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The Beijing Convention on the Judicial Sale of Ships

22 May 2026 (Fri)

18:00–19:10 (GMT+8)



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Hong Kong Shipping Registry (HKSR)

Presented by:

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**General Manager / Ship Registration & Quality
Hong Kong Marine Department**



Marine Department



Overview

HKSR & Registration Process

Commercial Sale vs. Judicial Sale

The Registry's Actions under Beijing Convention



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The Beijing Convention on the Judicial Sale of Ships

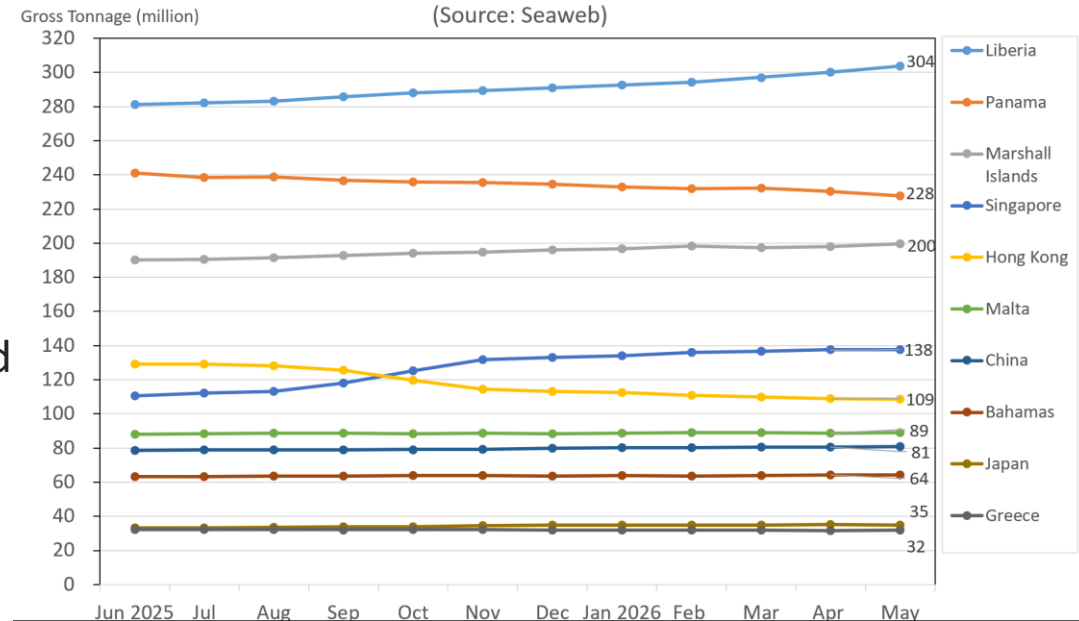


About HKSR

Facts

- Established in 1990 pursuant to the Merchant Shipping (Registration) Ordinance (Cap. 415).
- Under Article 125 of the Basic Law, the HKSAR is authorised by the CPG to continue to maintain a shipping register and issue related certificates under the name “**Hong Kong, China**”.
- Hong Kong's shipping registration is widely recognized around the world and ranks among the top globally.
- About 2,000 registered vessels with a total registered GT close to 110 million.

Top 10 Flag States
Gross Tonnage in June 2025 - May 2026



About HKSR

Competitiveness

- An independent, well-established common law system
- No restrictions to Seafarers' Nationality for HK-registered ships
- Non-profit-oriented fee policy
- One-stop-Service (OSS) platform and E-certificates
- Global Services: Establishment of 8 offshore Regional Desks (24/7 technical support)
- Gatekeeping High Quality Control Standard (through PRQC and FSQC)
- Excellent PSC Performance (2025: Hong Kong: 0.79% , Worldwide: 3.70%)
- Continuously white-listed in Paris MOU and Tokyo MoU and certified Qualship 21 by the USGG
- Hong Kong-registered ships enjoy preferential port tonnage tax with up to 30% reduction in port dues in China ports
- No profit tax levied on international trade



About HKSR

Article 91 of the 1982 UN Convention on the Law of the Sea (UNCLOS)

