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## **Pleasure Vessels - Regulations and Exemptions - Guidance and Best Practice Advice**

**Notice to all builders, owners, operators, managing agents, surveyors, repairers, and skippers of Pleasure Vessels.**

*This Marine Guidance Note replaces MGN 538 (M), as amended.*

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### **Summary**

This MGN provides guidance for pleasure vessels which has been developed in consultation with British Marine (BM), RYA and Yacht Brokers, Designers and Surveyors Association (YBDSA). It introduces the concept of Intended Pleasure Vessels, includes a new Exemption from fire extinguishing regulations on close-down, provides an amended Exemption with phase-out of ORC Liferrafts for Class XII Vessels, and includes the existing Exemption from Class XII Fire Protection regulations. It includes the following details and guidance on the Disapplication and Exemptions from Merchant Shipping Regulations: -

The Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use at Sea is applicable to any UK Pleasure Vessel or non-UK Pleasure Vessel operating from UK ports while in UK waters.

Annex 1: Exemption for Pleasure Vessels of 13.7m or over from the Merchant Shipping Life-Saving Appliances Regulations.

Annex 2: Exemption for Pleasure Vessels of 13.7m or over from certain provisions of the Merchant Shipping Fire Protection (Small Ships) Regulations.

Annex 3: Exemption for Pleasure Vessels of 13.7m or over from sections of Regulation 38 of the Merchant Shipping Fire Protection (Small Ships) Regulations.



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## 1. Introduction to Pleasure Vessel Regulations

- 1.1 The term “Pleasure Vessel” refers to how a vessel is used at the time of operation, not what a vessel has been designed or built to do (see Definitions). This can include vessels of all sizes and shapes of motor, sail and hand-powered boats and yachts. A “Commercial Vessel” is defined as “not a Pleasure Vessel” and it should be noted that a vessel owned by an individual and operated for reasons other than sport or pleasure of the owner, their immediate family or friends may not qualify as a “Pleasure Vessel”. Reference should always be made to the Pleasure Vessel definition and, if in doubt, legal advice should be sought. It is also important to highlight that payment is not the only test of whether a vessel is in commercial use and vessel owners and operators must study the definition of Pleasure Vessel with care.
- 1.2 The UK merchant shipping regulations identify Pleasure Vessels of 13.7m length or over as Class XII ships and these regulations set standards for the equipment to be carried on board. Also, the Recreational Craft Directive (RCD) is a European Directive which sets the standard of design and construction for vessels built to be sold as “Recreational Craft” and it is implemented in the UK through Statutory Instruments.
- 1.3 Merchant shipping Class XII regulations require Pleasure Vessels of 13.7m and over to carry Life-Saving Appliances and Fire-Fighting Appliances of large commercial ship standards. The MCA has worked with British Marine (BM) and the RYA to create the Exemptions at Annexes 2,3, and 4 to permit Pleasure Vessels of 13.7m and over to carry small craft equipment instead. Pleasure Vessels of less than 13.7m in length are not covered by any statutory requirements to carry Fire-Fighting Equipment or Life-Saving Appliances but the Owner has a duty of care under health and safety legislation where people are employed on-board. Owners and skippers of less than 13.7 Pleasure Vessels should refer to the RYA and BM for guidance about safety equipment for such vessels.
- 1.4 The Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use at Sea is applicable to Intended Pleasure Vessels in temporary commercial use on a single-voyage basis by vessel owners, manufacturers, brokers, surveyors, or repairers **for business purposes relating to repair, post-production, post-repair or mid-survey sea trials, customer sea trials, or vessel delivery outside the definition of Pleasure Vessel**. It is applicable to Intended Pleasure Vessels of any size which are United Kingdom vessels wherever they may be (except for Race Support Boats which is limited to 8m length in UK coastal waters). It also applies to other Intended Pleasure Vessels operating from United Kingdom ports whilst in United Kingdom waters. The user of the vessel is termed the “Operator” and has responsibilities for equipping and maintaining the vessel according to the Code of Practice while the vessel “Owner” has a responsibility for ensuring that the Operator has a system in place in order to disapply the merchant shipping regulations through compliance with the Code of Practice. The Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use at Sea, as well as the Exemptions attached to this MGN, aim to achieve parity between Class XII and RCD standards to avoid “gold-plating” and to make it simpler for Owners to comply.
- 1.5 The Operator of an Intended Pleasure Vessel which is used on a temporary single-voyage basis may (if it’s within scope) use the Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use to meet proportionate technical standards which account for the limited risks of these activities. This recognises that vessels will be built to RCD standards or will have a history of safe operation prior to the RCD, and be equipped to levels acceptable to the MCA but recognised within the recreational craft sector of the marine industry.



## 2. Useful Definitions Relevant to this MGN

2.1 **Gross Tonnage (GT)** means, for practical purposes, the GT figure listed on a vessel's registration certificate. The legal definition is: -

- (a) in relation to a ship having alternative gross tonnages under paragraph 13 of Schedule 5 of the Merchant Shipping (Tonnage) Regulations 1982 ([SI 1982/841](#)) permitted to be used pursuant to regulation 12(1) of the Merchant Shipping (Tonnage) Regulations 1997 (SI 1997/1510) is a reference to the larger of these tonnages;
- (b) in relation to a ship having its tonnage determined both under Part II and regulation 12(2) of those 1997 Regulations is a reference to its gross tonnage as determined under regulation 12(2).

2.2 **Immediate Family** as defined for Pleasure Vessel use means; in relation to an individual, the spouse or civil partner of the individual, and a relative of the individual or the individual's spouse or civil partner; and "relative" means brother, sister, ancestor or lineal descendant.

2.3 **International Maritime Organization (IMO)**, a specialized United Nations body.

2.4 **Length** (of a vessel) for a registered ship in the context of Class XII Regulations for Pleasure Vessels of 13.7 metres Length and over means registered length. Registered Length is the "length" as defined in the Merchant Shipping (Tonnage) Regulations 1997, ([SI 1997/1510](#)) which is defined as the greater distance of the following distances –

- (a) the distance between the fore side of the stem and the axis of the rudder stock; or
- (b) 96 per cent of the distance between the fore side of the stem and the aft side of the stern;

the points and measurements being taken respectively at and along a waterline at 85 per cent of the least moulded depth of the ship. In the case of a ship having a rake of keel the waterline shall be parallel to the designed waterline.

2.5 **Length** (of a vessel) for an unregistered ship in the context of Class XII Regulations for Pleasure Vessels of 13.7 metres Length and over means the length from the fore part of the stem to the aft side of the head of the stern post or, if no stern post is fitted to take the rudder, to the fore side of the rudder stock at the point where the rudder passes out of the hull.

2.6 **Mile** means a nautical mile of 1,852 metres.

2.7 **Passenger** means a person carried on a vessel with the exception of: -

- (a) a person employed or engaged in any capacity on the business of the vessel;
- (b) a person who is onboard either because of the obligation on the master of the vessel to carry shipwrecked or distressed persons or because of a circumstance that neither the master, owner nor charterer (if any) could have prevented, for example a stowaway;
- (c) a child under one year of age.



- 2.8 **Pleasure Vessel** (according to [SI1998/2771](#)) means: -
- (a) any vessel which at the time it is being used is:
- (i)
- (aa) in the case of a vessel wholly owned by an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
- (bb) in the case of a vessel owned by a body corporate, used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends; and
- (ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or
- (b) any vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club; and
- (d) in the case of any vessel referred to in paragraphs (a) or (b) above no other payments are made by or on behalf of users of the vessel, other than by the owner.
- 2.9 **Recreational Craft** means any boat of any type regardless of its means of propulsion;
- a) whose hull, when measured in accordance with the appropriate harmonised standards, is not less than 2.5 metres and not more than 24 metres in length (length as defined in the RCD Regulations); and
- (b) which is intended for sports or leisure purposes.
- 2.10 **Recreational Craft Directive (RCD)** means The Recreational Craft Regulations, SI 2004/1464 and SI 2017/737..
- 2.11 **Registered Ship** means a ship registered on the register of British ships maintained for the United Kingdom under section 8 of the Merchant Shipping Act 1995.
- 2.12 **Safe Haven** means a harbour or shelter of any kind which affords entry, subject to prudence in the weather conditions prevailing, and protection from the force of the weather. For part 2 of this Code of Practice the Safe Haven should also consider the safety of any race participants.
- 2.13 **At Sea** and/or **To Sea** mean in both cases beyond UK Categorised Waters, as defined in [MSN1837](#), as amended.



