Regulations of the PRC on Ship Registration

Dan Young Business Consultancy — www.danyoungcpa.com

Unofficial English translation prepared for reference only. The official Chinese text prevails.

Contents

Table of Contents 1

Chapter I — General Provisions 2

Chapter II — Registration of Ship Ownership 3

Chapter III — Ship Nationality 4

Chapter IV — Registration of Ship Mortgage 5

Chapter V — Registration of Bareboat Charter 6

Chapter VI — Ship Marks and Company Flag 7

Chapter VII — Change of Registration and Cancellation of Registration 8

Chapter VIII — Renewal and Reissue of Certificates of Ship Ownership Registration and Ship Nationality . . . 9

Chapter IX — Legal Liability 10

Chapter X — Supplementary Provisions 11

Promulgated by Decree No. 155 of the State Council of the People's Republic of China on June 2, 1994

Revised in accordance with the Decision of the State Council on Amending Certain Administrative Regulations of July 29, 2014

Effective: January 1, 1995

Table of Contents

- Chapter I — General Provisions
- Chapter II — Registration of Ship Ownership
- Chapter III — Ship Nationality
- Chapter IV — Registration of Ship Mortgage
- Chapter V — Registration of Bareboat Charter
- Chapter VI — Ship Marks and Company Flag
- Chapter VII — Change of Registration and Cancellation of Registration
- Chapter VIII — Renewal and Reissue of Certificates of Ship Ownership Registration and Ship Nationality

- Chapter IX — Legal Liability
- Chapter X — Supplementary Provisions

Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purpose of strengthening the state's supervision and administration of ships and safeguarding the lawful rights and interests of the parties concerned in ship registration.

Article 2 — The following ships shall be registered in accordance with these Regulations:

(1) ships owned by Chinese citizens who have their domicile or principal business office within the territory of the People's Republic of China;

(2) ships owned by enterprise legal persons established in accordance with the laws of the People's Republic of China whose principal business offices are located within the territory of the People's Republic of China; provided, however, that where there is foreign capital in the registered capital of such a legal person, the capital contribution of the Chinese investor or investors shall not be less than 50 percent;

(3) ships owned by the government of the People's Republic of China for public service and ships owned by institutional legal persons; and

(4) other ships which the harbour superintendency administration of the People's Republic of China deems necessary to be registered.

The registration of military ships, fishing vessels and vessels for sports shall be handled in accordance with the provisions of the relevant laws and regulations.

Article 3 — A ship which has been registered in accordance with the law and has acquired the nationality of the People's Republic of China may fly the national flag of the People's Republic of China; a ship which has not been registered shall not fly the national flag of the People's Republic of China.

Article 4 — No ship shall have dual nationality. A ship registered in a foreign country shall not acquire the nationality of the People's Republic of China unless its nationality of the original country of registration has been suspended or cancelled.

Article 5 — The acquisition, transfer and extinction of the ownership of a ship shall be registered with the ship registration authority; without such registration, they shall not be effective against a third party.

Where a ship is co-owned by two or more legal persons or individuals, the co-ownership shall be registered with the ship registration authority; without such registration, it shall not be effective against a third party.

Article 6 — The creation, transfer and extinction of a mortgage over a ship or of a right of bareboat charter over a ship shall be registered with the ship registration authority; without such registration, they shall not be effective against a third party.

Article 7 — Crew members on board ships of Chinese nationality who are required to hold certificates of competency must hold the corresponding certificates of competency for seafarers of the People's Republic of China.

Article 8 — The harbour superintendency administration of the People's Republic of China shall be the competent authority in charge of ship registration.

The harbour superintendency administrations of the various ports shall be the authorities which specifically carry out ship registration (hereinafter referred to as the ship registration authorities), and the scope of their jurisdiction shall be determined by the harbour superintendency administration of the People's Republic of China.

Source: https://www.danyoungcpa.com/regulations-prc-ship-registration/

Article 9 — The port of ship registration shall be the port of registry.

The port of ship registration shall be selected by the shipowner, on the principle of proximity, in accordance with the locality of his domicile or principal business office; provided, however, that he shall not select two or more ports of ship registration.

