

**Merchant Shipping (Registration of Ships) Act 2014
(No. 43 of 2014)**

**Dáil Éireann – Post-Enactment Report
Standing Order 141A**

1. Background

International maritime law requires that every State fix the conditions for the grant of its nationality to ships, for the registration of ships in its territory and for the right to fly its flag. The Department of Transport, Tourism and Sport is the national authority with responsibility for the registration of Irish ships under the Mercantile Marine Act 1955, as amended. The existing register is primarily a vehicle for the registration of ship ownership and accompanying financial interests. Under the 1955 Act, ship registration duties are carried out by Registrars of Ships who are officers of the Revenue Commissioners.

2. Enactment and policy objectives of the Merchant Shipping (Registration of Ships) Act 2014

The Merchant Shipping (Registration of Ships) Act 2014 was enacted on 25 December 2014. The main purpose of the Act is to replace and update the Mercantile Marine Act 1955, as amended, and to provide a legislative basis for the establishment and regulation of a modern and comprehensive ship registration system that will be more efficient, user friendly and accessible for ship owners. The Act provides an enabling framework for new ship registration regulations and a basis for the following changes and improvements:

- The introduction of a new centralised, electronic and accessible Irish Register of Ships consisting of different Parts for the registration of different types of ships and for different registration purposes, e.g. visitor registration. The detail of the Register structure will be set out in the ship registration regulations.
- An extension of mandatory ship registration to additional ship categories including fishing boats less than 15 metres in length overall, personal watercraft such as jet skis, small fast powered craft and some small commercial angling boats so that, subject to a number of exemptions, ships operating domestically will be required to be registered on the Register or to have a current valid registration conferring nationality from another country.
- New registration categories, including visitor registration for certain recreational craft visiting Ireland for short periods not exceeding three months where such vessels are not registered in another country.
- The introduction of ship registration renewal and a facility to refuse ship registration or remove ships from the Register, to improve the quality, integrity and accuracy of the Ship Register.
- An improved enforcement and penalty regime.

3. Current position regarding commencement of the Act

With the exception of section 69, the Act has not been commenced to date. Section 69 provides for an updated definition in Irish law of the International Convention for the Safety of Life at Sea 1974 (SOLAS), allowing Ireland to transpose certain recent amendments to the Convention into national law. The development of updated national secondary legislation in relation to a range of Chapters of the SOLAS Convention is ongoing within the Department of Transport, Tourism and Sport.

Full commencement of the Act is linked to the establishment of the new Irish Register of Ships and registration regime which will be progressed under a separate IT project. During 2015, the initial business analysis work was completed in relation to the Vessel Register IT Project to determine, inter alia, the ICT and operational requirements for the new Register and associated systems. The new Register will be the subject of a tendering process in due course. Further progress on the IT project awaits the availability of the necessary resources within the Maritime Sector of the Department. Work

has also commenced on the preparation of the new ship registration regulations under the Act which must complement and be consistent with the IT project.

The Act will come into force when the new Irish Register of Ships and associated administration systems are in place and the supporting regulations have been finalised. At this point it is not possible to be precise about the timeframe involved given the need to complete the development of the new electronic Register and regulations, and then to transfer ship registration information and functions from the Revenue Commissioners to the new Register and the Department of Transport, Tourism and Sport. The current arrangements for the registration of ships by officers of the Revenue Commissioners will continue until such time as the new Irish Register of Ships and registration regime is established, the relevant provisions of the Act are commenced and the necessary regulations are made.

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