

**Translation from Finnish
Legally binding only in Finnish and Swedish
Ministry of Transport and Communications, Finland**

Register of Ships Act

(512/1993; amendments up to 1516/2019 included)

Chapter 1

General provisions

Section 1 (948/2018)

Registration of ships

Finnish ships with a length of 15 m and upwards, engaged in merchant shipping shall be entered in the transport register referred to in the Act on Transport Services (320/2017) and maintained by the Finnish Transport and Communications Agency or in the register specified in this Act. Likewise, information on ships under construction and a Continuous Synopsis Record shall be contained in the register in accordance with what is provided in Part VI of the Act on Transport Services or below. The Finnish Transport and Communications Agency maintains the transport register in accordance with Part VI of the Act on Transport Services whereas the State Department of Åland maintains a register of ships the home port of which is located in the Åland Islands. The registration districts are the Åland Islands and the rest of Finland. Sections 9 to 12 of this Act apply only in cases where the State Department of Åland is the registration authority. (376/2019)

For the purposes of this Act, mobile platforms and structures and other mobile offshore units shall be considered equivalent to ships.

Provisions concerning the nationality of ships and their home port are laid down in the Maritime Code.

A Continuous Synopsis Record as referred to in chapter 2a shall likewise be kept concerning all Finnish passenger ships and Finnish cargo ships of at least 500 gross tonnage entered in the Register of Ships and engaged on international voyages.

Section 2 (310/2018)

Voluntary registration

Finnish ships which are engaged in merchant shipping but fall short of the length specified in section 1 may, at the owner's request, be entered in the register, provided they have a length of not less than 10 m.

Section 3 (310/2018)

Registration of ships under construction

A ship under construction in Finland may, upon request, be entered in the register, if the ship, on completion, will meet the requirements of sections 1 and 2. A ship under construction is entered in the register of the registration area in which the owner wishes to enter it.

If a ship under construction, on completion, is to be taken abroad for registration, it may be entered in the register regardless of its future nationality or intended purpose, provided it has a length of not less than 10 m.

Ships may be entered in the register prior to construction, if they can be identified by their yard number and drawings or in some other reliable way.

Section 4 (310/2018)

Section 4 was repealed by Act No. 310/2018.

Section 5 (486/2004)

Section 5 was repealed by Act No. 486/2004.

Section 6 (310/2018) **Engaging ships in merchant shipping**

A ship as referred to in section 1 cannot engage in merchant shipping unless it has been entered in the register and the registration authority has issued a Certificate of Nationality for it.

Section 7 **Provisional Certificate of Nationality**

If a ship referred to in section 6 has been built abroad for a customer in such a way that the ship can be considered a Finnish ship by virtue of the order being Finnish, or if the ship has, while abroad, changed its flag to a Finnish flag, the Finnish diplomatic or consular mission shall, having assured itself that the new owner's acquisition is legal, issue a Provisional Certificate of Nationality for the ship. This certificate shall not, however, be granted for a period exceeding three months.

For special reasons, the registration authority may also issue a Provisional Certificate of Nationality for a ship abroad or authorize the Finnish mission to do so in other cases than those specified in subsection 1. In such cases the certificate is granted for a set period and on conditions set by the registration authority.

For compelling reasons, the registration authority may likewise, on conditions set by it, issue a Provisional Certificate of Nationality for a ship in Finland that should be, but is not, entered in the register.

During its period of validity, a Provisional Certificate of Nationality confers the same rights as a Certificate of Nationality.

Section 8 (310/2018) **Relation to other registers**

Ships entered in the Register of Fishing Vessels shall also be entered in a register referred to in this Act, provided they meet the requirements of section 1.

Chapter 2 **Provisions concerning the registration of ships and ships under construction** **(310/2018)**

Section 9 **Entries in the register (310/2018)**

Decisions concerning the registration of ships and recording of title to ships shall be entered in the register. Subsections 2 to 5 of this section apply in cases where the State Department of Åland is the registration authority.

The following data shall be entered in the register:

- 1) the ship's date of registry, registration number, name, previous name(s), home port, call sign and IMO number;
- 2) the type of ship, tonnage, dimensions, builder, time and place of construction, and its intended purpose;
- 3) the name, nationality and domicile of the owner and the size of his or her holding; if the owner is Finnish, his or her personal identity code or, in the case of a corporate owner, trade register number or other identifying number shall also be recorded;
- 4) if the ship belongs to a shipping partnership, the items listed in paragraph 3 shall be recorded for the principal owner, along with the holdings of the other owners.

