

Application for Warrant to fly the Defaced Blue Ensign

PLEASE COMPLETE IN BLOCK CAPITALS

I (full name): _____

Of (full address): _____

Being a British subject, request that application may be made to the Club Secretary for a warrant for the yacht (Name of Yacht): _____

A British vessel of which I am the sole owner, and I have extracted the following particulars from the Certificate of Registry:-

Official Number: _____

Make of Vessel: _____

Model: _____

L.O.A: _____

Power/sail: _____

Port of Registry: _____

The Certificate of Registry is attached for examination by you.

I undertake:

1. To return the Warrant for cancellation:
 - a) If the Admiralty recall it at any time
 - b) When I cease to be a member of the club
 - c) When the Yacht ceases to belong to me
2. Not to use the Yacht for any commercial purpose whatsoever.

I understand that the Warrant will authorise me to use the Ensign only on board the Yacht named herein and on board any boat belonging to her which can conveniently be hoisted on board, and that the Ensign may be flown only while the Warrant is carried on board the Yacht.

* Signature: _____

Print Name(s): _____

Authorised on behalf of 'The Club' (Poole Harbour Yacht Club)

Signature(s): _____

Authorising Signature(s): _____

Date: _____

*If the yacht is owned jointly by several persons, the application should be signed by all joint owners and amended as may be necessary.

CONDITIONS GOVERNING THE ISSUE OF YACHT PERMITS TO MEMBERS OF ENTITLED YACHT CLUBS IN THE UNITED KINGDOM AND THE CHANNEL ISLANDS

By Section 4 of the Merchant Shipping Act 1995, it is an offence to hoist on board any British ship certain colours, flags and pendants without a Warrant from Her Majesty the Queen or from the Secretary of State for Defence. The maximum penalty on conviction on indictment is an unlimited fine. Among the prohibited flags are the Union Flag, the White Ensign, the Blue Ensign (plain or defaced) and the Red Ensign with any defacement. The prohibition applied to any British ship wherever it may be and so extends not only to tidal waters but equally to rivers, lakes and other inland waters.

Yachts may not wear a special Ensign prohibited above except:

- A. Under a Warrant issued to the yacht owner by the Secretary of State for Defence prior to 1 April 1985 and in accordance with the Conditions stated thereon; or
- B. Under a Permit issued to the yacht owner by a Yacht Club from 1 April 1985 onwards and in accordance with the Conditions set out below.

Conditions

1. Permit. The Yacht must be issued with a Permit by a Yacht Club pursuant to the granting of a Warrant to that Club by the Secretary of State for Defence,

2. Registration and Measurement.

- A. Registration. The Yacht must be a ship registered on:
 - (1) Part I of the General Central Register of British Ships;
 - Or
 - (2) Part III of the General Central Register of British Ships (for small ships); or
 - (3) the register of ships of a relevant British possession;
- B. Measurement. The Yacht must have either a gross tonnage of at least 2GT or a length overall of at least 7m.

3. Membership of Designated Yacht Club. The owner or owners of the Yacht must have current membership of one of the Yacht Clubs in the United Kingdom or Channel Islands to which a Warrant has been issued and which is designated in the Navy list.

4. Nationality. The owner or owners must be British citizens,

5. Use of Yacht.

- A. The special Ensign may only be worn on a Yacht used exclusively for private and personal purposes of the owner or owners to whom the Permit is issued.
- B. The Yacht must not be used for any professional, business or commercial purpose. A Yacht whose name incorporates a name, product or trademark used for business or commercial purposes is not eligible for a Permit.
- C. A Yacht which is never used for cruising, e.g. a houseboat, is ineligible for a Permit.

6. Limited Companies. A Yacht which is the property of a Limited Company may be eligible for a Permit provided that the provisions of Condition 5 are complied with and the user is a British citizen and a member of a designated Yacht Club.

7. Presence of Holder of Permit. Except under the provisions of Condition 6, a Permit does not confer any authority while the Yacht is being sailed by anyone other than the owner in person, thus a special Ensign may not be worn unless the owner (or user pursuant to Condition 6) of the Yacht is on

board, or in effective control of her when she is in harbour or at anchor near the shore, and the designated Yacht Club's burgee is flown at the main masthead or other suitable position. The Permit must always be carried on board when a special Ensign is worn.

8. Separate Authorisation from each Designated Yacht Club. If the owner or user belongs to more than one of the designated Yacht Clubs, he must have on board the Permit authorising the particular Ensign which is being worn.

Note—A member of a designated Yacht Club who jointly owns a Yacht with a person who is ineligible to belong to that Yacht Club because of restrictive membership qualifications may exceptionally apply for a Permit. All applications under this exception must be supported by written confirmation that the other owner is ineligible for membership of the Yacht Club concerned. A Permit issued in the circumstances is valid only when the owner in whose name the Permit is issued is on board, or in effective control of the Yacht when in harbour or at anchor near the shore.

9. Loan of Yacht for which Permit Issued. It is expressly forbidden for a person borrowing the aforesaid Yacht to wear the special Ensign for which a Permit has been previously issued to the owner by a designated Yacht Club.

10. Return of Permit. When a Yacht is sold, there is a change of ownership, or the owner ceases to be a member of the designated Yacht Club, the Permit must at once be surrendered to the Secretary of the designated Yacht Club who shall forthwith cancel it.

11. Alterations to Permits. No alterations are to be made to Permits. If the name of the Yacht is changed, or alterations are made which affect the register, the Permit is to be withdrawn by the Secretary of the designated Yacht Club. A new Permit may be issued provided the provisions of these Conditions are otherwise satisfied.

12. Permits Lost or Stolen. In the event of a Permit being lost or stolen, the member must forward to the Secretary of the designated Yacht Club a report on the circumstances of the loss and the steps taken to recover it. The Secretary of the designated Yacht Club may, at his discretion, issue a fresh Permit.

13. Tenders. The special Ensign may be worn by any boat which belongs to the Yacht and can conveniently be hoisted on board her.

14. Foreign Cruises. When cruising on foreign waters a Yacht for which a Permit to wear a special Ensign has been issued should take care to avoid any action which might result in complications with a Foreign Power.

15. Validity of a Permit. A Permit for a Yacht to wear a special Ensign becomes invalid if the provisions of the above Conditions are not met. The period of validity of a Permit is a matter for the discretion of each designated Yacht Club but a Permit should not be issued with an expiry date falling after the expiry date of the Yacht's Certificate of Registry.

16. Etiquette. Permit holders may wish to comply with the custom, when in harbour, of hoisting the Ensign at 0900 (15 February to 31 October) otherwise at 0900 and lowering the Ensign at local sunset (or 2100 local time if earlier).