



Analysis of Ship Registration in Tanzania in Light of the UN Sustainable Development Goals

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Introduction

Maritime transport is very essential to international business. It is one of the most essential means of transport when dealing with transnational and transcontinental business. As a state have resulted in relying enormously on this form of transport to enhance their internal business structure. But then, for there to be transport of goods by sea there must be seagoing vessels. The seagoing vessels are of different forms. They could be barge majors and tankers; just to name these few. But then it is essential that these seagoing vessels be properly identified and given a nationality. This is done through or by virtue of registration. Tanzania, being a coastal State is very open and registration friendly especially when it comes to sea going vessels. But then that is not the only stake.

The ship's registration is carried out by the registrar who is appointed by the statutory powers in the Act and the registration rules promulgated by the flag state. The Ship Registration gives out certain advantages to the ship owners and managers which involves public law and private law functions. Also the ship registration aids in providing an environment whereby the ship gains employment and is secured against the perils of the sea by being eligible in the eyes of the Marine Insurer. As part of our safety and environmental responsibilities, we promptly investigate maritime casualties such as loss of lives resulting from overloading on boats, collisions etc and take the appropriate actions. In partnership with other public agencies and institutions, we ensure the prevention of marine source pollution and protection of the marine environment.

The impact of ship registration in sustainable development in Tanzania is quite visible and clear. This is seen from its joint economic, social and environmental contribution it brings to Tanzania. This study is an opportunity to therefore see in what way registration of sea going vessels they have contributed in the attainment of the SDGs in Tanzania. Of course, it is clear that not all the SDGs will be examined and approached with regards to ship registration. Thus, we shall in this present study deal solely with those SDGs which have been impacted by ship registration in Tanzania.

Discussion

From the topic of this research, the important points to define are; ship, registration and sustainable development goals.

i) Ship

According to the United States Code, "The term ship or vessel includes every description of watercraft or other artificial contrivance, except aircraft, used or capable of being used as a means of transportation on water, whether or not it is actually afloat". The Tanzanian Merchant Shipping Act, defines a vessel as "any ship, boat, sailing vessel, or other vessel of any description used in navigation" It has also brought out in its Part 1 the different types of ships which it has dealt with. Some of these ships include cargo ships, fishing ships, government ships, motor ships, nuclear ships, oil tankers, passenger ships, pleasure vessels and sailor vessels. Since the definition provided for by the USC is more explicit, we can then make use of it to better clarify what a ship is in the eyes of the law provided.

ii) Registration

Registration is the legal process by which something or someone is given recognition in the eyes of the law. In some instances, it is the acknowledgement of the birth and existence of the thing or person in question. Under the Merchant Shipping Act, registration is very essential as it is through this that an identity and a nationality are given to the ship.

Therefore, we can say that ship registration is the process by which seagoing vessels are given a nationality through their inscription in the register for that effect and effects of such registration immediately metted and felt by the vessel in question. Since the study is registered in Tanzania, then we can say that a ship shall be a Tanzanian ship if such a ship is registered in Tanzania under Part IV of the Merchant Shipping Act 2003.

iii) Sustainable Development Goals

Sustainable development goals are the new paradigm of the former Millennium Development Goals. Following what sustainable development is, SDGs have actually been there to bring specific objectives set by the UN in order to arrive at a global goal which is the bettering of the life of the human being be it in the present or the future.

Conclusion

John Mansell sought to establish the importance of always surveying a ship prior to its registration, reason for which it is found in the UNCLOS even though absent in the High Sea Convention. According to him, there is a serious missing regulatory link which can seriously lead to the seaworthiness of ships. As a matter of fact, the intent of the UNCLOS is that the survey before registration imposed by Article 94(4)(a) is to ensure that all of the measures required by Article 94(3) (a) to ensure safety at sea, and expanded upon under Article 94(4), are carried out before the ship is registered, and at appropriate intervals thereafter. The only survey required before registration is completed is for tonnage measurement as required by Tonnage Convention. The nature of any survey before registration, within the scope prescribed in Article 94(3) and (4) of the UNCLOS, and whether a survey or inspection is necessary, has been left to the flag State to determine who she is willing to grant its nationality to. The only requirement for survey which is measuring the tonnage is very limited therefore to verify the seaworthiness. And this causes undesirable results.

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