

# Vessels (Registration) Act 1904 (Ch 362)

## CHAPTER 362

### THE VESSELS (REGISTRATION) ACT.

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## CHAPTER 362

### THE VESSELS (REGISTRATION) ACT.

*Commencement:* 15 August, 1904.

#### **An Act relating to the registration of vessels.**

#### **1. Interpretation.**

In this Act—

1. “master” includes every person, except a pilot, having command or charge of any vessel;
2. “prescribed” means prescribed by any rule or order under this Act;
3. “vessel” means any description of vessel used in navigation.

#### **2. Obligation to register.**

Every vessel employed in navigation in any waters of Uganda which belongs to, or is used by, any person residing in Uganda, or any company or partnership carrying on business in Uganda, shall, unless exempted, be registered, lettered and numbered in the manner provided in this Act.

#### **3. Application for registration.**

Every application for the registration of a vessel shall be in writing and in Form A of the Schedule to this Act, or to that effect, and shall be sent or delivered to the prescribed officer.

#### **4. Classes of vessels.**

(1) For the purposes of registration, numbering and lettering, vessels shall be divided into three classes—

1. first class: vessels of fifteen tons burden and upwards;
2. second class: vessels of less than fifteen tons burden, navigated otherwise than by oars, paddles or poles only;
3. third class: boats navigable by oars, paddles or poles only.

(2) The officer to whom the application to register is made may, if he or she thinks proper, place any small vessel occasionally navigated or

propelled by sail in the third instead of the second class.

#### **5. Registration.**

On receipt of the application and of the prescribed fee, the prescribed officer shall, after inspecting the vessel, register it in the register of vessels, which shall be in Form B of the Schedule to this Act, or to that effect, and shall contain the particulars appearing in that form.

#### **6. Certificate of registry.**

On registration of the vessel the prescribed officer shall issue to the applicant a certificate of registry in Form C of the Schedule to this Act.

#### **7. Annual examination of certificate.**

Once in every year the owner of every vessel shall submit his or her certificate of registry for examination by the prescribed officer, who shall sign his or her name on the back of the certificate, together with the date of examination, as a record of its authenticity and correctness.

#### **8. Change of ownership or master.**

1. On a change of ownership a fresh certificate of registry shall be applied for, and the former certificate be given up, in order that the former certificate, together with the former registry, may be cancelled; and on a change of master due notice shall be given of that change, which shall be duly noted in the register and endorsed on the certificate of registry.
2. A failure on the part of the owner of any vessel to comply with the requirements of this section shall subject the owner to the same penalties as would have been incurred if the certificate of registry had never been applied for.

#### **9. Certificate to be kept on board.**

The master of every vessel registered under this Act shall have the certificate of registry on board his or her vessel at all times; and any master not having that certificate on board, or failing to produce it when required, as provided by section 19, is, in the absence of any reasonable excuse, proof of which shall lie on him or her, liable, together with his or her vessel and crew, to be

taken by the prescribed officer or the commander of any ship belonging to the Government, without warrant, summons or other process, into the nearest or most convenient port or place, and there to be ordered by the court on any proceeding to pay a penalty not exceeding six hundred shillings.

#### **10. No change in name after registration.**

After registration no change shall be made in the name of any vessel.

#### **11. Lettering and numbering.**

Every vessel shall be lettered and numbered.

#### **12. Position and dimensions of letters and number.**

1. The letters or letters and number shall be placed on each bow of the vessel, three or four inches below the gunwale.
2. The breadth of the paint of the letters and number shall be—

1. for vessels of the first class, two-and-a-half inches; and
2. for vessels of the second and third classes, one-and-three-quarters inches.

(3) The height of the letters and number shall be—

1. for vessels of the first class, eighteen inches; and
2. for vessels of the second and third classes, ten inches.

(4) The same letters or letters and number shall also be placed on each side of the mainsail of the vessel.

