

SYLLABUS

MODULE 1

Background and Development of Ship Registration

This Module is intended to introduce the subject matter of ship registration, to describe the historical and practical context and to identify the key terminology and legal principles as the foundations for the course.

Course Content

- History of ship registration
- Rationale for and benefits of registration• The granting of nationality
- Definitions: Open Registry/Closed Registry/Second and International Registries/Dual Register/ Parallel Registry
- Legal concepts and requirements
- 1986 Convention on Conditions for Registration of Ships
- 1993 Convention on Maritime Liens and Mortgages
- Process of registration
- Documentation
- Registration of mortgages
- Newbuild tonnage
- Second-hand tonnage

SYLLABUS

MODULE 2

The Flag State and Registry in Shipping

This Module shall investigate and explain the choices which may be made by a Flag State in its model and structure; the establishment of a necessary (or indeed un-necessary) linkage or affiliation between the ship, the ship-owner and the country in question; and an initial investigation of the development of flags of convenience.

Course Content

- Background to the Flag State
- Nationality
- Concept of the genuine link
- The "Saiga" and "Virginia G" cases
- Role of the Flag State in the management of ships and ship owners
- Flags of convenience and why they are attractive
- Flag State and registries
- Competitive stance of registries
- Non-profit governance versus commercially-outsourced
- Non-profit or commercially outsourced
- Delegated authority to Classification Societies
- Delegated responsibility for Recognised Organisations (RO)

SYLLABUS

MODULE 3

Flag State Requirements, Duties and Management

This Module is designed to consider a variety of the most important international Conventions and Codes in daily use by almost all Flag States.

Course Content

- Definition of ship
- Acceptance of owners and vessels
- UNCLOS Articles 94 and 217
- Scope of jurisdiction – flag state audits
- The International Convention for the Safety of Life at Sea (SOLAS)
- The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)
- The International Ship and Port Facility Security Code (ISPS)
- International Safety Management Code (ISM)
- The Maritime Labor Convention (MLC)
- International Convention for the Prevention of Pollution from Ships (MARPOL)
- Long-range identification and tracking (LRIT)
- Continuous Synopsis Record (CSR)
- Blue Cards

SYLLABUS

MODULE 4

Factors Influencing Choice of Registry

This Module will investigate such choices and influences faced by all categories of shipowners. Through a consideration in detail of the marketing, presentation and service offering of four registries of different types and styles – in alphabetical order the Cayman Islands, Hong Kong, Liberia and Singapore – we shall seek to ascertain and explain which are the key motivating ingredients and where there may be little in the way of practical or financial or other differentiators between each of these Flag States competing for business.

Course Content

- Competitive stance of registries
- Open versus closed registry
- Economic factors
- Political factors
- Reputation and quality control
- National preference
- Access to capital and mortgage acceptability
- Vessel type and eligibility
- Costs (initial and ongoing)
- Tax optimisation frameworks
- Crewing
- Accessibility, ease of registration and customer service
- Practical technical advice
- Documentation requirements and flexibility
- Post-registration management

SYLLABUS

MODULE 5

Flags of Convenience

This Module will refer to and build on the knowledge gained in the preceding parts of the Course, as the strands may now be drawn together. Using examples from the court of public opinion – media sources including radio, TV, press and Internet – balanced with more sober analysis, it will seek to explore the subject in a balanced way and discern the truths from the myths, in particular to investigate whether the principle of an open register is (or was) inherently objectionable, or if it is now a maligned but commonplace and legitimate business model.

Course Content

- Meaning
- Anonymity
- Crewing
- Opposition and ITF campaigns
- Safety concerns
- Offshore and second registries
- Bareboat charter registration
- Foreign Maritime Entity (FME)
- Role of the Representative Person

SYLLABUS

MODULE 6

Ship Registration and Port State Control

In this final module, we shall investigate the last element, that is the means by which a vessel that is non-compliant with well-established international laws relating, for example, to safety and pollution may or may not remain able to ply its trade in the absence of intervention by the Flag State or any other authority with appropriate jurisdiction.

Course Content

- Port State Control development
- Paris MOU
- Regional MOUs
- Black, grey and white lists
- European directives EC95/21/EC and 2001/106/EC
- Erika disaster
- Ship registry support
- Role of Port State Control officers
- Ship detention
- Expanded inspections
- Refusal of port access
- List of substandard ships and EQUASIS
- Port State Control statistics