

Choosing a Registry

The choice of Flag State/Registry is one of the most important decisions owners and/or their representatives must make.

The role of a Flag State is probably most clearly defined in the United Nations Convention on the Law of the Sea:

Every State shall effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag.

In particular every State shall:

- (a) maintain a register of ships containing the names and particulars of ships flying its flag, except those which are excluded from generally accepted international regulations on account of their small size; and
- (b) assume jurisdiction under its internal law over each ship flying its flag and its master, officers and crew in respect of administrative, technical and social matters concerning the ship.

In addition; it is a prime responsibility of a Flag State to enforce convention standards on the ships that it has registered.

What factors should be considered when choosing a registry:

- Experience and Reputation - the reputation of the register is vitally important. The Port State Control Rankings and list of detentions of each registry is a good guide.
- Political Stability - how stable is the government and economic environment
- Political and consular support given by the Flag State
- Registration Process – does the jurisdiction provide a convenient and speedy registration service
- Mortgages - security of mortgages registered in the Flag State
- Registration Fees - how competitive are the fees imposed by the registry
- Manning - how flexible is the registry in its manning requirements
- Services - what is the business infrastructure of the Flag State, are there comprehensive, professional support services

Lenders and insurance companies will review a Flag State's enforcement of international environment and safety and procedures and standards, compliance with international regulations and casualty record. A poor record will inevitably affect the decisions of the lenders and underwriters.

When a vessel moves from country to country and port to port it carries its Flag State nationality with it, and therefore the protection offered by that nation. Choosing a registry with a poor reputation or which is targeted by Port States and Customs could have a detrimental effect on the smooth running of the vessel.

The Red Ensign

The Red Ensign is in many cases flag of choice for large yachts.

By choosing a Red Ensign Flag Registry the vessel will have full political support and access to British Consular services world-wide.

Red Ensign States are split into two categories:

Category 1

These registers may operate unrestricted type and size of vessel:

Isle of Man, UK, Cayman, Gibraltar, British Virgin Islands and Bermuda

Category 2

These registers may operate small and local vessels:

Jersey, Guernsey, St Helena, Montserrat, Falkland Islands, Anguilla and Turks and Caicos

Other Registries

There are numerous other registries which may be considered depending on size of yacht.

Döhle has extensive experience in selecting the right registry for each vessel.