



**Maritime &  
Coastguard  
Agency**

**Version 1 – 01-Jan-19**

**THE CODE OF PRACTICE FOR INTENDED PLEASURE VESSELS IN  
TEMPORARY COMMERCIAL USE AT SEA**

**(“THE IPV CODE”)**

**an amendment by addendum to**

**THE SAFETY OF SMALL COMMERCIAL SAILING VESSELS —  
A CODE OF PRACTICE**

**THE SAFETY OF SMALL COMMERCIAL MOTOR VESSELS —  
A CODE OF PRACTICE**

**THE SAFETY OF SMALL WORKBOATS AND PILOT BOATS —  
A CODE OF PRACTICE**

**THE CODE OF PRACTICE FOR SAFETY OF LARGE COMMERCIAL  
SAILING AND MOTOR VESSELS\***

**enabled and underpinned through Statutory Instrument by**

**Regulations 4 and 5 of The Merchant Shipping (Vessels in Commercial  
Use for Sport or Pleasure) Regulations 1998 (SI 1998/2771), as  
amended; and**

**Regulation 5 of The Merchant Shipping (Small Workboats and Pilot  
Boats) Regulations 1998 (SI 1998/1609), as amended.**

\*the Large Yacht Code is amended by addendum by Part 1 of this Code of Practice only.

<b>Contents</b>	<b>Page</b>
1. Purpose and Legal Framework	3
2. Definitions	5
<b>IPV CODE PART 1 – BUSINESS PURPOSES</b>	
1. Application and Introduction	11
2. Vessel Use Included in the Application of Part 1 to this Code of Practice	12
3. Vessel Use Excluded from the Application of Part 1 to this Code of Practice	12
4. Certification Arrangements	14
5. General Requirements	16
6. Conditions of Compliance	17
Safety Management System Conditions	17
Operational Limitation Conditions	17
Construction and Machinery Conditions	18
Load Line, Bilge Pumping and Stability Conditions	20
Life-Saving Conditions	21
Fire-Safety Conditions	22
Safety of Navigation and Communications Conditions	23
Safe Manning Conditions	24
Clean Seas Conditions	24
Domestic Safety Management Audit Conditions	25
Self-Declaration Conditions	25
<b>IPV CODE PART 2 – RACE SUPPORT BOATS</b>	
1. Application and Introduction	27
2. Vessel Use Included in the Application of Part 2 to this Code of Practice	28
3. Vessel Use Excluded from the Application of Part 2 to this Code of Practice	29
4. Certification Arrangements	31
5. General Requirements	32
6. Conditions of Compliance	33
General Conditions	33
Radio and Navigation Safety Conditions	34
Advice on Maritime Radio Communications	34
Bilge Pumping Conditions	35
Fire-Safety Conditions	35
Life-Saving Conditions	35
Construction and Machinery Conditions	36
Load Line Conditions	37
Clean Seas Conditions	37
Safe Manning Conditions	37
Self-Declaration Conditions	37
<b>ANNEX A – FORMAT FOR SELF-DECLARATION CERTIFICATE</b>	<b>39</b>