Article 10 — A ship shall be permitted to use only one name.

The name of a ship shall be examined and approved by the ship registration authority at the port of registry. The name of a ship shall not be identical with or homophonous to the name of a ship registered earlier.

Article 11 — The ship registration authority shall establish a register of ships.

The ship registration authority shall permit interested parties to consult the register of ships.

Article 12 — Where a state-owned ship is operated and managed by an enterprise owned by the whole people which has the status of a legal person and to which the state has entrusted such operation and management, the provisions of these Regulations concerning the shipowner shall apply to such a legal person.

Chapter II — Registration of Ship Ownership

Article 13 — Where a shipowner applies for the registration of the ownership of a ship, he shall submit to the ship registration authority at the port of registry documents sufficient to prove his lawful identity, and shall provide the originals and copies of the relevant technical data of the ship and the documents evidencing the acquisition of the ownership of the ship.

Where the ownership of a purchased ship is to be registered, the following documents shall be provided:

(1) the invoice for the purchase of the ship, or the contract of sale and the delivery documents of the ship;

(2) the certificate of cancellation of the ownership registration issued by the ship registration authority at the original port of registry; and

(3) the document certifying that the ship has not been mortgaged, or the document in which the mortgagee consents to the transfer of the mortgaged ship to another person.

Where the ownership of a newly built ship is to be registered, the shipbuilding contract and the delivery documents shall be provided; provided, however, that where the ownership of a ship under construction is to be registered, only the shipbuilding contract is required, and where the ownership of a ship built for the owner's own use is to be registered, documents sufficient to prove the acquisition of the ownership shall be provided.

Where the ownership of a ship acquired through inheritance, gift, auction in accordance with law or a court judgment is to be registered, documents with corresponding legal effect evidencing the acquisition of the ownership of the ship shall be provided.

Article 14 — The ship registration authority at the port of registry shall examine and verify the application for the registration of the ownership of a ship; where the application conforms to these Regulations, it shall, within 7 days from the date of receipt of the application, issue to the shipowner a Certificate of Ship Ownership Registration, allot a ship registration number, and record the following particulars in the register of ships:

(1) the name and call sign of the ship;

(2) the port of registry and the registration number and registration mark;

(3) the name and address of the shipowner and the name of his legal representative;

(4) the manner in which and the date on which the ownership of the ship was acquired;

(5) the date of registration of the ownership of the ship;

(6) the name of the shipbuilder and the date and place of construction;

(7) the value of the ship, the material of the hull and the main technical data of the ship;

(8) the former name of the ship, the original port of registry and the date of cancellation or suspension of the original registration;

(9) where the ship is co-owned by several persons, the particulars of the co-ownership;

(10) where the shipowner does not actually use and control the ship, the name and address of the bareboat charterer or the ship operator and the name of his legal representative; and

(11) where a mortgage has been created over the ship, the particulars of the creation of the mortgage.

Where an application does not conform to these Regulations, the ship registration authority shall notify the shipowner in writing within 7 days from the date of receipt of the application.

Chapter III — Ship Nationality

Article 15 — When applying for the nationality of a ship, the shipowner shall, in addition to submitting the Certificate of Ship Ownership Registration obtained in accordance with these Regulations, submit the following documents according to the navigation area of the ship:

(1) for a ship navigating on international routes, the shipowner shall, according to the type of the ship, submit the following valid technical certificates issued by a statutory ship survey institution:

1. the International Tonnage Certificate;

2. the International Load Line Certificate;

3. the Cargo Ship Safety Construction Certificate;

4. the Cargo Ship Safety Equipment Certificate;

5. the Passenger Quota Certificate;

6. the Passenger Ship Safety Certificate;

7. the Cargo Ship Safety Radiotelegraphy Certificate;

8. the International Oil Pollution Prevention Certificate;

9. the Ship Navigation Safety Certificate; and

10. other relevant technical certificates.

(2) for a ship navigating on domestic routes, the shipowner shall, according to the type of the ship, submit the register of ship survey certificates and other valid technical certificates issued by a statutory ship survey institution.

