THE SAFETY OF SMALL VESSELS IN COMMERCIAL USE FOR SPORT OR PLEASURE OPERATING FROM A NOMINATED DEPARTURE POINT

A CODE OF PRACTICE

A CODE OF PRACTICE FOR THE CONSTRUCTION, MACHINERY, EQUIPMENT, STABILITY, OPERATION, MANNING, EXAMINATION, CERTIFICATION AND MAINTENANCE OF VESSELS OF UP TO 24 METRES LOAD LINE LENGTH WHICH ARE:

IN COMMERCIAL USE FOR SPORT OR PLEASURE; AND

CARRY NO MORE THAN 12 PASSENGERS; AND

DO NOT CARRY CARGO; AND

OPERATE ONLY IN FAVOURABLE WEATHER AND DAYLIGHT FROM A NOMINATED DEPARTURE POINT.

NOTE - REFER TO THE SCV CODE FOR GUIDANCE ON APPLICABILITY

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1 FOREWORD

1.1 The Code has been developed for application to small United Kingdom motor or sailing vessels of up to 24 metres load line length which are in commercial use at sea for sport or pleasure in favourable weather and daylight, and which do not carry cargo or more than 12 passengers.

1.2 The Code is an acceptable Code of Practice for application to vessels in accordance with the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) (Amendment) Regulations 1999, from which it draws its authority.

1.3 Changes in the Regulations which make Load Line Certification Mandatory

Certain vessels were previously included in a list of specified types of vessels which were exempted from the provisions of the load line regulations and certification. However, an amendment to the load line regulations mean that load line certification is now mandatory for affected vessels.

The amendment affects vessels of under 80 tons register (net tons) which do not carry cargo and which are used in United Kingdom waters solely in the coasting trade. These vessels were previously exempt from load line certification as "ships carrying not more than 12 passengers for sport or pleasure on a voyage in the course of which they are at no time more than 3 miles from land nor more than 15 miles from their point of departure, unless the point of departure lies within category A, B, C or D waters when the distance of 15 miles shall be measured from the seaward boundary of such waters".

The effect of the amendment is to require all such non-cargo carrying vessels to have a valid load line certificate. Any certificate issued in accordance with this Code of Practice is a legal alternative to an MCA load line certificate for small seagoing vessels in commercial use for sport or pleasure.

1.4 Vessels to which this Code Applies

This Code applies to small vessels (ie those of less than 24 metres in length) which:

are in commercial use for sport or pleasure and carry no more than 12 passengers and do not carry cargo; and

go to sea from nominated departure point(s) in the United Kingdom; and

operate in favourable weather and daylight in designated areas of the sea which will be defined on the certificate.

Those designated areas may be:

- up to 3 miles from the nominated departure point(s) named in the certificate but never more than 3 miles from land; or

- up to 20 miles from the nominated departure point(s) named in the certificate, but note that safety considerations around the coast may mean that permitted operating areas may be less than the maximum suggested by the Code.

Owners/managing agents of small vessels in commercial use for sport or pleasure which seek to operate in areas greater than those described above are required to gain Certification under one of the two applicable Codes of Practice as appropriate, ie The Safety of Small Commercial Motor Vessels, or The Safety of Small Commercial Sailing Vessels. These were published in 1993 and apply to operations ranging from up to 20 miles to an unlimited distance from a safe haven.

1.5 Reference to Another Code of Practice
For vessels operating under this Code in area category 5 (up to 20 miles from a nominated departure point(s) in favourable weather and daylight), the safety standards relating to area category 4 of the 1993 codes are applied.

In this respect this Code is not self sufficient, and a copy of the appropriate 1993 Code will be required in order to determine the safety standards which have to be met.

Paragraph 3.3.2 refers, but note that section 27 applies in every case for certification procedure, compliance examination and maintenance.

1.6 Development of the Code

Development of the Code by the Maritime and Coastguard Agency was agreed by Government. Annex 1 lists the membership of the Steering Committee, and of the Study Group which advised the Steering Committee, and the organisations involved in the development of this Code.

A primary aim in developing the Code was to set standards of safety and protection for all on board small commercial vessels. The level of safety it sets out to achieve is considered to be commensurate with the current expectations of the general public. The Code sets standards which apply to the construction of a vessel, its machinery, equipment and stability and to the correct maintenance and operation of a vessel, where the operational standards include the qualifications of the skipper and of the crew members.

The Code recognises that the operating areas around the coast of the United Kingdom are not identical, and provision is made within the Code for equivalency of the safety standard to be considered, so that comparable levels of safety are achieved. Annex 4 provides guidance on making an application for assessment of a variation to Code requirements, and the procedure which should be followed by the standard setting Certifying Authority to gain approval from the Maritime and Coastguard Agency for such a variation.

1.7 The use of the normal Merchant Shipping regulations to achieve load line certification, as an alternative to Code certification, remains an option which owners can choose to adopt. The Steering Committee responsible for developing this Code considers, however, that it will be easier to apply and understand a Code of Practice than to apply the many separate Merchant Shipping regulations which would otherwise need to be consulted. The Code offers certification which is an alternative to meeting those various regulations which would otherwise apply, and to the issue of a United Kingdom load line certificate.

Compliance with the Code in no way obviates the need for vessels and/or skippers to comply with relevant byelaws made by either the local authority or the port/harbour authority for the area in which the vessel is certificated to operate. In particular, local authorities have powers to require vessels to have passenger liability and third-party insurance cover and to set the level of cover. Also, local authorities may have powers over the use of the foreshore and landing places and to issue licenses for their use.

1.8 Local Authority Powers to Licence Vessels

Hitherto, local authorities have issued licences to vessels which are let for hire or which carry passengers for payment, and which are operated closer to shore than 3 miles and voyage no further than 15 miles from their point of departure. Generally, local authorities take their powers from the Public Health Act 1907 as amended in England and Wales and the Civic Government (Scotland) Act 1982 in Scotland, and exercise of the powers is optional.

The amendment to the load line regulations (see paragraph 1.3), however, affects this arrangement, since the regulations require small craft engaged in seagoing operations within this 3 and 15 miles sea area to comply with Merchant Shipping legislation.
Although existing boat licencing schemes may continue to apply to vessels which do not go to “sea” as defined in section 2, those boat licencing schemes may also continue to apply to small vessels which are operated at sea and are covered by Merchant Shipping certification. In these latter cases, any local authority requirements in respect of the condition of the vessel, the safety equipment aboard and the competence of the crew are to be waived for vessels for which a valid Merchant Shipping certificate, for example a Load Line or Load Line Exemption, or an acceptable Code of Practice Certificate as an equivalent, can be presented to the local authority.

1.9 Building and Repairing Vessels

Designers and builders of new vessels will need to pay special regard to the area of operation and the working conditions to which a vessel will be subjected when selecting the materials and equipment to be used in its construction.

The builder,repairer or owner/managing agent of a vessel, as appropriate is to take all reasonable measures to ensure that a material or appliance fitted in accordance with the requirements of the Code is suitable for the purpose having regard to its location in the vessel and the area of operation of the vessel.

1.10 Impact of Government Reviews and the Adventure Activities Regulations

Government’s objectives for sport were set out in the document “Sport and Active Recreation” which was published in 1991. The principle of self-determination for sports bodies has been encouraged to the extent that when it has been necessary to impose some form of control on such bodies to adopt voluntary codes or procedures which would have the same effect as regulation.

In 1990, Government commissioned a review into safety in water sports. The review concluded that the current system of self-regulation developed by the governing bodies of sport is sufficient to meet their responsibility for the safety of sports participants.

The Code makes requirements for commercial water based recreational activities which recognise the findings of the above review. National governing bodies for sea recreational activities which have developed safety standards and examination procedures to ensure the standards are upheld can apply to MCA to request assessment and authorisation to continue to regulate vessels complying with their scheme rather than with the provisions of this Code. The safety content of any certification will however be assessed and agreed formally before the certification is recognised.

1.11 Delegation of Survey and Certification to Certifying Authorities

The Maritime and Coastguard Agency (MCA) is an executive agency of the Department of the Environment, Transport and the Regions (DETR), and has responsibility and accountability for the United Kingdom Merchant Shipping regulations and their enforcement. The Agency has delegated to Certifying Authorities the examination (survey) and certification of vessels to which this Code applies, and the Certifying Authorities and the Maritime and Coastguard Agency have a written agreement which defines this relationship. MCA however retains the enforcement duties of the Code and is responsible for auditing the Certifying Authorities, although it remains an active Certifying Authority itself.

1.12 The appointment of Certifying Authorities has been influenced by the requirement to have a local capability for the efficient handling of the needs of owners/operators of vessels. Certifying Authorities appointed may charge owners/operators of vessels a fee appropriate to the effort which is needed from them for a vessel to be examined and certificated. Each Certifying Authority has freedom to set its fees at a competitive level.

Coastal local authorities which have been able to satisfy MCA criteria have been appointed Certifying Authorities, and are therefore able to issue certificates under this Code in addition to discharging their
option with regard to their boat licencing schemes. Where local authorities have declined to take appointments as Certifying Authorities, MCA has approached those Certifying Authorities which are already actively engaged on the Agency’s behalf in the examination and certification of vessels under the 1993 Codes, and these have, with their agreement, been appointed.

1.13 At the option of the local authority, the written agreement between the Maritime and Coastguard Agency and the local authority Certifying Authorities may include limited delegation of enforcement powers to the local authority. Such delegation will allow the local authority instant power to stop and detain vessels which would otherwise contravene certification in accordance with this Code.

1.14 European Communities’ General Recognition Clause, Insurance and Value of Standards

The following important sections have been copied from the 1993 Codes of Practice. They are equally relevant to this Code:-

1.15 The Commission of the European Communities’ general mutual recognition clause should be accepted. The clause states:-

Any requirement for goods or materials to comply with a specified standard shall be satisfied by compliance with:

.1 a relevant standard or code of practice of a national standards body or equivalent body of a Member State of the European Economic Area Agreement; or

.2 any relevant international standard recognised for use in any Member State of the European Economic Area Agreement; or

.3 a relevant specification acknowledged for use as a standard by a public authority of any Member State of the European Economic Area Agreement; or

.4 traditional procedures of manufacture of a Member State of the European Economic Area Agreement where these are the subject of a written technical description sufficiently detailed to permit assessment of the goods or materials for the use specified; or

.5 a specification sufficiently detailed to permit assessment for goods or materials of an innovative nature (or subject to innovative processes of manufacture such that they cannot comply with a recognised standard or specification) and which fulfil the purpose provided by the specified standard;

provided that the proposed standard, code of practice, specification or technical description provides, in use, equivalent levels of safety, suitability and fitness for purpose.

1.16 It is important to stress that, whilst all reasonable measures have been taken to develop standards which will result in the production of safe and seaworthy vessels, total safety at sea can never be guaranteed. As a consequence, it is most strongly recommended that the owner/managing agent of a vessel should take out a policy of insurance for all persons who are part of the vessel's complement from time to time. Such insurance must provide cover which is reasonable for claims which may arise. If a policy of insurance is in force, a copy of the certificate of insurance must be either displayed or available for inspection by persons on board the vessel.

1.17 The Organisations listed in Annex 1 were concerned that the ownership of a small commercial vessel by a club should not be seen as a loophole to circumvent the regulations. It is considered that any vessel owned by a proprietary club for use by the members is likely to fall within the scope of the Code.

The Organisations listed in Annex 1 also considered that the officers and committees of members’ clubs with responsibility for the maintenance and operation of club owned vessels operated as
pleasure yachts could usefully adopt standards set out in the Code as guidelines on safe practice, for the protection of their members.

1.18 Health and Safety Regulations

The owner/skipper of a vessel is responsible for the health and safety of anyone working on the vessel. When the owner/skipper employs crew, the Merchant Shipping health and safety regulations apply.

Every employer is to be aware of any risks affecting workers and ensure that appropriate measures are taken to minimise them through improving procedures or equipment where necessary. Employers must instruct those affected about the risks and how to ensure their own safety and the safety of others.

2 DEFINITIONS

In the Code:-

"Accommodation space" means any space, enclosed on all six sides by solid divisions, provided for the use of persons on board;

"Annual examination" means a general or partial examination of the vessel, its machinery, fittings and equipment, as far as can readily be seen, to ascertain that it has been satisfactorily maintained as required by the Code and that the arrangements, fittings and equipment provided are as documented for the vessel;

"Authorised person" means a person who by reason of relevant professional qualifications, practical experience or expertise is authorised by the Certifying Authority to carry out the examinations required by the Code;

"Bare boat charter" means a charter for which the charterer provides the skipper and the crew;

"Category C waters" means waters designated category C waters in the Merchant Shipping (Categorisation of Waters) Regulations 1992, SI 1992 No.2356 and Merchant Shipping Notice No. MSN 1719(M);

"Category D waters" means waters designated category D waters in the Merchant Shipping (Categorisation of Waters) Regulations 1992, SI 1992 No.2356 and Merchant Shipping Notice No. MSN 1719(M);

"Certificate" means the certificate appropriate to a vessel to which the Code is applied;

"Certifying Authority" means either the MCA or any local authority or other organisation authorised by the MCA to:-

(a) appoint persons for the purpose of examining vessels and issuing and signing Declarations of Examinations; and

(b) issue Certificates;

"Charter" means an agreement between the owner/managing agent and another party which allows that other party to operate the vessel, and the "Charterer" is that other party;

"Code" means this Code;

"Compartment" means all living and working spaces within the watertight or fire-resisting boundaries on any one level which have inter-communicating access;
"Competent Authority" in respect of manning qualifications (Annex 6) means either the MCA or an organisation that issues Certificates of Competence which has applied for and been granted recognition by the MCA as having the appropriate technical and administrative expertise.