## 1. Purpose and Legal Framework

- 1.1 This Code of Practice has been developed in discussion with an industry Steering Group to provide a framework allowing vessels normally in use as a Pleasure Vessel to be in temporary commercial use (outside of the Pleasure Vessel definition) for specific, limited, purposes. It recognises the needs of Owners and Operators, and required UK practices.
- 1.2 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.
- 1.3 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).
- 1.4 For Intended Pleasure Vessels, compliance with SI1998/2771 and SI1998/1609 is conditional on the temporary commercial use being within the scope of the application and conditions of the relevant Part of this Code of Practice. When considering if either part of this Code of Practice is relevant or applicable to the operation being considered, careful attention needs to be paid to the Pleasure Vessel definition and the description of application of the relevant Part to this Code of Practice. Examples of use within and outside the scope of this Code of Practice are provided but are not exhaustive. If in doubt, vessel owners and operators should seek their own independent legal advice about the status of a vessel/voyage after studying the guidance in MGN597, MGN598 and MGN599.
- 1.5 In accordance with SI1998/2771 and SI1998/1609, as amended, this Code of Practice (as amendment by addendum to the Codes of Practice referred to in the regulations) may also be amended by the Maritime and Coastguard Agency (MCA) acting on behalf of the Secretary of State.
- 1.6 It is important to stress that in the underpinning Statutory Instruments criminal liability upon summary conviction for non-compliance is assigned to Owners and Masters. What this means in practical terms is that the Code of Practice places obligations on the Operator but the responsibility for making sure that the Operator has complied with the requirements resides with the Owner and Master. In some cases, the Master (or the Owner) at the time of temporary commercial use at sea may also be the Operator, but it is also possible that in some cases the Master at the time of temporary commercial use is merely affiliated (through employment) to the Operator, particularly where the Operator is a Body Corporate. The Codes of Practice (and the IPV Code) identify provisions equally applicable to Owners and Managing agents in recognition of contractual arrangements.
- 1.7 This Code of Practice does not apply to a vessel which is undertaking sea trials, is being delivered, or used as a Race Support Boat wholly in a harbour, in a marina, on inland waterways, or in Categorized Waters which are defined in a Merchant Shipping Notice referenced in this Code of Practice. It is only applicable to temporary commercial use at sea, which is beyond UK Categorized Waters.
- 1.8 This Code of Practice provides a relaxation from otherwise applicable commercial standards on the basis of risk mitigations and operational limitations. Compliance relies

on the Operator and Master acting in a diligent and responsible manner as well as compliance with the applicable terms and conditions of this Code of Practice.

- 1.9 It is important to stress that, while all reasonable measures have been taken to mitigate risks through proportionate standards, total safety at sea can never be guaranteed. Unnecessary risks should not be taken during any voyage made in accordance with this Code of Practice.

**Definitions** (applicable to Parts 1 and 2 of this Code of Practice unless otherwise stated)

- 2.1 **Certificate** means, for the purpose of this Code of Practice, the self-declaration Certificate described in the Certification Arrangements sections of this Code of Practice. It is the Certificate required by the underpinning and enabling regulations.
- 2.2 **Daylight** means one hour before sunrise and until one hour after sunset.
- 2.3 **Delivery Company** means an individual or body corporate contracted by the Owner, the Manufacturer, or an agent of either the Owner or the Manufacturer, to deliver a vessel from one location to another.
- 2.4 **Design Category** means a description of the wind and sea conditions for which a vessel is considered suitable. For a vessel with a certificate of conformity issued and Design Category assigned under the RCD see the table below;

Design category	Wind force (Beaufort scale)	Significant wave height (H 1/3, metres)
A	Exceeding 8	Exceeding 4
B	Up to, and including, 8	Up to, and including 4
C	Up to, and including, 6	Up to, and including, 2
D	Up to, and including, 4	Up to, and including, 0.5

For a vessel assigned a Design Category by an authorised organisation (classification society), reference should be made to the applicable rules of that society to determine the wind and wave limits.

- 2.5 **Domestic Safety Management (DSM)** means the safety management audit regime normally applied to domestic passenger vessel operations described in [MGN536 and MSN1869](#).
- 2.6 **Equipment Service Provider** means an individual or body corporate contracted by the Owner, the Manufacturer, or an agent of either the Owner or the Manufacturer, to service equipment on board a vessel. This may include the servicing of sails for a sailing vessel or the servicing of electronic navigation equipment. The equipment service provider may be the equipment manufacturer.
- 2.7 **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. In all cases, Favourable Weather should not exceed the significant wave height or wind strength of either the Design Category of the vessel or the known safe limitations of the vessel identified from the Safe History of Operation.

2.8 **Gross Tonnage (GT)** means: -

- (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).

2.9 **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.

2.10 **International Maritime Organization (IMO)**, a specialised agency of the United Nations.