Where a ship of foreign nationality has been purchased from abroad, the shipowner shall, when applying for the nationality of the ship, additionally provide the certificate of cancellation of the original nationality issued by the ship registration authority at the original port of registry, or the certificate that the original nationality will be cancelled immediately upon re-registration.

The ship registration authority at the port of registry shall, after examination, approve a ship which conforms to these Regulations and issue to it a Certificate of Ship Nationality.

Article 16 — A ship the registration of which is applied for in accordance with Article 13 of these Regulations shall, upon approval, be issued a Certificate of Ship Nationality by the ship registration authority. The Certificate of Ship Nationality shall be valid for 5 years.

Article 17 — Where a newly built ship is sold abroad, the shipowner shall apply for a Provisional Certificate of Ship Nationality with the ship registration authority at the place of construction, on presentation of the documents evidencing the acquisition of the ownership of the ship and the valid technical certificates of the ship.

Where a newly built ship is purchased from abroad, the shipowner shall apply for a Provisional Certificate of Ship Nationality with the embassy or consulate of the People's Republic of China abroad, on presentation of the documents evidencing the acquisition of the ownership of the ship and the valid technical certificates of the ship.

Where a ship is built in another place within the territory of China and a Provisional Certificate of Ship Nationality is required, the shipowner shall apply for it with the ship registration authority at the place of construction, on presentation of the shipbuilding contract, the delivery documents and the valid technical certificates of the ship.

Where a ship is built abroad, the shipowner shall apply for a Provisional Certificate of Ship Nationality with the embassy or consulate of the People's Republic of China abroad, on presentation of the shipbuilding contract, the delivery documents and the valid technical certificates of the ship.

Where a ship is chartered in from abroad on bareboat charter terms, the bareboat charterer shall apply for a Provisional Certificate of Ship Nationality with the ship registration authority, on presentation of the bareboat charter party and the certificate of suspension or cancellation of the original nationality issued by the ship registration authority at the original port of registry, or the certificate that the original nationality will be suspended or cancelled immediately upon re-registration.

A ship which is found upon examination to conform to these Regulations shall be approved and issued a Provisional Certificate of Ship Nationality by the ship registration authority or the embassy or consulate of the People's Republic of China abroad.

Article 18 — A Provisional Certificate of Ship Nationality shall generally be valid for not more than 1 year.

For a ship chartered in from abroad on bareboat charter terms, the term of the Provisional Certificate of Ship Nationality may be determined according to the charter period, but shall not exceed 2 years. Where the term of the bareboat charter party exceeds 2 years, the charterer shall, within the period of validity of the certificate, apply to the ship registration authority at the port of registry for the renewal of the Provisional Certificate of Ship Nationality.

Article 19 — A Provisional Certificate of Ship Nationality shall have the same legal effect as a Certificate of Ship Nationality.

Chapter IV — Registration of Ship Mortgage

Article 20 — Where a mortgage is created over a ship of 20 gross tons or more, the mortgagee and the mortgagor shall apply for the registration of the ship mortgage with the ship registration authority at the port of registry, on presentation of the following documents:

(1) a written application signed by both parties;

(2) the Certificate of Ship Ownership Registration or the shipbuilding contract; and

(3) the ship mortgage contract.

Where other mortgages have already been created over the ship, the relevant supporting documents shall also be provided.

Where a mortgage is created over a co-owned ship by the co-owners, a document of consent signed by the co-owners holding two thirds or more of the shares, or the agreed shares, shall also be provided.

Source: https://www.danyoungcpa.com/regulations-prc-ship-registration/

Article 21 — Where an application is found upon examination to conform to these Regulations, the ship registration authority at the port of registry shall, within 7 days from the date of receipt of the application, record the particulars of the mortgagor, the mortgagee, the mortgage over the ship and the date of mortgage registration in the register of ships and in the Certificate of Ship Ownership Registration, and issue to the mortgagee a Certificate of Ship Mortgage Registration.

Article 22 — The registration of a ship mortgage shall include the following main particulars:

(1) the names and addresses of the mortgagee and the mortgagor;

(2) the name and nationality of the mortgaged ship, and the issuing authority and number of the Certificate of Ship Ownership Registration; and

(3) the amount of the secured claim, the interest rate and the term for satisfaction.