### 3 Guidance on Single-Voyage Temporary Commercial Use at Sea

- 3.1 When a vessel is wholly owned by an individual or individuals and at the time it is in use it is not **“used only for the sport or pleasure of the owner or the immediate family or friends of the owner”**, it is used outside the definition of Pleasure Vessel and is therefore in commercial use.
- 3.2 When a vessel is owned by a body corporate and at the time it is in use it is not **“used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends”**, it is used outside the definition of Pleasure Vessel and is therefore in commercial use.
- 3.3 When a vessel is not **“on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion”**, it is used outside the definition of Pleasure Vessel and is therefore in commercial use.
- 3.4 In some circumstances vessels owned by a Members’ Club may fall outside the definition of Pleasure Vessel.
- 3.5 The MCA has developed a simple framework for achieving temporary commercial compliance for the duration of the activity for use in connection with certain temporary business purposes and for race support activities. This does not include charter. The new framework is a Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use at Sea (referred to as the IPV Code) which is an addendum to the existing Small Commercial Vessel Codes and uses the same underpinning regulations.
- 3.6 The Merchant Shipping Regulations listed in the Schedules to [SI1998/2771](#) and [SI 1998/1609](#), as amended, are disapplied for an **Intended Pleasure Vessel in temporary commercial use at sea on a single-voyage basis** which has been examined, and in respect of which a Certificate has been issued, in accordance with this Code of Practice.
- 3.7 According to SI1998/2771 and SI 1998/1609, the vessel shall not proceed or attempt to proceed to sea unless the certificate is currently in force; and the vessel complies with the applicable requirements of the Code of Practice (including any requirements as to operation, manning and maintenance).
- 3.8 Anyone using a pleasure vessel outside of the definition of Pleasure Vessel on a temporary basis at sea should have in place a means of demonstrating compliance with the IPV Code as an Operator. The MCA, British Marin, RYA and YBDSA can provide guidance on how to achieve this.
- 3.9 The IPV Code is a standalone document not attached to this MGN – it is available on the gov.uk website at the following locations: -
- <https://www.gov.uk/government/publications/small-craft-codes>
- <https://www.gov.uk/government/publications/intended-pleasure-vessels-ipv-code>
- 3.10 Detailed guidance is available in MGN597 (business use) and MGN598 (race support boats). This section of this MGN simply acts as a “signpost” to the existence of the new



Code of Practice and associated guidance to publicise the new framework for temporary commercial use at sea.



#### 4. Guidance on the Exemption for Life-Saving Appliances on Class XII Vessels

- 4.1 Under the Merchant Shipping (Life-Saving Appliances for ships other than ships of Classes III to VI (A)) Regulations 1999 ([SI 1999/2721](#)), as amended, Pleasure Vessels of 13.7m in length and over are classified as Class XII vessels.
- 4.2 The MCA has issued a general exemption to Class XII vessels from these regulations provided that they comply with a set of equivalent standards that have been agreed. This Exemption can be found at Annex 1 and allows for the use of equipment more suitable for small craft. Life-saving appliances on Class XII vessels are to be serviced according to manufacturer's instructions. For SOLAS inflatable Life-saving products this must at least be annually.
- 4.3 These standards specify life-saving equipment which is readily available and commonly used by the private boat owner. Unlike the Class XII requirements of the Merchant Shipping (Life-Saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999, the standards require boats to carry maritime radio and this requirement is reflected in the scale of equipment specified, which varies according to the distance from the coast that the vessel will be operating.
- 4.4 An owner of a Class XII Pleasure Vessel under 500GT may either: -
- (a) comply with the requirements of Merchant Shipping (Life-Saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999 ([SI 1999/2721](#)). In this case, all Life-Saving equipment on-board must be in accordance with [MSN 1676](#); or
  - (b) comply with the General Exemption to these Regulations issued on 01 January 2019, along with the equipment standards contained in the associated Schedule.
- 4.5 In either case, Life-saving Appliances on vessels that proceed to sea must be fitted with retro-reflective material.
- 4.6 In addition, lifejackets required on Class XII Pleasure Vessels must be in compliance with either: -
- a) ISO 12402-2 (275 Newton);
  - b) ISO 12402-3 (150 Newton) or equivalent including European standard BS EN 399 or BS EN 396 respectively, which the ISO standards replace;
  - c) CEN 150 standard;
  - d) DOT (UK), SOLAS (International Convention for the Safety of Life at Sea, 1974); or
  - e) Marine Equipment Directive (MED) approved;
- and they must not depend solely on oral inflation for their buoyancy.
- 4.7 The phase out of Offshore Racing Council (ORC) liferafts has been the ambition of the MCA since the Sydney-Hobart race disaster and this has been supported by the RYA for reasons of safety. Since 2017 this has been applied to Small Commercial Vessels in MGN553 but from January 2019 ORC liferafts will also be phased out of acceptance from the carriage of liferafts in the Exemption for Class XII Pleasure Vessels at Annex 1.
- 4.8 From 01 January 2019, no ORC liferafts may be newly fitted to Class XII vessels and from 01 January 2024 no ORC liferafts of any age or type will be permitted on Class XII vessels (inclusive of existing liferafts and existing vessels). In place of ORC liferafts, Class XII vessels will be required to fit either a SOLAS/MED liferaft or a liferaft built to the ISO 9650-1 – Small Craft Inflatable Liferafts Part 1 Type 1 Group A standard.



## 5. Guidance on the Exemption to Fire Protection on Class XII Vessels

- 5.1 Under the Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 ([SI 1998/1011](#)), as amended, and Merchant Shipping (Fire Protection: Large Ships) Regulations 1998 ([SI 1998/1012](#)), as amended, Pleasure Vessels of 13.7 metres in length and over are classified as Class XII vessels.
- 5.2 The MCA has issued general exemptions to Class XII vessels from the Merchant Shipping (Fire Protection: Small Craft) Regulations 1998 ([SI 1998/1011](#)) provided they comply with a set of agreed equivalent standards. This Exemption can be seen at Annex 2 and allows for the use of equipment more suitable for small craft.
- 5.3 An owner of a Class XII Pleasure Vessel under 500GT may either: -
- (a) comply with Merchant Shipping (Fire Protection: Small Craft) Regulations 1998 ([SI 1998/1011](#)). In this case all firefighting equipment must be in accordance with [MSN 1665](#), amended by [MSN 1733](#); or
  - (b) comply with the General Exemption to these Regulations issued on 01 January 2019, along with the equipment standards contained in the associated Schedule.