2.11 **Intended Pleasure Vessel (IPV)** means for Part 1 of this Code of Practice any vessel intended to be used or normally in use as a Pleasure Vessel but which is used at sea on a single-voyage basis by the vessel Owner, Manufacturer, broker, surveyor, repairer, Delivery Company, or Equipment Service Provider for business purposes relating to sale, repair, post-production / post-repair / mid-survey sea trials, equipment sea trials, customer sea trials, or vessel delivery for use in connection with that business purpose. For Part 2 of this Code of Practice, Intended Pleasure Vessel means any vessel intended to be used or normally in use as a Pleasure Vessel but which is used at sea as a Race Support Boat.

2.12 **Length** (of a vessel) with respect to the breakpoints of Length within this Code of Practice means (unless otherwise specified) Load Line Length, this means the greater of the following distances, measured at and along the waterline: -

- (a) the distance between the foreside of the stem and the axis of the rudder stock; or
- (b) a distance measured from the foreside of the stem, being 96 per cent of the distance between that point and the aft side of the stern.

The waterline referred to in this definition shall be at 85 per cent of the least moulded depth of the vessel. In the case of a vessel having a rake of keel, the waterline shall be parallel to the designed waterline.

NOTE: An exception to this is for the 24 metre Length breakpoints in the IPV Code where, in the case of a vessel the keel of which was laid or which was at a similar stage of construction before 21st July 1968, the term "Less than 24 metres Length" means less than 150 tons, and the term "24 metres Length and above" means "150 tons and above".

Within this definition,

"similar stage of construction" means a stage at which: -

- (a) construction identifiable with a specific vessel begins; and

(b) assembly of that vessel, comprising at least 1% of the estimated mass of all structural material has commenced; and

“tons” means gross tons, measured in accordance with the Regulations for measuring tonnage in force on 20th July 1968

2.13 **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.

2.14 **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.

2.15 **Manufacturer** means the individual or body corporate which constructed the vessel or is contracted by the individual or body corporate which constructed the vessel to act as their agent for the sale of their vessels.

2.16 [MGN280](#) means “Small Commercial Vessels in Commercial Use for Sport or Pleasure, Workboats and Pilot Boats – Alternative Construction Standards”, the appropriate standard for vessels of less than 24 metres Length.

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

2.18 [Large Commercial Yacht Code](#) means the Large Commercial Yacht Code, the appropriate standard for vessels of 24 metres Length or more.

2.19 **National Governing Body of the Sport** means the national governing body for a sport or activity conducted on or in water which is recognised as being so by: -

- a) Sport England; or
- b) Sport Scotland; or
- c) Sport NI; or
- d) Sport Wales.

2.20 **Nominated Departure Point** means the designated point of departure of the vessel, as specified on the vessel’s Certificate. Where this point lies within Categorised Waters it is to be taken as the seaward boundary of these waters.

- 2.21 **Operator** means the individual or body corporate responsible for the operation and safety on-board an Intended Pleasure Vessel while at sea. For Part 1 of this Code of Practice the Operator would be either the Owner or the Manufacturer, broker, surveyor, repairer, Delivery Company, or Equipment Service Provider contracted by the Owner for business purposes relating to sale, repair, post-production / post-repair / mid-survey sea trials, equipment sea trials, customer sea trials, or vessel delivery for use in connection with that business purpose. For the purpose of DSM Certification, the Operator should be deemed the DSM "Company". For Part 2 of this Code of Practice the Operator would be assigned by the Race Committee for Race Support Activities.
- 2.22 **Owner** means, in relation to a vessel, the individual(s), body corporate, or member's club owning the vessel, or the individual(s) or body corporate designated and contracted to act as the vessel's Managing Agent.
- 2.23 **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 on board 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.
- 2.24 **Pleasure Vessel** (according to [SI1998/2771, as amended](#)) 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
  - (c) 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.