Nationality of Ships

- *Every State shall fix the conditions for the grant of its nationality to ships, for the registration of ships in its territory, and for the right to fly its flag. Ships have the nationality of the State whose flag they are entitled to fly. There must exist a genuine link between the State and the ship*

Qualified Person (i.e. as a “genuine link” mandated by Article 91 of the 1982 UNCLOS)

- an individual who holds a valid identity card and who is ordinarily resident in Hong Kong;
- a body corporate incorporated in Hong Kong; and
- a registered non-Hong Kong company

HKSR Ship Registration Type:

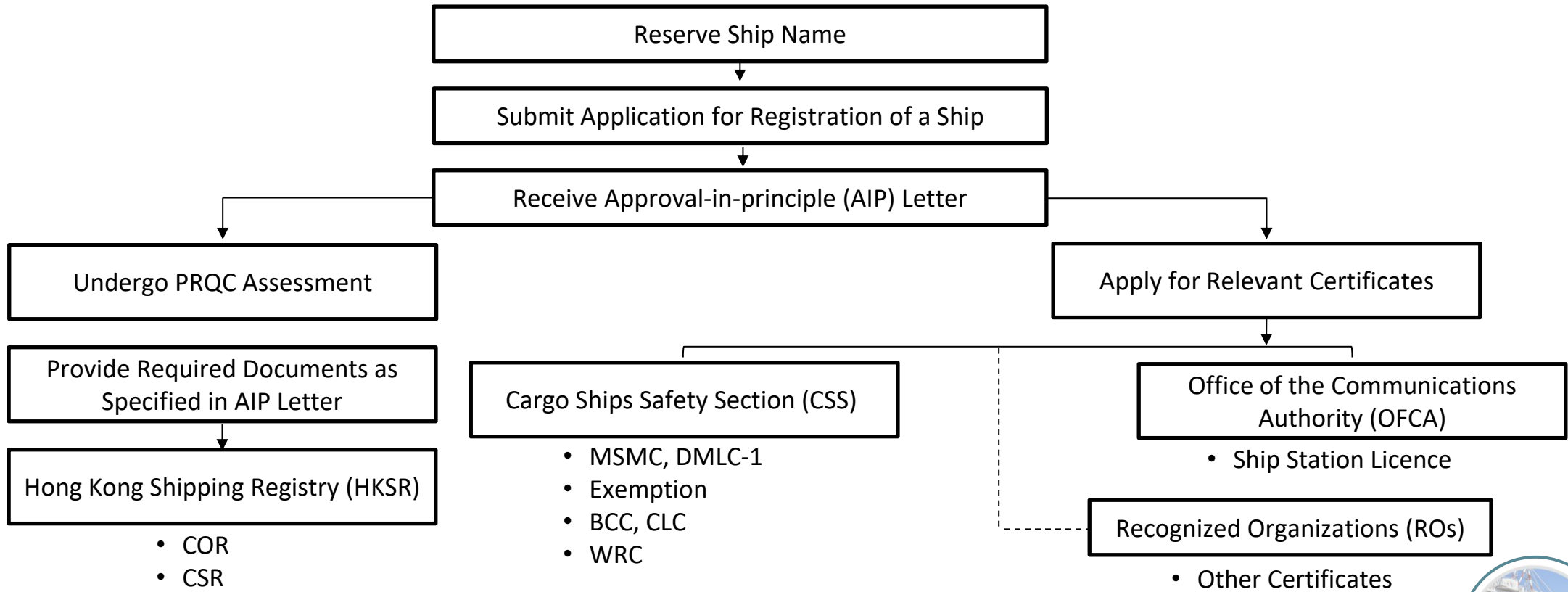
- Owner / Bareboat Charter (Demise Charter)



Simple Procedure

Submission to Hong Kong Shipping Registry (HKSR)

- Online submission - OSS (https://ebs.mardep.gov.hk/tc/services_ship_registration_ships_services.php)
- By email to hksr@mardep.gov.hk
- By post to Room 302, Harbour Building, 38 Pier Road, Central, Hong Kong



Registration Document

Cap.415 S.21 Evidence on Registration

- Builder's Certificate, Bill of Sale, Court Order [i.e. Both commercial sale and judicial sale are acceptable for registration]
- Evidence of Deletion from last registry
- Certificate of survey
- Declaration of marking, etc

Other Related / Legal Document

- Protocol of Delivery and Acceptance (PODA)
- POA (if authorization is required)
- Notarization required (for foreign document)
- Declarations



The Registry's Actions under Beijing Convention

Beijing Convention gives clear instruction on the actions of the Registry regarding Judicial Sale under the Convention!