## 6. Guidance on the Exemption to Fixed Fire-fighting Close-Down on Class XII Vessels (See Annex 3)

- 6.1 The Merchant Shipping (Fire Protection: Small Craft) Regulations 1998 ([SI 1998/1011](#)) require in Regulation 38 that fixed fire-fighting systems in machinery spaces of Class XII vessels are required to be “closed down” with fire flaps in the event of setting off the extinguishing medium. This is so that the fire may also be suppressed through the suffocation of air.
- 6.2 Some Recreational Craft built and certificated to the RCD have been designed and tested with an assumption that the machinery space need not be “closed down” with fire flaps if the fire is still extinguished within a set time. There are considerable risks associated with not closing down the air supply to a fire and these are explained in the Exemption.
- 6.3 Class XII Pleasure Vessels built and certificated to the RCD, where the fire test used to comply with ISO9094 (the underpinning ISO fire standard for RCD) includes a test to demonstrate that a maritime-specific machinery space fire can be extinguished without complete close down of natural ventilation, are exempted from certain (see Annex 4) parts of Regulation 38 of The Merchant Shipping (Fire Protection: Small Craft) Regulations 1998 if the conditions of the Exemption at Annex 4 are complied with in full. This does not exempt from remote shut-down of forced ventilation (fans) for machinery spaces and is limited to vessels where it has been verified that the machinery space volume and the air intake match those applied for the fire test.
- 6.4 In order to facilitate the conditions associated with the Exemption at Annex 4, the MCA requests that Pleasure Vessel manufacturers and owners engage with the fixed fire-fighting system manufacturers and suppliers to make sure that (as far as it is practicable depending on the vessel age and the availability of the information) information on the following subjects is provided in terms of instructions and guidance on precautions: -

### Installation

- Sizing the system;
- Determining the flow rate calculations for air changes;
- Determining space volumes to establish required volumes of gas;
- Locating the bottles to ensure that the system activates as rapidly as possible;
- Limiting factors of the system;

### Operating the System

- Precautions regarding health and safety regarding gas concentrations;
- Precautions regarding combustion products;
- Recommendations regarding how personnel manually use the system for detection and extinction of fire;
- Operating procedures.



## 7. Guidance on Pleasure Vessel Regulations for Safety of Navigation

### Introduction

- 7.1 On 1 July 2002, The Merchant Shipping (Safety of Navigation) Regulations 2002 ([SI 2002/1473](#)) came into force, some of which directly affect pleasure vessel users. These Regulations implement the International convention for the Safety of Life at Sea 1974, as amended, (SOLAS) Chapter V (Safety of Navigation). Most of the SOLAS Convention applies to large commercial ships, but parts of Chapter V also apply to small, privately owned pleasure craft. Further information on SOLAS Chapter V can be found at <https://www.gov.uk/navigation-safety-for-uk-seafarers#solas-chapter-v>. This provides information on the rules for the safety of navigation that apply to Pleasure Vessels of differing sizes.
- 7.2 The following requirements apply to all vessels, irrespective of size. If a vessel owner or operator is involved in a boating accident and it is subsequently established that the basic principles outlined in this document have not been applied, they may be breaking the law and could ultimately face prosecution.

### Voyage Planning

- 7.3 SOLAS Regulation V/34 ('Safe Navigation and avoidance of dangerous situations') concerns prior-planning of your trip, more commonly known as voyage or passage planning. Skippers should take into account the following points when planning a boating trip: -
- **Weather:** before you go boating, check the weather forecast and get regular updates if you are planning to be out for any length of time.
  - **Tides:** check the tidal predictions for your trip and ensure that they fit with what you are planning to do.
  - **Limitations of the Vessel:** consider whether your vessel is up to the proposed trip and that you have sufficient safety equipment and stores with you.
  - **Crew:** take into account the experience and physical ability of your crew. Crews suffering from cold, tiredness and seasickness won't be able to do their job properly and could result in an overburdened skipper.
  - **Navigational Dangers:** make sure you are familiar with any navigational hazards and dangers you may encounter during your boating trip. This generally means checking an up-to-date chart and a current pilot book or almanac covering the area of intended voyage.
  - **Contingency Plan:** always have a contingency plan in case something goes wrong. Before you go, consider places where you can take refuge should conditions deteriorate or if you suffer an incident or injury. Bear in mind that your GNSS (Global Navigation Satellite System) receiver, e.g. GPS set, is vulnerable to various interferences and could fail at the most inconvenient time. This might be due to problems with electrical systems, jamming or interference with the signals or meteorological activity. It is sensible and good practice to make sure you are not over-reliant on your GPS for timing and position-fixing and that you have sufficient skills and information (charts, almanac and/or pilot books) to navigate yourself to safety without your GPS should it fail.
  - **Information Ashore:** make sure that someone ashore knows your plans and knows



what to do should they become concerned for your wellbeing. The MCA recommends joining the Coastguard Voluntary Safety Identification Scheme by registering on RYA SafeTrx. It's free and easy to join. The scheme allows the Coastguard to have access to your boat's details and help you quickly should you get into trouble while boating. It could save your life. To begin download the RYA SafeTrx App and register. The app can be found on the Apple app store or Google Play. For those without a smartphone there is an option to register your details online at <https://safetrx.rya.org.uk/login.html>.

## Radar Reflectors or Radar Target Enhancers

7.4 Most large ships use radar for navigation and for spotting other vessels in their vicinity. So, whatever size your boat is, it is important to make sure that you can be seen by radar. SOLAS Chapter V Regulation 19 requires all small craft (less than 150GT) to fit a radar reflector, or other means, to enable detection by ships navigating by radar at both 9 and 3 GHz 'if practicable'. This means if it is possible to use a passive radar reflector on your boat then you should fit the largest radar reflector in terms of Radar Cross Section that you can. Whatever length your boat is, the passive radar reflector should be fitted according to the manufacturer's instructions, and as high as possible to maximise its effectiveness.

Notes: –

**Radar Cross Section (RCS):** Radar works by transmitting a pulse of energy and detecting that energy reflected back from an object. The more energy reflected back the easier it is to detect and the greater the range you can see it. The RCS is a number, which is in m<sup>2</sup>, telling you how good the object is at reflecting. The number changes with radar frequency and the angle.

Measurements made with an X-Band radar gave an RCS;

- for an inshore fishing vessel (8.5m Length Overall (LOA)) with a radar reflector to be 2-10m<sup>2</sup>; and,
- for a tanker (250m LOA) 1700 to 1,700,000 m<sup>2</sup>;

depending on the angle between the radar and the vessel.

The height of the radar scanner and the height of the object also have an effect, so a 10 m<sup>2</sup> RCS can be expected to be detected at 3nm and buoy with the same RCS at 2nm by a radar at scanner height of 15m.

**Passive and Active Radar Reflectors:** A traditional radar reflector is passive type, it merely reflects the radar energy. Radar reflectors work better when higher up and passive types can be bulky. An active radar reflector, also known as Radar Target Enhancer, is a small electronic device that receives, amplifies and retransmits a radar signal to make a much bigger RCS.

## Life-Saving Signals

7.5 SOLAS Regulation V/29 requires skippers to have access to an illustrated table of the recognised life-saving signals, so that you can communicate with the search and rescue services, or other vessels, if you get into trouble. These are available at <https://www.gov.uk/government/publications/live-saving-signals>. If a vessel is not suitable for carrying a copy of the table on board (because it is small or very exposed), the table should be studied in advance.



### Assistance to Other Craft

- 7.6 SOLAS Regulations V/31, V/32 and V/33 require skippers to let the Coastguard and any other vessels in the vicinity know if you encounter anything that could cause a serious hazard to navigation, if it has not already been reported. Skippers can do this by calling the Coastguard on VHF or by telephoning them at the earliest opportunity. The Coastguard will then warn other vessels in the area. Skippers are also required to respond to any distress signal they see or hear and help anyone or any vessel in distress if you are a position to give help.

### Misuse of Distress Signals

- 7.7 SOLAS Regulation V/35 prohibits misuse of any distress signals. These are critical to safety at sea and by misusing them you could put your or someone else's life at risk. Additionally, you may also want to keep a copy of the MCA guidance leaflet, "SOLAS regulations for pleasure boat users", which is available [here](#).



