



GUIDANCE NOTES ON THE REGISTRATION OF IRISH SHIPS

INTRODUCTION

The Department of Transport is the national authority with responsibility for the Registration of Irish ships. The Mercantile Marine Act, 1955, as amended by the Merchant Shipping (Miscellaneous Provisions) Act, 1998, and Sea-Fisheries and Maritime Jurisdiction Act, 2006, lays down the legal provisions for ship registration and provides for the national character, ownership and registry of Irish ships, for the mortgage, sale, transfer and measurement of tonnage of such ships and other connected matters. The following is a list of the most frequently asked questions relating to the registration of ships in Ireland.

What is Registry?

Registry may be defined as the procedure whereby details of Irish ships, shares therein and the ownership thereof are recorded in the Register maintained by the Revenue Commissioners for this purpose.

What is the Role of the Revenue Commissioners?

The Mercantile Marine Act, 1955, assigns a statutory role to the Revenue Commissioners. The Revenue Commissioners are responsible for the administration of the procedure for registration by maintaining the Register in the manner required, by accurately recording the details required and ensuring that the associated procedures are carried out in accordance with the governing legal provisions.

What are ‘Ports of Registry’?

A ‘Port of Registry’ is the port, designated by this Act, at which a ship is registered. There are currently 13 Ports of Registry in Ireland, namely: Arklow, Cork, Drogheda, Dublin, Dundalk, Galway, Limerick, Skibbereen, Sligo, Tralee, Waterford, Westport and Wexford. There is a Registrar of Ships appointed for each Port of Registry.

Who is entitled to register a ship under this Act, ie a “qualified person”?

- The Government
- A Minister of State (Irish);
- A national of an EU Member State;
- A body corporate of an EU Member State having its principal place of business in a Member State;
- A citizen or body corporate of a “Reciprocating State”, currently -
 - The United Kingdom and Colonies (SI. 263/1955),
 - New Zealand & Pakistan (SI. 184/1958 & SI 189/1968),
 - Canada (SI. 299/1961).

**What ships must be registered?**

All ships (i.e. a vessel used in navigation and not propelled by oars) wholly owned by an Irish citizen or an Irish body corporate, other than those to which exemptions apply (see below).

What ships are exempt from the obligation to register?

The following categories are exempt from the obligation to register, but their owners may opt to do so:

- Ships under 15 net register tons burden, provided they are used only on the rivers, canals, lakes or coasts of Ireland, Great Britain, the Channel Islands or the Isle of Man, or within the territorial waters off their coasts;
- Ships acquired before the passing of the Mercantile Marine Act in 1955;
- Ships where the Minister has consented to their registration under the laws of another country;
- Ships owned by Irish citizens not ordinarily resident within the State;
- Sea-fishing boats of less than 15 metres in length overall and required to be registered in the Register of Fishing Boats.

What are the consequences of non-registry?

A ship which is required to register as an Irish Ship, but does not so register:

- Is not entitled to any of the benefits, privileges, advantages or protection usually enjoyed by an Irish ship;
- May not use the proper national colours or assume national character;
- Will be dealt with in the same way as an Irish-registered ship in relation to:
 - the payment of dues,
 - liability to fines and forfeiture, and
 - the punishment of offences committed onboard such ship.
- May be detained by Officers of Customs & Excise until the Certificate of Registry of the ship is produced.

What is the registration process?

There are a number of requirements for the registration of ships under the Mercantile Marine Act 1955. See Appendix I for a checklist of documents/requirements, which are necessary for the registration of most ships.



FOLLOWING REGISTRATION

Appendix II should be referred to for contact details of the relevant offices reference below.

What do I do if my Certificate of Irish Registry is mislaid/lost or destroyed?

In any such event the Registrar at the port in which the ship is registered shall issue a new Certificate of Irish Registry upon application from the registered owner and payment of the prescribed fee.

What do I do if I wish to change the name of my ship?

An application to change the name of an Irish ship should be made to the Mercantile Marine Office (MMO). Form A available from the MMO.

What do I do if I wish to sell/transfer ownership of my ship?

A Bill of Sale must be drawn up between you and the new owner. Bill of Sale forms are available from the Registrar of Ships at the port in which the ship is registered. This Bill of Sale must be presented to the Registrar of Ships along with the original Certificate of Irish Registry and Certificates of Discharge of Mortgages, if applicable.

In addition, if the ship is greater than 15GT (or 15M LOA if a fishing vessel) and if the transfer of ownership is to a person or persons outside the State then the current registered owner must apply to the Minister of Transport, in writing for consent to transfer ownership of the ship outside the State. Details of the proposed new owners name and address should be provided. Once this transaction has been consented by the Minister, this sanction issued should also be presented to the Registrar of Ships.

Provided the 'new' owner is 'qualified' and provided that a Declaration of Ownership is signed and a new manager is appointed, ownership of the ship can then be transferred to the 'new' owner. The Registrar of Ships can then endorse the Certificate of Irish Registry accordingly. Please note for fishing vessels, the new owner must be in possession of a non-operative Fishing Licence, from the Department of Agriculture, Fisheries and Food, before the registration of the transfer of ownership can be finalised.

If the new owner is not 'qualified' or is 'qualified' but is not obliged to register and chooses not to retain Irish registry, the registry of the ship is then closed.

What do I do if I change address?

All changes of address, business name (if registered to a company) etc. should be notified in writing to the Registrar of Ships at the port in which the ship is registered. The Certificate of Irish Registry should be handed up to the Registrar to be endorsed accordingly.

What do I do if I make alterations to my ship including replacement of engine?

The Marine Survey Office should be contacted to ascertain if a new survey of the ship is required.

Who can I contact if I have any further queries relating to ship registration?