"Compliance examination" means an examination of the vessel, its machinery, fittings and equipment, by an authorised person to ascertain that the vessel's structure, machinery, equipment and fittings comply with the requirements of the Code or alternative written safety requirements which have been set by the Certifying Authority and agreed with the MCA. At least part of the examination must be conducted when the vessel is out of the water. The Certifying Authority is to decide the extent of examination based on the type, age and history of the vessel;

"Crew" means a person employed or engaged in any capacity on board a vessel on the business of the vessel;

"Daylight" means one hour before sunrise until one hour after sunset;

"Decked vessel" means a vessel with a continuous watertight weather deck which extends from stem to stern and has positive freeboard throughout, in any condition of loading of the vessel;

"Efficient" in relation to a fitting, piece of equipment or material means that all reasonable and practicable measures have been taken to ensure that it is suitable for the purpose for which it is used;

"Existing vessel" means a vessel which is not a new vessel;

"Favourable weather" means wind, sea and visibility conditions which are deemed by the skipper to be safe for a small vessel to operate within the limits applied to it; or, in any other case means conditions existing throughout a voyage or excursion in which the effects either individually or in combination of swell, height of waves, strength of wind and visibility cause no hazard to the safety of the vessel, including handling ability.

In making a judgement on favourable weather the skipper should have due regard to official weather forecasts for the service area of the vessel or to weather information for the area which may be available from the MCA or similar coastal safety organisation;

"Freeboard" means the distance measured vertically downwards from the lowest point of the upper edge of the weather deck to the waterline in still water or, for an open vessel, the distance measured vertically downwards from the lowest point of the gunwale to the waterline;

"Land" means the sea shore above the line of mean high water mark;

"Length" means the overall length from the foreside of the foremost fixed permanent structure to the aftside of the aftermost fixed permanent structure of the vessel (fig 1);
"Load Line length" means either 96% of the total length on a waterline at 85% of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, whichever is the greater. In a vessel designed with a rake of keel, the waterline on which this length is measured is to be parallel to the design waterline;

"Maritime and Coastguard Agency" means the Maritime and Coastguard Agency (MCA), an executive agency of the Department of the Environment, Transport and the Regions (DETR);

"Member State of the European Economic Area Agreement" means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2 May 1992, as adjusted by the Protocol signed at Brussels on 17 May 1993;

"Merchant Shipping Act", "Merchant Shipping Order", "Merchant Shipping Regulations" and "Merchant Shipping Rules" referred to in the Code mean the reference specified and includes any document issued under the appropriate statutory power which either amends or replaces the reference specified;

"Merchant Shipping Notice" (MSN) means a Notice described as such and issued by the MCA, and reference to a specific Merchant Shipping Notice includes reference to any Merchant Shipping Notice amending or replacing that Notice which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

"Mile" means a nautical mile of 1852 metres;

"Motor vessel" means a power driven vessel which is not a sailing vessel;

"Multihull vessel" means any vessel which, in any normally achievable operating trim or heel angle, has a rigid hull structure which penetrates the surface of the sea over more than one separate or discrete area;

"New vessel" means a vessel to which this Code applies, the keel of which was laid or the construction or lay-up was started on or after the 1 April 2000; or a vessel already constructed or being constructed before 1 April 2000 for which application for registration in accordance with the requirements of paragraph 3.5.2 in this Code is made on or after the 1 August 2000;

"Open boat" for the application of this Code means a vessel which within its length is:

- not fitted with a watertight weather deck; or

- is fitted with a watertight weather deck over part of its length; or
is fitted with a watertight weather deck over the whole of its length but the freeboard to the deck does not meet the minimum requirement for freeboard (Section 12);

"Owner/managing agent" means the registered owner or the owner or managing agent of the registered owner or owner or owner ipso facto, as the case may be, and "Owners/managing agents" is to be construed accordingly;

"Passenger" means a person carried in a vessel except:–

(a) a person employed or engaged in any capacity on board the vessel on the business of the vessel;

(b) a person on board the vessel either in pursuance of the obligation laid upon the skipper to carry shipwrecked, distressed or other persons, or by reason of any circumstances that neither the skipper nor the owner nor the charterer (if any) could have prevented; and

(c) a child under one year of age;

Reference should be made to Annex 2 which is Merchant Shipping Notice No. M.1194 - The status of persons carried on United Kingdom ships;

"Person" means a person over the age of one year;

"Pleasure vessel" means a vessel so defined in the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998, as amended;

"Sailing vessel" means a vessel which is designed to be navigated under wind power alone and for which any motor power provided is an auxiliary means of propulsion and/or which possesses a non-dimensional ratio of (sail area) divided by (volume of displacement)\(^{2/3}\) of more than 9;

"Skippered charter" means a charter for which the skipper is provided by the owner/managing agent;

"Small vessel" means a vessel less than 24 metres in load line length;

SCV1 - means the form for an Application for Examination of a vessel;

SCV2 - means the report form for a Compliance Examination and Declaration;

"To sea" means beyond category D waters, or category C waters if there are no category D waters;

"United Kingdom vessel" means a vessel as defined in chapter 21, section 85(2) of the Merchant Shipping Act 1995;

"Watertight" means capable of preventing the passage of water in either direction;

"Weather deck" means the main deck which is exposed to the elements;

"Weather tight" means capable of preventing the admission of a significant quantity of water into the vessel when subjected to a hose test.
3 APPLICATION AND INTERPRETATION

3.1 Application

3.1.1 The Code applies from the date that the enabling Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) (Amendment) Regulations 2000 come into force. These Regulations enable the Code, and compliance with the Code satisfies the requirements of the Regulations.

3.1.2 The Code applies to any United Kingdom motor or sailing (monohull and multihull) vessel of less than 24 metres in length which is in commercial use for sport or pleasure around the coast of the United Kingdom within the areas defined in 3.2 and the conditions of operation corresponding to the area, and provided it does not carry more than 12 passengers and does not carry cargo.

3.1.3 Small vessels in commercial use for sport or pleasure which operate outside the areas and/or conditions defined in 3.2 must comply with the requirements of the appropriate Code of Practice for the safety of small commercial motor or sailing vessels.

3.1.4 This Code makes reference to the Codes of Practice for the safety of small commercial motor and sailing vessels, and applies the safety standards of those Codes to vessels which seek certification to operate in area category 5 (see paragraph 3.3.2).

3.1.5 The Regulations and the Code apply to a vessel registered or owned in another country when it operates from a United Kingdom port.

3.1.6 The Regulations apply the Code to vessels operated by proprietors' clubs and associations and when the owner/managing agent is either corporate or private.

3.1.7 Types of vessel to which the safety standards of the Code apply, but which are not of normal displacement vessel form and are not compatible with the standards, may be assessed by the MCA. The level of safety standards and any operating conditions will be appropriate to the type of vessel and its area of operation.

3.1.8 It is the responsibility of the owner/managing agent to ensure that a vessel is examined and properly maintained in accordance with the Code.

3.2 Area of Operation

A vessel may be considered for the issue of a certificate allowing it to operate within the following areas:-

Category 6 - to sea, within 3 miles from a nominated departure point(s) and never more than 3 miles from land, in favourable weather and daylight.

Category 5 - to sea, within 20 miles from a nominated departure point(s) in favourable weather and daylight.

Depending on the nature of the vessel and its use, a vessel may be restricted to less than the above specified limits. Such a restriction should be recorded on the small commercial vessel certificate for the vessel.

3.3 Standards

3.3.1 Vessels operating in area category 6

Vessels operating in area category 6 must comply with the standards set out in Sections 4 to 28 of this code and Annexes 2 to 8.
3.3.2 Vessels operating in area category 5

Motor (or sailing) vessels operating in area category 5 must comply with the standards for a category 4 vessel in the Code of Practice for the Safety of Small Commercial Motor (or Sailing) Vessels respectively.

For the purpose of the application of the small commercial motor or sailing vessel Codes to a vessel operating in category 5, reference to "existing vessel" should be an "existing vessel" as defined in Section 2 of this Code.

Section 26 and Annex 6 of this Code applies for manning requirements, and Section 27 of this Code applies for compliance procedures, certification, examination and maintenance.

3.4 Certification

3.4.1 To be issued with a certificate for a particular area of operation, a vessel must comply with all of the requirements of the Code for that operating area to the satisfaction of the Certifying Authority.

3.4.2 A certificate is not to be valid for not more than five years.

3.5 Phase in Period

3.5.1 A small vessel constructed new (see Section 2 for definitions of "existing vessel" and "new vessel") on or after the date upon which the Code comes into force (1 April 2000) should be built and equipped to comply with the Code requirements for a new vessel, and be registered with the MCA before it comes into operation.

3.5.2 The phase in period for an existing small vessel is from the date the Code comes into force until 1 April 2001, and the certification required by 3.4 will apply from 1 April 2001.

3.5.3 The owner/managing agent of an existing small vessel in commercial use for sport or pleasure, to which this Code and its certification will be applied from 1 April 2001, must register the vessel with the MCA before 1 August 2000.

3.5.4 In the event that an existing vessel is not registered with the MCA before 1 August 2000 and the owner/managing agent applies for a certification in accordance with the Code, the vessel will be treated as a new vessel for the application of Code requirements.

3.5.5 The form of the registration and the information it provides is to be in accordance with Annex 3, which contains the MCA address to which the registration should be returned. It is acceptable to submit a vessel registration on a copy of Annex 3.

3.5.6 During the period until 1 April 2001, an existing small vessel in commercial use for sport or pleasure, for which the owner/managing agent intends to seek certification in accordance with the Code, must have a valid certificate for its area of operation in accordance with regulations applicable to the area. The valid certificate may be:-

3.5.6.1 a licence to operate issued by a local authority (see paragraph 1.8); or

3.5.6.2 a Small Commercial Vessel Certificate, issued in accordance with the Codes of Practice for Small Commercial Motor or Sailing vessels.

However, in the case of a vessel which has operated without a licence because the local authority in the operating area has not used its powers to require a licence, the vessel may continue to operate until 1 April 2001, at which date it should be certificated in accordance with MCA requirements. Owners/managing agents should be aware that any vessel may at any time be subject to a random safety inspection by a MCA surveyor.
3.6 Interpretation

An assessment of variations to the standards applied by the Code may be made by the MCA upon application by the Certifying Authority. Annex 4 provides guidance on the procedure which should be followed.

For guidance on the application of safety standards which may be appropriate but are not explicit in this Code, reference should be made to the requirements of the Codes of Practice for the safety of small commercial motor or sailing vessels which are given power by the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998, as amended.

In any other case, when a question of interpretation of a part of the Code arises, or guidance is required on the standards to be applied for compliance with this Code, advice may be obtained on written application via the Certifying Authority to the Director of Maritime Standards and Pollution Prevention (MSPP) of the Maritime and Coastguard Agency, who may consult with others as deemed appropriate.

3.7 Certifying Authorities

3.7.1 The Maritime and Coastguard Agency is itself an active Certifying Authority. However, other organisations which are so authorised by the MCA may appoint persons for the purpose of examining vessels, and may issue Certificates.

3.7.2 A United Kingdom local authority which has in place a safety scheme which satisfies the requirements of this code may apply to be appointed as a Certifying Authority by the MCA for vessels which are seeking to be certificated to operate under this Code from a nominated departure point(s) within the local authority’s area of the coast for which they have responsibility.

3.7.3 Such MCA authorisation permits local authorities, or organisations appointed by them, to carry out examinations and issue Code certificates for vessels meeting the requirements of the Code and operating in area categories 5 and 6; such appointments are covered by a formal agreement between the MCA and the local authority.

3.7.4 Local authorities so authorised, or organisations appointed by them, may also issue Code certificates for a specified radius of operation of less than 3 miles from a nominated departure point to sea, based on a standard of safety judged by them to be equivalent to that of the Code. Application for acceptance of equivalent standards for a particular operating area as described in paragraph 3.2 must be made formally by the local authority to the MCA and be based on local knowledge of the conditions under which vessels will be permitted to operate. The conditions under which a vessel is permitted to operate must be stated on its certificate.

3.7.5 The timetable for bringing the Code into operation is intended to allow sufficient time for local authorities to make their commitment to be Certifying Authorities and to agree the safety standards for their area with the MCA.

3.7.6 In exceptional cases where the arrangements have not been completed in time to meet the Code requirements on the day that it comes into force, the MCA may agree transitional arrangements with a local authority, based on previous (existing) arrangements followed by the authority.

3.7.7 In coastal areas where the local authority has declined an appointment as a Certifying Authority, the MCA has appointed Certifying Authorities to carry out examinations of vessels, and issue certificates to those vessels which comply with this Code.

3.7.8 When a water based recreation organisation operates within the sea area covered by the Code and is certificated for safety standards by its national sporting body, no other safety certificate will be required provided that the scheme is formally approved by the MCA. The safety certificate must carry text which recognises its authority from the MCA.
3.8 Marking of Vessels

A vessel certificated under this Code must be prominently marked with a standard marking to show compliance with the Code and the limits of the area of operation. This marking may be achieved by a suitable annual sticker issued by the Certifying Authority.

3.9 Updating of the Code

3.9.1 In addition to the arrangements for guidance on the application and interpretation of safety standards described in paragraph 3.3, the Code requirements will be reconsidered by a standing committee, comprising representatives from the Working Group organisations listed in Annex 1, not later than 1 April 2005, to take account of experience gained from its application.

3.9.2 Thereafter, the Code will be reviewed by the standing committee at intervals not exceeding five years to take into account experience and any new statutory requirements which apply to other vessels of a similar size or type, and which it might be considered reasonable to apply to vessels operating under the Code.

3.9.3 When new standards are developed and finalised by the British Standards Institution (BSI), European Committee for Standardization (CEN), International Maritime Organization (IMO), International Organization for Standardization (ISO) or any other international body which impact upon the requirements of the Code, amendment of the Code may be considered immediately.

3.9.4 The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) (Amendment) Regulations 2000 provide for any document amending the Code which is considered relevant from time to time to be specified by the Secretary of State.

4 CONSTRUCTION AND STRUCTURAL STRENGTH

The design of the hull structure and its construction must provide adequate strength and service life for the safe and effective operation of the vessel, to withstand the sea and weather conditions likely to be encountered in the area of operation at the vessel’s service draught and maximum service speed.

5 WEATHERTIGHT INTEGRITY

A decked vessel must be designed and constructed in a manner which will prevent the ingress of sea water which might threaten the safety of the vessel and those onboard.

6 WATER FREEING ARRANGEMENTS

6.1 In a decked vessel which complies with the freeboard requirements of 12.1.1 or 12.1.2, provision is to be made to efficiently clear the deck of sea water which may be taken onboard.