## 8. Guidance for Pleasure Vessels on the International Regulations for Preventing Collisions at Sea, 1972 (COLREG)

- 8.1 With respect to navigation and collision avoidance, any person in charge of any vessel that proceeds to sea, irrespective of size, is required to comply with the Merchant Shipping (Distress Signals & Prevention of Collisions) Regulations 1996 ([SI 1996/75](#)), as amended. These UK regulations implement the International Regulations for the Prevention of Collisions at Sea, 1972 (COLREG) and set out penalties.
- 8.2 The Regulations apply to all vessels upon the high seas and in all waters which are navigable by seagoing vessels. They require that all vessels that proceed to sea are correctly provided with, and exhibit, navigation lights, shapes and sound signalling devices consistent with the vessels' length, type and circumstances. Navigation lights are required if the vessel is likely to operate at night or in poor visibility by day.
- 8.3 Appropriate authorities may also make special rules which cover roadsteads, harbours, rivers, lakes or inland waterways connected with the high seas and navigable by seagoing vessels, which shall conform as closely as possible to the COLREG. It is important to familiarise yourself with any such special rules that apply to the local areas you operate your vessel as these may include additional requirements to those in the COLREG.
- 8.4 The COLREG consist of the following sections: -
- Part A – General
  - Part B – Steering and Sailing Rules
  - Part C – Lights and Shapes
  - Part D – Sound and Light Signals
  - Part E – Exemptions
  - Part F – Verification of compliance with the provisions of the Convention
  - Annex I – Positioning and technical details of lights and shapes
  - Annex II – Additional signals for fishing vessels fishing in close proximity
  - Annex III – Technical details of sound signal appliances
  - Annex IV – Distress signals
- 8.5 Owners should ensure that the lights they provide on their vessels are of approved types, displayed in their correct position(s) on the vessel as required by Annex I of the COLREG. [MGN 393](#) gives advice on how recreational and small craft should apply navigation light requirements: "Recreational and small craft owners should satisfy themselves that their vessels fully comply with the requirements for the carriage of navigation lights and that any replacement light sources for incandescent lights perform within the requirements set out in COLREG and are suitable if fitted to sailing vessels". One approach owners of Pleasure Vessels can take is to fit lights approved by a Notified Body under the Marine Equipment Directive or approved by a Recognised Organisation acting as an independent approval body.
- 8.6 Information with regard to COLREG and their current extant version can be obtained from [MSN 1781](#) Amendment 2.



## 9. Guidance on Pleasure Vessels Manning and Certification Regulations

- 9.1 The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015) do not apply to those on-board a pleasure vessel which is less than 80GT or under 24 metres in length.
- 9.2 Pleasure vessels of 24 metres in length or over and 80GT or over, but less than 3000 GT are exempt from The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015 provided they have persons on-board complying with the manning requirements set out in [MSN 1858](#) and [MSN 1859](#) for deck and engineering requirements respectively.
- 9.3 Vessels over 3000GT must be manned in accordance with The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015
- 9.4 The Merchant Shipping (Maritime Labour Convention) (Hours of work) Regulations 2018 do not apply to Pleasure Vessels. However, the Working Time Regulations 1998 apply while in the United Kingdom and national regulations may apply to operations in other national waters.
- 9.5 Anybody operating a Pleasure Vessel of any size with five or more paid crew and which undertakes non-coastal voyages will require a crew agreement and crew list. Further information is provided in [MGN 474](#). [MGN 111](#) provides information on the requirement to maintain an up-to-date list of crew at an address in the UK. [MGN 474](#) explains arrangements for exemption from the requirement to have a crew agreement where crew members have an individual Seafarer Employment Agreement in accordance with UK requirements.
- 9.6 Where paid crew are employed or engaged on a UK-flagged vessel, occupational health and safety regulations apply, principally the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 ([SI 1997/2962](#)), as amended, apply. [MGN 20](#) gives information and advice on risk assessment. [MGN 492](#) covers the employers' wider responsibilities.
- 9.7 Other health and safety related legislation (and supporting Guidance) that applies to those employed on UK pleasure vessels covers:
- (a) Control of noise at work ([MGN 352](#) and [MGN 377](#));
  - (b) Control of vibration at work ([MGN 352](#) and [MGN 436](#));
  - (c) Provision and use of work equipment ([MGN 331](#));
  - (d) Lifting operations and lifting equipment ([MGN 332](#));
  - (e) Working at height ([MGN 410](#));
  - (f) Manual handling ([MGN 90](#));
  - (g) Personal protective equipment ([MSN 1870](#));
  - (h) Working with carcinogens and mutagens ([MGN 356](#));
  - (i) Working with biological agents ([MGN 408](#));
  - (j) Working with chemical agents ([MGN 409](#) and [MGN 454](#));
  - (k) Working with artificial optical radiation ([MGN 428](#));
  - (l) Working with asbestos ([MGN 429](#) and [MGN 493](#));
  - (m) The employment of young persons ([MGN 473](#)); and
  - (n) Safety signs ([MGN 556](#)).
- 9.8 For those on such vessels the requirements of the Merchant Shipping and Fishing Vessels (Medical Stores) Regulations 1995 ([SI 1995/1802](#)) also apply with detailed requirements set out in [MSN 1768](#) and its [corrigendum](#).



## 10. Guidance on Pollution Prevention Regulations for Pleasure Vessels

### General Requirements

- 10.1 The IMO Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78) covers the control of several types of ship-generated pollution. The Convention's various Annexes are transposed into UK legislation. Generally prevention of pollution legislation applies to all vessels, including Pleasure Vessels of all sizes, and includes controls on the discharge of waste into the sea from ships. However certain requirements only apply to vessels of certain sizes or certified to carry a certain number of people. The best practice advice to follow is to return all waste (except air pollution) generated on board to shore waste reception facilities.

### Sewage Pollution Prevention

- 10.2 The Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008 ([SI 2008/3257](#)), as amended, sets out provisions for the control of ship generated sewage.
- 10.3 In relation to the control of sewage these requirements apply to ships engaged in international voyages over 400GT, or less than 400GT which are certified to carry more than 15 persons. These ships are subject to survey and will be issued with an International Sewage Pollution Prevention Certificate. Further information can be found in [MGN 385](#) and [MSN 1807](#).
- 10.4 Although no specific provisions are made in the regulations for vessels less than 400GT or certified to carry less than 15 persons, pleasure vessels should consider the impact when discharging sewage from a sea toilet or holding tank into the sea. Best practice advice is to return all waste generated on board to shore waste facilities, but this is not always possible or practical. Holding tanks if fitted should be used and should only be emptied at pump out stations or when more than 3 miles offshore in open sea where waste will be quickly diluted and dispersed by wave action and currents. On vessels without a holding tank avoid the use of toilets in poor tidal flushing area such as estuaries, inland waterways, inlets and crowded anchorages by using marina/ shore facilities wherever possible.
- 10.5 There are many other countries where the direct overboard discharge of sewage is prohibited by administrations/authorities. When sailing in non-UK waters please check the legislation of the waters that you are sailing in.

### Garbage Pollution Prevention

- 10.6 Regulations 26 to 28 and 30 of the Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations 2008 ([SI 2008/3257](#)) apply to Pleasure Vessels. Annex V of MARPOL was revised and entered into force on 1 January 2013. It is recommended that Owners voluntarily apply the new Annex V garbage regulations.
- 10.7 Garbage placards are to be displayed on board a ship over 12m in length overall to notify the crew and passengers of the disposal requirements set out in regulations 26 to 28 and regulation 30 of [SI 2008/3257](#), and in the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL), Annex V.

### Oil Pollution Prevention

- 10.8 The Merchant Shipping (Prevention of Oil Pollution) Regulations 1996 ([SI 1996/2154](#)), as amended, require that oil should be retained on-board for disposal to shore reception



facilities. Pleasure Vessels shall not discharge oil or oily mixture into the sea unless they are proceeding on a voyage; the oil is discharged through oil discharge monitoring equipment (an approved oily water separator and discharge alarm, and in addition within a special area, an automatic stopping device), and the oil content of the effluent discharged over board does not exceed 15ppm. Overboard discharge of oil in the Antarctic special area is prohibited. However, for vessels of less than 400GT there is not a requirement to install oily water separating equipment so the best practice is to not discharge oil or oily water but retain this on board for later disposal ashore.