The ship registration authority shall permit the public to inquire into the registered particulars of a ship mortgage.

Article 23 — Where a ship mortgage is transferred, the mortgagee and the transferee shall apply for the registration of the transfer of the mortgage with the ship registration authority at the port of registry, on presentation of the contract for the transfer of the ship mortgage.

Where the application is found upon examination to conform to these Regulations, the ship registration authority at the port of registry shall record the transferee as the mortgagee in the register of ships and in the Certificate of Ship Ownership Registration, issue to the transferee a Certificate of Ship Mortgage Registration, and seal up the original Certificate of Ship Mortgage Registration.

Before the transfer of a ship mortgage is registered, the mortgagee shall notify the mortgagor.

Article 24 — Where two or more mortgages are created over the same ship, the ship registration authority shall register them in the order of the dates of application for mortgage registration, and shall record the dates of registration in the register of ships.

The date of application for registration shall be the date of registration; where applications are made on the same day, the dates of registration shall be the same.

Chapter V — Registration of Bareboat Charter

Article 25 — In any of the following circumstances, the lessor and the lessee shall complete the registration of the bareboat charter:

(1) a ship of Chinese nationality is chartered out to a domestic enterprise on bareboat charter terms;

(2) a Chinese enterprise charters in a ship of foreign nationality on bareboat charter terms; or

(3) a ship of Chinese nationality is chartered out abroad on bareboat charter terms.

Article 26 — Where a ship is chartered out within the territory of China, the lessor and the lessee shall, before the commencement of the charter, apply for the registration of the bareboat charter with the ship registration authority at the port of registry, on presentation of the Certificate of Ship Ownership Registration, the Certificate of Ship Nationality and the original and a copy of the bareboat charter party.

Where the application is found upon examination to conform to these Regulations, the ship registration authority at the port of registry shall record the particulars of the charter in the Certificate of Ship Ownership Registration and in the register of ships respectively, and issue to each of the lessor and the lessee one Certificate of Bareboat Charter Registration.

Article 27 — Where a ship is chartered out abroad on bareboat charter terms, the lessor shall apply for the registration of the bareboat charter with the ship registration authority at the port of registry, on presentation

of the documents specified in Article 26 of these Regulations.

Where the application is found upon examination to conform to these Regulations, the ship registration authority at the port of registry shall suspend or cancel the nationality of the ship in accordance with Article 42 of these Regulations and issue a Certificate of Bareboat Charter Registration in duplicate.

Article 28 — Where a ship is chartered in from abroad on bareboat charter terms, the lessee shall determine the port of registry by analogy with Article 9 of these Regulations and shall, before the commencement of the charter, apply for the registration of the bareboat charter with the ship registration authority, on presentation of the following documents:

(1) the original and a copy of the bareboat charter party;

(2) the valid technical certificates of the ship issued by a statutory ship survey institution; and

(3) the certificate of suspension or cancellation of the ship's nationality issued by the ship registration authority at the original port of registry, or the certificate that the ship's nationality will be suspended or cancelled immediately upon re-registration.

Where the application is found upon examination to conform to these Regulations, the ship registration authority shall issue a Certificate of Bareboat Charter Registration and shall issue a Provisional Certificate of Ship Nationality in accordance with Article 17 of these Regulations, and shall record the original country of registration in the register of ships.

Article 29 — Where it is necessary to extend the term of a bareboat charter, the lessor and the lessee shall, 15 days before the expiry of the bareboat charter party, apply for the registration of the extension with the ship registration authority, on presentation of the Certificate of Bareboat Charter Registration and the original and a copy of the contract for the extension of the charter.

Article 30 — During the term of a bareboat charter, the lessee shall not apply for the registration of a sub-charter without the written consent of the lessor.

Chapter VI — Ship Marks and Company Flag

Article 31 — A ship shall carry the following marks:

(1) the ship's name marked on both sides of the bow and on the stern;

(2) the port of registry marked below the ship's name on the stern;

(3) the name and the port of registry marked in the Chinese phonetic alphabet below the ship's name and the port of registry;

(4) the draught scales marked on both sides of the bow and the stern; and

(5) the load lines marked on both sides amidships.