Likewise, any mortgages on the ship and information on any order of execution, seizure or arrest of the ship, declaration of the owner's bankruptcy, and alterations in such information shall be recorded. (310/2018)

If the applicant's title is subject to a condition restricting his or her right of transfer or mortgage, this shall be recorded.

Any other circumstance having a bearing on rulings relevant to registration matters as referred to in subsection 1 may also be recorded.

Section 10

Entries in the register concerning ships under construction (310/2018)

Decisions concerning registration of ships under construction and recording of title to such ships shall be entered in the register. Subsections 2 to 5 of this section apply in cases where the State Department of Åland is the registration authority. Provisions on information on ships and ships under construction to be entered in the transport register are contained in part VI chapter 2 of the Act on Transport Services (376/2019)

The following data shall be recorded with respect to ships under construction: (310/2018)

- 1) the date of registry, register number, yard number, place of construction and estimated time of completion of a ship under construction;
- 2) the type of ship, tonnage and dimensions as accurately as possible in the light of current knowledge, and the ship's intended purpose;
- 3) the name, nationality and domicile of the owner and his or her holding in the ship; if the owner is Finnish, his or her personal identity code, or, in the case of a corporate owner, trade register number or other identifying number shall also be recorded;
- 4) if the ship is being constructed for a shipping partnership, the items listed in paragraph 3 shall be recorded for the principal owner, along with the holdings of the other owners.

Likewise, any mortgages on the ship and information on any order of execution, seizure or arrest of the ship, declaration of the owner's bankruptcy, and alterations in such information shall be recorded. (310/2018)

If the applicant's title is subject to a condition restricting his right of transfer or mortgage, this shall be recorded. (310/2018)

Any other circumstance having a bearing on rulings relevant to registration as referred to in subsection 1 may also be recorded.

Section 11 (310/2018)

Section 11 was repealed by Act No. 310/2018.

Section 12 (486/2004)

Correction of errors in cases where the State Department of Åland is the registration authority (310/2018)

In correcting an erroneous decision in a registration matter or an incorrect register entry and the State Department of Åland is the registration authority, the Administrative Procedure Act (434/2003) shall be complied with. The provisions below on decision-making in registration matters apply to decision-making concerning the correction of errors. If no immediate decision is taken on a correction matter, it shall be recorded as pending. (310/2018)

In matters concerning personal data, the provisions of the Personal Data Act (523/1999) likewise apply.

Section 13

Payment of damages for loss

A person who sustains a loss because of obvious spelling mistakes or other comparable errors in the entries made in the register concerning a ship, a ship under construction or certificates granted pursuant to them is entitled to payment of damages from government funds. (310/2018)

If the said person, for no adequate reason, has failed to take the necessary steps to have such errors corrected, or if he or she has contributed to the loss himself or herself, the amount of damages may be reduced or no damages awarded at all as judged reasonable in the circumstances.

The injured party's right to claim damages from another on contractual or other grounds passes to the government to the extent of the amount of damages paid by the government.

In any action concerning damages the Finnish government is represented by the State Treasury.

Chapter 2a (486/2004)

Continuous Synopsis Record

Section 13a (486/204)

Keeping a Continuous Synopsis Record

The Continuous Synopsis Record shall comprise an uninterrupted summary of all phases in the ship's ownership, comprising information obtained from the shipowner(s) and foreign authorities and otherwise acquired by the registration authority, to which corresponding information from the registration authority in any former flag State is appended.

The Continuous Synopsis Record is intended to provide the basis for a continuously updated on-board file on the ship concerned that contains at least the information laid down in section 13b.

The Continuous Synopsis Record shall be kept in English in the approved format, but information in it obtained from a foreign registration authority can also be in French or Spanish. Information for entry into the Record can also be supplied to the registration authority in Finnish or Swedish.

The notifications and other documents providing information for the Record shall constitute a CSR file on the ship concerned.

No information formerly in the Record may be deleted, modified, erased or defaced.

