least 60 centimetres in height and 9.5 centimetres in breadth.

Article 7(2)

SCHEDULE 6

DEPARTMENT OF TRADE

FSG 36
(Revised 1981)CERTIFICATE OF REGISTRY
OF A
BRITISH SEA FISHING BOAT*(Under Part IV of the Merchant Shipping Act 1894)*

This certificate is valid until.....(see reverse side for extensions)

Name of boat

LettersNumber.....

Port of Registry

Description of boat (motor, auxiliary motor or sail)

	Metres (rounded up to nearest centimetre)	Metres (rounded up to nearest centimetre)	
Register	Length		Overall Length.....
	Breadth		
Dimensions	Depth.....		Tonnage
		Gross	Net

Name(s) and address(es) of owner(s)

If registered under Part I
of the Merchant Shipping
Act 1894

{	Port of Registry
	Official Number
	Port Number and Year.....

Signature of RegistrarDate.....

The attention of owners and skippers of British Sea Fishing Boats is directed to the following requirements:—

1. Every British Sea Fishing Boat fishing for profit is required to be registered, lettered, and numbered, and to have a Certificate of Registry, except:

- (a) Open and undecked boats navigated by oars only (the expression "undecked" boats means boats not sufficiently decked to afford any sleeping accommodation) and
- (b) Such boats employed in fishing and dredging for scientific purposes as may be exempted by the Secretary of State.

2. The Certificate of Registry must be submitted by the owner to the Registrar of Sea Fishing Boats at the port of registry:

(a) For renewal during the last three months of its period of validity.

(b) For necessary amendment upon any alteration of the boat affecting measurement.

3. On a change of ownership of any registered boat the previous owner must deliver up the old Certificate of Registry to the Registrar for cancellation and the new owner must make application for the registry of the boat.

4. On the transfer of any boat to another port the owner may make application for transfer of the registry of the boat to the appropriate port of registry.

5. When a registered boat is lost or ceases to be a British Sea Fishing Boat, the owner must immediately give notice thereof to the Registrar.

6. The skipper of every Registered Sea Fishing Boat must have the Certificate of Registry on board his boat at all times.

7. Owners and skippers are responsible for having their boats properly and effectively marked with names, letters and numbers, and such marks must not be effaced, altered, made illegible, covered or concealed in any manner.

Any person who fails to observe the requirements renders himself liable to a penalty.

If the Certificate is lost the owner must make immediate application for another.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order supersedes the Merchant Shipping (Fishing Boats Registry) Order 1927, which is revoked.

The principal changes are:

- (1) The qualifications for ownership of British sea fishing boats are brought more into line with Part I of the Merchant Shipping Act 1894 in relation to British ships (Article 3(3)) but restrict bodies corporate to those having their principal place of business in the British Islands.
- (2) The Registrar may require evidence of entitlement to registration (Article 6(3)).
- (3) Certificates of registry will have a five-year period of validity, as opposed to the present unlimited period. Existing certificates continue for five years from the commencement of the Order (Article 10).
- (4) The requirement to submit the certificate of registry to a Registrar at least once a year is discontinued.
- (5) Provision is made for the renewal of certificates of registry every five years (Article 10).
- (6) The Secretary of State may cancel the registry of a boat if he is not satisfied as to the entitlement to be registered (Article 16).
- (7) The methods of measurement and marking of boats are modernised (Schedules 4 and 5).

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