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## HYBRID REGISTRIES

### Abstract

Inside the wake of the compelling advancement of open registers, routine ocean States made cross breed registries to compete and to support their lessening sea naval forces. Half breed registers offer engaging combinations of national and open registry highlights arranged to draw shipowners. Reasonable as open registers made in reaction to national registries, so hybrid registers have made in response to open registries. They are less difficult to urge to and have less segment prerequisites than most national registries. They tend to protect a nationality interface between beneficial proprietor or organization of the vessel and the accost State. In common, hybrid registries tend to offer cash related propelling powers and central focuses comparable to open registers. Alacrity selection continues to be related and enthusiastic, altering to the necessities of worldwide trade. The headway of open registers broadcasted around the world competition, taken a toll diminish, and transport progression.

**Key words:** *ship registration, flag State, hybrid registers, open registers, crossover registers.*

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## HİBRİD QEYDİYYAT

### Xülasə

Açıq registrlərin effektiv təkmilləşdirilməsi nəticəsində adi dəniz dövlətləri rəqabət aparmaq və azalan dəniz donanmalarını gücləndirmək üçün hibrid registrlər yaratdılar. Hibrid registrlər gəmi sahiblərini cəlb etmək üçün planlaşdırılan milli və açıq registr qeydlərinin cəlbədi birləşmələrini təklif edir. Milli registrlərə cavab olaraq yaradılan açıq registrlər kimi ədalətli, açıq registrlərə reaksiya olaraq hibrid registrlər yaradıldı. Onlara daxil olmaq daha asandır və əksər milli reyestrlərə nisbətən daha az ilkin şərtlərinə malikdir. Onlar gəminin sahibi və ya idarəçisi ilə dövlət arasında milli əlaqəni qorumağa meyillidirlər. Ümumilikdə, hibrid registrləri açıq registrlərlə müqayisə oluna bilən pulla əlaqəli həvəsləndirici qüvvələr və mərkəz nöqtələri təklif edirlər. Bu seçim dünya ticarətinin ehtiyaclarını dəyişdirərək əlaqəli və inkişafa meyilli olmağa davam edir. Dünya müsabiqəsində yayımlanan açıq registrlərin irəliləməsi, ödənişlərin azalması və nəqliyyatın inkişafı məhz buna şərait yaradır.

**Açar sözlər:** *gəmi qeydiyyatı, bayraq dövləti, hibrid registrlər, açıq registrlər, sərhədxarici registrlər.*

**Introduction.** National registers reacted by promoting monetary motivating forces and making all inclusive registers to remain competitive. The reason of this proposal is to explore the legal introduce of celerity selection, to look at the issues enveloping national and open registers, and to show a modern examination of transport enrollment and bits of information into its future. An examination of these issues is noteworthy due to the critical changes that continue to happen as a result of the exceptional development of open registers inside the twentieth century. This paper broadens the exchange by promoting bits of information on long pull of transport enrollment.

Various hybrid registers are kept up for utilize because it were by national shipowners as an elective to hailing out and as a way to compete with the open registry system.

In the 1970s, past UK colonies like Bermuda, Cayman Islands, and Gibraltar got to be 'second registers' of the UK. They appear fly the UK 'red ensign' accost with the rights and commitments of the British Seller Shipping Act though promoting diminished costs. The hybrid highlights of the registers have many for focuses of intrigued shipowners. The organization and control by routine ocean countries

frequently put moment registers in removed superior; a much superior; the next; a more grounded; an progressed far off superior position in terms of harbor state control evaluations and detainments due to the incredible reputation of the hail.

Other conventional oceanic States have moreover set up worldwide registers in previous colonies or subordinate domains, France in Kerguelen Islands, Portugal in Madeira, Spain within the Canary Islands and the Netherlands within the Netherlands Antilles [Li KX & Wonham, J. 1999, p. 151]. The Marshall Islands Registry works beneath an understanding of free affiliation with the United States.

Where the interface with the national accost is held, the domain of the individual State over vessels had by its 'nationals' is secured. This has regulatory, money related and security benefits for the salute State and may unavoidably apportion with the require for the blessings and other shapes of money related offer assistance to shipping which have of late gotten to be highlights of ocean approach in made countries (The International Journal of Marine and Coastal Law. 1993, p.42).

Be that as it may, many hybrids allow exterior shipowners get to to the registry once certain specialized measures are met. The Norwegian and Danish All inclusive Expedite Registers, the Isle of Man, and Madeira permit inaccessible had or controlled vessels in certain circumstances though the German and the French Widespread Transport Registers do not have nationality necessities.

Another ordinary characteristic of cross breed registries is that running of seafarers from outside countries is wholeheartedly permitted. The Norwegian Around the world Transport Enroll, Danish Widespread Celerity Enlist, the Isle of Man, and Madeira make it optional to enter into gather wage assertions commendable to that country's unions or not. The German and the French Around the world Transport Registers do not contain keeping an eye on necessities.