Section 13b (486/2004) **Contents of the Record**

The following shall be entered in the Continuous Synopsis Record concerning each ship:

- 1) the name of the flag State, and the starting and ending dates of registration in that State;
- 2) the IMO number, name and home port;
- 3) the registered owner and his address;
- 4) any bareboat charterer and his address;
- 5) the shipowner and his address, and any addresses at which the shipowner engages in safety-management activities;
- 6) the name of the classification society that classified the ship;
- 7) the name of the Administration or approved body that issued the shipowner with the Document of Compliance or Interim Document of Compliance specified in the international safety-management regulations of the International Maritime Organisation (IMO) concerning the safe operation of ships and the prevention of environmental pollution (ISM Code), or with a Safety Management Certificate (or Interim Safety Certificate) and the name of the body which carried out the audit on the basis of which the certificate was issued, if other than that issuing the Certificate; and
- 8) the name of the Administration or recognized security organization that issued the International Ship Security Certificate (or Interim International Ship Security Certificate) specified in Part A of the ISPS Code as defined in Regulation (EC) No. 725/2004 of the European Parliament and Council on enhancing ship and port facility security, and the name of the body that carried out the verification on the basis of which the Certificate was issued, if other than that issuing the Certificate.

Section 13c (486/2004) **Duties of the shipowner and master**

The shipowner shall notify the registration authority verifiably of the following:

- 1) the information referred to in section 13b when registration duty commences on the ship's becoming Finnish;
- 2) any change in the information referred to in section 13b not later than 30 days from occurrence of the change; and
- 3) the new flag State if the shipowner transfers the ship from the Finnish Register of Ships.

The shipowner or ship's master shall:

- 1) keep the CSR file on the ship and permit a competent inspector to inspect it at any time; and
- 2) leave the CSR file on the ship if it is transferred to another State's flag or sold to a new owner,

if a new bareboat charterer charters the ship, or if another owner assumes responsibility for operating the ship.

Section 13d (486/2004) **Duties of the registration authority**

The registration authority shall:

- 1) enter in the Register the information on the ship laid down in section 13b and any changes in this information;
- 2) provide the ship with a CRS file based on the Register;
- 3) provide the ship with information on any change in the registered information as rapidly as possible and at the latest within three months of occurrence of the change, by correcting, updating or rectifying the CRS file;
- 4) if necessary, when the process referred to in subsection 3 is delayed, require the shipowner or master to rectify the on-board CRS file when the information in it has changed and notify the registration authority of said rectification;
- 5) enter in the Register the information provided by a foreign authority when a ship is transferred to the Finnish Register of Ships; and
- 6) as soon as possible send register information on a ship transferred under a foreign flag to the Administration in the new flag state.

Section 13e (486/2004) **Application of other provisions of the Act**

What is provided in section 1, subsection 3, section 4, subsections 1 and 3, sections 12 and 13, section 16, subsection 2, section 28, subsection 1, section 30 to 32, sections 42, 44 and 45 shall likewise apply to the Continuous Synopsis Record. What is provided in section 22, subsection 1 concerning supplementation of applications applies to the notifications referred to in this chapter.

The Ministry of Transport and Communications approves the format to be used in keeping the Continuous Synopsis Record and in the CSR file.

Section 13f (1516/2019) **Claim for revised decision and appeal**

A claim for a revised decision with regard to a decision related to a Continuous Synopsis Record made by the registration authority may be lodged as laid down in the Administrative Procedure Act.

Provisions on appeal to the Administrative Court are laid down in the Administrative Judicial Procedure Act (808/2019).

Chapter 3 **Registration of ships and ships under construction and entry of title**

Section 14 **Duty to report information to the register (310/2018)**

Shipowners shall report ships for registration and apply for registration of their title.

A person whose title has not yet become final is likewise entitled to lodge an application for registration of his title.

In the case of a shipping partnership, the principal owner is also entitled to apply for registration of the ship and of title to the ship on behalf of the partnership.

Section 15 (310/2018) **Application for registration of title**

An application for registration of title to a ship entered in the register shall be made within 30 days of the date of succession in title. If the succession in title or its finality is linked to a contractual condition, the period commences on the date on which the acquisition is finalized according to the said condition.

Section 16 **Report for alteration of entry**

If there has been any change in circumstances having a bearing on information recorded in the register, besides such that is referred to in section 15, the owner shall report the information in writing to the register within the period stipulated in section 15.