6.2 When a deck is fitted with bulwarks such that shipped water may be trapped behind them, the vessel must be provided with a minimum of two efficient freeing ports fitted one port and one starboard each having a clear area of at least 225 sq.cm. Smaller ports may however be accepted in a vessel having only small side decks areas in which water can be trapped, the reduced area being based on the volume of water which is likely to become so trapped.

6.3 A decked vessel which does not comply with the freeboard requirements of 12.1.1 or 12.1.2 may be treated as an open boat and be provided with bilge pumping in accordance with 10.2.
MACHINERY

7.1 Where internal combustion machinery is installed in an enclosed compartment for propulsion or other purposes, generally it is to be of a diesel engine type complying with marine standards.

7.2 A proposal to accept a marine petrol engine installation in an enclosed compartment must be submitted by the Certifying Authority to the MCA. The installation may be accepted subject to the MCA being satisfied with the safety arrangements.

7.3 Marine outboard petrol engines must comply with recognised safety standards for their fitting and operation.

7.4 A vessel is normally expected to carry a sufficient reserve of fuel in its fuel tank(s) for the duration of a voyage or excursion. However, in vessels powered by petrol engines, spare petrol must not be carried onboard unless it is judged to be essential to assure the safe completion of a voyage or excursion.

7.5 If such spare petrol is carried on board in portable containers (including spare fuel tanks), the quantity of petrol and number of containers are to be kept to a minimum. The containers are to be clearly marked and stowed on the open deck where they can be readily jettisoned and where spillage will drain directly overboard. However, in small sailing vessels which have auxiliary outboard engines with very small integral fuel tanks, a 5-litre container of petrol may be stowed in a locker in cases where it is not practical to stow the container in the open, subject to the Certifying Authority being satisfied with the proposed arrangement.

ELECTRICAL INSTALLATION

The electrical installation is to be such as to minimise the risk of fire and electric shock.

STEERING GEAR

9.1 A vessel must be provided with an efficient means of steering.

9.2 The control position is to be located such that the person conning the vessel has a clear view for the safe navigation of the vessel.

9.3 When the steering control is remote from the means of steering, an emergency means must be provided for steering the vessel in the event of failure of the main steering control. Arrangements may take the form of a tiller to fit the head of the rudder stock or a steering oar as appropriate, taking into account the nature of the operation of the vessel concerned, and are to be to the satisfaction of the Certifying Authority.

BILGE PUMPING

10.1 In a fully decked vessel complying with the freeboard requirement of 12.1 or 12.2,

.1 means must be provided to pump bilge water from each compartment;

.2 as a minimum two bilge pumps are to be fitted, one of which may be power driven and capable of draining each compartment. The location of pumps is to be such that a single hazardous event cannot immobilise all pumping ability; and

.3 when propulsion machinery is fitted in an enclosed watertight compartment, means must be provided to detect flooding and alert the skipper.
10.2 In a vessel complying with the freeboard requirement of 12.3,
.1 means must be provided to pump bilge water from each compartment;
.2 in vessels of less than 6 metres in length a minimum of one hand powered bilge pump or a bailer
or a bucket is to be provided; and
.3 in vessels of length 6 metres and over a minimum of two pumps are to be provided, one of which
may be power driven, together with a hand bailer.

11 STABILITY
The text below is the revised section 11 (MIN153 refers)
Annex 2

Extract of Section 11 of The Small Commercial Vessel and Pilot Boat Code of Practice

11  Intact Stability

11.1  All Vessels

11.1.1  General

11.1.1.1  The standard of stability to be achieved by a new vessel should be dependent on the maximum number of persons permitted to be carried and the intended area of operation.

11.1.1.2  The following vessels are required to be provided with a stability information booklet which is approved by the Certifying Authority:

.1 operation in Category 0 or 1; or
.2 carrying 16 or more persons; or
.3 carrying Cargo greater than 1000kg; or
.4 fitted with a lifting device as defined in 11.6.
.5 vessel's towing where the towed object's displacement is greater than twice the displacement of the towing vessel. See Section 11.7.

11.1.1.3  A vessel carrying 15 or less persons, carrying less than 1000kg of cargo, and operating in Area Categories other than 0 or 1 shall either comply with Section 11.1.1.2 or be subject to a simplified assessment of stability, and is not required to be provided with approved stability information.

11.1.1.4  If a vessel cannot meet the stability criteria given within Section 11, it should be specially considered by the Certifying Authority, and such cases should be reported to the Administration. Sailing vessels fitted with non fore-and-aft rigs are to be specifically considered by the Administration.

11.1.1.5  Stability of a vessel which will operate in sea areas where ice accretion can occur should be specially considered by the Administration with regard to icing allowance and stability standard. (See also Section 6.10)

11.1.1.6  For stability requirements for an inflatable vessel or a vessel fitted with a buoyant collar, see Section 11.5. For stability requirements for a decked vessel fitted with a lifting device, see Section 11.6 and for a decked vessel engaged in towing, see Section 11.7.

11.1.1.7  A sailing multihull over 6m in length should be provided with a Stability Information Booklet approved by the Certifying Authority.

11.1.1.8  Where a monohull vessel cannot comply with the specified criteria, due to its hullform displaying stability characteristics similar to that of a multihull vessel, the stability criteria for a multihull vessel may be applied, as appropriate for sailing or motor vessels.

11.1.1.9  A motor multihull type vessel failing to comply with the criteria of either Section 11.3.6 or 11.3.7 may be given special consideration. In such a case, calculations should be submitted to the Administration for assessment.

11.1.1.10 All vessels, other than those vessel's deemed unsuitable for carriage of the booklet by the Certifying Authority (i.e. vessels with no cabin or shelter), are required to carry the relevant copy
of the MCA Stability Guidance Booklet (Motor or Sail). Where a booklet is not carried on board a copy is to be made available to crew ashore. These booklets are available free of charge from the MCA or Certifying Authority. Although they contain generic safety advice, the stability and freeboard data already generated during the survey process should be appended to the booklet in the relevant section. It is the responsibility of the Certifying Authority to supply this information, and the owner/managing agent is to ensure this data is included.

11.1.1.1 The maximum permissible weights to be carried on board, determined from Sections 11 or 12, should be clearly identified in the vessel’s certificate.

11.2 Damage Survivability

11.2.1 This applies to all monohull vessels carrying 16 or more persons and those operating in Area Category 0 or 1, with 7 or more persons, subject to minimum safe manning levels being agreed by the Certifying Authority.

11.2.1.1 Vessels should be so arranged that after minor hull damage or failure of any one hull fitting in any one watertight compartment, it will satisfy the residual stability criteria below. This may be achieved by fitting water-tight subdivision or alternative methods to the satisfaction of the Certifying Authority. Minor damage should be assumed to occur anywhere in the length of the vessel but not on a watertight subdivision.

11.2.1.2 In assessing survivability, the following standard permeabilities should be used:

<table>
<thead>
<tr>
<th>Space</th>
<th>Permeability %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriated for stores</td>
<td>60</td>
</tr>
<tr>
<td>Appropriated for stores but not by a substantial quantity thereof</td>
<td>95</td>
</tr>
<tr>
<td>Appropriated for accommodation</td>
<td>95</td>
</tr>
<tr>
<td>Appropriated for machinery</td>
<td>85</td>
</tr>
<tr>
<td>Appropriated for liquids</td>
<td>0 or 95 whichever results in the more onerous requirements</td>
</tr>
</tbody>
</table>

Other methods of assessing floodable volume may be considered, to the satisfaction of the Certifying Authority.

11.2.1.3 In the damaged condition, the residual stability should be such that the angle of equilibrium does not exceed 7 degrees from the upright, the resulting righting lever curve has a range to the downflooding angle of at least 15 degrees beyond the angle of equilibrium, the maximum righting lever within that range is not less than 100mm and the area under the curve is not less than 0.015 metre radians. This damage should not cause the vessel to float at a waterline less than 75mm from the weatherdeck at any point. Proposals to accept reduced freeboard or immersion of the margin line may be accepted subject to special consideration.

11.2.2 Multihull vessels

Generally, the requirements of Section 11.2.1 for a monohull vessel should apply to a multihull vessel carrying 16 or more persons or operating in Area Category 0 and 1, with 7 or more persons. If a multihull vessel is of unconventional design or cannot meet the damage criteria given in Sections 11.2.1.1 and 11.2.1.2, the results of the calculations should be submitted to the
Administration for assessment. Additionally, multihull sailing vessels should comply with the inverted buoyancy requirements of Section 11.10.

11.3 Motor Vessels Complying with Section 11.1.1.2

11.3.1 The lightship weight, vertical centre of gravity (KG) and longitudinal centre of gravity (LCG) of a monohull vessel should be determined from the results of an inclining experiment.

11.3.2 The LCG of a multihull vessel should be obtained by a displacement check or by weighing. The KG should be determined either by calculation or by experimental means, noting however that a conventional inclining experiment may not produce satisfactory results.

11.3.3 The lightship weight may include a margin for growth, up to 5% of the lightship weight at the discretion of the Certifying Authority, positioned at the LCG and vertical centre of the weather deck amidships or KG, whichever is the higher. (The lightweight margin should not be used in practice to increase maximum cargo-deadweight.)

11.3.4 Curves of statical stability (GZ curves) should be produced for:

1. Loaded departure, 100% consumables;
2. Loaded arrival, 10% consumables;
3. Anticipated service conditions; and
4. Conditions involving lifting appliances (when appropriate).

In addition, simplified stability information in the form of a Maximum KG Curve should be provided, including a worked example to illustrate its use.

Maximum free surface moments should be included within the Loaded Departure condition, and as a minimum, factored according to tank percentage fill for all other conditions.

11.3.5 Generally, buoyant structures intended to increase the range of positive stability should not be provided by fixtures to superstructures, deckhouse, masts or rigging.

11.3.6 The curves of statical stability for the loaded conditions should meet the following criteria:

1. The area under the righting lever curve (GZ curve) should be not less than 0.055 metre – radians up to 30 degrees angle of heel and not less than 0.09 metre – radians up to 40 degrees angle of heel or the angle of downflooding if this angle is less;
2. The area under the GZ curve between the angles of heel of 30 and 40 degrees or between 30 degrees and the angle of downflooding if this less than 40 degrees, should be not less than 0.03 metre – radians;
3. The righting lever (GZ) should be at least 0.20 metres at an angle of heel equal to or greater than 30 degrees;
4. The maximum GZ should occur at an angle of heel of not less than 25 degrees; and
5. After correction for free surface effects, the initial metacentric height (GM) should not be less than 0.35 metres.

11.3.7 If a vessel of catamaran or multihull type does not meet the stability criteria given in Section 11.3.6, the vessel should meet the following criteria:
the area under the righting lever curve (GZ Curve) should not be less than 0.085 metre-radians up to \( \theta_{\text{max}} \) when \( \theta_{\text{max}} = 15^\circ \) and 0.055 metre-radians up to \( \theta_{\text{max}} \) when \( \theta_{\text{max}} = 30^\circ \).

When the maximum righting lever, GZmax, occurs between \( \theta = 15^\circ \) and \( \theta = 30^\circ \) the required area under the GZ Curve up to \( \theta_{\text{max}} \) should not be less than:

\[
A = 0.055 + 0.002(30^\circ - \theta_{\text{max}}) \text{ metre-radians}
\]

where \( \theta_{\text{max}} \) is the angle of heel in degrees at which the righting lever curve reaches its maximum.

the area under the righting lever curve between \( \theta = 30^\circ \) and \( \theta = 40^\circ \) or between \( \theta = 30^\circ \) and the angle of downflooding \( \theta_f \) if this angle is less than 40°, should not be less than 0.03 metre-radians;

the righting lever GZ should not be less than 0.2 metre at an angle of heel of 30 degrees;

the maximum righting lever should occur at an angle not less than 15 degrees; and

the initial metacentric height GM should not be less than 0.35 metre.

Vessels complying with ISO 12217 Part 1 'Small craft - Stability and buoyancy assessment and categorisation - Non-sailing boats of hull length greater than or equal to 6 metres', assessed using Options 1 or 2 of Section 5.3 – ‘Test and calculations to be applied’, may as an alternative, after verification of the stability assessment by the Certifying Authority, be assigned an area of operation in accordance with Section 11.3.9.

### Permitted areas of operation

<table>
<thead>
<tr>
<th>Permitted Area of Operation</th>
<th>MCA Code Category</th>
<th>ISO 12217 Design Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>0</td>
<td>A</td>
</tr>
<tr>
<td>Up to 150 miles from a safe haven</td>
<td>1</td>
<td>A</td>
</tr>
<tr>
<td>Up to 60 miles from a safe haven</td>
<td>2</td>
<td>B</td>
</tr>
<tr>
<td>Up to 20 miles from a safe haven</td>
<td>3</td>
<td>B</td>
</tr>
<tr>
<td>Up to 20 miles from a safe haven in favourable weather and daylight</td>
<td>4</td>
<td>C</td>
</tr>
<tr>
<td>Up to 20 miles from a nominated departure point in favourable weather and daylight</td>
<td>5</td>
<td>C</td>
</tr>
<tr>
<td>Up to 3 miles from a nominated departure point in favourable weather and daylight</td>
<td>6</td>
<td>C</td>
</tr>
</tbody>
</table>

### Motor Vessels Complying with Section 11.1.1.3

A vessel should be tested in the fully loaded conditions (which should correspond to the freeboard assigned) to ascertain the angle of heel and the position of the waterline which results when all persons which the vessel is to be certificated to carry are assembled along one side of the vessel. (The helmsman may be assumed to be at the helm.) Each person may be substituted by a mass of 75kg for the purpose of the test.
The vessel will be judged to have an acceptable standard of stability if the test shows that:

1. the angle of heel does not exceed 7 degrees; and

2. in the case of a vessel with a watertight weather deck extending from stem to stern, as described in Section 4.1.1, the freeboard to downflooding is not less than 375mm, and additionally the freeboard to deck is not less than 75mm at any point.

3. The angle of heel may exceed 7 degrees, but should not exceed 10 degrees, if the freeboard to downflooding is in accordance with that required by Section 12 in the upright condition.