- 2.25 **Race Committee** (for Part 2 of this Code of Practice) means the Committee delegated with all the powers required to conduct the racing and is responsible for the management and safety of the Race Support Activities in order to meet the race management requirements of the National Governing Body of the Sport.
- 2.26 **Race Event / Racing Event** (for Part 2 of this Code of Practice) means a series of races affiliated to the National Governing Body of Sport. A series of races is to be held over no more than 7 consecutive days.
- 2.27 **Race Support Activities** (for Part 2 of this Code of Practice) means either: -
- (a) laying, adjusting and collecting of racing course and boundary markers at sea, or
  - (b) monitoring the safety of a race at sea, or
  - (c) assisting race participants in difficulties at sea, or
  - (d) providing support to competitors while afloat at sea (including coaching), or
  - (e) adjudicating a race at sea, or
  - (f) marshalling the race participants and spectators at sea, or
  - (g) tidal and meteorological forecasting for a race at sea, or
  - (h) any similar activity which is in direct support of the sporting participants taking part in a race at sea.
- The scope and direction for all such activities will be determined by the Race Committee and all such activities will be undertaken only for racing affiliated to the National Governing Body of Sport.
- 2.28 **Race Support Boat (RSB)** (for Part 2 of this Code of Practice) means a vessel used for Race Support Activities in a race affiliated to the National Governing Body of Sport.
- 2.29 **Recreational Craft Directive (RCD)** means The Recreational Craft Regulations, SI 2004/1464 and SI 2017/737.
- 2.30 **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.
- 2.31 **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.
- 2.32 **Safe History of Operation** means a written declaration by the Owner which shall detail the average sea state, area of operation, and average wind conditions that the vessel's safe operation is based upon.
- 2.33 **Safety Management System (SMS)** means the written safety management system of the Operator, which should follow the principles normally applied to domestic passenger vessel operations according to MGN536.
- 2.34 **Should**, for the purpose of compliance with this Code of Practice (including any requirements as to operation, manning and maintenance); shall mean a requirement.

- 2.35 **Single-voyage Basis** means (for Part 1 of this Code of Practice) a one-off use for business purposes relating to sale, repair, post-production / post-repair / mid-survey sea trials, equipment sea trials, customer sea trials, or vessel delivery for use in connection with that business purpose. For example, a single-voyage delivery means a voyage from one location to another. A single-voyage sea trial means a voyage from one location returning to the same location as part of the same voyage, or from one location to another. There should be no planned intermediate stops between the Departure Location and the Arrival Location, and both should be recorded on the Certificate. Upon arriving at the Arrival Location, a return to the Departure Location should be counted as a separate single-voyage (requiring a new IPV Code Certificate) unless the Departure Location and the Arrival Location are the same location. For Part 2 of this Code of Practice, Single-voyage Basis means one Race Event.
- 2.36 **Temporary** means lasting only for a short time; not permanent. For the IPV Code temporary commercial status may only be used by a vessel which is normally a Pleasure Vessel and it cannot include a vessel already certificated under an alternative Code of Practice.
- 2.37 **At Sea** and/or **To Sea** mean in both cases beyond UK Categorised Waters, as defined in [MSN1837](#), as amended.

