



# Annual Report 2020

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## Chapter 1 - Introduction

The Registry of British Ships (Guernsey) is open to vessels, currently up to a limit of 150 gross tonnage (as ascertained under the Merchant Shipping (Tonnage) (Bailiwick of Guernsey) Regulations 2009, particularly pleasure yachts.

Vessels intended for commercial use (up to a maximum of 24 metres load line length - ITC69) can be registered but must fully comply with the Code of Practice for Small Commercial Vessels and manning requirements.

### 1.1 Part 1 Qualification

To qualify for registration, the majority of shares in a vessel (33 of the 64) must be owned either by a British subject or a company registered in and having its principal place of business in a British Crown Dependency or Overseas Territory. Foreign nationals may own up to 31 shares in a vessel, provided that the remainder of the shares are in 'qualified ownership'. Any shares jointly owned by qualified and unqualified owners count as unqualified shares.

Registration of a vessel under 'Part I' of the Merchant Shipping (Bailiwick of Guernsey) Law, 2002 gives legal title to the vessel, recognition as a British ship and enables other transactions such as mortgages and Court Orders to be registered on the vessel.

When the Registry has received ALL the required documents, formal marking instructions may be issued. This will include details of the official number (issued by the Registry), the register or net tonnage and the vessel's name and port of registry, to be marked on the vessel in accordance with these instructions.

On completion of the marking of the vessel, either photographic evidence, as specified by the Registry should be submitted or, if the vessel is present in Guernsey, the Registrar will schedule an inspection. When the Registrar is satisfied that vessel has been marked in accordance with Registry regulations, the Registrar will proceed to complete Registration and issue the Certificate of British Registry (commonly known as the 'blue book').

## 1.2. Fishing Vessel Registration



The Registry of British Ships at the Harbour Office deals with the registration of a fishing vessel. In order to comply with the law<sup>1</sup> there are three main requirements:

- The vessel must be in use for fishing for profit. This means that any part or all the catch is occasionally or always sold.
- The vessel is owned legally and beneficially either by a British subject living in the Bailiwick of Guernsey or a Company registered in and having its principal place of business in the Bailiwick of Guernsey.
- The vessel is fishing from a port in the Bailiwick of Guernsey.

An application will need to be made on the prescribed form and, subject to eligibility, a 'GU' number may be allocated.

When the vessel has been marked as required with its GU number and name and port of registry, a Registry member of staff will inspect the vessel and, if necessary, measure the vessel in accordance with the regulations.

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<sup>1</sup> Full details of requirements can be found in the Merchant Shipping (Registration of Ships) (Bailiwick of Guernsey) Regulations 2009

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When this has been completed satisfactorily and the vessel has been shown to be compliant with the Code of Practice under the Small Fishing Vessels (Safety Regulations) (Bailiwick of Guernsey) Regulations, 2007, a fishing vessel registration certificate can be issued. Only then is the vessel properly registered.

These requirements do not remove the need to register the vessel on the local register with Guernsey Harbours. Local registration may be applied for at the same time as Fishing Vessel registration but will not be processed until a GU number has been allocated.

A fishing vessel licensing system for vessels fishing for profit within Bailiwick waters is in place and owners of vessels with a Fishing Vessel Licence entitlement issued by the Committee for Economic Development's Sea Fisheries team will need to check that their entitlement is enough for the vessel to be licensed and registered.

Owners of vessels without the above are advised to obtain a licence or the Committee *for* Economic Development's Sea Fisheries team can issue entitlement of enough capacity for their vessel before a Bailiwick Fishing Vessel Licence.

### 1.3. Fishing Vessel Safety & Training



The Law requires registered fishing vessels, to have a current safety certificate. The vessel must comply fully with the Small Fishing Vessels (Safety) (Bailiwick of Guernsey) Regulations 2007. Copies of the Code of Practice for the Safety of Small Fishing Vessels are available on request from the Registry or Guernsey Harbours. The amount of safety equipment and the complexity of the survey will be determined by the length of the vessel. Prospective fishing boat owners are advised to contact Guernsey Harbours in order to understand more fully, what will be required for their vessel.

