

SHIP REGISTRATION AMENDMENT BILL

EXPLANATORY NOTE

General Policy Statement

This Bill rectifies technical difficulties experienced in the administration of the Ship Registration Act 1992. The main areas affected are—

- the registration of ships on Part B of the Register;
- the recording of changes of ownership;
- the closure of a ship's registration.

Clause by Clause Analysis

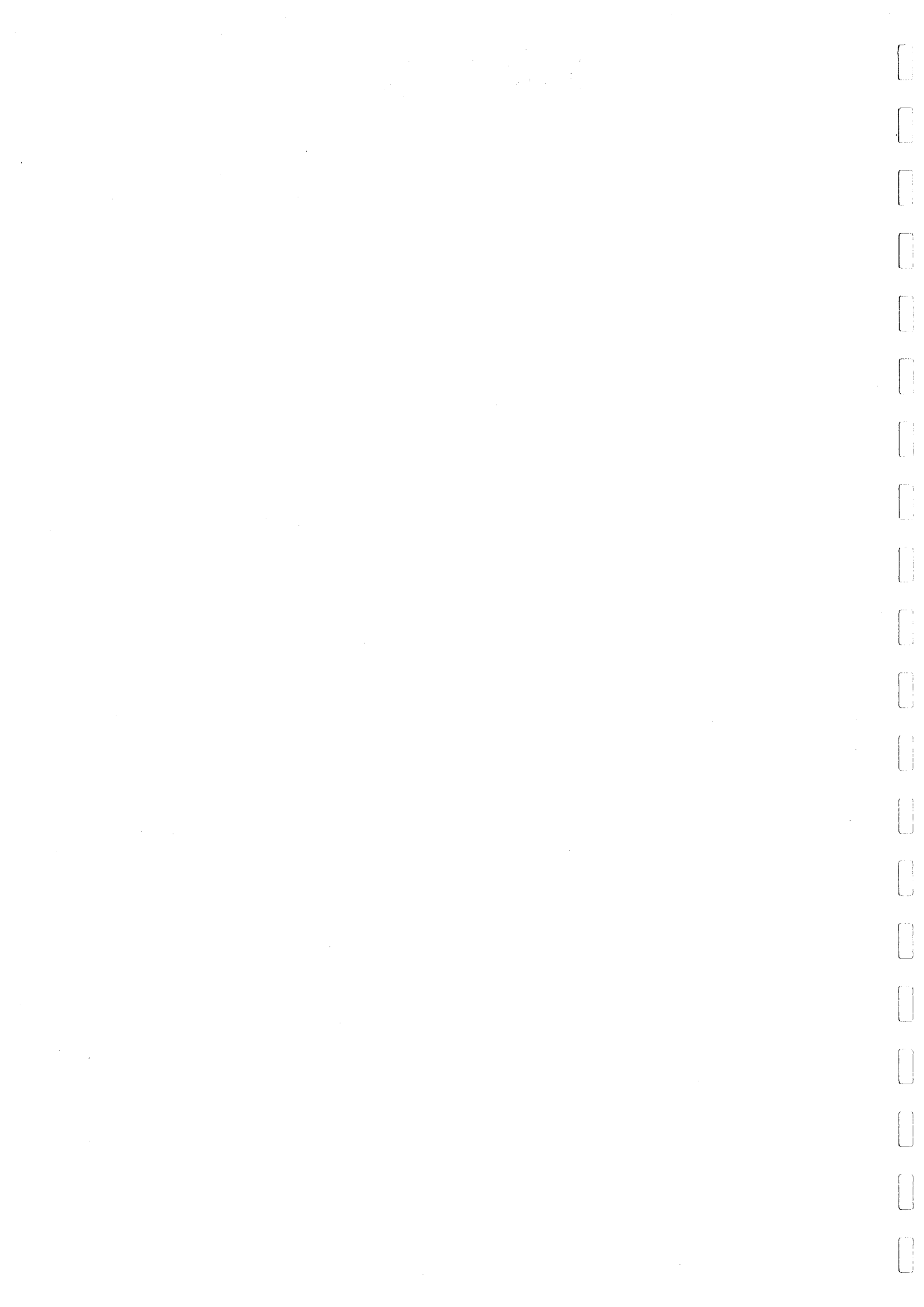
Clause 1 relates to the Short Title and commencement. The Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 2 amends section 3 of the principal Act and relates to the meaning of the term "New Zealand-owned ship". The effect of the amendment is that ships that are majority-owned by New Zealand nationals who are individuals can be registered in Part B of the Register. At present, a ship can be registered in Part B only if it is wholly-owned by New Zealand nationals who are individuals.

Clause 3 amends section 14 of the principal Act and relates to the evidence required before a ship can be registered. At present, the section requires that the Registrar be given documents (including bills of sale) relating to changes in ownership of the ship that have occurred since it was last registered in New Zealand or in any foreign country. The amendment requires evidence of any changes of ownership occurring between the time the ship is built and the time it is first registered.

Clause 4 amends section 30 of the principal Act and relates to alterations to ships. The amendment inserts a definition of the term "surveyor" and the term refers to persons recognised by the Director rather than any surveyor.

Clause 5 amends section 32 of the principal Act and relates to the closure of registration of a ship. The amendment provides for closure where the Registrar knows the criteria for registration in any case are no longer met but the owner does not notify the Registrar of the circumstances. At present, the owner must notify the Registrar immediately after obtaining knowledge of the event which has rendered the ship ineligible for continued registration.



Hon Jenny Shipley

SHIP REGISTRATION AMENDMENT

ANALYSIS

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| Title | |
| 1. Short Title and commencement | 3. Evidence required before registration |
| 2. New Zealand-owned ships | 4. Alterations to ships |
| | 5. Closure of registration |

A BILL INTITULED

An Act to amend the Ship Registration Act 1992

BE IT ENACTED by the Parliament of New Zealand as follows:

5 **1. Short Title and commencement**—(1) This Act may be cited as the Ship Registration Amendment Act 1997, and is part of the Ship Registration Act 1992* (“the principal Act”).

(2) This Act comes into force on the day after the date on which it receives the Royal assent.

10 **2. New Zealand-owned ships**—Section 3 of the principal Act is amended by repealing subsection (3), and substituting the following subsection:

15 “(3) For the purposes of registration in Part B of the Register, a ship is deemed to be New Zealand-owned only if more than half of the shares in the ship are owned by 1 or more natural persons who are New Zealand nationals.”

3. Evidence required before registration—Section 14 (1) (b) of the principal Act is amended by adding the words “, or (if it has not been registered in any country) have occurred since it was built”.

20 **4. Alterations to ships**—Section 30 of the principal Act is amended by adding the following subsection:

 “(5) In this section, ‘surveyor’ means a surveyor of ships recognised by the Director.”

*1992, No. 89

5. Closure of registration—Section 32 of the principal Act is amended by inserting, after subsection (3), the following subsection:

“(3A) If the Registrar is satisfied that subsection (1) applies to a ship but the owner has not notified the Registrar as required by that subsection,— 5

“(a) The Registrar may close the registration of the ship by making an appropriate entry in the Register; and

“(b) If the Registrar closes the registration of the ship under **paragraph (a)**, the Registrar must notify the owner of the closure by sending a notification to the last known address of the registered owner; and 10

“(c) An entry made under **paragraph (a)** has the same effect as an entry made under subsection (2).”