#### **13. Ships' boats to be lettered and numbered.**

When vessels carry, or have attached to them, small boats, as tenders or otherwise, those boats shall be marked with the same letters and number as the vessels to which they belong.

**14. Name on stern.**

All vessels, of whatever class, shall have their names, and those of the ports or places to which they belong, painted on the outside of the sterns, in letters which shall be at least three inches in height.

#### **15. Letters, etc. not to be effaced.**

The letters, numbers and names placed on vessels, and on the sails of vessels, shall be clearly painted in white paint on a dark ground, or in black paint on a light ground, and shall not be effaced, covered or concealed in any manner.

#### **16. Penalty for nonregistration, etc.**

1. If any vessel required to be registered, lettered and numbered under this Act, is not so registered, lettered and numbered in the manner prescribed, the owner and the master are each liable to a penalty not exceeding six hundred shillings.
2. The prescribed officer or the commander of any ship belonging to the Government or a customs officer may seize and detain such vessel, and prevent it from proceeding on its voyage and from being employed as aforesaid, until it is duly registered, lettered and numbered, and may, for that purpose, take it back into the nearest or most convenient port or place within Uganda.

#### **17. Names, etc. to be inserted in documents.**

The names, letters and numbers of vessels shall be inserted on the certificate of registry or other official papers of those vessels.

#### **18. Certificates.**

The certificate of registry or other official papers of vessels shall contain the description and tonnage of each vessel, as well as the names of its owner and of its master.

#### **19. Papers to be produced.**

The master shall, whenever required, exhibit his or her certificate of registry to the prescribed officer and to the commander of any ship belonging to the Government.

#### **20. Execution of the requirements of the Act.**

The execution of the requirements of this Act concerning certificates of

registry and the lettering and numbering of vessels is placed under the supervision of the prescribed officer and of the commanders of vessels belonging to the Government and all other officers designated by the Minister for that purpose.

## **21. Effect of registry.**

1. In all proceedings against the owner or master of, or any person belonging to, any registered vessel for offences against this Act, and in all actions or proceedings for the recovery of damages for injury done by any such vessel, the registry shall be conclusive evidence that the persons registered at any date as owners of the vessel were at that date the owners.
2. Subsection (1) shall not prevent any proceedings or action being taken or instituted against any person not registered who is beneficially interested in the vessel.
3. Subsection (1) shall not affect the rights of the owners among themselves, or the rights of any registered owner against any person not registered who is beneficially interested in the vessel.
4. Except as provided in subsection (1), the registry of any vessel shall not confer, take away or affect any title to or interest in the vessel.

## **22. Rules and orders.**

The Minister may by rule or statutory order—

1. exempt any vessel or class of vessels from the operation of this Act or any part of it;
2. prescribe any matter which by this Act is intended to be prescribed;
3. generally give any directions necessary or expedient for carrying this Act into effect; and
4. prescribe the fees to be taken under this Act.

*Schedule.*

ss. 3, 5, 6.

**Forms.**

Republic of Uganda

Form A.

Application to Register a Vessel.

*Vessels (Registration) Act.*

Port of Letter

Name of vessel

Port or place to which belonging

Owner \_\_\_\_

Master

Description of vessel, how rigged, what sails used, etc.

\_\_\_\_\_

Ordinary mode of employment

Tonnage

Length of keel

Number of boats

Number of men usually employed

Number of boys usually employed

Signature of Applicant

Residence

Republic of Uganda

Form B.

Register of Vessels.

*Vessels (Registration) Act.*

Port of

	Date of registry	
	Name of vessel	
	Port or place to which belonging	
	Name of owner	
	Name of master	
	Description of vessel, how rigged, what sails used, etc.	
	Ordinary mode of employment	
	First Class	
	Second Class	

	Third Class	
	Tonnage	
	Size, length of keel	
	No. of boats	
	Men	
	Boys	
	Remarks	

Form C.

Certificate of Registry.

*Vessels (Registration) Act.*

Name

of

Owner

Master

Registered No.

Date Signature of Registering Officer

**History:** Cap. 349.