11.4.2 Additionally, for vessels operating in Area Categories 2 and 3, the heeling moment applied during the test described in 11.4.1 should be calculated. Using the formula below, the vessel should attain a value of initial GM not less than 0.5m if using an estimated displacement, or 0.35m if the displacement of the vessel is known as can be verified by the Certifying Authority.

\[ GM = \frac{57.3 \times HM \times \Delta}{\theta} \]

where:
- HM = Heeling moment in kilogramme-metres
- \theta = angle of heel in degrees obtained from the test as defined in 11.4.1
- \Delta = the displacement of the vessel in kilogrammes, either estimated, or measured and verified by the Certifying Authority

11.4.3 For vessels carrying a combination of passengers and cargo, for which the cargo element does not exceed 1000kg (see definitions), the test defined in Section 11.4.1 should be carried out with the full complement of passengers and cargo, and additionally with passengers only. For the purposes of these tests the cargo may be assumed to retained at its normal stowage position.

11.4.3.1 In all cases, the maximum permissible weights of passengers and/or cargo derived from the tests conducted shall be recorded on the certificate. Vessel loading will be restricted by the position freeboard mark and maximum permissible weight, and thus for the purposes of this test, attention should be paid to any activity related equipment where this may be significant, e.g. diving equipment.

11.4.4 It should be demonstrated by test or by calculation that an open boat, when fully swamped, is capable of supporting its full outfit of equipment, the total number of persons for which it is to be certificated and a mass equivalent to its engine and full tank of fuel.

11.4.5 Vessels complying with ISO 12217 Part 1 ‘Small craft - Stability and buoyancy assessment and categorisation - Non-sailing boats of hull length greater than or equal to 6 metres’, assessed using any Option of Section 5.3 – ‘Test and calculations to be applied’, may as an alternative, after verification of the stability assessment by the Certifying Authority, be assigned an area of operation in accordance with Section 11.3.9.

11.5 Inflatable Boats or Boats Fitted With a Buoyant Collar

These requirements apply to an inflatable boat, rigid inflatable boat or those vessels with a buoyant collar. Unless a boat to which the Code applies is completely in accordance with a standard production type, for which the Certifying Authority is provided with a certificate of approval for the tests which are detailed below, the tests required to be carried out on a boat floating in still water are:
11.5.1 Stability Tests

11.5.1.1 The tests should be carried out with all the vessels’ equipment, fuel, cargo, activity related equipment (e.g. diving equipment) and number of persons for which it is to be certificated, on-board. The engine, equipment and cargo may be replaced by an equivalent mass. Each person may be substituted by a mass of 75kg for the purpose of the tests:-

11.5.1.2 The maximum number of persons for which a boat is certified should be crowded to one side, with half this number seated on the buoyancy tube. This procedure should be repeated with the persons seated on the other side and at each end of the inflatable boat, rigid inflatable boat or vessel with a buoyant collar. For the purposes of these tests the cargo, or equivalent alternative mass, should be to retained at its normal stowage position. In each case the freeboard to the top of the buoyancy tube should be recorded. Under these conditions the freeboard should be positive around the entire periphery of the boat.

11.5.2 Damage tests – inflatable boats

11.5.2.1 The tests should be carried out with all the vessels’ equipment, fuel, cargo, activity related equipment (e.g. diving equipment) and number of persons for which it is to be certificated, on-board. The engine, equipment and cargo may be replaced by an equivalent mass. Each person may be substituted by a mass of 75kg for the purpose of the tests:-

The tests will be successful if, for each condition of simulated damage, the persons for which the inflatable boat or rigid inflatable boat is to be certificated are supported within the inflatable boat or rigid inflatable. The conditions are:-

.1 with forward buoyancy compartment deflated (both sides if appropriate);
.2 with the entire buoyancy, from the centreline at the stem to the transom, on one side of the inflatable boat or rigid inflatable boat deflated.

11.5.2.2 Purely inflatable boats failing to meet Section 11.5.2.1 may be specially considered by the Certifying Authority, taking into account operational service limitations.

11.5.3 Swamp test

11.5.3.1 It should be demonstrated that, when fully swamped, the vessel is capable of supporting its full outfit of equipment, the total number of persons and equivalent mass of cargo for which it is to be certificated, and a mass equivalent to its engine and full tank of fuel.

11.5.3.2 In the swamped condition the inflatable boat, rigid inflatable boat or vessel with a buoyant collar, should not be seriously deformed.

11.5.3.3 An adequate means of draining the boat should be demonstrated at the conclusion of this test.

11.5.4 Person recovery stability test

Two persons should recover a third person from the water into the vessel. The third person should feign to be unconscious and be back towards the inflatable boat or rigid inflatable boat so as not to assist the rescuers. Each person involved should wear an approved lifejacket. The vessel should remain stable throughout the operation, and should not capsize.

11.6 Vessel Fitted with a Deck Crane or other Lifting Device

11.6.1 For the purposes of Section 11 only, a lifting device does not include a person retrieval system, the vessel’s own anchor handling equipment, or davits for tenders, where judged by the Certifying Authority not to have a detrimental effect on the stability of the vessel.
11.6.2 Reference should be made to Section 25.4 for requirements for safety standards other than stability for a vessel fitted with a deck crane or other lifting device.

11.6.3 A vessel fitted with a deck crane or other lifting device should be a decked vessel (or assessed in accordance with Section 4.1.3.2) and comply with the general requirements of Section 11, which are appropriate to it.

In addition, with the vessel in the worst anticipated service condition for lifting operations, compliance with the following criteria should be demonstrated by a practical test or by calculations.

1. With the crane or other lifting device operating at its maximum load moment, with respect to the vessel, the angle of heel generally should not exceed 7 degrees or that angle of heel which results in a freeboard to deck edge anywhere on the periphery of the vessel of 250mm, whichever is the lesser angle. (Consideration should be given to the operating performance of cranes or other lifting devices of the variable load-radius type and the load moment with respect to the vessel for lifting devices situated off centreline).

2. When an angle of heel greater than 7 degrees but not exceeding 10 degrees occurs, the Certifying Authority may accept the lifting condition providing that all the following criteria are satisfied when the crane or other lifting device is operating at its maximum load moment:

   1. the range of stability from the angle of static equilibrium to downflooding or angle of vanishing stability, whichever is the lesser, is equal to or greater than 20 degrees;

   2. the area under the curve of residual righting lever, up to 40 degrees from the angle of static equilibrium or the downflooding angle, if this is less than 40 degrees, is equal to or greater than 0.1 metre-radians; and

   3. the minimum freeboard to deck edge fore and aft throughout the lifting operations should not be less than half the assigned freeboard to deck edge at amidships. For vessels with less than 1000mm assigned freeboard to deck edge amidships the freeboard fore or aft should not be less than 500mm.

   4. The freeboard to deck edge anywhere on the periphery of the vessel is at least 250mm.

11.6.4 Information and instructions to the skipper on vessel safety when using a deck crane or other lifting device should be included in the Stability Information Booklet. The information and instructions should include:

   1. the maximum permitted load and outreach which satisfy the requirements of Section 11.6.2, or the Safe Working Load (SWL), whichever is the lesser (operating performance data for a crane or other lifting device of variable load-radius type should be included as appropriate);

   2. details of all openings leading below deck which should be secured weathertight; and

   3. the need for all personnel to be above deck before lifting operations commence.

11.6.5 Requirements for a lifting system which incorporates counterbalance weight(s) or vessels that cannot comply with the requirements of Section 11.6.2 but is deemed to have adequate residual stability should be specially considered by the MCA.
11.7 Vessel Engaged in Towing

11.7.1 Reference should be made to Section 25.2 for requirements for safety standards other than stability for a vessel engaged in towing.

11.7.2 Generally, a vessel engaged in towing should be a decked vessel (or assessed in accordance with Section 4.1.3.2) and comply with the general requirements of Section 11 which are appropriate to the vessel.

11.7.3 The danger to safety of deck edge immersion makes an open boat (other than those assessed in accordance with Section 4.1.3.2) unsuitable for towing other vessels or floating objects.

11.8 Sailing Monohull Vessels Complying with Section 11.1.1.2

11.8.1 The centre of gravity (KG) of a vessel should be established by an inclining experiment and curves of statical stability (GZ curve) for the loaded departure 100% consumables and loaded arrival 10% consumables should be produced.

Notes:
1. The above condition may include a margin for growth up to 5% of the lightweight, at the discretion of the Certifying Authority, with the VCG positioned at the upper deck amidships.
2. Buoyant structures intended to increase the range of positive stability should not be provided by fixtures to either a mast, rigging, or superstructure.
3. For standard production series built vessels, the statical stability (GZ) may be derived from an inclining experiment conducted on another vessel of the series, subject to corrections for differences in outfit, to the satisfaction of the Certifying Authority.
4. Maximum free surface moments should be included within the loaded departure condition, and as a minimum, factored according to tank percentage fill for the loaded arrival condition.

11.8.2 The GZ curves required by Section 11.8.1 should have a positive range of not less than the angle determined by the formula in the table in Section 11.9.5, or 90°, whichever is the greater.

11.8.3 In addition to the requirements of Section 11.8.2, the angle of steady heel obtained from the intersection of a “derived wind heeling lever” curve with the GZ curves referred to in Section 11.8.1 above should be greater than 15 degrees (see Figure 11.1).

In Figure 1

\[ \text{‘DWHL’ = the “derived wind heeling lever” at any angle } \theta \text{ degrees} \]

\[ = 0.5 \times \text{WL}_0 \times \cos^{1.3} \theta \]

where \( \text{WL}_0 = \frac{\text{GZ}_f}{\cos^{1.3} \theta} \)
Noting that, when using this method:-

WLO - is the magnitude of the actual wind heeling lever at 0 degrees which would cause the vessel to heel to the ‘down flooding angle’ (θf) or 60 degrees whichever is least.

GZf - is the lever of the vessel’s GZ at the ‘down flooding angle’ (θf) or 60 degrees whichever is least.

θd - is the angle at which the ‘derived wind heeling’ curve intersects the GZ curve. (If θd is less than 15 degrees the vessel will be considered as having insufficient stability for the purpose of the Code).

θf - is the ‘critical down flooding angle’ and is deemed to occur when openings having an aggregate area, in square metres, greater than:-

\[
\frac{\text{vessel’s displacement in tonnes}}{1500}
\]

are immersed.

Moreover, it is the angle at which the lower edge of the actual opening which results in critical flooding becomes immersed. All openings regularly used for crew access and for ventilation should be considered when determining the downflooding angle. No opening regardless of size which may lead to progressive flooding should be immersed at an angle of heel of less than 40 degrees. Air pipes to tanks can, however, be disregarded.

If as a result of immersion of openings in a deckhouse a vessel cannot meet the required standard those deckhouse openings may be ignored and the openings in the weather deck used instead to determine θf. In such cases the GZ curve should be derived without the benefit of the buoyancy of the deckhouse.

It might be noted that provided the vessel complies with the requirements of Section 11.8.1, 11.8.2 and 11.8.3 and it is sailed with an angle of heel which is no greater than the ‘derived angle of heel’, it should be capable of withstanding a wind gust equal to 1.4 times the actual wind velocity (i.e. twice the actual wind pressure) without immersing the ‘down flooding openings’, or heeling to an angle greater than 60 degrees.
11.8.4 Vessels complying with ISO 12217 Part 2 ‘Small craft - Stability and buoyancy assessment and categorisation - Sailing boats of hull length greater than or equal to 6 metres’, assessed using Options 1 and 2 of Section 6.1 – ‘Requirements to be applied’, may as an alternative, use the righting lever curve produced for this standard, verified and corrected in accordance with Annex 12 to perform the calculations required by Section 11.8.3. In this case the calculated steady heel angle is to be reduced by 20%. The permitted area of operation is to be assigned in accordance with Section 11.9.5.

11.8.5 A Stability Information Booklet, based on the Administration’s model booklet, should be submitted to and approved by the Certifying Authority and placed on-board the vessel. The booklet should include details of the maximum steady angle of heel for the worst sailing condition. The steady angle of heel is to be calculated in accordance with Section 11.8.3 or 11.8.4. The booklet should also include curves of maximum recommended steady angle of heel for the prevention of downflooding in the event of squall conditions. Details of the development of such curves are given in the Model Stability Information Booklet.

11.9 Sailing Monohull Vessels Complying with Section 11.1.1.3

11.9.1 General

The stability of a vessel should be determined by one of the methods discussed below and its area of operation should be dependent upon the standard which it is shown to achieve.

11.9.2 Vessels without external ballast keels

Method 1

.1 The centre of gravity (KC) of a vessel should be established by an inclining experiment and a curves of statical stability (GZ curves) for the loaded departure with 100% consumables and loaded arrival 10% consumables, should be produced.

Notes:

1. The above conditions may include a margin for growth up to 5% of the lightweight, at the discretion of the Certifying Authority, with the VCG positioned at the upper deck amidships.

2. Buoyant structures intended to increase the range of positive stability should not be provided by fixtures to either a mast, rigging, or superstructure.

3. For standard production series built vessels, the statical stability (GZ) may be derived from an inclining experiment conducted on another vessel of the series, subject to corrections for differences in outfit, to the satisfaction of the Certifying Authority.

.2 Permitted area of operation

The permitted area of operation is dependent upon a vessel’s range of stability as indicated in the table in Section 11.9.5. (The range of stability is to be at least 90° in all cases)

.3 For Category 6 vessels, it may be demonstrated by test or calculation, that an open sailing boat when fully swamped is capable of supporting its full outfit of equipment and the total number of persons for which it is to be certificated. Sailing dinghies (small non-decked boats generally in the range of 2.5 to 6 metres in length which are not mechanically propelled) and small un-ballasted sailing dayboats are to be capable of being righted by their crew after inversion.
Method 2

1. By the full application verified or performed by a Certifying Authority as required, of ISO12217 Part 2 ‘Small craft – Stability and buoyancy assessment and categorisation – Sailing boats of hull length greater than or equal to 6 metres’, in accordance with Section 11.9.5. Vessels under 6 metres in length may not be considered by this method.

2. The permitted area of operation is dependent upon a vessel’s assigned Design Category as indicated in the table in Section 11.9.5.