Where a ship is restricted by its type or size from carrying the marks at the positions specified in the preceding paragraph, the name and the port of registry of the ship shall be marked at a conspicuous position on board.

Article 32 — Where a shipowner sets up a ship funnel mark or a company flag, he may apply for registration with the ship registration authority at the port of registry and shall provide the standard design drawings in accordance with the relevant provisions.

Article 33 — Ships of the same company shall be permitted to use only one ship funnel mark and one company flag.

The ship funnel mark and the company flag shall be examined and approved by the ship registration authority at the port of registry.

A ship funnel mark or company flag shall not be identical with or similar to a ship funnel mark or company flag registered earlier.

Article 34 — The ship registration authority at the port of registry shall make a public announcement of the ship funnel marks and company flags which have been approved and registered.

A registered ship funnel mark or company flag shall be for the exclusive use of the registration applicant, and shall not be used by any other ship or company.

Chapter VII — Change of Registration and Cancellation of Registration

Article 35 — Where a registered item of a ship is changed, the shipowner shall complete the change registration with the ship registration authority at the port of registry, on presentation of the relevant certificates of the ship registration and the documents evidencing the change.

Article 36 — Where the port of registry of a ship is changed, the shipowner shall apply for the registration of the change of the port of registry with the ship registration authority at the original port of registry, on presentation of the Certificate of Ship Nationality and the documents evidencing the change. Where the application is found upon examination to conform to these Regulations, the ship registration authority at the original port of registry shall make an endorsement in the visa column of the Certificate of Ship Nationality and transfer the registration files of the ship to the ship registration authority at the new port of registry; the shipowner shall then complete the registration with the ship registration authority at the new port of registry.

Article 37 — Where the particulars of the co-ownership of a ship are changed, the shipowner shall complete the relevant change registration with the ship registration authority at the port of registry, on presentation of the Certificate of Ship Ownership Registration and the documents evidencing the change in the particulars of the co-ownership.

Article 38 — Where a ship mortgage contract is amended, the mortgagee and the mortgagor shall complete the change registration with the ship registration authority at the port of registry, on presentation of the Certificate of Ship Ownership Registration, the Certificate of Ship Mortgage Registration and the documents evidencing the amendment of the ship mortgage contract.

Where the application is found upon examination to conform to these Regulations, the ship registration authority at the port of registry shall note the amended items of the ship mortgage contract in the Certificate of Ship Ownership Registration, the Certificate of Ship Mortgage Registration and the register of ships.

Article 39 — Where the ownership of a ship is transferred, the original shipowner shall complete the cancellation of registration with the ship registration authority at the port of registry, on presentation of the Certificate of Ship Ownership Registration, the Certificate of Ship Nationality and other relevant supporting documents.

Where the application is found upon examination to conform to these Regulations, the ship registration authority at the port of registry shall cancel the ownership registration of the ship in the register of ships and the registration related thereto, withdraw the relevant registration certificates, and issue to the shipowner the corresponding certificate of cancellation of ship registration. For a ship sold abroad, the ship registration authority may, according to the specific circumstances, issue a certificate of cancellation of the ship's nationality or a certificate that the ship's nationality will be cancelled immediately upon re-registration.

Article 40 — Where a ship is lost (including being dismantled or foundered) or is missing, the shipowner shall, within 3 months from the date on which the ship is lost (including being dismantled or foundered) or missing, complete the cancellation of registration with the ship registration authority at the port of registry, on presentation of the Certificate of Ship Ownership Registration, the Certificate of Ship Nationality and the documents evidencing the loss (including the dismantlement or foundering) or disappearance of the ship. After examination and verification, the ship registration authority at the port of registry shall cancel the

Source: https://www.danyoungcpa.com/regulations-prc-ship-registration/

registration of the ship in the register of ships, withdraw the relevant registration certificates, and issue to the shipowner a certificate of cancellation of ship registration.