If the vessel is a 'new build' or has not previously been used as a commercial fishing vessel a SeaFish construction certificate must be provided by the builder or a survey will need to be undertaken by Guernsey Harbours approved SeaFish accredited surveyor. Prospective applicants unsure of the construction standards for their boat are strongly recommended to arrange for early inspection and assessment by the SeaFish surveyor via the Registry. All owners and crew working on a Bailiwick of Guernsey fishing vessel are required to ensure that they have undertaken the training courses required by the Code of Practice. These courses are provided periodically on Island but SeaFish approved courses held in the UK are also available more regularly and these training certificates are accepted locally.



## 1.4. The Small Ship Register



The Small Ship Register (SSR) provides a cheap and simple alternative to full registration under Part I of the British Register. The Certificate of British Registration provided gives evidence of the British nationality of the vessel when it is in foreign territorial waters.

A Small Ship Registration Certificate may not be accepted in some foreign ports if you are using your ship for 'commercial purposes' e.g. diving or chartering. The register does not enable ownership of a vessel to be established nor can marine mortgages be recorded.

A small ship is one which is less than 24 metres (78.7 feet) in overall length). The following ships cannot be registered on the SSR:

- those owned by a companies or organisations such as clubs and associations
- those over 24 metres in length
- fishing or submersible vessels

A small ship may be registered if it is owned by one or more of the following persons who are ordinarily resident in the Bailiwick of Guernsey:

- British Citizens

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- British Dependant Territories citizens; British Overseas citizens; persons who under the British Nationality Act 1961 are British subjects; persons who under the Hong Kong (British Nationality) Order are British Nationals Overseas, and Commonwealth citizens not falling within the above paragraphs.

If you are in any doubt about your own citizenship or that of any other owner of the ship please obtain advice from [the Guernsey Border Agency](#).

For the purposes of registering a ship, it means living and sleeping in the Bailiwick for a significant part of the year. A person may be considered ordinarily resident if they live for a period of, or periods, which collectively amount to 185 days or more in a twelve-month period. If you are resident in the Bailiwick for tax purposes, you will generally be regarded as resident for the purpose of registration.

Ships cannot be on more than one part of the Register at any one time. If you have full British registration it is to your advantage to keep your ship registered on that Part rather than transfer it to the SSR. If you wish to transfer from one Part of the Register to another, it will be necessary to close the ship's current registration before the transfer can be made. If the ship is registered on the full register at a port in the United Kingdom or the Channel Islands you may apply to register under the SSR. However, if there is recorded a mortgage or sale affecting the ship or a share in the ship the Part I registry will not be closed, and the application will not be proceeded with. Where the applicant's name and the name of the owner on the Part I register differ, the applicant will have to provide a statement of entitlement signed by the present beneficial owner(s), and satisfactory evidence (e.g. bills of sale or a receipted invoice) of ownership.

Registration on the SSR lasts for five years from the date of issue of the Certificate of Registry and can be renewed during the period six months prior to the date of expiry, provided no changes have occurred in the details included on the Certificate of Registry, in which case it will terminate immediately. The registration number can be retained provided application is made within three months of the expiry or termination.

The application form should be used only for the first registration of a ship and for the re-registration of a ship whose registry on the SSR has terminated or expired. A separate form for renewing the registration of a ship is available from the Guernsey registrar.

Ships will not be registered if they have undesirable or offensive names or which might cause confusion; e.g. if prefixed by FV or HMS. Names such as: 'SOS', 'MAYDAY' or 'LIFEBOAT' will not be allowed. Ships must have a name before they can be registered. In most cases the owners may measure the overall length of the ship themselves.