11.9.3 Vessels fitted with external ballast keels

1. The stability assessment of a vessel may be made by any one of the following methods:

Method 1 - as for vessels without external ballast keels, see 11.9.2 above;

Method 2 - by the full application verified or performed by a Certifying Authority as required, of ISO12217 Part 2 ‘Small Craft – Stability and Buoyancy Assessment and Categorisation – Sailing Boats of hull length greater than or equal to 6m’ in accordance with 11.9.5. Vessels under 6m in length may not be considered by this method.

Method 3 - by the ‘STOPS’ Numerical developed by the Royal Yachting Association (RYA) and discussed in Section 11.9.4.

Notes:- For vessels fitted with one or more top-weight items, examples of which are given below, the ballast ratio should be modified as follows:-

Moments are to be taken about the vertical centre of gravity (KG) of the vessel, which is assumed to be at the waterline. The heeling moments attributed to the top-weight items are resolved, and the ballast weight is reduced, using the formula below.

\[
CBW = \frac{TW \times H}{(DCB + DK/2)}
\]

Noting that:-

CBW is the correction to the ballast weight

TW is the weight of the top-weight items being considered

H is the height of the vertical centre of gravity above the waterline.

DCB is the draught of the canoe body, taken by measuring the maximum draught at 1/8 of the full beam from the centreline in way of the transverse section, at greatest beam.

DK is the depth of the keel, taken as the distance between the draught of the canoe body and the bottom of the keel.
Examples of top-weight items are given below:

roller furling headsail;
in-mast or behind-mast roller furling mainsail;
a radar antenna mounted higher than 30% of the length of the vessel above the waterline.

Ballast weight reductions are to be conducted to the satisfaction of the Certifying Authority.

Permitted area of operation

The permitted area of operation is dependent upon a vessel’s range of stability, STOPS Numeral, or Design Category as indicated in the table in 11.9.5.

Assessment using the RYA ‘STOPS’ numeral or use of SSS numeral calculated by the Royal Ocean Racing Club.

1 A vessel can have its area of operation based upon the RYA STOPS Numeral.

Information on the derivation of the STOPS numeral may be obtained from the Certifying Authority.

Once the STOPS Numeral has been determined, it is necessary to study the table in Section 11.9.4 to ascertain the permitted area of operation.

2 A SSS numeral calculated by the RORC will be accepted in place of a STOPS numeral, provided that it includes a self righting factor based on an inclining experiment and shown on a valid IRC or IMS rating certificate.
### 11.9.5 Table showing permitted areas of operation, STOPS Numerals and Design Categories for a vessel operating in area categories other than 0 or 1 and carrying 15 or less persons.

<table>
<thead>
<tr>
<th>Permitted Area of Operation</th>
<th>MCA Code Category</th>
<th>Range of Stability</th>
<th>Stops Numeral</th>
<th>ISO 12217 Design Category</th>
<th>Permitted ISO Stability Assessment Options</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>0</td>
<td>90+60x(24- LOA)/17</td>
<td>N/A</td>
<td>A</td>
<td>1</td>
</tr>
<tr>
<td>Up to 150 miles from a safe haven</td>
<td>1</td>
<td>90+60x(24- LOA)/17</td>
<td>N/A</td>
<td>A</td>
<td>1</td>
</tr>
<tr>
<td>Up to 60 miles from a safe haven</td>
<td>2</td>
<td>90+60x(24- LOA)/20</td>
<td>30</td>
<td>B</td>
<td>1</td>
</tr>
<tr>
<td>Up to 20 miles from a safe haven</td>
<td>3</td>
<td>90+60x(24- LOA)/25</td>
<td>20</td>
<td>B</td>
<td>1</td>
</tr>
<tr>
<td>Up to 20 miles from a safe haven in favourable weather and daylight</td>
<td>4</td>
<td>90+60x(24- LOA)/25</td>
<td>20</td>
<td>C</td>
<td>1 and 2</td>
</tr>
<tr>
<td>Up to 20 miles from a nominated departure point in favourable weather and daylight</td>
<td>5</td>
<td>90+60x(24- LOA)/25</td>
<td>20</td>
<td>C</td>
<td>1 and 2</td>
</tr>
<tr>
<td>Up to 3 miles from a nominated departure point in favourable weather and daylight</td>
<td>6</td>
<td>90+60x(24- LOA)/25</td>
<td>14</td>
<td>C</td>
<td>1,2,5 and 6</td>
</tr>
</tbody>
</table>

### 11.10 Sailing Multihull Vessels

The stability of multihull sailing vessels over 6m in length should be assessed using ISO 12217 – Part 2, which includes a requirement that the vessel shall float after an inversion without the benefit of any trapped air pockets other than dedicated air tanks or watertight compartments. Vessels under 6m are to be specially considered by the Administration.

11.10.1 A multihull vessel should be provided with a Stability Information Booklet based on the Administration’s model booklet, giving details of the maximum advised mean apparent windspeeds for each expected combination of sails that may be set, as derived from ISO 12217 – ‘Part 2 - Small craft - Sailing and buoyancy assessment and Categorisation sailing boats of hull length greater than or equal to 6 metres’. These windspeeds should be presented in knots, and be accompanied by the note, “In the following winds, the tabulated safe windspeed for each sail combination should be reduced by the boat speed.”

11.10.2 For the purposes of the application of ISO 12217 to coded vessels, the maximum safe wind speed shall be taken as the lesser of the values calculated by the formulae below, instead of those given in G.1 of the ISO standard. Both pitch and roll moments shall be calculated for all vessels.
or

\[ v_W = 1.5 \frac{LM_R}{\sqrt{A_S h \cos \phi_s + A_b b}} \]

\[ v_W = 1.5 \frac{LM_P}{\sqrt{A_S h \cos \phi_p + A_b b}} \]

where:
- \( v_W \) = maximum safe apparent wind speed (knots)
- \( LM_R \) = limiting restoring moment in roll
- \( LM_P \) = limiting restoring moment in pitch
- \( A_S \) = area of sails set including mast and boom (square metres)
- \( h \) = height of centroid of sails and spars above the waterline
- \( \phi_s \) = heel angle at maximum roll righting moment (in conjunction with \( LM_R \))
- \( \phi_p \) = limiting pitch angle used when calculating \( LM_P \) (in conjunction with \( LM_P \))
- \( A_D \) = plan area of the hulls and deck (square metres)
- \( b \) = distance from centroid of \( A_D \) to the centreline of the leeward hull

Derivation of the maximum advised apparent windspeeds, and the Stability Information Booklet, is to be submitted to the Certifying Authority for approval. Evidence should be provided as to the derivation of the stability data.

The permitted area of operation should be determined by the design category, and the maximum safe apparent wind speed with no sails set, with reference to both the following table:

<table>
<thead>
<tr>
<th>Permitted Area of Operation</th>
<th>MCA Code Category</th>
<th>ISO 12217 Design Category</th>
<th>&quot;Bare Poles&quot; safe windspeed should exceed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>0</td>
<td>A</td>
<td>36 knots</td>
</tr>
<tr>
<td>Up to 150 miles from a safe haven</td>
<td>1</td>
<td>A</td>
<td>36 knots</td>
</tr>
<tr>
<td>Up to 60 miles from a safe haven</td>
<td>2</td>
<td>B</td>
<td>32 knots</td>
</tr>
<tr>
<td>Up to 20 miles from a safe haven</td>
<td>3</td>
<td>B</td>
<td>28 knots</td>
</tr>
<tr>
<td>Up to 20 miles from a nominated departure point in favourable weather and daylight</td>
<td>4</td>
<td>C</td>
<td>25 knots</td>
</tr>
<tr>
<td>Up to 3 miles from a nominated departure point in favourable weather and daylight</td>
<td>5</td>
<td>C</td>
<td>25 knots</td>
</tr>
</tbody>
</table>

11.10.3 Trimarans for operation in Areas 0 or 1 shall have sidehulls each having a total buoyant volume of at least 200% of the displacement volume in the fully loaded condition. Trimarans for operation in Area 2 shall have sidehulls each having a total buoyant volume of at least 150% of the displacement volume in the fully loaded condition.
11.10.4 All sailing multihulls over 12 metres length shall be fitted with an emergency escape hatch in each main inhabited watertight compartment to permit the exit of personnel in the event of an inversion. Such escape hatches shall be located above both upright and inverted waterlines.

11.11 Approval of Intact and Damage Stability

11.11.1 A vessel not required to have an approved Stability Information Booklet.

A vessel for which stability is assessed on the basis of practical tests or simplified methods, defined in Section 11 of the Code, conducted by a competent person(s), should be approved by the Certifying Authority. In order to give approval, the Certifying Authority should be satisfied that the requirements have been met, accepting the results obtained and keeping a detailed record of the procedure of the tests or calculations and the results which were accepted.

The Certifying Authority should file the details in the records retained for the vessel, and these details are to be entered on the certificate. See section 11.1.1.10 for requirements for the carriage of a Stability Guidance Booklet.

11.11.2 A vessel required to have an approved Stability Information Booklet.

11.11.2.1 The owner(s) should be responsible for the inclining test of a vessel to be undertaken by competent persons and for the calculation of the lightship particulars, which are used in the stability calculations.

11.11.2.2 A person competent to the satisfaction of the Certifying Authority should witness the inclining test of a vessel and be satisfied as to conditions and the manner in which the test is conducted.

11.11.2.3 The owner(s) of a vessel should be responsible for the submission of the Stability Information Booklet, based on the Administration’s model booklet prepared by a competent person(s), the content and form in which stability information is presented, its accuracy and its compliance with the requirements of Section 11 for the standard required for the vessel. The owner(s) should submit three (3) copies of the booklet to the Certifying Authority for approval.

11.11.2.4 When satisfied with the form and content of the Stability Information Booklet (including satisfaction with the competency of the person(s) who produced the booklet, methods and procedures used for calculations, the stability standard achieved and instructions which may be given to the skipper but excluding accuracy of hull form data), the Certifying Authority should stamp the booklet with an official stamp which contains the name of the Certifying Authority, the date of approval, a file (or record) reference, number of pages in the booklet and "APPROVED FORM AND CONTENT".

Two (2) copies of the approved booklet should be returned to the owner(s). The owners should be instructed to confirm that one (1) copy has been placed on the vessel and will be retained on the vessel at all times for use by the skipper. The second booklet is for the record of the owner(s).

The Certifying Authority should retain the third copy of the approved booklet in the records kept for the vessel.

11.11.3 A vessel required to have approved damage stability information

11.11.3.1 The owner(s) of a vessel should be responsible for the submission of the damage stability calculations prepared by a competent person(s), their accuracy (including methods and procedures used for calculations) and compliance with the requirements of Section 11.2.

The owner(s) should submit two (2) copies of the calculations to the Certifying Authority for approval.
11.11.3.2 The Certifying Authority should approve the results of the damage stability cases provided the results meet the standard defined in Section 11.2.

Approval (of the results but not the accuracy of the calculations) should be given in a formal letter from the Certifying Authority to the owner(s) and a copy of the calculations returned marked with the name of the Certifying Authority, the date and “RESULTS APPROVED”.

11.11.4 Guidance on stability assessment

It should be noted that the Certifying Authority may require a full stability analysis for a vessel which has been modified from the original design, particularly if the freeboard has been significantly reduced or the modification has involved the addition of, for example, a mast-furled main sail, a roller-reefing headsail, a radar antenna or any other item of equipment which may have caused the position of the vertical centre of gravity to be situated at a higher level than that intended by the designer.
12 FREEBOARD

12.1 Motor Vessels

12.1.1 A vessel with a continuous watertight weather deck, which is neither stepped nor recessed nor raised, must have a freeboard measured down from the lowest point of the weather deck of not less than 300mm for a vessel of 7 metres in length or under and not less than 750mm for a vessel of 18 metres in length or over. For a vessel of intermediate length the freeboard is determined by linear interpolation.

12.1.2 A vessel with a continuous watertight weather deck, which may be stepped, recessed or raised, must have a freeboard measured down from the lowest point of the weather deck of not less than 200mm for a vessel of 7 metres in length or under and not less than 400mm for a vessel of 18 metres in length or over. For a vessel of intermediate length the freeboard is determined by linear interpolation. The raised portion(s) of the watertight weather deck is to extend across the full breadth of the vessel and the average freeboard over the length of the vessel must comply with 12.1.1 for a vessel with a continuous watertight weather deck.

12.1.3 A vessel other than one complying with 12.1.1 or 12.1.2 above must have a clear height of side (i.e. a freeboard between the waterline and the lowest point of the gunwale) of not less than 400mm for a vessel of 7 metres in length or under and not less than 800mm for a vessel of 18 metres in length or over. Minimum freeboard for a vessel of intermediate length is to be determined by linear interpolation.
interpolation. The clear height of side is measured to the top of the gunwale or capping or to the top of the wash strake if one is fitted above the capping.

12.1.4 An existing vessel which does not meet the freeboard requirements given in 12.1.1 - .3 above but has an operational freeboard which has been shown to be adequate in use over a period of at least 5 years may be accepted by the Certifying Authority on the basis of a restriction of operations to the area and season(s) of the year on which its safe history has been accepted. The restrictions are to be recorded on the certificate for the vessel.

12.1.5 A vessel is to be permanently marked at amidships port and starboard with a freeboard mark comprising a horizontal line 300mm in length and 25mm in depth. The marks are to be painted black on a light background or white (or yellow) on a dark background. The top of the marking should be positioned at the waterline corresponding to the maximum draught at which the stability of the vessel has been determined.

12.1.6 A vessel must not operate in a condition which will result in its freeboard marks being submerged when it is at rest and upright in calm water.

12.2 Inflatable Boats

12.2.1 The freeboard of an inflatable boat or rigid inflatable boat must not be less than 300mm measured from the upper surface of the buoyancy tubes and not less than 250mm at the lowest point of the transom, with the inflatable boat or rigid inflatable boat in the following conditions and with the drainage socks (if fitted) tied up:

1. the inflatable boat or rigid inflatable boat with all of its equipment;
2. the inflatable boat or rigid inflatable boat with all of its equipment, engine and fuel (or replaced by items of equivalent mass);
3. the inflatable boat or rigid inflatable boat with all of its equipment and number of persons for which it is to be certificated, each person having an average mass of 75kg, so arranged that a uniform freeboard is achieved at the side buoyancy tubes; and
4. the inflatable boat or rigid inflatable boat with all of its equipment and number of persons for which it is to be certificated, engine and fuel (or replaced by items of equivalent mass) and the boat trimmed as necessary to represent a normal operating condition.