Further information and assistance on the registration process can be obtained/sought from the Mercantile Marine Office. All queries relating to ship survey can be directed to the Marine Survey Office.



Queries relating to registration applications, including forms for Application to Register, Declarations of Ownership, Bills of Sale, Certificates of Mortgages, Appointment of a Manager and other forms and documents issued by the Revenue Commissioners should be directed to your chosen Registrar of Ships.



APPENDIX I

CHECKLIST TO ASSIST IN THE REGISTRATION PROCESS

There are a number of requirements for the registration of a ship under the Mercantile Marine Act 1955. Amongst many, the following is a checklist of documents/requirements, in no particular order, which are necessary prior to the registration of most ships:

- ☐ Initially the owner must choose a port of registry. See Appendix II for a list of Registrars of Ships in Ireland and their contact details. Any port can be chosen as your Port of Registry.

DOCUMENTS AVAILABLE FROM AND/OR TO BE FORWARDED TO THE DEPARTMENT OF TRANSPORT

- ☐ The name of the ship must be approved by the Minister for Transport and must be unique. Please contact the Mercantile Marine Office to check the availability of names. A Form GR 342 should then be completed and returned to either your chosen Registrar of Ships or the Mercantile Marine Office at the address outlined on the form.
- ☐ If the ship was previously registered either within or outside the State by a different name, a Change of Name application, Form A, should be completed and returned to the Mercantile Marine Office. Before completing this form, the Mercantile Marine Office should be contacted to ensure that the chosen name is available/suitable. As outlined on the Form A, notice of name change is to be published. Suitable papers for the placing of advertisements would be any local paper circulating in the port where the ship is registered or any national paper and a marine paper such as the Irish Skipper or the Marine Times etc.
- ☐ The applicant must make arrangements with the Marine Survey Office, for an official measurement (Tonnage Survey) of the ship. Applications should be made on an official form, Survey 6, along with the appropriate fee, to the Marine Survey Office.

In addition to the tonnage measurement for registration purposes, additional surveys are required if the ship is to engage in trade. Surveys required will depend on the class and size of the ship i.e. safety, radio, load line etc surveys required for merchant, passenger, fishing vessels etc. **Therefore vessel owners are advised to contact the Marine Survey Office, prior to making a registration application, if they are in any doubt over their vessel meeting the applicable standards under national, EU or international law in relation to safety, security and environmental protections in force at the time of application.**

- ☐ A Certificate of Particulars of Engines, Survey 118, should also be completed and returned with the Survey application.



DOCUMENTS AVAILABLE FROM AND/OR TO BE FORWARDED TO YOUR CHOSEN REGISTRAR OF SHIPS

- ☐ The owner must be qualified to own an Irish Ship and should apply in writing to have the ship registered under the Mercantile Marine Act 1955. This application should be made on a standard form, which is available from, and should be returned to, your chosen Registrar of Ships.
- ☐ The owner must sign a Declaration of Ownership on a statutory form. This form is available from, and should be returned to, your chosen Registrar of Ships.
- ☐ The owner should appoint a Manager of the ship. Form C & E 677 is available from, and should be returned to, your chosen Registrar of Ships.
- ☐ If the ship has **never been registered**, an original Builder's Certificate, containing a true account of the proper denomination and tonnage, as estimated, and the time and place where she was built and the name of the company or person on whose account she was built, should be forwarded to your chosen Registrar of Ships along with a Bill of Sale (or Bills of Sale) detailing the sale from the previous owner(s) to the current owner. Bill of Sale forms are available from your chosen Registrar of Ships.
- ☐ If the ship was **previously registered outside the State**, a Certificate of Deletion should be sought from either the previous owner or the issuing Authority and should be forwarded to your chosen Registrar of Ships along with a Bill of Sale (or Bills of Sale) detailing the sale from the previous registered owner to the current owner. Bill of Sale forms are available from your chosen Registrar of Ships. Please note that registration on a 'small ships register' i.e. SSR in the UK, may not be considered as 'registration' in this instance unless the 'small ships register' was a 'title' register. The SSR in the UK is not a 'title' register, whereas registration on the main register in the UK is.
- ☐ If the ship is **currently registered within the State**, a Bill of Sale detailing the sale from the previous registered owner to the current owner should be forwarded to your chosen Registrar of Ships along with the original 'Certificate of Irish Registry'. Bill of Sale forms are available from your chosen Registrar of Ships.
- ☐ Registration fees are based on the gross tonnage (which will be calculated upon survey) of the ship. This fee is in accordance with the Merchant Shipping (Fees) Order, 2010 and should be made payable to your chosen Registrar of Ships.
- ☐ Official marking of the ship in accordance with a Ship's Carving and Marking Note (which will be issued by the Registrar upon completion of the above).

As all registrations vary, applicants are advised to contact their Registrar of Ships to verify that the above is a complete list of requirements. Any VAT related queries, if applicable, can also be addressed by your Registrar of Ships.



APPENDIX II

CONTACT DETAILS

DEPARTMENT OF TRANSPORT

Mercantile Marine Office
Department of Transport
Leeson Lane
Dublin 2
Ireland

Ph: + 353 (0)1 6783480
Email: mmo@transport.gov.ie

Marine Survey Office
Department of Transport
Leeson Lane
Dublin 2
Ireland

Ph: + 353 (0)1 6783400
Email: mso@transport.gov.ie

DEPARTMENT OF AGRICULTURE, FISHERIES AND FOOD

Licensing Authority for Sea Fishing Boats,
Sea Fisheries Administration,
Department of Agriculture, Fisheries and Food,
Clogheen
Clonakilty,
Co. Cork,
Ireland.

Ph: + 353 (0)23 885 9500