- 10.9 The regulations relevant to Pleasure Vessels do not apply to any discharge into the sea of oil or oily mixture necessary for the purpose of securing the safety of a ship or saving life at sea. Means to prevent pollution by oil should be acceptable to administrations/authorities in the area in which a vessel operates.
- 10.10 For Pleasure Vessels of 400GT and over, further guidance can be obtained from “MARPOL 73/78 – Annex 1, Guidelines for Systems for Handling Oily Wastes in Machinery Spaces of Ships”. The guidelines apply to ships of which the keels were laid on or after 1 January 1992. Vessels of 400GT and over should be surveyed for an International Oil Pollution Prevention Certificate carried out by a UK Recognised Organisation (see [MSN 1672](#)).
- 10.11 Vessels of 1000GT and above must be issued with a Certificate of Insurance or other financial security in respect of civil liability for bunker oil pollution damage.

#### Air Pollution Prevention

- 10.12 Those vessels which are Recreational Craft under the RCD and placed on the market within the European Economic Area shall comply with the emissions control limits in that Directive. Pleasure vessels with the length (L) of 24 metres or more shall be in compliance with the UK Merchant Shipping (Prevention of Air Pollution from Ships) Regulations 2008 ([SI 2008/2924](#)) as amended and [MSN 1819](#) as amended. Further, any vessel built to the RCD standard which is later used for purposes other than sport or leisure purposes may continue to comply with the RCD emissions control limits as opposed to the standards in the above Merchant Shipping Regulations. There are exceptions in IMO requirements on Emission Control Areas for vessels engaged in trials. Please refer to Resolution MEPC 286(71) for further information.
- 10.13 Due to the different methods in calculating the length (L) of pleasure vessels less than 24m (from 2.5m to 24m in RCD) and 24m or more (MARPOL), the vessel owner should approach the MCA for guidance should their vessel size fall between breakpoints.
- 10.14 Pleasure Vessels over 400 GT shall be issued with either an International or UK air pollution prevention certificate depending on the water the vessel is operating in.
- 10.15 Marine diesel engines with power of more than 130KW, installed on pleasure vessels of more than 24m of length, shall be issued with Engine International Air Pollution Prevention Certificates. This requirement does not apply to marine diesel engines installed in pleasure vessels of length from 2.5m to 24m.

#### Use of Antifouling Paints

- 10.16 The Merchant Shipping (Anti-Fouling Systems) Regulations 2009 ([SI 2009/2796](#)), as amended, provides the legal framework required in the UK for the offences and penalties in relation to EC Regulation EC 782/2003 on the prohibition of organotin compounds on ships. The UK Regulations also implement the IMO’s International Convention on the Control of Harmful Anti-Fouling Systems on Ships.



- 10.17 Under EC Regulation 782/2003 it became compulsory for all ships in the European Economic Area (EEA) not to apply or re-apply organotin compounds which act as biocides in anti-fouling systems from the 1st July 2003. The UK Regulations, which apply enforcement provisions, came into force on 1 December 2009.
- 10.18 The Regulations apply to all ships including Pleasure Vessels. If the vessel is 24m or over in length, a Declaration of Antifouling Systems, and appropriate documentation (e.g. a paint receipt or contractor's invoice), or appropriate endorsement is required. This is also required if the vessel is not anti-fouled to confirm that is the case. Vessels of 400GT and above require an Anti-Fouling Systems Certificate. If the vessel is less than 24 meters; the antifoul used must not contain organotin compounds.



## **11. Guidance on Pleasure Vessel Registration, Survey and Certification Regulations**

- 11.1 It is not compulsory for a UK National who keeps their boat in UK waters to register a Pleasure Vessel. If a Pleasure Vessel of less than 24m length is registered on the UK Ship Register, it will be issued with an MCA Certificate of Registry for either Part I or Part III (Small Ship Register). UK Pleasure Vessels of 400GT or over are required to be surveyed by one of the UK's Recognised Organisations (Classification Societies) and issued an International Oil Pollution Prevention Certificate.
- 11.2 A UK Pleasure Vessel of 24 metres length or over must be issued a Declaration of Antifouling Systems by the MCA.
- 11.3 A UK Pleasure Vessel of 24 metres length or over and registered must be issued a Certificate of Registry, a Certificate of Measurement, and an International Tonnage Certificate by the MCA.
- 11.4 If over 400 GT, a Pleasure Vessel must be issued with the following: -
- an International or UK Oil Pollution Prevention Certificate;
  - an International or UK Air Pollution Prevention Certificate;
  - if engaged on international voyages, an International Sewage Pollution Prevention Certificate;
  - If engaged on international voyages, an International Energy Efficiency Certificate (IEEC);
  - an International Antifouling Certificate (instead of the Declaration for over 24 metre vessels);
  - Oil Record Book Part I;
  - Garbage Record Book;
  - Garbage Management Plan;
  - Shipboard Energy Efficiency Management Plan (SEEMP) if IEEC carried.
- 11.5 For Pleasure Vessels over 1000GT must be issued a Certificate of Insurance or other financial security in respect of civil liability for bunker oil pollution damage.



## **12. Advice on Other Regulations Relevant to Pleasure Vessels**

### Unsafe Use of Pleasure Vessels

- 12.1 Section 58 of the Merchant Shipping Act 1995 deals with conduct endangering ships, structures or individuals and Section 100 of the same Act deals with an owner's unsafe operation of a ship. This and other legislation apply to a vessel, its owner and master, particularly when it is not being used safely.

### Regulations on Civil Liabilities when Alongside

- 12.2 Generally, Merchant Shipping Regulations don't apply to a vessel alongside; it starts to apply once the vessel leaves the berth. However, health and safety regulations continue to apply on vessels where crew are employed, and there are civil liabilities that may apply, and any use alongside may be subject to agreement with the local authority.

### Vessel Traffic Monitoring Directive

- 12.3 Under EC Directive 2002/59, as amended, the operators of all recreational craft of 45m in length and over engaged on a voyage which is bound for a port in a EU Member State have a duty to report prior to arrival in that port.

### UK Pleasure Vessels Operating Outside UK Waters

- 12.4 Owners and skippers of UK pleasure vessels operating in states other than the UK should familiarise themselves with, and comply with, the local regulations that apply to foreign flagged pleasure vessels in that State's waters.
- 12.5 Pleasure Vessels not engaged in trade are not subject to inspection under the Paris Memorandum of Understanding (MoU) on Port State Control (PSC) which applies in the EU but may be subject to inspection under the laws of the relevant Member State.

### Foreign Pleasure Vessels Operating in UK Waters

- 12.6 Foreign (non-UK) Pleasure Vessels operating from UK ports in UK waters will be given no more favourable treatment than UK Pleasure Vessels. Such vessels should consider the Regulations cited within this MGN and whether they apply. Foreign Pleasure Vessels may be subject to inspection in UK waters by the MCA under UK legislation.



## 13. Best Practice Advice for Pleasure Vessel Owners and Crew

### General Advice for all Pleasure Vessels (not just Class XII)

13.1 It's strongly recommended that these best practice guidelines are followed at all times: -

- **Get Trained** – It is sensible to undertake some form of training suitable to the intended voyage(s) of your vessel; if you do get trained you will be far less likely to be involved in a maritime incident. If you get into difficulty you will also know how to get the right help quickly, reducing the impact of your problem;
- **Check the Weather and Tides** – Always check the weather and tidal conditions before you set out so that you can prepare accordingly. At sea, changes in tidal streams could make conditions worse, particularly if the wind and tide are against each other. Tidal heights may also hide underwater hazards;
- **Wear a Lifejacket** – A lifejacket that is properly serviced and maintained in accordance with the manufacturers recommendations will significantly increase your survival chances if you fall overboard. It should be fitted with a light, whistle, crotch straps to stop the lifejacket riding up over your head and if possible spray hood;
- **Avoid Alcohol** – If you have been drinking alcohol, your judgement will be impaired and you will be more likely to make mistakes, which at sea could be life threatening. Think of operating a vessel in the same way as you would think about driving a car – where the perils of drink driving are well understood;
- **Keep in Touch** – Tell someone responsible ashore where you are going and what time you expect to return so they are able to let the Coastguard know if you are missing;
- **Wear the Kill Cord** – if your boat is fitted with a kill cord, ensure the driver wears it at all times. If the driver falls overboard, it may help save their life and the lives of others who may also be in the water.