12.2.2 An inflatable boat or a rigid inflatable boat which does not meet the freeboard requirement of 12.2.1 above at the transom may still be accepted by the Certifying Authority provided it can be demonstrated that the boat is self-draining when moving ahead, and has a substantial reserve of buoyancy. The Certifying Authority should record such an acceptance in its report for the vessel (report form SCV2).

12.2.3 An inflatable boat or a rigid inflatable boat is not required to be provided with a freeboard mark.

12.3 Sailing Vessels

12.3.1 Vessels of 15 metres in length and over are to have a permanent freeboard mark of 300mm in length and 25mm in depth placed on each side of the hull at amidships, the top of the marking being positioned at the waterline corresponding to the maximum draught for which the vessel has been certificated.

12.3.2 The vessel is not to be operated in any condition which will result in its freeboard marks being submerged when it is at rest and upright in calm water.
13 LIFE-SAVING APPLIANCES

13.1 The following life-saving appliances are the minimum which are to be provided onboard:-

- Liferaft(s) for 100%
- 2 Lifebuoys (1 with a light & 1 with a buoyant line)
- Lifejackets for 100%
- 2 Red hand flares
- 2 Buoyant or hand held smoke signals
- VHF radio requirements (Section 16.1)
- Life-saving Signals Table (2 x SOLAS No. 2 or 1 x SOLAS No. 1)
- Instruction manual

13.2 Inflatable liferafts, hydrostatic release units (other than the types which have a date limited life and are test “fired” prior to disposal) and gas inflatable lifejackets must be serviced annually at a service station approved by both the manufacturer and the MCA.

13.3 Liferafts

13.3.1 Liferafts are to be of either a DETR approved type (non-SOLAS including reversible or SOLAS) or Offshore Racing Council (ORC) type. A liferaft need not be fitted with insulated floor or canopy. The liferaft equipment is to be to DOT approved standard and comprise either a “SOLAS B PACK” for the ORC type or the contents of a “DOT(UK)E PACK” (as provided for open reversible liferafts on Class VI(A) passenger ships which do not proceed more than 3 miles from land) as follows:-

1. one buoyant rescue quoit attached to at least 30 metres of buoyant line;
2. two non-folding safety knives with buoyant handle secured to the liferaft by a light line and stowed in a pocket on the upper buoyancy tube adjacent to the painter;
3. one buoyant bailer plus lanyard;
4. two sponges;
5. one sea anchor permanently attached to the liferaft for ready deployment when the liferaft inflates;
6. two buoyant paddles;
7. one first aid outfit in a waterproof case;
8. one whistle or equivalent sound signal;
9. one waterproof electric torch suitable for Morse signalling;
10. two red hand flares;
11. one repair outfit for repairing punctures in buoyancy compartments; and
12. one topping-up pump or bellows.

13.3.2 For each liferaft, the equipment which is not attached to the liferaft may be either packed into the liferaft by the liferaft manufacturer and the contents listed on the certificate for the liferaft or listed and stowed in a suitable protective grab bag which is sited in a prominent position for ready transfer to the liferaft in an emergency.

13.3.3 For vessels of load line length less than 12 metres, an acceptable liferaft must be provided. Acceptable in this context means either of the DETR approved type, or the Offshore Racing Council (ORC) type with float free arrangements.

13.3.4 A liferaft may be either:-
.1 preferably stowed on the weather deck in an open space in an approved glass re-inforced plastic container and fitted with a float free arrangement (Hydrostatic Release Unit) so that the liferaft floats free and inflates automatically; or alternatively

.2 stowed in a glass re-inforced plastic container or valise in a readily accessible and dedicated weathertight locker or enclosure opening directly onto the weather deck.

13.3.5 Equivalent arrangements

13.3.5.1 For both new and existing motor and sailing vessels, the Certifying Authority may consider waiving the requirement for a liferaft in the case of a non-decked or partially decked vessel of less than 6 metres in load line length, provided that the boat is fitted with sufficient solid buoyancy to keep her afloat when flooded to the gunwales in the fully loaded condition, and that adequate and suitable grab lines or rails, or bilge keels are provided and maintained.

13.3.5.2 For such vessels, it must be demonstrated by test or by calculation that the vessel when fully swamped is capable of supporting its full outfit of equipment, the total number of persons for which it is to be certificated and a mass equivalent to its engine and fuel tank (where fitted).

13.3.5.3 In the case of both new and existing inflatable boats, the Certifying Authority may consider waiving the requirement for a liferaft in the case of an inflatable boat or rigid inflatable boat which can satisfactorily survive a damage test and a swamp test as described in paragraph 11.3.4.

13.4 Lifejackets

13.4.1 Lifejackets must be Maritime and Coastguard (DETR) approved or comply with BS EN 396 of 150N or BS EN 399 of 275N. No more than two different types of lifejacket are permitted on any vessel, to limit any confusion in use. Lifejackets which comply with BS 3595 and with a current servicing certificate as appropriate may continue to be used on existing vessels. DETR approved 100N buoyancy aids and modified Civil Aviation Authority (CAA) lifejackets are not acceptable.

13.4.2 If the lifejackets are inflatable an additional 10% or 2, whichever is the greater, must be provided.

13.4.3 A sufficient number of lifejackets must be provided for children carried on the vessel.

13.4.4 A lifejacket must be fitted with a whistle and retro-reflective tape, but need not be provided with a light.

13.4.5 Vessels used exclusively for dive charter, where divers wearing an immersion suit are carried on board together with their equipment, may be accepted with lifejackets carried only for the crew and non-diving personnel (eg dive supervisors), subject to the Certifying Authority being satisfied with the proposed arrangements.

13.5 Lifebuoys

If the lifebuoys provided are of the horseshoe light weight type, the horseshoe lifebuoy fitted with a light is also to be fitted with a drogue (the drogue is required to prevent the horseshoe lifebuoy being blown across the sea surface at high speed).

13.6 Retro-Reflective Marking

All life-saving equipment must be marked in accordance with the guidelines in Merchant Shipping Notice No. M.1444 - Use and fitting of retro-reflective material on life-saving appliances.

13.7 Life-Saving Signals Table
In a non-decked vessel, where it is not practicable to provide onboard a signals table then this requirement may be waived.

13.8 Instruction Manual

This must contain instructions for onboard maintenance of the life-saving appliances, which may be kept ashore by the owner/managing agent in the case of an open boat. It is to include the following where applicable:-

.1 a check list for use when carrying out the required inspections;
.2 maintenance and repair instructions (including a list of replaceable parts and sources for spare parts, and a log of records of inspection and maintenance);
.3 schedule of periodic maintenance;

14 FIRE SAFETY

14.1 Machinery compartment boundaries must be of an adequate standard, such that a fire fighting medium released/injected into the compartment can be retained sufficiently to extinguish a fire.

14.2 Insulation within the machinery compartment must be non-combustible (not readily ignitable can be accepted in existing vessels) and be impervious to impregnation by oil or oil vapour.

14.3 Suitable means are to be provided such that a machinery compartment may be kept clean, and to contain any oil spillage for discharge to a disposal facility ashore. Oily water must not be discharged into the sea.

14.4 Installation of equipment using liquid petroleum gas (LPG) or similar gas must be specially considered and approved by the Certifying Authority. All LPG installations must comply with BS 5482 Part 3.

14.5 In general, at least two means of escape are to be provided from compartments (machinery or accommodation) within the vessel which could otherwise be a fire trap. In existing vessels, in special circumstances a single means of escape may be accepted provided smoke and/or heat detectors with alarms are provided as appropriate to give early warning of a fire.

15 FIRE APPLIANCES

15.1 As appropriate to the vessel configuration, the following are to be provided.

15.1.1 One manual fire pump (outside the engine space) or one power driven fire pump (outside the engine space)*, with sea and hose connections, capable of delivering one jet of water to any part of the ship through hose and nozzle. One fire hose of adequate length with 10mm nozzle and suitable spray nozzle; or

One multi-purpose portable fire extinguisher certified and marked with EN 3 by an accredited certification body within their scope of accreditation or equivalent standard, with minimum fire rating of 13A/113B, or smaller extinguishers giving the equivalent fire rating (in addition to that required below).

15.1.2 Not less than two portable multi-purpose fire extinguisher certified and marked with EN 3 by an accredited certification body within their scope of accreditation or equivalent standard, with minimum fire rating of 5A/34B. In vessels fitted with accommodation spaces, not less than one such extinguisher must be provided at each exit from the accommodation spaces to the open deck.

15.1.3 At least two fire buckets with lanyards. Buckets may be of metal, plastic or canvas and should be suitable for their service.
15.1.4 One fire blanket to BS 6575 (light duty type) or EN 1869, which should be positioned such that it is available for immediate use in the event of a fire in the galley or cooking area.

15.1.5 For any enclosed engine space, a fixed fire extinguishing system which is remotely operated from outside that space. Such a system may consist of a portable fire extinguisher arranged to discharge into the space from a safe location outside.

15.2 In a vessel of length less than 6 metres which is not fitted, or is only partially fitted, with a watertight weather deck and with no cooking appliances, a single extinguisher capable of discharging into the engine space is to be fitted.

15.3 In a non-decked (or partially decked) sailing vessel with no engines and no cooking appliances, no fire extinguisher is required.

15.4 Notes

15.4.1 With regard to the fire pump asterisked in paragraph 15.1.1 (*), this may be one of the pumps required by Section 10 when fitted with a suitable change over arrangement which is readily accessible. The source of power for the fire pump must be sited outside the engine space.

15.4.2 Multi-purpose fire extinguishers have a capability to deal with both category A fires involving solid materials and category B fires involving liquids or liquefiable solids and are marked with the multipurpose rating e.g. 13A/113B in 15.1.1 above; and 5A/34B in 15.1.2 above.

15.4.3 One of the multi-purpose fire extinguishers required above can also be the extinguisher required for discharge into the engine space (15.1.5), providing it is a suitable type and its stowage location is appropriate to its dual use.

15.4.4 BS EN 3:1996 - Portable fire extinguishers, became a national standard in August 1996. The previous standard, BS 5423:1987, was withdrawn on 1 January 1997. The principal difference between the two standards is the colour coding of the body of the extinguisher which, for BS EN 3, is red.

15.4.5 BS EN 3 allows a zone of colour of up to 5% of the external area of the extinguisher body to be used to identify the extinguishing agent. Manufacturers have complied with this by printing the operating instructions in the appropriate extinguishing agent colour.

15.4.6 Manufacturers producing extinguishers certified and marked to BS EN 3 cannot revert to the colour schemes contained in the withdrawn BS 5423:1987. Owners of vessels must not overpaint red BS EN 3 extinguishers to the "old" colours.

16 RADIO EQUIPMENT

16.1 A vessel must be fitted with a fixed VHF radio preferably with DSC, or be provided with a waterproofed portable VHF radio.

16.2 The battery supply to a radio must either have charging facilities or be provided with a duplicate battery. The battery supply must be located in a space protected against swamping/flooding and which is adequately ventilated. In small non-decked vessels which transit only short distances, the requirement for charging facilities or the provision of a duplicate battery may be waived subject to the owner ensuring that the radio is provided with one fully charged battery and the Certifying Authority being satisfied with the arrangement.

16.3 A card(s) giving a clear summary of the radio distress, urgency and safety procedures is to be displayed in full view of the radio operating position.
17 NAVIGATION LIGHTS, SHAPES AND SOUND SIGNALS

17.1 A vessel must comply with the requirements of the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996, SI 1996 No.75.

17.2 A vessel which operates only between sunrise and sunset is not required to carry navigation lights.

17.3 Sound signalling equipment must comply with the Regulations. A vessel of less than 12 metres in length is not obliged to carry the sound signalling equipment required by the Regulations on the condition that some other means of making an efficient sound signal is provided.

17.4 Requirements for shapes and sound signalling equipment are summarised in the tables for power driven and sailing vessels in Annex 5. In the case of a particular vessel where full compliance with the Regulations is impracticable, then application should be made to the MCA via the Certifying Authority for consideration of equivalent arrangements, taking into account the nature of the operation of the vessel concerned.

18 NAVIGATIONAL EQUIPMENT

A vessel must be provided with an efficient magnetic compass, which is suitably adjusted or fitted with a deviation card.

19 MISCELLANEOUS EQUIPMENT

19.1 A vessel must carry charts, nautical publications and a note of tide times, appropriate to the area of operation.

19.2 A vessel is to be provided with an efficient radar reflector. Reference is to be made to Merchant Shipping Notice No. M.1638 - Radar reflectors for small vessels - with respect to the provision of a radar reflector. Small vessels, where it is not practicable for an efficient radar reflector to be fitted, must not put to sea in fog, and if visibility starts to deteriorate they are to return to shore.

19.3 A sailing vessel must carry appropriate wire cutting equipment for use in the event of dismasting.

19.4 A vessel must carry a water resistant torch, a suitable boat hook (except in a very small vessel where it may be impracticable so to do) and a heaving line of at least 10 metres in length.

20 ANCHORS AND CABLES

20.1 Anchors and Cables

20.1.1 An anchor of sufficient mass for the size and type of vessel must be provided, and as a minimum be of a kedge type.

20.1.2 Cable is to be provided sufficient for the area of operation, but generally should be not less than 4 x the vessel length.

20.1.3 Provision is to be made for the secure storage of the anchor and its cable and due consideration must be taken concerning the method of rapid deployment when needed.

20.1.4 The cable may be of chain or rope; when the cable is of rope there should be not less than 10 metres of chain between the rope and the anchor.