Article 7 : Actions to be performed by the Registry upon receiving the Certificate of Judicial Sale submitted by the purchaser or subsequent purchaser :

- **Delete** from the register any **mortgage** or *hypothèque* and any registered;
- **Delete the ship from the register** and **issue a certificate of deletion**;
- **Register the ship in the name of the purchaser** or subsequent purchaser
- **Update the register with any other relevant particulars** in the certificate of judicial sale.



Commercial Sale vs Judicial Sale

	Ship Registration (Flagging in)
<p>Commercial Sale (500-700 Flag-in / Flag-out cases per year)</p>	<ul style="list-style-type: none"> - Title document is presented by seller to buyer according to the agreed Memorandum of Agreement(MOA) terms and normally issued with worldwide recognized format (such as 10A form Bill of sale); - Other document: Certificate of Deletion, Certificate of Ownership (Coo), Cert of free of encumbrance, etc. - Average processing time: 1-2 hours to complete the process for confirming acceptance
<p>Judicial Sale (Existing practices w/o Beijing Convention) (24 Flag-in cases & 6 Flag-out cases in 2000-2025) (i.e. around 1.2 cases per year!)</p>	<ul style="list-style-type: none"> - Court document (e.g. court order, court bill of sale) format varies from one country to another; - Need authentication and legalization process (for foreign court document) such as “Apostille” (for party of Hague Convention) before it can be accepted for ship registration. - Need clarifications / verification that the court order confers the ship with clean title (free of encumbrance), or the purchaser has to separately provide certificate of encumbrance, etc. - HKSR takes a prudent approach to seek advice from DoJ before confirming acceptance. - Processing time: above verifications process could take weeks or months
<p>With Beijing Convention (if extended to Hong Kong)</p>	<ul style="list-style-type: none"> - Certificate of Judicial Sale (Article 5 of Beijing Convention) empowers the registry to register the ship under the title of the purchaser of the judicial sale as recorded on the certificate of judicial sale. - Estimated Time: 1-2 hours to complete the process for confirming acceptance



Commercial Sale vs Judicial Sale

	Mortgage Handling
<p>Commercial Sale <i>(500-700 Flag-in / Flag-out cases per year)</i></p>	<ul style="list-style-type: none"> - Ship mortgage normally well arranged by shipowner either: <ul style="list-style-type: none"> ➤ be discharged before closure of ship registration; or ➤ mortgagee's consent for reflagging sought. - Average processing time: 1 to 2 hour
<p>Judicial Sale <i>(Existing practices w/o Beijing Convention)</i> <i>(24 Flag-in cases & 6 Flag-out cases in 2000-2025)</i> <i>(i.e. around 1.2 cases per year!)</i></p>	<ul style="list-style-type: none"> - Court order may contain info. re. clean title conferred. However, there is normally lack of instruction/ order regarding the handling of existing ship mortgage (i.e. no order for Registrar to take action). - It will be a time and cost consuming process for the purchaser to negotiate with mortgagee for removing the mortgage record from the former registry of the ship. - Processing time: above process could be weeks or months, or in some cases even unable to complete (e.g. mortgagee refused to discharge mortgage)
<p>With Beijing Convention <i>(if extended to Hong Kong)</i></p>	<ul style="list-style-type: none"> - With the present of the certificate of judicial sale, ship mortgage record should be deleted as stipulated in Article 7 – 1(a) of the Beijing Convention since clean title is conferred to the purchaser upon the completion of the judicial sale. - Estimated Time: 1-2 hours to complete the process



Commercial Sale vs Judicial Sale

Closure of Registration (Flagging out)

Commercial Sale

(500-700 Flag-in / Flag-out cases per year)

- Seller (i.e. the ship's current owner) will apply for closure of registration for a ship; and
- A certificate of deletion will be handed to the buyer for reflagging the ship onto her new registry.
- Average processing time: 0.5 to 1 hour

Judicial Sale

(Existing practices w/o Beijing Convention)
(24 Flag-in cases & 6 Flag-out cases in 2000-2025)
(i.e. around 1.2 cases per year!)

