

Ship Registration Regulations of the PRC

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Effective: January 1, 1995

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Chapter I — General Provisions

Article 1 — These Regulations are formulated for the purposes of strengthening the supervision and administration of ship registration, safeguarding the lawful rights and interests of the parties involved in ship registration, and maintaining the order of shipping and transportation.

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

- (1) ships owned by citizens domiciled within the territory of China or by enterprises or institutions whose principal place of business is within China;
- (2) ships owned by enterprises or institutions established within China in accordance with law, where the proportion of capital contribution by the Chinese party is not less than 50 percent; and
- (3) other ships that are required by the state to be registered.

Article 3 — Ships registered in accordance with these Regulations shall acquire the nationality of the PRC and shall have the right to fly the national flag of the PRC.

Article 4 — Ships shall not have dual nationality. Any ship that has been registered in a foreign country and has not suspended or cancelled its foreign registration shall not be registered in accordance with these Regulations.

Article 5 — The maritime administrative authority under the State Council shall be the competent authority for ship registration. The ship registration authorities at various ports shall be responsible for the specific ship registration work.

Chapter II — Conditions and Procedures for Ship Registration

Article 6 — The owner of a ship in China may apply for ship registration at the ship registration authority at the port of registry.

Article 7 — When applying for ship ownership registration, the following documents shall be submitted:

- (1) documents proving the applicant's identity or qualifications in accordance with law;
- (2) technical documents of the ship; and
- (3) documents proving the acquisition of ownership of the ship.

Article 8 — Upon examination and approval of the application for ship registration, the ship registration authority shall issue a Certificate of Ship Ownership and a Certificate of Ship's Nationality.

Chapter III — Ship Ownership Registration

Article 9 — Ship ownership registration shall be handled by the ship registration authority at the port of registry. The ship registration authority shall issue a Certificate of Ship Ownership to the shipowner.

Article 10 — Where there are two or more shipowners, they shall determine the proportion of shares held by each. The ship registration authority shall register the shares held by each shipowner.

Article 11 — After the registration of ship ownership, the owner shall have the right to possess, use, benefit from and dispose of the ship, provided that the exercise of such rights shall not violate the provisions of laws and regulations.

Chapter IV — Ship Mortgage Registration

Article 12 — Where a ship is mortgaged, the mortgagor and the mortgagee shall apply for ship mortgage registration with the ship registration authority at the port of registry, and the ship mortgage shall become effective upon registration.

Article 13 — When applying for ship mortgage registration, the following documents shall be submitted:

- (1) the ship mortgage contract; and
- (2) the Certificate of Ship Ownership.

Article 14 — Where the mortgaged ship is insured, the mortgagee shall have priority in receiving the insurance proceeds.

Chapter V — Bareboat Charter Registration

Article 15 — Where a ship under bareboat charter flies the national flag of the PRC, the charterer and the shipowner shall apply for bareboat charter registration with the ship registration authority.

Article 16 — When applying for bareboat charter registration, the bareboat charter contract and a copy of the Certificate of Ship Ownership shall be submitted.

Article 17 — Upon approval of the application for bareboat charter registration, the ship registration authority shall issue a Bareboat Charter Registration Certificate.

Chapter VI — Alteration and Cancellation of Registration

Article 18 — Where the registered items of a ship change, the shipowner shall apply for alteration of registration with the ship registration authority.

Article 19 — Where a ship is lost, scrapped or sold to a foreign country, the shipowner shall apply for cancellation of registration with the ship registration authority.

Chapter VII — Supplementary Provisions

Article 20 — Military ships, fishery ships and sports ships shall be registered in accordance with the relevant provisions of the state.

Article 21 — These Regulations shall come into force on January 1, 1995.

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