20.1.5 The anchor and cable are to be sized in accordance with the following table.
<table>
<thead>
<tr>
<th>loa+hwl</th>
<th>Anchor Mass (kedge)</th>
<th>Anchor Cable Diameter</th>
<th>Rope</th>
</tr>
</thead>
<tbody>
<tr>
<td>(m)</td>
<td>(kg)</td>
<td>(mm)</td>
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Note:
1. The chain cable diameter is given for short link chain.
2. The rope diameter is for nylon construction. When rope of another construction is proposed, the breaking load must not be less than that of the nylon rope specified in the table.
3. When anchors and cables are manufactured to imperial sizes, the metric equivalent of the anchor mass and the cable diameter is not to be less than the table value.

20.2 Towline

A vessel should be provided with a rope towline of not less than the length and diameter of the anchor cable.

21 ACCOMMODATION

21.1 There must be sufficient hand holds and grab-rails within the accommodation to allow safe movement around the accommodation.

21.2 Heavy items of equipment, such as batteries, cooking appliance etc., must be securely fastened in place to prevent movement.

21.3 Stowage lockers containing heavy items are to have lids or doors with secure fastening.

21.4 Means of escape from accommodation spaces must be satisfactory (see 14.5).

21.5 Effective means of ventilation must be provided to enclosed spaces which may be entered by persons.

22 PROTECTION OF PERSONNEL
22.1 Deckhouse

A deckhouse used for the accommodation of persons must be constructed of adequate strength to withstand the forces of weather and sea to which it will be subjected to in use.

22.2 Bulwarks, Guardrails and Handrails

22.2.1 Motor Vessels

22.2.1.1 The perimeter of an exposed deck must be fitted with bulwarks, guard rails or guard wires of sufficient strength and height for the safety of persons on deck. The height of the bulwarks, rails or guard wires is not to be less than 1000mm. Intermediate courses are to be evenly spaced, and the distance between deck and the lowest course must not exceed 230mm.

22.2.1.2 On small motor vessels with narrow side decks alongside a deck house, a handrail on the side of the deckhouse may be fitted. On the foredeck, a centreline handrail may be considered more workable.

22.2.1.3 Where it is impractical and unnecessary to fit guardrails, alternative arrangements may be acceptable subject to the Certifying Authority being satisfied as to the adequacy of the proposed arrangements.

22.2.2 Sailing Vessels

22.2.2.1 To protect persons from falling overboard, and when the proper working of the vessel is not impeded, bulwarks or three courses of rails or taut wires are to be fitted around the working deck, and the bulwark top or top course must be 1000mm above the deck. Intermediate courses are to be evenly spaced, and the distance between the deck and the lowest course must not exceed 230mm.

22.2.2.2 When the proper working of a vessel may otherwise be impeded, bulwarks or two courses of rails or taut wires of sufficient strength are to be fitted around the working deck and the height of the protection must be not less than 600mm above the deck. Rails or wires are to be supported at intervals not exceeding 2.2 metres.

22.2.2.3 When the proper working of a vessel of less than 9 metres in length may otherwise be impeded, and for vessels in which the crew do not leave the cockpit, bulwarks or a single rail or taut wire may be fitted around the working deck with the height of the protection being not less than 450mm above the deck but with no vertical opening greater than 560mm.

22.3 Toe Rail

A toe rail of not less than 25mm in height is to be fitted around the working deck.

22.4 Safe Seating

In a non-decked vessel, safe seating is to be provided for all persons onboard.

22.5 Safety Harnesses

Except in cases where there is a no need for people to move around the vessel for the purpose of its safe operation, a vessel must be provided with 2 safety harnesses and a means for securing lifelines. The arrangement is to be to the satisfaction of the Certifying Authority.

22.6 Surface of Working Decks

22.6.1 The surface of a working deck must be non-slip.

22.6.2 In an inflatable boat or rigid inflatable boat the upper surface of the inflated buoyancy tube is to be provided with a non-slip finish.
22.7 Recovery of Persons from the Water

Suitable means are to be provided for the recovery of a person from the water, the arrangement being to the satisfaction of the Certifying Authority.

23 MEDICAL STORES

A vessel must carry Category C medical stores in accordance with Merchant Shipping Notice No. M.1726 (M+F).

24 TENDERS (DINGHIES)

24.1 When a ship’s tender is provided (towed or carried by a vessel) for use in transferring persons between the vessel and the nearby shore, the tender must be clearly marked with the number of people of mass 75kg that it can safely carry and with the name of the parent vessel.

24.2 A tender is to be fit for the purpose, regularly inspected by the owner/managing agent and maintained in a safe condition.

25 CLEAN SEAS

25.1 A vessel complying with the Code must meet national and local requirements for the prevention of marine pollution which are applicable to the area in which the vessel is operating.

25.2 Responsibility for the vessel to be properly equipped and maintained to meet the requirements prevailing rests with the owner/managing agent.

25.3 The disposal of garbage into the sea is prohibited.

25.4 Means to prevent pollution by oil is to be acceptable to the administration/authorities in the area in which a vessel operates.

26 MANNING

26.1 Vessels Other than those on Bare Boat Charter/Hire

Safe manning requirements are detailed in Annex 6.

26.2 Vessels on Bare Boat Charter/Hire

A vessel on bare boat charter/hire is not subject to the safe manning requirements in Annex 6.

The owner/managing agent is to be satisfied that the bare boat charter/hire skipper and crew are competent for the declared voyage or excursion.

26.3 Safety Briefing

Annex 7 sets the standards required to be met by a safety briefing which must be given to persons onboard a vessel to which the Code applies. The scope of the briefing is to be appropriate to the vessel and its operation and to include the location and proper use of all safety equipment onboard.
It is recommended that the vessel owners/managing agents and charterers/hirers formally record that the safety briefing has been given to their mutual satisfaction.

27 CERTIFICATION PROCEDURE, COMPLIANCE EXAMINATION AND MAINTENANCE

27.1 Certification Procedure

27.1.1 Application for a certificate for a vessel is to be made to the Certifying Authority on form SCV1. The application fee set by the Certifying Authority is to be forwarded as appropriate.

27.1.2 Prior to issue of the certificate by the Certifying Authority the vessel must have satisfactorily completed a compliance examination by an authorised person as defined in section 2.

27.2 Compliance Examination

27.2.1 Compliance examination means an examination as defined in section 2.

27.2.2 At least part of the examination must be conducted when the vessel is out of the water.

27.2.3 The Certifying Authority may decide the extent of the examination based on the type, age and history of the vessel. In deciding the extent of an examination the Certifying Authority may give credit for any recent and detailed competent examination of a vessel for which a report is available.

27.2.4 A formal written report (on form SCV2) of the examination must be prepared by the authorised person and retained on the vessel, with a copy being forwarded to the Certifying Authority. As a minimum, the report is to record the extent of the examination and the principal findings.

27.3 Annual Examination

27.3.1 The owner/managing agent must carry out, or arrange for, an annual examination of a vessel once in each calendar year at intervals not exceeding 15 months, to confirm that the arrangements, fittings and equipment provided on board are in a satisfactory condition and remain as documented in the report form SCV2.

27.3.2 The owner/managing agent is to enter details of a successful examination on the form SCV2 and report the results of the examination to the Certifying Authority.

27.3.3 In the case of an examination revealing that the vessel, its machinery, fittings or equipment are not sound or do not comply with those documented on form SCV2, the situation must be reported immediately to the Certifying Authority for action as necessary (see also paragraph 27.7.2).

27.4 Other examinations by the Certifying Authority

27.4.1 In addition to the above, an examination equivalent to the annual examination must be carried out on behalf of the Certifying Authority by an authorised person at least once during the life of the certificate, in order that the interval between successive examinations by an authorised person does not exceed 3 years. The owner/managing agent must arrange with the Certifying Authority for this examination to be carried out.

27.4.2 On satisfactory completion of the examination, the authorised person must enter details of the examination on the report form SCV2 and report the results of the examination to the Certifying Authority.

27.5 Certification
27.5.1 A certificate issued to a vessel is valid for not more than five years from the date of examination of the vessel out of the water by the authorised person. The certificate must be available for inspection by users of the vessel. Annex 8 shows the typical form and content of a certificate, the reverse side of which contains a summary record of certain safety particulars.

27.5.2 In addition to the certificate, the Certifying Authority must issue annually a clear and distinctive self-adhesive label to be prominently displayed on the vessel as a ready indication to vessel users that the named vessel has been examined and issued with a safety certificate valid for the period of time stated on the label.

27.6 Maintaining and Operating the Vessel

27.6.1 The Certifying Authority, and the MCA if not the same, may examine a certificated vessel at any time.

27.6.2 It is the responsibility of the owner/managing agent to ensure that at all times a vessel is maintained and operated in accordance with the requirements of the Code. If for any reason the vessel does not continue to comply with any of these requirements, the owner/managing agent must notify the Certifying Authority immediately.

27.6.3 In cases where the vessel suffers major damage, for example as a result of a collision, grounding, fire or other event, the owner/managing agent must notify the Certifying Authority immediately, explaining the circumstances by which the vessel became damaged. The nature and extent of major repairs are subject to the approval of the Certifying Authority. Minor damage must also be reported to the Certifying Authority, together with the measures proposed to effect repairs, who may take action as it may deem appropriate which may include a full or part examination of the vessel.

27.6.4 In addition, the owner/managing agent has a statutory requirement to report accidents.

27.7 Other Condition Applying to Certificates

27.7.1 The validity of a certificate issued under the Code is dependent upon the vessel being maintained, equipped and operated in accordance with requirements.

27.7.2 When the vessel is found not to have been maintained or equipped or operated in accordance with the requirements, the certificate may be cancelled by the Certifying Authority which issued the certificate.

27.7.3 When a vessel has had its certificate cancelled, the Certifying Authority is to report the circumstances to the Maritime and Coastguard Agency for action to be taken as deemed necessary.

27.8 Appeal Against the Findings of an Examination

27.8.1 If an owner/managing agent is dissatisfied with the findings of an examination and agreement can not be reached with the authorised person who carried out the examination, the owner/managing agent may appeal to the Certifying Authority to review the findings. At this review, the owner/managing agent may call a representative or professional adviser to give opinions in support of the argument against the findings of the examination.

27.8.2 In the event that the above procedures fail to resolve the disagreement, the owner/managing agent may refer the disagreement to the Director of Maritime Standards and Pollution Prevention (MSPP) of the Maritime and Coastguard Agency for arbitration.

28 VESSELS OPERATING UNDER RACE RULES
28.1 A vessel chartered or operated commercially for the purpose of participating in a race under National rules need not comply with the provisions of the Code.

28.2 The relief from compliance with the provisions of the Code which is permitted by 28.1 above does not apply to a vessel taking part in a sail training race, or an event created and organised with an intent to avoid the provisions of the Code.
ANNEX 1
(see section 1.6)

DEVELOPMENT OF THE CODE

Members of the Steering Committee
Association of District Councils
British Marine Industries Federation
Maritime and Coastguard Agency (Chairperson)
National Federation of Charter Skippers
National Federation of Sea Anglers
Professional Boatmans Association Limited
Royal Yachting Association

Members of the Study Group which advised the Steering Committee
Association of District Councils (Chairperson)
Members of the Steering Committee
Regional Representatives from:-
  East Coast of England
  North East of England
  Northern Ireland
  Solent & South Harbour Masters' Association
  South West of England
  South West Regional Standing Committee on Safety of Small Craft
  Wales & North West of England

Members of the Working Group which contributed to the development of the Code
American Bureau of Shipping
Association of Bonded Sailing Companies
Association of District Councils
British Marine Industries Federation
British Sub-Aqua Club
British Waterways Board
Bureau Veritas
Burness Corlett & Partners Limited
Marine Engineers Certifying Authority Limited
Maritime and Coastguard Agency (Chairperson)
Members of the Steering Committee
National Federation of Charter Skippers
National Federation of Sea Anglers
National Federation of Sea Schools
Ocean Youth Club
Professional Boatmans Association Limited
Royal Yachting Association
Society of Consulting Marine Engineers & Ship Surveyors
South West Ports Association
Yacht Brokers, Designers & Surveyors Association
Yacht Charter Association
ANNEX 2
(see section 2)

DEPARTMENT OF TRANSPORT MERCHANT SHIPPING
NOTICE NO. M.1194
THE STATUS OF PERSONS CARRIED ON UNITED
KINGDOM SHIPS

This Notice is addressed to Shipowners, Charterers, Masters
and Persons in charge of United Kingdom Ships

1. During an appeal case ** heard in the High Court in 1983, the legal status of persons on board a
   United Kingdom ship came under close scrutiny; in particular the distinction between "persons engaged on
   the business of the vessel" and "passengers". As a result of the judgement made in this case it has been
decided to give the following guidance regarding the status of persons when carried on board United Kingdom
ships.

2. The current legal definition of a passenger is given in Section 26 of the Merchant Shipping Act 1949
   which states:

   (1) In Part II of the principal Act (ie, the Merchant Shipping Act 1894), in the Merchant Shipping
       (Safety and Load Lines Conventions) Act. 1932, and in this Act, the expression 'passenger'
       means any person carried in a ship, except

       (a) a person employed or engaged in any capacity on board the vessel on the business of the
           vessel;
       (b) a person on board the vessel either in pursuance of the obligation laid upon the master to
           carry shipwrecked, distressed or other persons, or by reason of any circumstance that neither
           the master nor the owner nor the charterer (if any) could have prevented or forestalled; and
       (c) a child under one year of age.

   (2) In the Merchant Shipping (Safety and Load Lines Convention), Act 1932, and in this Act, the
       expression 'passenger steamer' means a steamer carrying more than twelve passengers. (This
       definition of a passenger steamer was subsequently amended by Section 17(2) of the Merchant
       Shipping Act 1964).

3. After carefully studying the Court's judgement of the case it is the Department's view that the only
   persons who can be considered as being lawfully 'employed or engaged on the business of the vessel' are
   those over the minimum school leaving age (about 16 years) who:

   (i) have a contractually binding agreement to serve on the vessel in some defined capacity and which
       could include carrying out such duties under training, or are

   (ii) duly signed on members of the crew.

4. In addition to noting the foregoing, it is recommended that whenever the carriage of passengers is
    contemplated on any vessel the contents of Merchant Shipping Notice No. 913 should be carefully studied.