Article 41 — Where a ship mortgage contract is discharged, the mortgagee and the mortgagor shall complete the cancellation of registration with the ship registration authority at the port of registry, on presentation of the Certificate of Ship Ownership Registration, the Certificate of Ship Mortgage Registration and the document discharging the mortgage contract signed by the mortgagee. Where the application is found upon examination to conform to these Regulations, the ship registration authority at the port of registry shall cancel the record of the mortgage registration in the Certificate of Ship Ownership Registration and the register of ships.

Article 42 — Where a ship is chartered out abroad on bareboat charter terms, the lessor shall, in addition to completing the registration of the bareboat charter in accordance with Article 27 of these Regulations, complete the registration of the suspension or cancellation of the ship's nationality. The ship registration authority at the port of registry shall seal up the original Certificate of Ship Nationality and issue a certificate of suspension or cancellation of the ship's nationality. Under special circumstances, the ship registration authority at the port of registry may issue a certificate that the ship's nationality will be suspended or cancelled immediately upon re-registration.

Article 43 — Upon the expiry of a bareboat charter party or the termination of the bareboat charter relationship, the lessor shall, within 15 days from the date of expiry of the bareboat charter party or termination of the bareboat charter relationship, complete the cancellation of the bareboat charter registration with the ship registration authority at the port of registry, on presentation of the Certificate of Ship Ownership Registration and the bareboat charter party or the documents evidencing the termination of the bareboat charter relationship.

Where the ship has been chartered out abroad on bareboat charter terms, the lessor shall additionally provide the certificate of cancellation of the ship's nationality issued by the ship registration authority at the place where the lessee is located, or the certificate that the ship's nationality will be cancelled immediately upon re-registration.

Upon approval, the ship registration authority at the port of registry shall cancel the record of the bareboat charter registration in the Certificate of Ship Ownership Registration and the register of ships, and shall return the original Certificate of Ship Nationality.

Article 44 — Where a ship has been chartered in on bareboat charter terms, the lessee shall, within 15 days from the date of expiry of the bareboat charter party or termination of the bareboat charter relationship, complete the cancellation of registration with the ship registration authority at the port of registry, on presentation of the bareboat charter party and the documents evidencing the termination of the bareboat charter relationship.

Where the ship has been chartered in from abroad on bareboat charter terms, the Provisional Certificate of Ship Nationality shall also be provided.

Upon approval, the ship registration authority at the port of registry shall cancel the bareboat charter registration in the register of ships, withdraw the Provisional Certificate of Ship Nationality, and issue a certificate of cancellation of the bareboat charter registration and a certificate of cancellation of the Provisional Certificate of Ship Nationality.

Chapter VIII — Renewal and Reissue of Certificates of Ship Ownership Registration and Ship Nationality

Article 45 — Within 1 year before the expiry of the period of validity of a Certificate of Ship Nationality, the shipowner shall complete the procedures for the renewal of the certificate with the ship registration authority

Source: https://www.danyoungcpa.com/regulations-prc-ship-registration/

at the port of registry, on presentation of the Certificate of Ship Nationality and the valid technical certificates of the ship.

Article 46 — Where a Certificate of Ship Ownership Registration or a Certificate of Ship Nationality is defaced or damaged and can no longer be used, the certificate holder shall apply to the ship registration authority at the port of registry for its replacement.

Article 47 — Where a Certificate of Ship Ownership Registration or a Certificate of Ship Nationality is lost, the certificate holder shall state the reasons in writing, attach the relevant supporting documents, and apply to the ship registration authority at the port of registry for its reissuance.

The ship registration authority at the port of registry shall publish an announcement in a local newspaper declaring the original certificate void.

Article 48 — Where a shipowner discovers abroad that the Certificate of Ship Nationality has been lost or defaced, he shall apply for a Provisional Certificate of Ship Nationality with the embassy or consulate of the People's Republic of China abroad; provided, however, that he must, promptly after arriving at the first port of his own country, apply to the ship registration authority at the port of registry for the renewal of the Certificate of Ship Nationality.

Chapter IX — Legal Liability

Article 49 — A ship which falsely assumes the nationality of the People's Republic of China and flies the national flag of the People's Republic of China shall be confiscated by the ship registration authority in accordance with law.