The affect is that the ITF has classified the French and German All inclusive Transport Registers as 'flags of convenience'. Inside the hybrid registers in show disdain toward of the reality that, ITF does not classify the registers as 'flags of convenience' but classifies ships as 'flags of convenience' ships on an individual introduce depending on the invaluable owner/management relationship to the accost and the nearness of keeping an eye on and wage agreements.

The Norwegian Expedite Enroll was pointed at competing with the more compelling open registers like Panama and Liberia and has gotten to be an around the world contender in its claim right. Prior to the 1980s, over 90% of Norwegian vessels were enrolled beneath the Norwegian salute (NOR). By 1987, because it were 38% of Norwegian vessels were still selected underneath the salute. This was in show disdain toward of generous government assignments to the national shipping industry. Tall keeping an eye on costs and vessel operation underneath the enroll were cited as the cause [Kappel, R. 1988, p.58]

The government of Norway responded by setting up the Norwegian Around the world Dispatch Enlist (NIS). The enlist is open to vessels whether Norwegian or foreignowned as long as they meet the specified specialized slightest guidelines. Foreignowned ships are required to set up or assign a tremendous parcel of the vessel's commercial organization to a transport organization company in Norway. This, of course, benefits the adjacent Norwegian maritime division. Ships that have standard advantage to Norway or that transport travelers are not allowed on the NIS enroll [Flag State Responsibility: Historical Development and Contemporary Issues. 2009, p.12].

In the NIS, Norwegian shipowners are allowed to team the vessel with outside nationals for all positions but the ace who must be Norwegian unless allowed a waiver by the Norwegian Oceanic Directorate. There are no strict team benefit agreements required. Neighborhood manning enactment applies but may be withdrawn from on the off chance that collectively concurred upon by the included parties. In 2007, the NIS had about triple the tonnage enrolled beneath the NOR but over 35% of vessels advantageously claimed by Norwegians are still enrolled remotely [World Fleet Statistics, 2007, p.22].

In crossover registers the unobtrusive contrast between "freely permitted" and "optional" can cruel the distinction between being boycotted by the ITF as a hail of convenience or not. Crossover registers permit ships to preserve their connection with their national or conventional sea hail whereas getting a charge out of the benefits of moo operating costs and lower charges comparative to that of an open registry.

In science, the point of cross breeding is to combine the alluring characteristics of two or more assortments to realize an advancement within the species. The fruitful registers of the future will be the cross breed registers; those that draw on the foremost alluring characteristics from both open and national registers to make the leading of both universes.

Registers nowadays are as of now headed in this course; they are obscuring the lines of distinction between open and national registers within the intrigued of competitive advantage. National registers are patching up their bureaucratic picture and advertising numerous financial motivations such as lower charges and endowments. Open registers are adopting higher quality standards to boost their international notoriety. The crossover registers that can effectively combine tall quality measures, productive administrative strategies, and viable specialized ability with financial incentives will eventually be the foremost fit to outlive the competition. The arrangement is unfaltering advancement through the straightforward and successful strategy of examining best practices from each to form flexible registration frameworks adjusted to wants of the State. This permits for the consolidation of the financial points of interest without weakening fundamental security and security highlights. As it were the registers that adjust will survive within the all inclusive competitive field of shipping (Framework of Standards to Secure and Facilitate Global Trade. 2010, p.8).

Data Innovation (IT) has moved forward not as it were the quality of benefit in transport registers but has too encouraged the development of open registries. It can offer assistance littler registers with constrained faculty and assets to supply proficient dispatch registration administrations and compete universally. Through scrambled computer program stages, register base camp can be connected electronically to worldwide partners worldwide. This gives less demanding, speedier get to to transport enlist administrations. Existing software permits registers and worldwide agents to preserve secure and easy access to comprehensive data on each vessel within the armada, counting: vessel sort, tonnage, enrollment information, overview data, certification, documentation, charge charges and a total history of the changes to vessel records. This data can be put away, recovered, upgraded, analyzed and detailed in genuine time taken a toll viably; in this way permitting for a more productive and proficient benefit to the progressively bigger armadas.

A pivotal region that IT makes a difference registers to superior oversee is the day to day forms of registration: to create execution reports; get genuine time mischance and casualty reports and PSC overhauls; plan take after up studies and assessments; and produce survey certificates. By doing this, IT encourages registers who wish to move forward their overall security and compliance with worldwide guidelines. Within the future, it can offer assistance with cautions approximately hazardous vessels, missed reviews, and arbitrary reviews.

IT is as it were a device but it has significant results in shipping. It has to be utilized responsibly with more than fair specialized competence in arrange to proceed the development of ship enlistment forms. Registers ought to contemplate the security of their IT frameworks and guarantee their vigorous assurance. Worldwide committees got to begin looking at rules for these advancements to empower their mindful utilize, noticing potential for extortion and manhandle will develop as the technology develops.