If a relevant change has become known to the registration authority otherwise, the authority may alter the information recorded in the register accordingly. The registered owner shall then be given an opportunity to be heard. Should the alteration or its legal consequences affect any other person, this person shall likewise be given opportunity to be heard.

If the name of the ship has been changed, the ship cannot engage in merchant shipping before its new name has been reported to the registration authority.

Section 17 **Transfer of ship's registration from abroad**

If a ship has changed flag from foreign into Finnish, the ship cannot be entered in the register except upon submission of a certificate from the registration authority in the previous country of registration stating that the ship has been duly deleted from their register or will be deleted as soon as it is entered in the Finnish register, or that some other entry to the same effect will be made to the foreign register at that point.

This provision also applies to a new building which has been acquired from abroad and which has been registered in a foreign register of ships under construction.

Section 18 **Dispute over title**

Registration of title is without prejudice to any action brought to determine the legal validity of an acquisition.

Section 19 (310/2018) **Registration in cases of double transfer**

If a person has transferred a ship or a holding in a ship to more than one person and if these persons have simultaneously applied for registration of title, the transfer that is of the earliest date shall be entered in the register.

Chapter 4

Procedure concerning registration of ships or ships under construction and registration of title

Section 20

Application for registration

Applications for registration of a ship and registration of title in the register shall be made in writing and be signed by the applicant or his agent.

The application shall include

- 1) the name of the ship which the application for registration or registration of title concerns;
- 2) the name of the owner;
- 3) other information to be entered in the register, if not appended to the application;
- 4) the telephone number of the owner, or his representative or agent, and the address to which notices should be sent.

The applicant shall submit adequate evidence to establish the legality of his acquisition. Original documents providing evidence of legal succession in title, or copies thereof duly certified by a notary public, shall be appended to the application.

If the previous owner's acquisition has not been entered in the register, such documentation on his title as would be necessary for registration of the said acquisition shall be submitted. Documents on the previous owner's acquisition need not be presented if the ship has been sold by compulsory auction.

Section 21

Beginning of lis pendens and registration proceedings

A registration applied for becomes pending as soon as the application has been received by the competent registration authority. A note concerning a pending registration shall be entered in the register without delay.

Processing of pending registrations shall be commenced without delay and pending cases shall be decided in the order in which the applications concerned are received by the registration authority.

Section 22

Supplementation of application

If the application is incomplete but correction is feasible, the applicant shall be requested to supplement his application. The request shall stipulate how the application should be supplemented, set a day by which the information requested must be supplied and provide the applicant with information on the consequences of non-compliance with the request. If necessary, supplementation may be requested a second time.

If the applicant does not supplement his application in the required manner by the time referred to in paragraph 1, the application shall be dismissed without prejudice.

Section 23 Hearing

In order to establish relevant facts concerning the acquisition of title to a ship, the registration authority may summon a party, or any other person involved, to appear before it in person or by proxy at a time set by the authority.

Section 24 Abeyance

An application concerning registration of a ship or title that could otherwise be registered shall be left in abeyance, if

- 1) the acquisition of the ship or the finality of the acquisition is dependent on conditions included in a contract or other transaction;
- 2) the transaction on which the acquisition is based has not gained legal validity;
- 3) another person has applied for registration of title to the same ship prior to the applicant, having acquired title from the same party as the applicant;
- 4) a dispute over the legal validity of the acquisition or better right to the ship is pending;
- 5) an execution order or some interlocutory injunction has been entered in the register for the ship concerned before the registration applied for became pending;
- 6) the applicant has been granted a right to public announcement for the purpose of registration of his title.

The applicant may be required to submit supplementary evidence on circumstances referred to in subsection 1 within a period of time set by the authority. The provisions of section 22 concerning supplementation of applications apply equally to the submission of supplementary evidence and the consequences of failing to present such evidence.

The registration authority may also on its own initiative resume the processing of a registration left in abeyance. The application cannot, however, be refused before the applicant has been provided with an opportunity to be heard.

Section 25 Public announcement

If the applicant has not presented sufficient documentary evidence to establish clear title as referred to in section 20, or certified copies thereof, but presents sufficient evidence that the documents concerned have been lost or destroyed and that the acquisition is legally valid, he shall be granted a right to public announcement for the purpose of registration of title.