# **PART 1 TO THE CODE OF PRACTICE FOR INTENDED PLEASURE VESSELS IN TEMPORARY COMMERCIAL USE AT SEA**

## **1. Application and Introduction**

- 1.1 Part 1 of this Code of Practice is applicable to Intended Pleasure Vessels (IPV) in temporary commercial use on a single-voyage basis by vessel Owners, Manufacturers, brokers, surveyors, repairers, Delivery Companies or Equipment Service Providers contracted for business purposes relating to sale, repair, post-production / post-repair / mid-survey sea trials, equipment sea trials, customer sea trials, or vessel delivery outside the definition of Pleasure Vessel. It is applicable to IPVs of any size which are United Kingdom vessels in United Kingdom Waters. It also applies to other IPVs operating from United Kingdom ports whilst in United Kingdom waters.
- 1.2 The user of the vessel is termed the “Operator” and has responsibilities for equipping and maintaining the vessel according to Part 1 of this 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 this Code of Practice. The application of Part 1 of this Code of Practice does not include any international voyages (from one State to another) – advice for IPVs in commercial use on international voyages should be sought from the nearest port authority in the host State, and the MCA. It also does not include charter use outside of a “free voyage or excursion”.
- 1.3 This Code of Practice sets a framework to allow Operators to declare that they will use the Owner’s vessel safely, and to allow for the Owner to declare they are content for the Operator to use their vessel. Both the Owner and the Master are responsible for due diligence in checking that Part 1 of this Code of Practice is met. For example, the Owner and the Master would be expected to check that the Operator is aware of the IPV Code and has put in place measures to safely operate their vessel, including documenting a Safety Management System. The Operator would be expected to make the Owner aware of their Safety Management System and, if required, the DSM Certificate.
- 1.4 A DSM audit by the MCA (and Certificate) is required for any Operator using the IPV Code for more than 100 IPV Code movements across the Operator’s fleet on a single-voyage basis per calendar year beyond a seaward box of 6 x 1 miles; any Operator carrying more than 3 passengers or more than 10 persons in any location at sea; and any Operator on any single voyage of more than 150 miles at sea. All of the above cases are required to be outside of the Pleasure Vessel definition for an audit by the MCA to be required. Section 4 of Part 1 of this Code of Practice explains this principle in more detail.
- 1.5 Other than the cases described at Paragraph 1.4 and expanded upon within Section 4 of Part 1 to this Code of Practice, the only Certification required by this Code of Practice is a self-declaration Certificate which is the Code Certificate required by regulations.
- 1.6 The MCA advises that the Registry of Shipping and Seamen (RSS) should be contacted if a vessel has been registered as a United Kingdom Part 1 Pleasure Vessel and it is planned to be used within the IPV Code. A change to registration or temporary registration suspension may be required if the IPV Code is going to be used so the RSS should be consulted beforehand.

## **2. Vessel Use Included in the Application of Part 1 to this Code of Practice**

- 2.1 Part 1 to this Code of Practice applies to any IPV used at sea in UK territorial waters on a single-voyage basis by the vessel Owner, Manufacturer, broker, surveyor, repairer, Delivery Company, or Equipment Service Provider contracted for business purposes relating to sale, repair, post-production / post-repair / mid-survey sea trials, equipment sea trials, customer sea trials, or vessel delivery for use in connection with that business purpose.

## **3. Vessel Use Excluded from the Application of Part 1 to this Code of Practice**

- 3.1 Any vessel which is in use within the definition of a Pleasure Vessel is excluded from IPV Code Part 1 scope. This may include a post-purchase delivery if that delivery is only for the sport or pleasure of the Owner or their immediate family or friends (if owned by an individual or individuals). It may also include a professional delivery which is only for the sport or pleasure of the Owner if the vessel is wholly owned by an individual or individuals and no payments are made by or on behalf of users of the vessel, other than by the Owner. Such vessels need not be certificated to a Code of Practice or Merchant Shipping Regulations if within the Pleasure Vessel definition but will need to comply with Class XII requirements if the vessel is 13.7m in Length or over (see MGN599).
- 3.2 Any vessel which is in use outside the definition of Pleasure Vessel for any commercial use other than the business purposes (or in connection with the business purposes) described in paragraph 2.1 is excluded from IPV Code Part 1 scope. Such vessels should be examined and certificated to an alternative Code of Practice or Merchant Shipping Regulations and advice should be sought from the nearest MCA Marine Office.
- 3.3 Any vessel which is in use outside the definition of Pleasure Vessel because it is in use for charter (for which the owner receives money for or in connection with operating the vessel other than as a contribution to the direct running costs) is excluded from IPV Code Part 1 scope. The purpose of this provision is to exclude vessels which are not within the “free voyage or excursion” clause of the Pleasure Vessel definition. It recognises that the use of the IPV Code is only for Intended Pleasure Vessels, not for vessels intended for hire. Such vessels should be examined and certificated to the appropriate alternative Code of Practice or Merchant Shipping Regulations. Advice should be sought from one of the UK authorised small commercial vessel Certifying Authorities or the nearest MCA Marine Office.
- 3.4 Any vessel which is in use outside the definition of Pleasure Vessel and not operating on a temporary single-voyage basis is excluded from IPV Code Part 1 scope. This includes vessels on relocation delivery where the purpose of the delivery is to locate the vessel for commercial use. It also includes vessels in regular commercial use where the intended and normal use of the vessel is not as a Pleasure Vessel because it is normally in use outside of the Pleasure Vessel definition so the vessel is not in Temporary commercial use because it's not a one-off use for business purposes. Such vessels should be examined and certificated to an alternative Code of Practice or Merchant Shipping Regulations. Advice should be sought from the nearest MCA Marine Office.
- 3.5 Any vessel which is not in use at sea is excluded from IPV Code Part 1 scope. If operating in commercial use within Categorised Waters or inland waters, advice should be sought

from the nearest MCA Marine Office or local authority with responsibility for the particular waters (for example, the PLA on the River Thames).