The more extensive shipping community is concerned almost the security suggestions of registers without any substantive national connection between shipowner and hail State. The concerns are in respects to the need of administrative supervision by hail States that can make an environment of universal frailty that's helpless to incidents of sea terrorism.

A 1981 report by the UNCTAD recognized ten reasons why non recognition of security standards is likely to be more noteworthy beneath open-registry banners than beneath national hail States:

- i. Genuine proprietors are not promptly identifiable;
- ii. Genuine proprietors can alter their characters and dodge being named as rehash sub-standard administrators;
- iii. Since the ace and other key staff are not nationals of the hail state, they don't ought to visit the hail State and can maintain a strategic distance from lawful activity;
- iv. Proprietors dwelling exterior the locale of the hail State can refuse to affirm at an request and dodge indictment;

- v. Open registry proprietors don't have the same motivation to protect great relations with the hail State or to co-operate with hail State auditors;
- vi. Open registry shipping needs the union structure considered basic to the application of security and social guidelines, to be specific, a national exchange union representing the interface of sailors on board vessels;
- vii. Open registry proprietors are in a position to put more weight on aces and officers to require dangers with less fear of government mediation;
- viii. Harbour State control can as it were report sub-standard vessels and hone to a hail State which has no genuine control over the proprietor;
- ix. Proprietors can more effectively stifle and alter groups.

**Conclusion.** A few creators would classify the UK 'red ensign' hail as a cross breed enlist, as its definition of a 'national' is broadly translated. Be that as it may, national hail states have been working in a way helpful to them from the beginning of transport registration. Enrollment isn't only a implies of keeping up measurable information but expands into the domains of financial matters, security and legislative issues as well. National registers have ships with shifting degrees of outside control or outside ownership which has been show to changing degrees for a long time and is indeed more noticeable nowadays as dispatch enrollment gets to be more competitive. The idea of the national enroll is getting to be more a matter of lawful fiction and, in case we disposed of registers from the national list in which any component of remote possession or control exists, we may have no national registers cleared out [Mansell, JNK. 2009, p. 147].

In agreement with the worldwide nature of shipping, open registries work transport registration on a decentralized premise through subcontractors and private lesson societies. This, in any case, comes with the potential disadvantage of moo observing of vessels inside the registry in the event that appropriate controls are not in put. The shipping community's reaction has been to create administrative systems to direct the regulators, harbour state control (PSC). PSC's control isn't in requirement as harbour States need coordinate locale, but their power lies within the endorse of detainment, which is eventually very costly to a commercial vessel. Although there's frequently small distinction between cross breed and open registers, the transfer of national ships to open registries with all the related misfortune of financial opportunity for the conventional oceanic Sates is unsatisfactory. Crossover registers are the 'roses by another name' and permit conventional oceanic States to preserve or recapture purview over national vessels and compete with open registers for foreign tonnage [Coles, R & Watt, E. 2009, p.84].

To fulfill its aim, the organize was set with the foundation of the common legitimate concepts that frame the lawful premise of dispatch enrollment. The significance of the relationships of nationality, enrollment, and documentation inside the setting of ship enrollment was created. These essential legitimate standards were utilized to demonstrate their suggestions and importance in an universal open law and private law setting. All this at that point given the premise for the sorts of dispatch enlistment systems that exist nowadays [Voluntary IMO Member State Audit Scheme, A.946. 2003, p.3].

The talk moved on from the verifiable foundation and basis to an exploration of dispatch enrollment frameworks itself. The roots of 'flags of convenience' were considered, taken after by investigations of each sort of registry (national, open, and hybrid). The characteristic highlights of each sort of enrollment were created and contrast was drawn between hypothetical and genuine working illustrations of successful/competitive registers inside each category. In the setting of national registers, the nearness of remote control or outside ownership was examined with curiously comes about. It enlightened the reality that this feature isn't one of a kind to open registers. This driven to the conclusion that national register States can truly as it were be recognized from open registers by the manning requirements (which may be a instrument to ensure business for seafarers in traditional sea states).

The advancement of the open registry was investigated as a framework that settled the issues of rising working costs and kept up in case not empowered the development of the shipping industry within the 20th Century. As an expansion of the talk on open registers, the concept of 'genuine link' was broadened in terms of its verifiable development and utilize inside transport enrollment. The discourse advanced through the advancement of hybrid registers. These mix, in changing extents, the alluring

characteristics of each enlist and may too have varying degrees of outside control or proprietorship. The story of crossovers isn't continuously positive and the downsides of falling flat to discover the correct adjust were looked at. Hybrids have the financial highlights of open registers but the notoriety of national registers for specialized and administrative control; and this where their quality lies.

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