Section 26 Public announcement proceedings

The applicant shall present documentary evidence to establish sufficient legal grounds for his application for public announcement.

In the public announcement, the registration authority shall request any person who finds that he has better right to the ship than the applicant to bring action against the applicant within a period of three months as of the day the announcement is published in the Official Gazette, at the risk of forfeiting the right to contest registration of the applicant's title.

The applicant shall publish the announcement once in the first issue of the Official Gazette in any quarter of the year and once in a national newspaper. Furthermore, the registration authority shall inform such persons of the announcement whose rights, to the knowledge of the authority, could be affected by registration of the applicant's title.

If no legal action is brought to contest the applicant's alleged title within the set period, or if action has been duly brought but the contestant's case has been dismissed either by a ruling that has become legally final or without prejudice, the owner's title may be registered.

Section 27

Dismissal of application

The action must be dismissed if:

- 1) documentary evidence to establish the applicant's title as referred to in section 20, subsections 3 and 4 has not been presented and right to public announcement as referred to in section 25 has not been requested;
- 2) the party from whom the applicant derives his title was not entitled to assign the ship and an entry concerning this restriction of the right of administration had been made in the register prior to the transfer; or
- 3) there is some other obstacle to registration of the ship or registration of the title.

Section 28

Decision and documentation in a registration matter

Registration matters shall be solved by recording the decision in the register. If a registration matter is left pending or the authority decides to that end concerning the proceedings in the matter, this shall be entered in the register. The entry in the register will state the content of the decision. Entries shall be made without delay. (310/2018)

If the application is dismissed, a separate decision stating the grounds shall be issued. A separate decision is also issued, at the applicant's request, if the application is left pending or a similar decision as regards the proceedings is taken.

Upon the registration of the ship, a Certificate of Nationality shall be issued. In the event of other measures, the applicant shall receive a Certificate of Nationality, some other certificate or a separate decision.

Section 29

Proceedings concerning registration of ships and title to ships under construction

The owner of a ship under construction may apply for registration thereof.

The provisions of this Act on the registration of ships and the registration of title to ships shall apply as appropriate to the registration of ships under construction and the registration of title to them.

Chapter 5

Deletion of a ship and a ship under construction from the register (310/2018)

Section 30

Prerequisites for deletion of ships from the register (310/2018)

The owner of a ship shall apply for deletion of the ship from the register within 30 days of the day on which:

- 1) the ship no longer meets the requirements for registration laid down in sections 1 and 2;
- 2) the owner of the ship has been notified of the fact that the ship has been wrecked and declared condemned; or
- 3) the ship is missing and has not been heard of within the time laid down in section 71 of the Insurance Contracts Act (132/33).

If the ship has been entered in the register by virtue of authorization, deletion must be requested as soon as the authorization expires.

If the ship has changed nationality, the last Finnish owner is also required to apply for deletion of the ship from the register.

A ship shall be removed from the register at the owner's request if:

- 1) the ship has been entered in the register by virtue of the approval referred to in chapter 1, section 1, subsection 2 of the Maritime Code (674/1994); or
- 2) a ship entered in the register under chapter 1, section 1, subsection 1 of the Maritime Code is entered in the ships' register of a country in the European Economic Area (EEA) under chapter 1, section 1, subsection 4 of the said Code. (862/2016)

Insurance Contracts Act No. 132/1933 was repealed by Act No. 543/1994.

Section 31

The registration authority's right to delete the ship

If the owner of the ship does not fulfil his obligations under section 30, the registration authority may delete the ship on grounds mentioned in the said section. Prior to deletion, the registration authority shall afford the registered owner the opportunity to be heard. (310/2018)

The registered owner of a ship entered in the register shall be informed without delay of a registration authority decision to delete the ship from the register.

Section 32

Additional prerequisites for deletion from the register

If a ship is mortgaged or recorded as subject to execution or other interlocutory injunctions, it cannot be deleted without the written consent of the mortgagees or the person who has applied for the execution or interlocutory injunction. (310/2018)

The provisions of subsection 1 do not apply to a change of the ship's registration district.