- 3.6 Any vessel which is in use on an international voyage or beyond any other operational limits of scope of application is excluded from IPV Code Part 1 scope. Vessels operating from or within the waters of a State other than the UK should seek guidance from the relevant port-State or coastal-State on the applicable local requirements.
- 3.7 Any marine vehicle or craft which is not a sailing or motor vessel normally in use for navigation is excluded from IPV Code Part 1 scope. Part 1 of this Code of Practice does not apply to rowing boats, rowing skiffs, canoes, kayaks, paddle boards, kite-surf boards, surf-boards, windsurfing boards, body boards, jet-ski's, jet-bikes or similar. For guidance on the applicable requirements for such non-navigating craft, reference should be made to the National Governing Body for the Sport.
- 3.8 Any vessel which is already certificated to any other Code of Practice or to Part 2 of this Code of Practice, or in possession of other commercial vessel certification, is excluded from IPV Code Part 1 scope. This includes a vessel registered as a UK part 1 commercial ship.

## 4 Certification Arrangements

- 4.1 The intent of Part 1 to this Code of Practice is to provide a proportionate and appropriate level of safety for temporary, single-voyage basis commercial use, while not affecting the construction of the vessel or placing undue burdens on the Operator using it.
- 4.2 It is also intended for Part 1 of this Code of Practice to ensure that pleasure vessel construction standards, equipment and operational measures are applied to deliver an equivalent level of safety by accounting for the limited potential risk of temporary commercial use within UK territorial waters.
- 4.3 For the majority of operations by Owners, Manufacturers, brokers, surveyors, repairers, Delivery Companies, or Equipment Service Providers within the scope of Part 1 of this Code of Practice, a self-declaration Certificate approach of verification is permitted but for certain operations (defined and explained below) an audit of the Operator's Safety Management System by the MCA is required.
- 4.4 Part 1 of this Code of Practice applies to all IPVs temporarily in commercial use by Owners, Manufacturers, brokers, surveyors, repairers, Delivery Companies, or Equipment Service Providers irrespective of the size of the vessel.
- 4.5 For Part 1 of this Code of Practice, the Operator will need a DSM audit and certification from the MCA if they are: -
- (a) an Owner (outside Pleasure Vessel use), or
  - (b) a manufacturer, or
  - (b) a broker / brokerage, or
  - (c) a surveyor / survey organisation, or
  - (d) a repairer / repair facility, or
  - (e) a Delivery Company, or
  - (f) an Equipment Service Provider

and engaged in more than 100 IPV voyages across the Operator's fleet on a single-voyage basis per calendar year, where those vessel movements are outside of the definition of Pleasure Vessel on a single-voyage basis beyond 1 mile from land and more than 3 miles along the coast from the Nominated Departure Point in either direction. The intention is that operations within a 6 mile by 1 mile area from the Nominated Departure Point are only required to comply with self-declaration Certificate arrangements if no more than 3 passengers or 10 persons are carried. A record of the number of IPV voyages completed needs to be recorded by the Operator in order for the Code of Practice self-declaration Certificate to be valid.

- 4.6 For Part 1 of this Code of Practice the Operator will also need a DSM audit and certification if they are: -
- (a) an Owner (outside Pleasure Vessel use), or
  - (b) a manufacturer, or
  - (b) a broker / brokerage, or
  - (c) a surveyor / survey organisation, or
  - (d) a repairer / repair facility, or
  - (e) a Delivery Company, or

(f) an Equipment Service Provider

and engaged in the movement of any vessel: -

- (i) at sea on a voyage of more than 150 miles, or
- (ii) carrying more than 3 passengers on board to sea, or
- (iii) carrying more than 10 persons on board to sea,

and any of those vessel movements are outside the definition of Pleasure Vessel on a single-voyage basis.