Department of Transport
Marine Directorate
London WC1V 6LP

October 1985

**The appeal case referred to in this Notice was: Secretary of State for Trade v. Charles Hector Booth (master of the yawl
[Explanatory note: paragraph 4. of the Notice has been deleted because it is not valid. Merchant Shipping Notice No. 913 refers to legislation which has been revoked since the above Notice was issued in October 1985.]
ANNEX 3
(see section 3.5)
PHASE IN REGISTRATION

SMALL VESSELS IN COMMERCIAL USE FOR SPORT OR PLEASURE
OPERATING FROM A NOMINATED DEPARTURE POINT
A CODE OF PRACTICE

Please complete this form and return it to the MCA (* delete as appropriate)

Name of owner*/managing agent*

Address

Telephone number: Facsimile number:

Name of vessel: Vessel type: motor* OR sailing*

Year of build: Hull construction material:

Overall length of vessel: metres*/feet*

Nominated point(s) of departure to sea: (proposed for year 20_ _)
in the local authority area: (name of local authority)

Required area of operation in year 20_ ___: Category 6 (3 miles to sea)* OR
Category 5 (20 miles to sea)*

Details of vessel licence:

issued by valid until (date) / /

Details of skipper's licence:

issued by

Maximum number of passengers: Number of crew:

Signed ______________________ Date ____________________

PLEASE RETURN THIS REGISTRATION FORM TO:
Maritime and Coastguard Agency
MSPP1(D) Codes Section
Bay 1/22 Spring Place
105 Commercial Road
Southampton  SO15 1EG
Telephone: 01703-329100 Facsimile: 01703-329161
ANNEX 4
(see Section 3.6)
GUIDANCE ON THE ASSESSMENT OF VARIATIONS
TO THE STANDARDS APPLIED BY THE CODE

Section 3.6 recognises that variations to the standards applied by the Code can be considered on the basis that the variations provide equivalent standards of safety by taking into account specific local conditions which are certain to exist.

Applications for the acceptance of alternatives must be supported by justifications and be formally made via the Certifying Authority to the Director of Maritime Standards and Pollution Prevention (MSPP) at the MCA’s headquarters.

Variations are expected to be either a direct alternative to a requirement or a reduced requirement based upon factors which compensate for the reduction.

Justifications made formally in support of an application for acceptance of a reduced requirement are to be arranged in priority order, according to the judgement of the applicant.

Although not an exhaustive list, factors which will be considered individually and combined by the Director of MSPP will include:

.1 area of operations significantly reduced from the maximum 3 miles from land and 3 miles radius to sea;
.2 a guaranteed control of vessel which restricts operations to sea and weather conditions such that there is a very low risk of an accident;
.3 the certainty of readily available means of emergency rescue;
.4 operations wholly within sight of the supervising body and means of emergency rescue;
.5 seasonal operations only, such as between 1 April and 31 October or some lesser period;
.6 vessels operating in close proximity to one another and equipped to provide efficient safety back-up to each other in an emergency;
.7 provision/wearing of additional (special) individual personal survival equipment/clothing which will protect lives in an emergency;
.8 enhanced communications between the vessel(s) and constantly attended shore base with readily available emergency rescue craft at the base;
.9 the nature of the sport or pleasure activity involves very low risk of participants accidentally entering the water or causing the vessel to capsize;
.10 very restricted operations to sea from a safe beach;
.11 inherent safety of the vessel by design, test and experience;
.12 a high ratio of professional skipper and crew numbers to the number of other persons onboard;
.13 the number of safety craft provided to protect the vessels operating commercially for sport or pleasure;
.14 enhanced provisions for distress alert and rescue;
.15 means provided for “dry” rescue from a vessel in emergency situations.
ANNEX 5
(see section 17)
POWER DRIVEN AND SAILING VESSELS

Shapes and sound signalling equipment

Vessels less than 12 metres overall:

shapes are required when at anchor;

a means is required to make an efficient sound signal.

Vessels of length 12 - 24 metres overall:

shapes are required when at anchor, and
when not under command (NUC), and
when aground;

a whistle and bell required.

Notes:

When at anchor - one black ball (0.6 metres in diameter) in the fore part.

When NUC - two black balls (0.6 metres in diameter) in a vertical line, 1.5 metres apart.

When aground - three black balls (0.6 metres in diameter) in a vertical line, 1.5 metres apart.

Size of daytime shapes and distances apart may be reduced commensurate with the size of the vessel.

If a sailing vessel is using its engine as well as sails, then the vessel should display a cone, apex downwards in the fore part.
This Annex gives information relating to the manning and operation of small motor and sailing vessels in commercial use for sport or pleasure purposes, carrying not more than 12 passengers and operating in favourable weather from a nominated departure point to sea in the areas defined in paragraph 1 below.

Paragraph 1 - Areas of application
Paragraph 2 - Minimum qualifications of the person in charge of the vessel
Paragraph 3 - Existing DOT Boatman's Licences
Paragraph 4 - Revalidation of certificates
Paragraph 5 - Responsibility of the owner/managing agent for the safe manning of the vessel
Paragraph 6 - Keeping a safe navigational watch
Paragraph 7 - Withdrawal of certificate
Paragraph 8 - Phasing in arrangements

General

All references to DOT and MCA should be taken as applying to the Maritime and Coastguard Agency.

References to RYA are to the Royal Yachting Association.

Vessels of less than 24 metres in length carrying not more than 12 passengers, being commercially operated Motor Vessels as defined in section 1 of the Code, and which comply with the requirements of the Code will be exempt from the need to comply fully with the Merchant Shipping (Training and Certification) Regulations 1997, SI 1997 No.348, as amended and the Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Regulations 1997, SI 1997 No.1320, provided the manning of the vessel is in accordance with the standards given in paragraph 2 below when operating in the areas described in paragraph 1 below.

All Certificates and Licences of Competency or Service are to be appropriate to the type of vessel in which they are used.

Any vessels that do not readily fit the description of “conventional sailing or power-driven vessels” will be considered upon their merits.

1 Areas of Application

Commercially operated motor and sailing vessels operating within the following area should carry at least the qualified personnel shown in 2 below:-

Category 6 - to sea, within 3 miles from a nominated departure point(s) and never more than 3 miles from land, in favourable weather and daylight.

Category 5 - to sea, within 20 miles from a nominated departure point(s) in favourable weather and daylight;

2 Minimum Qualifications of the Person In Charge of the Vessel (Skipper)

2.1 Endorsement of Certificates

All RYA/DOT certificates of competency and/or service should carry the endorsement - “valid for vessels of up to 24 metres in length used for commercial purposes”.

ANNEX 6
(see section 26.1)
THE MANNING OF SMALL MOTOR VESSELS IN COMMERCIAL USE FOR SPORT OR PLEASURE
2.2 Qualifications Required

2.2.1 Area category 6 - to sea, within 3 miles from a nominated departure point and never more than 3 miles from land, in favourable weather and daylight.

The skipper must hold at least a:-

.1 RYA/DOT Certificate of Competency or Service as Coastal Skipper, or
.2 MCA Boatmasters’ Licence Grade 3 (if already modified for the appropriate area prior to this Code coming into force), or
.3 Certificate of Competency for the appropriate area, issued by a Competent Authority as defined in Section 2 of this Code, or
.4 RYA Advanced Powerboat certificate, or
.5 RYA Day Skipper practical certificate, or
.6 RYA Powerboat Level 2 certificate.

2.2.2 Area category 5 - to sea, within 20 miles from a nominated departure point in favourable weather and daylight.

The skipper must hold at least a:-

.1 RYA/DOT Certificate of Competency or Service as Coastal Skipper, or
.2 MCA Boatmasters’ Licence Grade 3 (if already valid for the appropriate area prior to this Code coming into force), or
.3 Certificate of Competency for the appropriate area, issued by a Competent Authority as defined in Section 2 of this Code, or
.4 RYA Advanced Powerboat certificate, or
.5 RYA Day Skipper theory and practical certificate.

2.2.3 Controllers of organised activities

The controllers of organised activities such as Sailing Schools may submit alternative qualifications to those listed above. Any such submissions to the MCA will be considered upon their merits.

2.3 Radio Qualifications

Every vessel must carry at least one person holding a Radio Operator's Certificate suitable for the radio equipment on board.

2.4 Medical Fitness Certificates

Replaced by MGN 264 - click here for link.
2.5 **Basic Sea Survival Course**

Skippers of vessels that are required to carry inflatable liferafts under this Code are required to hold an approved Basic Sea Survival Course Certificate.

2.6 **First Aid Courses**

The Skipper or another member of the crew must hold either a:-

.1 MSA/MCA First Aid at Sea Certificate, or

.2 Certificate issued by a voluntary society following the successful completion of a first aid course approved by the Health and Safety Executive. Such courses are to have extra emphasis on the treatment of hypothermia and casualty evacuation, or

.3 RYA Small Craft First Aid Certificate

3 **Revalidation of Certificates and Licences**

All RYA/DOT Yachtmaster Certificates (whether of competency or service), Boatmasters' Licences and Local Authority Licences must be revalidated every five years. To revalidate, the applicant must prove at least 150 days of actual sea service on appropriate vessels during the previous 5 years and be in possession of a valid Medical Fitness Certificate.

Applicants for revalidation who are not able to prove the requisite sea service but are able to demonstrate that during at least half of the 5 year period they have been employed on duties closely associated with the management and operation of one or more of the appropriate types of vessels, may have their Certificates or Licences considered for revalidation.

4 **Responsibility of the Owner/Managing Agent for Safe Manning of the Vessel**

It is the responsibility of the owner/managing agent to ensure that the skipper and where necessary the crew of the vessel have, in addition to any qualifications required in paragraph 2 above, recent and relevant experience of the type and size of vessel, the machinery on the vessel, and the type of operation in which the vessel is engaged. The owner/managing agent must also ensure that there are sufficient additional crew on board having regard to the type and duration of voyage being undertaken.

5 **Keeping a Safe Navigational Watch**

It is the responsibility of the skipper to ensure that there is, at all times, a person with adequate experience in charge of the navigational watch. In taking this decision the skipper must take into account all the factors affecting the safety of the vessel, including:-

.1 the present and forecast state of the weather, visibility and sea,

.2 the proximity of navigational hazards,

.3 the density of traffic in the area.

6 **Withdrawal of Certificates of Competency or Service**

The Yachtmaster Qualifications Panel reserves the right to withdraw a RYA/DOT Certificate of Competency or Certificate of Service at any time if due cause is shown.
7 Phasing in Arrangements

7.1 First Aid Qualification

Applicants for Certificates of Service must have obtained the appropriate qualification in First Aid.

7.2 Certificate of Service based on Previous Experience

Until 1 April 2000, existing skippers who do not already hold the Certificates of Competency required by the Code will be eligible to be issued with a Certificate of Service appropriate to their previous experience. Any such Certificates of Service may be limited as to area of operation.

The Certificates of Service will be issued by the RYA to the applicant upon satisfactory documentary proof of sea service.

7.3 Coastal Skipper Certificate of Service

Applicants for Coastal Skipper Certificate of Service must have a total of at least two years experience of which at least 100 days should have been spent actually at sea. Included in this two years at least one year (which includes at least 50 days actually at sea), must have been served as skipper of a small commercial vessel.
1 Bare-boat charter

1.1 Recommendations

1.1.1 Vessel owners/managing agents and charterers/hirers are recommended to discuss and agree their respective responsibilities for safety before the vessel goes to sea.

1.1.2 It is recommended that the terms of insurance cover which is provided is explained and a copy of the conditions made available for inspection by charterers/hirers.

1.2 Hand over procedures

1.2.1 Before the commencement of the trip the skipper or owner/managing agent or their appointed representative (with intimate knowledge of the vessel) must ensure that all persons onboard are briefed on:-

.1 the stowage and use of personal safety equipment such as lifejackets, thermal protective aids and lifebuoys, and the procedures to be followed in cases of emergency; and

.2 the limits of the sea area for the trip and the conditions to be expected during the trip (such as tide, currents, hazardous areas - for whatever reasons); and ensure:-

.3 that persons onboard have adequate protective clothing and non-slip footwear for the prevailing weather and air and sea temperatures.

2 Skippered charter

2.1 In addition to the requirements of 1.2 above, the skipper and at least one other person who will be on the trip are required to have a fuller appreciation of the following, as appropriate to the vessel:-

.1 Location of liferafts and the method of launching;

.2 Procedures for the recovery of a person from the sea;

.3 Location and contents of the first aid kid;

.4 Location and use of pyrotechnics;

.5 Procedures and operation of radios carried on board;

.6 Location of navigation and other light switches;

.7 Location and use of firefighting equipment;

.8 Method of starting, stopping, and controlling the main engine;

.9 Method of setting, sheeting and reefing each sail; and

.10 Method of navigating to a suitable port of refuge;

.11 Deployment and retrieval of the anchor, and use of associated equipment.
Safety cards are considered to be an acceptable way of providing the above information.
SMALL COMMERCIAL VESSEL CERTIFICATE
SCV1
- SPORT OR PLEASURE USE -

NOMINATED DEPARTURE POINT(S) · ......................................

LIMITS OF AREA OF OPERATION · .................................

Name of Vessel .................... Name & Address of Owner/Managing
Agent ..................................

Description of Vessel .............
............................................ ..................................
............................................ ..................................

Maximum No. of Persons Aboard .. Length Overall ..............

Date of Build ..................... Identification No .............

This is to certify that the above named vessel was examined by

................................. of ..................................

................................. at ..................... on .....................20 _ _

and found to be in accordance with the requirements of the Code of Practice for Small Commercial
Vessels Operating from a Nominated Departure Point.

This certificate will remain valid until .....................20 _ _ subject to the vessel, its machinery
and/or equipment being efficiently maintained and being manned in compliance with the Code of
Practice, and to the following conditions:

...............................................................................................................................................................

...............................................................................................................................................................

..................................................................................................................................

Issued at ........................... Name ............................. Signature ..................
For and on behalf of ......................... (OFFICIAL STAMP) 
Date .............................20 _ _

SCV1

(Reverse side of the SCV1 Certificate)

Record of Safety Equipment
1 Certificate of competency required to be held by the skipper

2 Radio communications equipment provided onboard

3 List of life-saving appliances provided onboard

4 List of fire fighting equipment provided onboard