If the owner of the ship is a shipping partnership and a holding in the ship has been transferred to a foreign national with the consequence that the ship ceases to be of Finnish nationality, the registration authority is not, without the consent of the other shipowners, entitled to delete the

ship from the register until expiry of the period of redemption laid down in section 36, subsection 3 of the Maritime Code.

Section 33 (310/2018) **Return of Certificate of Nationality**

Upon deletion of a ship from the register, its latest Finnish owner shall return its Certificate of Nationality to the registration authority.

Section 34 (310/2018) **Recording a ship under construction as completed**

Information on the completion of a ship under construction shall be recorded in the register not later than 60 days after construction work has been completed.

Entries about mortgages on a ship which has been under construction, the ship being subject to execution or some other interlocutory injunction must not be deleted from the register without the written consent of the mortgagees or the person who has applied for execution or an interlocutory injunction.

Section 35 (310/2018)

Section 35 was repealed by Act no. 310/2018.

Chapter 6 **Appeal in registration matters**

Section 36 **Appeal**

An appeal against the final ruling of the registration authority on the registration of a ship or title to a ship and on decisions to have an application pending may be addressed to the Court of Appeal of Helsinki.

Section 37 **Appeal instructions**

If a registration matter has been decided differently from what the applicant requested, appeal instructions shall be appended to the document. The registration authority shall also provide appeal instructions on request.

Section 38 **Limitation of appeal**

The time for submission of an appeal is 30 days from the date on which the applicant was notified of the decision. The appellant shall submit his petition of appeal to the registration authority by the date of expiry of the appeal period, at the risk of forfeiting his right of action. The registration authority is required to record immediately in the register that a petition of appeal has been submitted.

Section 39 **Application of the Code of Judicial Procedure**

The Code of Judicial Procedure applies to appeals, as appropriate, in addition to the provisions of this Act. Notification of intent to appeal need not, however, be submitted.

The registration authority shall supply the Court of Appeal with a copy of the file and a transcript from the register.

Section 40
Proceedings in the appellate court

The appellate court shall deal with registration matters urgently.

Section 41
Notification of appellate court rulings and return of matters to the registration authority

The appellate court shall notify the registration authority of its final ruling without delay.

The registration authority shall of its own accord take up a matter that the appellate court has returned.

Chapter 7
Miscellaneous provisions

Section 42
Conditional fine

The registration authority may declare an obligation under this Act subject to conditional fine and impose a conditional fine as provided in the Act on Conditional Fines (1113/90).

Section 43
Penal provisions

A shipowner who

- 1) engages a ship referred to in section 1 in merchant shipping before the ship has been granted a Certificate of Nationality or a Provisional Certificate of Nationality; or
- 2) fails to submit to the registration authority the application referred to in section 15 in proper time, to report alterations as referred to in section 16, or to submit the request referred to in section 30 for deletion of a ship from the register; or (310/2018)
- 3) fails to fulfil the obligation under section 33 regarding return of the Certificate of Nationality;

shall, unless more stringent provisions are laid down elsewhere, be sentenced to a fine for *infringement of the Register of Ships Act*.

A person who fails to make in due time the notification to the registration authority referred to in section 13c, subsection 1 or who infringes the duty laid down in section 13c, subsection 2, or a shipmaster who infringes the duty laid down in section 13c, subsection 2, shall be sentenced to a fine for *infringement of the Register of Ships Act*, unless more severe punishment is provided elsewhere by law. (486/2004)

A person who infringes a prohibition or obligation imposed under this Act and intensified by threat of fine cannot be sentenced to punishment for the same offence. (486/2004)

**Section 44
Forum**

A charge concerning a minor offence as referred to in section 43 shall, if the offence has taken place abroad or during a ship's voyage, be tried in a court at the ship's first port of call or in the ship's home port. Otherwise it shall be subject to the Code of Judicial Procedure.

**Section 45
Further provisions**

Further provisions concerning maintaining of the register and registration will be laid down by decree.

Subsection 2 was repealed by Act No. 310/2018.

Section 46 (310/2018)

Section 46 was repealed by Act No. 310/2018.

**Chapter 8
Entry into force and transitional provisions****Section 47
Entry into force**

This Act enters into force on November 1, 1993.

Measures necessary for the implementation of the Act may be taken before it enters into force.

Section 48 (1292/2009)

Section 48 was repealed by Act No. 1292/2009.
