



## TERMINABLE CERTIFICATES OF REGISTRY REGULATIONS 1952

[L.N. 79/1952]

IN exercise of the powers conferred upon him by section 68 of the Merchant Shipping Ordinance, 1952, the High Commissioner hereby makes the following Regulations:

1. These Regulations may be cited as the **Terminable Certificates of Registry Regulations, 1952.**

2. In these Regulations—

“Certificate of Registry” means “Terminable Certificate of Registry.”

3. (1) On an application for registration in the Federation under the Ordinance of any Malayan ship not exceeding 60 tons, the Registrar, upon the completion of the registry of such ship, in lieu of a Certificate of Registry as required by the Ordinance, may grant a Certificate of Registry in the form in Schedule A hereto which Certificate shall be terminable at the end of 12 months from the granting thereof.

(2) The following particulars, that is to say:

- (a) the name of the ship and of the port to which she belongs;
- (b) the details as to her dimensions, description, build and tonnage;
- (c) the particulars as to her origin stated in the declaration or declarations of ownership; and
- (d) the names and description of her registered owner or owners, and, if there is more than one such owner, the proportions in which they are respectively interested;

shall be entered upon such Certificate.

4. The procedure for registration shall be in accordance with the provisions of the Ordinance.

5. (1) The Certificate of Registry shall be used only for the lawful navigation of the ship, and shall not be subject to detention by reason of any title, lien, charge, or interest whatsoever, which any owner, mortgagee, or other person may have, or claim to have, on or in the ship described in such Certificate.

(2) Any person, whether interested in the ship or not, shall on request deliver up the Certificate of Registry when in his possession or under his control to the person entitled to the custody thereof for the purposes of the lawful navigation of the ship or to any Registrar, Officer of Customs, or other person entitled to request such delivery.

(3) If any person refuses to deliver up the Certificate of Registry as required by this section he shall for each offence be liable to a fine not exceeding five

hundred ringgit, unless it can be proved to the satisfaction of the Court taking cognizance of the matter that there was reasonable cause for such refusal.

6. If the master or owner of a ship to which these Regulations apply uses or attempts to use for her navigation a Certificate of Registry not legally granted in respect of the ship, he shall, in respect of each offence be liable to a fine not exceeding one thousand ringgit.

7. Where the master of a ship is changed the Registrar, or if there is none the British Consular Officer, at the port where the change occurs, shall endorse and sign on the Certificate of Registry a memorandum of the change; and any Port Officer or Officer of Customs at any port in Her Majesty's dominions may refuse to admit any person to do any act as master of a ship unless his name is inserted in or endorsed on her Certificate of Registry as her last appointed master.

8. (1) Whenever a change occurs in the registered ownership of a ship, the change of ownership shall be endorsed on her Certificate of Registry either by the Registrar of the ship's port of registry, or by the Registrar of any port at which the ship arrives who has been advised of the change by the Registrar of the ship's port of registry.

(2) The master shall, for the purpose of such endorsement by the Registrar of the ship's port of registry, deliver the Certificate of Registry to the Registrar, forthwith after the change if the change occurs when the ship is at her port of registry, and if it occurs during her absence from that port and the endorsement under this Regulation is not made before her return then upon her first return to that port.

(3) The Registrar of any port, not being the ship's port of registry, who is required to make an endorsement under this Regulation may for that purpose require the master of the ship to deliver to him the ship's Certificate of Registry, so that the ship be not thereby detained, and the master shall deliver the same accordingly.

(4) If the master fails to deliver to the Registrar the Certificate of Registry as required by this Regulation he shall, for each offence, be liable to a fine not exceeding five hundred ringgit.

9. (1) If any ship to which these Regulations apply is either actually or constructively lost, taken by the enemy, burnt, broken up, or transferred, every person who, at the time of the occurrence of any of the aforesaid events, owns such ship, or any share therein shall, immediately upon obtaining knowledge of any such occurrence, if no notice thereof has already been given to the Registrar, at the port of registry of such ship, give such notice to him, and he shall make an entry, thereof in the register book; and, except in cases where the Certificate of Registry is lost or destroyed, the master of every ship so circumstanced as aforesaid shall immediately, if such event occurs in port, but if the same occurs elsewhere, then within ten days after his arrival in port, deliver the Certificate of Registry of such ship to the Registrar of Malayan Ships, and the registry of the ship in that book shall be considered as closed except so far as relates to any unsatisfied mortgages or existing certificates of mortgage entered therein.