- A court order is normally lack of instruction for Registrar to close the ship's registration.
- Purchaser has no right to make the application for closure (as he is not the existing registered owner of the ship)
- The closure may proceed with "indirectly". (e.g. ATC overdue, existing owner company dissolved, proof of ownership transferred, etc.). Such force de-registration takes at least 30 days to effect.
- Processing time: could be months in the absence of the former registered shipowner

With Beijing Convention

(if extended to Hong Kong)

- With the present of the certificate of judicial sale, ship registration record should be deleted as stipulated in Article 7 – 1(b) of the Beijing Convention since ship title is conferred to the purchaser upon the completion of the judicial sale.
- Estimated Time: 0.5-1 hour to complete the process



Commercial Sale vs Judicial Sale

	Summary
<p>Commercial Sale <i>(500-700 Flag-in / Flag-out cases per year)</i></p>	<ul style="list-style-type: none"> - Documents and Procedures are reconigized worldwide.
<p>Judicial Sale <i>(Existing practices w/o Beijing Convention)</i> <i>(24 Flag-in cases & 6 Flag-out cases in 2000-2025)</i> <i>(i.e. around 1.2 cases per year!)</i></p>	<ul style="list-style-type: none"> - Court documents normally required legalization before it could be submitted for registration. - The original registered shipowner is unlikely to show up again after the judicial sale and therefore causing difficulty in completing most formalities in the registration closure procedures. - Difficulties in verifying documents / court order issued by foreign court - High uncertainty, costly, and likely delay in the process
<p>With Beijing Convention <i>(if extended to Hong Kong)</i></p>	<ul style="list-style-type: none"> - Item 4 in Article 5 of the Beijing Convention specified that certificate of judicial sale shall be exempt from legalization of similar formality. - The Beijing Convention confers clean title of a ship to the purchaser of a judicial sale, and enable the purchaser to complete all the registration formalities by presenting the certificate of judicial sale. - Central Repository (item 3 in Article 5 and Article 11 of the Beijing Convention): Highly secured and transparent for verification of any CJS issued by a State Party. Thus no further DoJ advice to be sought. (The security of judicial sale under Beijing Convention may even higher than commercial sale!)



Thank You

We are **One** in Promoting
Excellence in Marine Services

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The Beijing Convention on the Judicial Sale of Ships



Reference

Article 7 of the Beijing Convention stipulates the following Actions to be performed by the Registry upon receiving the Certificate of Judicial Sale (CJS) submitted by the purchaser or subsequent purchaser :

Article 7 stipulates the followings :-

At the request of the purchaser or subsequent purchaser and upon production of the certificate of judicial sale referred to in article 5, the registry or other competent authority of a State Party shall, as the case may be and in accordance with its regulations and procedures, but without prejudice to article 6 :

- (a) **Delete** from the register any **mortgage** or *hypothèque* and any registered charge attached to the ship that had been registered before completion of the judicial sale;
- (b) **Delete the ship from the register** and **issue a certificate of deletion** for the purpose of new registration;
- (c) **Register the ship in the name of the purchaser** or subsequent purchaser, provided further that the ship and the person in whose name the ship is to be registered meet the requirements of the law of the State of registration;
- (d) **Update the register with any other relevant particulars** in the certificate of judicial sale.

At the request of the purchaser or subsequent purchaser and upon production of the certificate of judicial sale referred to in article 5, the registry or other competent authority of a State Party in which the ship was granted bareboat charter registration shall **delete the ship from the bareboat charter register** and **issue a certificate of deletion**.

If the certificate of judicial sale is not issued in an official language of the registry or other competent authority, the registry or other competent authority may **request** the purchaser or subsequent purchaser **to produce a certified translation** into such an official language.

The registry or other competent authority may also request the purchaser or subsequent purchaser to **produce a certified copy of the certificate of judicial sale** for its records.

Article 5

Certificate of judicial sale

The State of judicial sale shall require the certificate of judicial sale to be transmitted promptly to the repository referred to in article 11 for publication

