



# Annual Report 2021

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## 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. To comply with the law<sup>1</sup> there are three main requirements:

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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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- 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.

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 Ports. 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**

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 Ports. 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 Ports 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 Ports 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.
- 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](#).

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 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 (see application form question 4). '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 propelled with an engine, either steam or internal combustion, including cabin cruisers.
- Sailing Dinghy - all types of dinghies 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.

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- 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 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 - 2021 REG Conference/Workstreams

### 2.1. Introduction

There was no REG Conference in 2021, due to the COVID-19 pandemic.

The conference (pictured below in pre-COVID-19 conditions in the Falkland Islands) oversees and upholds maritime safety standards across the thirteen British Shipping Registers usually meets to discuss best practice and to look at ways of improving the performance of the British Registers internationally. Responsibility of Coastal States in terms of vessel traffic service/management and Port State Control are normally discussed. Business strategy, policy and safety matters are also on the Conferences' agenda. The 2022 Conference is due to be hosted by the Isle of Man.



Picture: The Red Ensign Group

## **2.2. Technical Forum**

Guernsey joined other Red Ensign Group Technical Forum members to discuss technical regulation and how it affects the work of the British Shipping Registers. Representatives from Anguilla, Bermuda, British Virgin Islands, Cayman Islands, Falkland Islands, Gibraltar, Isle of Man, Jersey and the United Kingdom attended the event.

With the International Maritime Organization's Member State mandatory audit of the REG members expected before the end of this year, much of the event will focus on the work being done by the REG to be ready for the International Maritime Organization's Member State mandatory III audit of the REG members to ensure that the result of the audit shows the REG's continued leadership on maritime matters.

Other items up for discussion included seafarer safety and standards, the REG Yacht Code and working practices during COVID-19.

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

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