### Advice on Maritime Radio Communications

13.2 Best practice advice is to carry two independent means of communicating using maritime radio technology to facilitate calling for assistance in the event of an emergency. Maritime radio devices should be selected to ensure that they provide a reliable means for communicating with others and for others (both afloat and ashore) to communicate with you.

13.3 Different maritime radio communication devices have advantages and disadvantages for achieving these aims. For example:

- a) A VHF DSC radio can provide line of sight two-way communications capability and automated distress alerting but may not provide an indication of your position unless connected to a GPS/GNSS receiver.
- b) Longer-range radio communications devices such as HF/MF or recognised GMDSS satellite services overcome the range limitations of VHF and provide two-way communications.
- c) EPIRBs provide the position of the emergency and vessel identity, if registered, but don't facilitate two-way communication.



- 13.4 To determine the most suitable maritime radio communications devices for your vessel, advice should be sought from appropriate sources on the capability and limitations of the technology/products. You should take your usual area of operation and intended passages into consideration when choosing your equipment. Where the proximity to rescue cannot be relied upon due to the length of passage or area of operation, consideration should be given to the carriage of GMDSS equipment to contact the Coastguard. The MCA offers guidance on communications equipment including beacons in publicly available leaflets on the gov.uk website.
- 13.5 Under the Wireless Telegraphy Act (2006), radio communications equipment on UK vessels, unless exempted, has to be properly licensed and under the control of a certified operator. Ofcom is responsible for licensing enquiries about radio equipment on UK vessels, and ship radio licenses and associated MMSI numbers.

#### Advice on Personal Emergency Radio Devices

- 13.6 It's recommended that Owners consider the safety benefits of at least one crew member wearing a 406 MHz personal locator beacon (PLB) with GPS and a light whilst on the open deck at sea. It is also recommended for one other crew member to wear a Class M VHF MOB (Man Overboard) device equipped with a light (the light may be separate to the device). The MCA has published an information leaflet (entitled 'Personal Emergency Radio Devices') on PLBs giving guidance on attributes of different types of PLB and training, including how to respond if the PLB accidentally goes off. See link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/633925/10672-MCGA-Personal-Emergency-Radio-Devices.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/633925/10672-MCGA-Personal-Emergency-Radio-Devices.pdf)

#### **More Information**

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Website Address: [www.gov.uk/government/organisations/maritime-and-coastguard-agency](http://www.gov.uk/government/organisations/maritime-and-coastguard-agency)

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***Safer Lives, Safer Ships, Cleaner Seas***



**ANNEX 1 – EXEMPTION IN RELATION TO LSA ON CLASS XII VESSELS**



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United Kingdom

**GENREAL EXEMPTION in Relation to LSA on Class XII Vessels**

The Secretary of State, in exercise of the powers conferred by Regulation 85(3) of the Merchant Shipping (Life-Saving Appliances For Ships Other Than Ships Of Classes III to VI(A)) Regulations 1999 (SI1999/2721) hereby exempts any vessel of Class XII under 500 gross tons, as defined in these regulations, from the requirements of Regulations 21, 48, 69, 71, 72, 78, and 84 as they apply to vessels of Class XII, subject to the condition that the vessel complies with the requirements of the Schedule to this Exemption.

This Exemption cancels the General Exemption issued under SI 1999/2721 on 11 September 2015, published in Annex 1 of Marine Guidance Note (MGN) 538 (M).

Unless cancelled, this Exemption shall expire on 01 January 2024.

Dated this Day the 01 January 2019.

A handwritten signature in black ink, appearing to read "Katy Ware".

Katy Ware  
Director of Maritime Safety and Standards  
for the Secretary of State



## SCHEDULE TO EXEMPTION IN RELATION TO LSA ON CLASS XII VESSELS

The interpretation of terms used in this exemption shall be the same as in SI 1999/2721. Some commonly used interpretations are provided in "Definitions" section of MGN599.

**TABLE 1 TO EXEMPTION IN RELATION TO LSA ON CLASS XII VESSELS**

The Following Table Forms the Carriage Requirements for Life-saving Appliances:-

	Vessels engaged on a voyage in the course of which it is in the following areas:					
	Category A waters	Category B waters	Category C & D waters, and less than 3 miles to sea from the coast	3 miles to sea from the coast and less than 20 miles to sea from the coast	20 miles to sea from the coast and less than 150 miles to sea from the coast	More than 150 miles to sea from the coast
All persons on-board shall be provided with a suitable Personal Floatation Device, fitted with a lifejacket light complying with an MCA recognised standard.			<b>YES</b> (1)			
All persons on-board shall be provided with a lifejacket providing 150N of buoyancy, fitted with a self-activating light complying with an MCA recognised standard. (1)				<b>YES</b>	<b>YES</b>	<b>YES</b>
Lifebuoy fitted with an 18 metre buoyant line. (2)	<b>1</b> (4)	<b>1</b> (4)	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>
Lifebuoy fitted with a self-igniting light. (2)			<b>1</b> (5)	<b>1</b>	<b>1</b>	<b>1</b>
Three means of distress alerting in accordance with Annex 4 of the COLREGs, one of which must be a maritime radio capable of transmitting and receiving calls and messages appropriate for the area of operation and one of which must be distress flares (3).			<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>
Manufacturer's instructions for the use and maintenance of the life-	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>



saving appliances shall be available on-board the vessel.						
Liferaft (9)				YES	YES	YES
A Copy of the Life-Saving Signals or leaflet			YES	YES	YES	YES
A Throw line or rescue sling						1
A Ladder to afford access from the side deck to the waterline. (6)	1	1	1	1	1	1
<b>VESSELS OF 24 METERS LENGTH OR OVER AND LESS THAN 500GT IN ADDITION TO ABOVE SHALL CARRY THE FOLLOWING</b>						
Lifebuoy fitted with an 18 metre buoyant line. (2)						1
Lifebuoy fitted with a self-igniting light. (2)						1
Line throwing appliance						1
An Embarkation Ladder at each embarkation station extending in a single length from the deck to the waterline in the lightest seagoing condition under unfavourable trim up to 10 degrees and listed to not less than 20 degrees. (7)	1	1	1	1	1	1
<b>VESSELS OF 25.9 METERS IN LENGTH OF OVER AND UNDER 500GT IN ADDITION TO ABOVE SHALL CARRY THE FOLLOWING</b>						
Rescue boat or inflatable boat (8)	1	1	1	1	1	1

(1) The lifejacket light need not be fitted if the vessel's intended operation is in daylight hours or in good visibility only. Lifejackets shall be stowed in positions readily accessible from the helm and deck. Lifejackets shall be provided in appropriate sizes for the person(s) on-board.

(2) Light weight lifebuoys such as horse shoe buoys are permitted. Where they are used, they shall be fitted with a drogue to prevent them moving quickly across the water's surface.

(3) The provision in the table above of "*Three means of distress alerting in accordance with Annex 4 of the COLREGs, one of which must be a maritime radio capable of transmitting and receiving calls and messages appropriate for the area of operation and one of which must be distress flares*" is intended to be a replacement by Exemption provision to the need to carry parachute flares. With this in mind, it does not set a mandatory carriage requirement for radio communications to directly contact rescue services, though the ability to do so from the vessel is obviously desirable. The term "*appropriate for the area of operation*" in the table above means, as a minimum, the capability of contacting other vessels in the immediate vicinity but where the proximity to rescue cannot be relied upon due to the length of passage or area of operation, consideration should also be given to the carriage of GMDSS equipment to contact the Coastguard. Other means of distress alerting may include an EPIRB or a Personal Location Beacon. It is most strongly recommended that the maritime radio provided has a digital selective calling (DSC) function. The flares required shall include 4 red hand and 2 orange smoke flares. One of the signals included shall not be the raising and lowering of arms. "Appropriate for area of operation" means to be continuously able to make contact with someone who can take action when you need help.