The provisions of the preceding paragraph shall apply to a ship of Chinese nationality which falsely assumes a foreign nationality and flies the national flag of a foreign country.

Article 50 — Where a ship conceals the fact of its registration within or outside the territory of China, thereby resulting in dual nationality, the ship registration authority at the port of registry shall revoke its Certificate of Ship Nationality and, according to the circumstances, impose the following fines:

(1) a fine of not less than 2,000 yuan but not more than 10,000 yuan for a ship of less than 500 gross tons;

(2) a fine of not less than 10,000 yuan but not more than 50,000 yuan for a ship of 501 to 10,000 gross tons; and

(3) a fine of not less than 50,000 yuan but not more than 200,000 yuan for a ship of more than 10,000 gross tons.

Article 51 — Where any of the following circumstances occurs in violation of these Regulations, the ship registration authority at the port of registry may, according to the circumstances, give a warning and impose a fine equal to 50 percent of the fine prescribed in Article 50 of these Regulations, according to the tonnage of the ship, up to confiscating the ship registration certificate:

(1) concealing the true facts or practising fraud in going through the registration procedures;

(2) concealing the fact of registration, thereby resulting in duplicate registration; or

(3) forging or altering a ship registration certificate.

Article 52 — A party which fails to complete the change or cancellation registration in accordance with the provisions, or which uses an expired Certificate of Ship Nationality or Provisional Certificate of Ship Nationality, shall be ordered by the ship registration authority at the port of registry to complete the relevant registration procedures retrospectively; where the circumstances are serious, a fine equal to 10 percent of the fine prescribed in Article 50 of these Regulations may be imposed according to the tonnage of the ship.

Source: https://www.danyoungcpa.com/regulations-prc-ship-registration/

Article 53 — A party which, in violation of these Regulations, uses a ship funnel mark or company flag that has been registered by another person shall be ordered by the ship registration authority at the port of registry to rectify the matter; where it refuses to rectify, a fine equal to 10 percent of the fine prescribed in Article 50 of these Regulations may be imposed according to the tonnage of the ship; where the circumstances are serious, its Certificate of Ship Nationality or Provisional Certificate of Ship Nationality may also be revoked.

Article 54 — Any staff member of a ship registration authority who abuses his power, engages in malpractices for personal gain, neglects his duties or commits a serious dereliction of duty shall be given an administrative sanction by the unit to which he belongs or by the authority at a higher level; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Article 55 — A party who is dissatisfied with a specific administrative act of a ship registration authority may apply for reconsideration or institute an administrative lawsuit in accordance with the provisions of the relevant laws and administrative regulations of the state.

Chapter X — Supplementary Provisions

Article 56 — For the purposes of these Regulations, the following terms shall have the following meanings:

(1) "ship" means all kinds of motorized and non-motorized vessels and other mobile devices on water, excluding the lifeboats and rafts equipped on board a ship and the boats and rafts of less than 5 meters in length;

(2) "fishing vessel" means a vessel engaged in fishery production and a vessel belonging to the aquatic products system that serves fishery production; and

(3) "public service ship" means a ship used for the purpose of government administrative management.

Article 57 — Except for public service ships, the ship registration authority shall collect ship registration fees in accordance with the provisions. The standards for the collection and the measures for the administration of ship registration fees shall be formulated by the financial department and the competent pricing administration department of the State Council in conjunction with the competent transport administration department of the State Council.

Article 58 — The forms of the register of ships, the Certificate of Ship Nationality, the Provisional Certificate of Ship Nationality, the Certificate of Ship Ownership Registration, the Certificate of Ship Mortgage Registration, the Certificate of Bareboat Charter Registration, the application forms and other certificates shall be uniformly formulated by the harbour superintendency administration of the People's Republic of China.

Article 59 — These Regulations shall enter into force as of January 1, 1995.

Disclaimer: This is an unofficial English translation of the Regulations of the People's Republic of China on Ship Registration, provided for general reference purposes only. It is not an official translation and shall not be relied upon as legal advice. In the event of any discrepancy between this translation and the original Chinese text, the original Chinese text shall prevail. For professional advice on ship registration or any other legal matter in China, please consult a qualified legal professional.