'Overall length' is the distance between the foreside of the foremost fixed permanent structure and the aft side of the aftermost fixed permanent structure of the ship.

Where the ship is found to be 24 metres or a little more in length, it may still qualify. In this case you must have the statement of length at the end of the application form signed by a qualified surveyor stating that the ship is less than 24 metres in length when measured in accordance with the formula contained in the Merchant Shipping (Bailiwick of Guernsey) (Tonnage) Regulations 2009. Definitions can be found below.

- Sailing Cruiser - boat primarily propelled by sail (larger than a dinghy) with fixed keel or cabin
- Motor Cruiser - large boat largely propelled with an engine, either steam or internal combustion, including cabin cruisers.
- Sailing Dinghy - all types of dinghy propelled by sail without a fixed keel or cabin
- Motor Sailer - boat propelled by engine or sail with a keel and cabin.
- Inflatable - Non-rigid inflatable boats.
- Power Boat - including speedboats, powerboats and high-speed launches.
- Dutch Barge - all types of traditional barge but excluding narrow boats.
- Motor Dinghy - all types of rigid dinghy propelled by internal combustion engine.
- Rigid Inflatable - all types of rigid inflatable boats (RIB).
- Jet Ski - including jet skis, wet bikes etc.
- Other - any other vessel type which does not easily fit into any of the above types.

Any person who makes an application containing a statement which they know to be false or reckless, or any person who, with intent to deceive, uses or lends to or allows to be used by another, a terminated certificate of registration. Any person who fails to ensure that the requirement of ship's marking is met, or any person who fails to surrender a certificate of registration when required by the Regulations shall be guilty of an offence. In addition, where it appears that there is any doubt as to the right of any ship registered or seeking registration to be registered, the owner may be required to give additional evidence.

## Chapter 2 - 2020 REG Conference



Picture: The Red Ensign Group

### 2.1. Introduction

The 2020 REG Conference took place in the Falkland Islands. The conference started just before countries and jurisdictions put into place travel restrictions as the COVID-19 pandemic struck around the World in the Falkland Islands which curbed travel.

### 2.2. Conference Agenda

The conference which oversees and upholds maritime safety standards to vessels on the UK Shipping Register and those on the registries of the British Overseas Territories and Crown Dependencies meet to discuss best practice and to look at ways of improving the performance of the British Registers internationally. Sessions on the roles and responsibility of Coastal States in terms of vessel traffic service/management and Port State Control were discussed. Business strategy, policy and safety matters were also discussed.

The Conference discussed the challenges of maritime and coastal state responsibilities, environmental and coastal concerns, commercial competition, and growing individual flags in a competitive global shipping market.



### **2.3. IMO Audit**

Delegates from the various registries, including Guernsey, spent time preparing for the International Maritime Organization's (IMO) Member State Audit due in the Autumn of 2020. This was subsequently postponed to a future date in 2021, if Guernsey is selected from the various British registries for the planned IMO audit.

The audit aims to promote the consistent and effective implementation of applicable IMO instruments and to assist Member States to improve their capabilities, whilst contributing to the enhancement of global and individual member state overall performance in compliance with the requirements of the instruments to which it is a Party. The audit scheme, using the IMO Instruments Implementation Code (III Code) as the audit standard, aims to provide an audited Member State with a comprehensive and objective assessment of how effectively it administers and implements those mandatory IMO instruments which are covered by the IMO audit scheme.

## Chapter 3 - Contact Details - Registry Of British Ships (Guernsey)

Postal Address: Registry of British Ships (Guernsey), P.O. Box 631, St Julian's Emplacement, St Peter Port, Guernsey, GY1 3DL

Tel: +44 (0)1481 225822

Email: [shipsregistry@gov.gg](mailto:shipsregistry@gov.gg)

Web: [www.harbours.gg/Registry-British-Ships-Guernsey](http://www.harbours.gg/Registry-British-Ships-Guernsey)