(4) This may be replaced with an 18 metre rescue line and quoit in Category A or B waters.

(5) The self-igniting light need not be fitted if the vessels intended hours of operation are daylight only and / or in good visibility by daylight.

(6) Such a ladder is not required where the construction of the vessel affords access to the waterline (such as a Rigid Inflatable Boat). Such a ladder may be temporarily attached and may be replaced by an approved device to afford access to survival craft when waterborne.



(7) Where the length of the embarkation ladder would not be more than 1 meter an embarkation ladder is not required. Embarkation ladder(s) may be temporarily attached.

(8) A lifeboat may be accepted as a rescue boat providing it meets the requirements of a rescue boat. The lifeboat, rescue boat or inflatable boat shall be served by a launching appliance. Where the intended voyage is less than 60 miles from a safe haven and in less than Beaufort wind force 4 or less and the vessel has sufficient manoeuvrability in a seaway to enable persons to be retrieved from the water, a rescue boat is not required. To assess this ability, it is not acceptable to retrieve persons over the stern of the vessel or adjacent propeller(s). Additionally, the vessel should be provided with suitable equipment and / or arrangements to enable person(s) to be recovered without further persons entering the water.

(9) The following liferaft standards:

	Vessels engaged on a voyage in the course of which it is in the following areas:		
	3 miles to sea from the coast and less than 20 miles to sea from the coast	20 miles to sea from the coast and less than 150 miles to sea from the coast	More than 150 miles to sea from the coast
a CE marked Category C rigid or inflated inflatable dinghy ready for immediate use of equivalent capacity	X		
built to the ISO 9650-2 – Small Craft Liferafts Part 2 Type 2 provided the vessel is not operating in waters where the air temperature is less than 0° Centigrade	X		
built to the ISO 9650-1 – Small Craft Inflatable Liferafts Part 1 Type 1 Group A standard	X	X	X
built to the ISO 9650-1 – Small Craft Inflatable Liferafts Part 1 Type 1 Group B standard provided the vessel is not operating in waters where the air temperature is less than 0° Centigrade	X	X	X
constructed to SOLAS standards or MED approved.	X	X	X
<b>Unless phased-out as per the Note overleaf, vessels already fitted with the following liferaft types on the date of issue of this general exemption may continue to use them until replacement is due because they have come to the end of their serviceable life. The MCA is phasing out the use of ORC liferafts on Class XII vessels.</b>			
built to the International Sailing Federation (ISAF), Offshore Special Regulations (OSR) Appendix A Part 2 requirements	SEE NOTE	SEE NOTE	
built to the International Sailing Federation (ISAF), Offshore Special Regulations (OSR) Appendix A Part 1 requirements and manufactured prior to 1 <sup>st</sup> July 2003	SEE NOTE	SEE NOTE	
DfT Approved	X	X	X



## Liferaft Packs

All liferafts shall be equipped with a suitable pack.

On vessels proceeding more than 150 miles to sea from the coast this shall be a SOLAS 'A' PACK. (On vessels less than 24m length this may be supplemented with a "grab bag" if the liferaft contents do not make up a SOLAS 'A' Pack)

On vessels proceeding more than 20 miles to sea from the coast but less than 150 miles to sea this shall be an ISO (>24 hour) PACK, a SOLAS 'B' PACK, or a SOLAS 'A' PACK. (The contents of the pack integral to the liferaft may be supplemented by a "grab bag")

On all other liferafts, this shall be an ISO (<24 hour) PACK, an ISO (>24 hour) PACK, a SOLAS 'B' PACK, or a SOLAS 'A' PACK. (The contents of the pack integral to the liferaft may be supplemented by a "grab bag")

Every ship of 24 metres in length or over and under 500 GT, operating more than 3 miles to sea shall carry additional liferaft(s) to ensure that in the event of any one raft being lost or rendered unserviceable, there is sufficient capacity remaining for all on board, except where the ship does not operate more than 60 miles from a safe haven and operates in Beaufort wind force 4 or less then only one liferaft with sufficient capacity for all persons on-board is acceptable.

Every liferaft shall be carried either:

- (a) in approved FRP containers stowed on the weather deck or in an open space and fitted with float free arrangements so that the liferafts float free and inflate automatically; or
- (b) for ships of 13.7 metres in length or over but less than 24 metres in length, in FRP containers or in a valise stowed in a readily accessible and dedicated weathertight locker opening directly to the weather deck.

In ships of Class XII, every inflatable liferaft, compressed gas inflatable lifejacket and hydrostatic release unit shall be serviced by the manufacturer's approved agent, at the manufacturers recommended intervals, however where liferaft(s) are stored in valises these should be serviced at least annually.

Life-saving appliances are to be serviced according to manufacturer's instructions. For SOLAS inflatable Life-saving products this must at least be annually.

**NOTE: From 01 January 2019, no ORC liferafts may be newly fitted to Class XII vessels and from 01 January 2024 no ORC liferafts of any age or type will be permitted on Class XII vessels (inclusive of existing liferafts and existing vessels). In place of ORC liferafts, Class XII vessels will be required to fit either a SOLAS/MED liferaft or a liferaft built to the ISO 9650-1– Small Craft Inflatable Liferafts Part 1 Type 1 Group A standard.**

END

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## ANNEX 2 – EXEMPTION IN RELATION TO FIRE PROTECTION ON CLASS XII VESSELS



Maritime &  
Coastguard  
Agency

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Southampton  
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United Kingdom

### GENREAL EXEMPTION in Relation to Fire Protection on Class XII Vessels

The Secretary of State, in exercise of the powers conferred by Regulation 47 of the Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 (SI1998/1011) hereby exempts any vessel of Class XII under 500 gross tons, as defined in these regulations, from the requirements of Regulations 23, 35, and 36 as they apply to vessels of Class XII, subject to the condition that the vessel complies with the requirements of the Schedule to this Exemption.

This Exemption cancels the General Exemption issued under SI 1998/1011 on 11 September 2015, published in Annex 2 of Marine Guidance Note (MGN) 538 (M).

Unless cancelled, this Exemption shall expire on 01 January 2024.

Dated this Day the 01 January 2019.

Katy Ware  
Director of Maritime Safety and Standards  
for the Secretary of State



## SCHEDULE TO EXEMPTION IN RELATION TO FIRE PROTECTION ON CLASS XII VESSELS

(3 pages)

### Fire Protection

“length” in relation to a registered ship means length defined in section 2.1 above and in relation to an unregistered ship means the length from the fore part of the stem to the aft side of the head of the stern post or, if no stern post is fitted to take the rudder, to the fore side of the rudder stock at the point where the rudder passes out of the hull;

“registered length” should be taken to mean the “length” as defined in the Merchant Shipping (Tonnage) Regulations 1997 (SI 1997/1510), which is:

the greater distance of the following distances –

(a) the distance between the fore side of the stem and the axis of the rudder stock; or

(b) 96 per cent of the distance between the fore side of the stem and the aft side of the stern;

the points and measurements being taken respectively at and along a waterline at 85 per cent of the least moulded depth of the ship. In the case of a ship having a rake of keel the waterline shall be parallel to the designed waterline;

### Category A and B Waters

A ship on voyages solely on category A or B waters (as defined in MSN 1837, as amended) will be considered to comply with the minimum firefighting equipment requirements if it is issued with a valid Boat Safety Scheme Certificate.

### Category C and D Waters and Ships Engaged on Voyages to Sea

A ship on voyages on category C or D waters (as defined in MSN 1837, as amended) or to sea shall comply with the carriage requirements set out in the following table.