(2) If any such person or master fails, without reasonable cause, to comply with this Regulation, he shall for each offence be liable to a fine not exceeding five hundred ringgit.

10. (1) A Registrar of Malayan Ships may by endorsement on a Certificate of Registry renew the same for any period not exceeding twelve months.

(2) Provided always that whether the Certificate is intended to be renewed or not it shall be delivered into the custody of the Registrar before the expiration of the period for which it has been granted; or in the event of the ship being at sea then within three days of her return to the Federation.

The owner, agent or master of any ship neglecting to comply with the requirements of this paragraph shall be liable to a penalty not exceeding two hundred ringgit.

11. The fees specified in Schedule B hereto shall be payable to the Registrar of Malayan Ships in respect of the services therein set forth.

SCHEDULE A

TERMINABLE CERTIFICATE OF MALAYAN REGISTRY.

Granted at the Port of.....under section 68 of the Merchant Shipping Ordinance, 1952,  
for Vessels not exceeding 60 tons.

IN FORCE FOR A PERIOD OF 12

MONTHS FROM THE DATE OF ISSUE.

PARTICULARS OF SHIP

Number.	Name of Ship.	Number, Date and Port of Registry. .....In 19.....	Name of Master and No. of Certificate.
Whether British, Malay or Foreign Built.	Whether a Sailing or Steam Ship, and if a Steam Ship how propelled.	Where built. When built.	Name and Address of Builder.
No. OF DECKS..... No. OF MASTS..... RIGGED..... STEM..... BUILD..... HEAD..... FRAMEWORK.....	Length from Fore part of Stem under the Bowsprit to the Aft side of the Head of the Stern Post..... Main Breadth to outside of plank..... Depth in Hold from Tonnage Deck to ceiling at Midships..... Length of Engine Room (if any).....	FEET.	TENTHS.
PARTICULARS OF DISPLACEMENT			
Total to quarter the depth from weather deck at side amidships	Tons	Ditto per inch immersion at same depth.....	Tons

PARTICULARS OF PROPELLING ENGINES, ETC. (if any)

No. of sets of Engines.	Description of Engines.	Whether British or Foreign made.	When made.	Name and Address of Makers.	Reciprocating Engines		Rotary Engines No. of Cylinders in each set.	N.H.P. B.H.P. I.H.P. Speed of Ship.
					No. and Diameter of Cylinders in each set.	Length of Stroke.		
No. of Shafts.	Particulars of Boilers. Description... Number... Loaded Pressure	Engines	Engines	Engines				
		Boilers	Boilers	Boilers				

**SCHEDULE A - (cont.)**  
PARTICULARS OF TONNAGE

GROSS TONNAGE	No. of Tons.	DEDUCTIONS ALLOWED	No. of Tons.
Under Tonnage Deck ...	...	On account of space required for propelling power ...	...
Space or spaces between Decks ...	...	On account of spaces occupied by Seamen or Apprentices, and appropriated to their use, and kept free from Goods or Stores of every kind, not being the personal property of the Crew ...	...
Turret or Trunk ...	...	These spaces are the following, viz—	
Forecastle ...	...	Number of Seamen or apprentices for whom accommodation is certified	...
Bridge space ...	...	Further deductions	...
Poop or Break ...	...	Cubic Metres	...
Side Houses ...	...		
Deck Houses ...	...		
Chart House ...	...		
Spaces for Machinery and light, and air	...		
Excess of Hatchways ...	...		
Gross Tonnage	...	Total	...
Deductions, as per contra	...		
Register Tonnage	...		
<p>I, the undersigned Registrar of Malaysian Ships at the Port of Penang hereby certify that the Ship, the Description of which is prefixed to this my Certificate, has been duly surveyed, and that the above Description is true; and that the Name, Residence and Description of the Owner</p>			
Name, Residence and Occupation of the Owner.		Number of Sixty-fourth Shares.	
<p>Issued at.....the.....day of..... One thousand nine hundred and.....Registrar of Malaysian Ships.</p>			

**NOTICE.—** A Certificate of Registry is not a document of Title. It does not necessarily contain notice of all changes of ownership, and in no case does it contain an Official Record of any Mortgages affecting the Ship.

In case of any *change of ownership* it is important for the protection of the interests of all parties that the change should be *registered* according to law. (*Wide Rule 8.*) Should the Vessel be lost, or transferred, or be broken up, Notice thereof, together with the Certificate of Registry, if in existence, should immediately be given to the Registrar of Malaysian Ships at the Port of Registry, under a penalty of \$1,000 for default.

For further information apply to the Registrar of Malaysian Ships at Penang.