	Vessels of 13.7 meters but less than 24 meters length	Vessels of 24 meters in length or over and less than 500GT
Multi-purpose fire extinguisher to a recognised standard with minimum fire rating of 13A/113B	4 (1)	2
Metal, plastic or canvas buckets with lanyards suitable for fighting fires	2	2
Fire blanket to be provided in every galley or cooking	1	1



area, where there is a fire risk		
Hand or power driven fire pump (outside engine space), with sea and hose connections, capable of delivering a jet of water to any part of the ship through hose and nozzle, and one fire hose of adequate length with a 10mm nozzle and a suitable spray nozzle. (2)		1
Fire extinguishing means suitable for the capacity of the engine space for vessels fitted with inboard engines. (3)		YES

(1) For vessels of less than 24 meters length, a combination of smaller extinguishers giving equivalent fire rating is accepted. Two extinguishers may be accepted instead of 4 if the following is provided: A fire pump capable of delivering a jet of water with a minimum throw of 6 meters with a 6mm nozzle to any part of the ship. The fire pump need not be a dedicated fire pump and shall have one fire hose of adequate length with a 6mm nozzle and a suitable spray nozzle, and shall be either:-

- a. A hand powered fire pump, fixed or portable, outside any engine space with one sea and hose connections; or
- b. A power driven fire pump outside any engine space, fixed or portable, with sea and hose connections; or
- c. A hand powered portable fire pump with a throw over suction and hose connection.

(2) The fire pump may be substituted with 2 multipurpose fire extinguishers in addition to the fire extinguishers already required. These fire extinguishers shall have a minimum fire rating of 13A/113B. Smaller fire extinguishers giving an equivalent fire rating may be used.

(3) A person shall not be required to enter the machinery space in order to extinguish a fire. If it is not possible to extinguish fires in the machinery space safely from outside the space by discharging portable extinguishers into the space, a fixed firefighting system shall be fitted.

The means of complying with this requirement may be met by providing a portable fire extinguisher suitably sized for the space being protected and arranged to discharge into that space, an additional extinguisher, or one of the multi-purpose already required can also be the extinguisher required for discharge into the engine space, providing it is a suitable type (type B), and suitably sized and stowed in a location appropriate to its dual use.



When a fixed firefighting system, which is not a portable fire extinguisher is installed, in a machinery space, it should be an MCA, or equivalent, approved type appropriate to the space to be protected, and be installed and maintained in accordance with the manufacturer's requirements. The requirements for fixed firefighting installations are provided in the Merchant Shipping (Fire Protection – Small Ships) Regulations 1998 (SI 1998 No. 1011), as amended, and in MSN 1666 (M) – “The Merchant Shipping (Fire Protection Regulations 1998: Fixed fire detection alarm and extinguishing systems”

Fixed installations in machinery spaces covered by the references are:

- (a) Medium expansion foam;
- (b) High expansion foam;
- (c) Carbon dioxide;
- (d) Pressure water spraying;
- (e) Vaporising fluids (hydrofluorocarbons – HFCs); and
- (f) Aerosols (solid pyrotechnic type).

**Note:**

Multi-purpose fire extinguishers shall have a capability to deal with both Category A fires involving solid materials, and Category B fires, involving liquids or liquefiable solids. Portable fire extinguishers provided in compliance with this schedule shall be of an approved type and / or technically equivalent to BS EN 3.

END

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## ANNEX 3 – EXEMPTION ON THE CLOSING DOWN OF CLASSXII MACHINERY SPACES



Maritime &  
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### EXEMPTION ON THE CLOSING DOWN OF CLASS XII MACHINERY SPACES

The Secretary of State, in exercise of his powers under Regulation 47 of SI 1998/1011 hereby exempts;

#### **Ships of Class XII with length less than 24 metres**

from compliance with Regulation 38(1)(b) and 38(1)(c) of Merchant Shipping (Fire Protection: Small Craft) Regulations 1998 (SI 1998/1011), if such vessels are constructed to Recreational Craft Directive (RCD) standards for fire protection. Acceptable RCD standards for Fire Protection are detailed in ISO9094.

on the condition that: -

the machinery space is fitted with a fixed, type approved, extinguishing system designed, manufactured and installed to a standard not requiring close-down of naturally ventilated air-intakes in the event of fire; and

the vessel owner -

- complies with the Schedule attached to this exemption;
- advises the MCA of any changes that affect this exemption;
- ensures that the approval, installation, maintenance and operation conditions or limitations of fixed fire-fighting systems are complied with at all times.
- ensures that no modifications are made to machinery space boundaries, ventilation systems or fixed fire extinguishing systems in machinery spaces without consultation with the system manufacturer and the vessel manufacturer about any potential implications for the effective use of the fire extinguishing system.
- ensures that if the vessel's use is changed so that it no longer falls within the definition of Pleasure Vessel, the vessel is then modified (if required) to comply with the appropriate Code of Practice or otherwise applicable regulations for Merchant Shipping, as appropriate and in accordance with the Schedule to this Exemption.

This exemption is valid until 01 January 2024.

Dated this Day the 01 January 2019.

Katy Ware  
Director of Maritime Safety and Standards  
for the Secretary of State



## SCHEDULE TO EXEMPTION ON THE CLOSING DOWN OF CLASSXII MACHINERY SPACES

1. The intent of UK policy for the construction and equipment of pleasure vessels is to rely on compliance with the RCD plus the provision of certain levels of life-saving and fire-fighting equipment suitable for small craft. The intent of this Exemption is to allow for compliance of the fire protection for United Kingdom Class XII Ships (pleasure vessels) where the fire protection systems permit machinery space natural ventilation to remain open in the event of fire if it is demonstrated that the fire is extinguished within a set period. The Exemption applies to means of closing all skylights, doorways, ventilators, annular spaces around funnels and other openings to machinery space openings and means to permit the release of smoke from those spaces but only on the basis of compliance with RCD standards for fire protection. The Exemption does not apply to forced air ventilation systems.
2. **Regulation 38 (1)(a)** of Merchant Shipping (Fire Protection: Small Craft) Regulations 1998 (SI 1998/1011) requires that in every ship to which these Regulations apply means shall be provide for stopping ventilating fans serving machinery, accommodation and cargo spaces. **This regulation is NOT exempted by this exemption because it is imperative that forced ventilation to machinery spaces can be closed down in the event of a machinery space fire.**
3. **Regulation 38 (2)** of Merchant Shipping (Fire Protection: Small Craft) Regulations 1998 (SI 1998/1011) requires that machinery driving forced and induced draught fans, oil fuel transfer pumps, oil fuel unit pumps and other similar fuel pumps shall be fitted with remote controls situated outside the spaces in which such machinery or pumps are situated and which would not be made inaccessible by a fire within such spaces. The controls shall be capable of stopping such machinery or pumps in the event of fire in such spaces. **This regulation is NOT exempted by this exemption because it is imperative that forced ventilation and fuel pumps to machinery spaces can be remotely closed down in the event of a machinery space fire.**
4. While it is acknowledged that compliance with Regulations 38(1)(a) and Regulation 38(2) of Merchant Shipping (Fire Protection: Small Craft) Regulations 1998 (SI 1998/1011) may be achieved through automated systems, manual and remote override is the intent of these regulations and automated systems should therefore be capable of manual activation in case of the failure of the automatic system.
5. It is the responsibility of the manufacturer of the vessels to which this Exemption applies to ensure that compliance with this Exemption does not adversely affect other requirements, for example the stability of the vessel with respect to down-flooding.
6. It is the responsibility of the manufacturer of RCD vessels to which this Exemption applies to ensure that the fixed machinery space extinguishing system is compliant with the RCD and fit for purpose. With this in mind, the MCA highlights that for total flooding fire extinguishing systems like gas, clean agent and aerosol, if the complete gas-tight closure of the space cannot be guaranteed then the space may not contain the required concentration of agent for the necessary period to avoid re-ignition. **It is therefore essential that the system manufacturer's installation instructions and the conditions of type approval (including the limitations of the space volume and location of applicator nozzles) are complied with in full.**
7. Vessel owners and manufacturers need to be aware that the location of ventilation openings and the calculation of the ventilation rate of air changes in an engine room are critical to ensure the effectiveness of any extinguishing system.

END