- 4.7 For Part 1 of this Code of Practice an Operator using an IPV in temporary commercial use on a single-voyage basis but not in excess of the criteria for DSM audit and certification listed in paragraphs 4.5 and 4.6 should comply with the terms and conditions of Part 1 of this Code of Practice, document a Safety Management System (SMS) in accordance with the Conditions of Compliance for Part 1 of this Code of Practice, and complete a self-declaration Certificate on each occasion before the vessel puts to sea. All such self-declaration Certificates should be signed and retained by the Operator for a period of 5 years. In such cases, there is no requirement to formally register use of Part 1 of this Code of Practice or notify self-declaration Certification with the MCA.
- 4.8 For Part 1 of this Code of Practice an Operator that exceeds the criteria for DSM audit and certification listed at paragraphs 4.5 and 4.6 should set up their Safety Management System (SMS) in accordance with the Conditions of Compliance of Part 1 to this Code of Practice and then apply to the MCA for a DSM audit and DSM certification prior to reaching the DSM criteria. The DSM audit will be chargeable and should be completed (with DSM certification issued) before the DSM criteria listed at paragraphs 4.5 and 4.6 are reached. Significant notice of the need for a DSM audit needs to be provided to the local Marine Office. The Operator then continues to issue self-declaration Certification on each occasion before the vessel puts to sea in accordance with Part 1 of this Code of Practice.
- 4.9 To comply with SI 1998/2771 and SI 1998/1906, the self-declaration Certificate should be displayed for the entire IPV voyage in some conspicuous place on board; or, if this is not reasonably practicable, is to be available for inspection onboard.
- 4.10 An Owner always has the option of applying to the MCA for single-voyage Load Line Exemption(s) on a case-by-case basis or to request certification to an alternative Code of Practice applicable to non-temporary commercial use from a Certifying Authority listed in MIN538.
- 4.11 The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 apply to workers on board all vessels as defined in the regulations. Similarly, other associated health and safety regulations may apply.

## 5. General Requirements

5.1 To comply with Part 1 of this Code of Practice, the Operator should: -

- (a) ensure that the Owner authorises the use of the IPV and agrees to it being certificated to Part 1 of this Code of Practice. This should be recorded on the self-declaration Certificate; and
- (b) verify that each vessel used and certificated to Part 1 of this Code of Practice is an IPV and only in temporary commercial use for a single-voyage basis at sea; and
- (c) maintain and implement a Safety Management System (SMS) appropriate and proportionate to the safety risks presented by the activity undertaken; and
- (d) be in possession of a Domestic Safety Management (DSM) certificate issued by the MCA (following an audit by the MCA) where required by paragraphs 4.5 and 4.6 of Part 1 to this Code of Practice; and
- (e) examine the vessel and ensure that the Conditions of Compliance at Section 6 of Part 1 to this Code of Practice are met for every IPV voyage using Part 1 of this Code of Practice; and
- (f) advise the MCA of any changes that affect compliance with Part 1 of this Code of Practice (only for cases where a DSM certificate has been issued by the MCA); and
- (g) ensure that each vessel is operated within the limits of scope of Part 1 of this Code of Practice, and specifically only undertakes UK domestic voyages within the limits specified in Part 1 to this Code of Practice; and
- (h) ensure that vessels operated according to Part 1 of this Code of Practice carry a maximum of 12 Passengers, and no more than 15 persons in total. Note that 12 passengers and 15 persons is the absolute maximum, not the criteria for DSM audit which are separate and are listed in paragraphs 4.5 and 4.6 of Part 1 to this Code of Practice.

5.2 Both the Owner and Master of the IPV (note that the Master may also be either the Owner or the Operator), should make reasonable checks that the Operator complies with Part 1 to this Code of Practice. As a minimum, this may include: -

- (a) the Owner requesting sight of the Safety Management System (SMS) which identifies how the Operator meets the relevant requirements of Part 1 to the IPV Code, or
- (b) checks by the Owner that equipment specified by Part 1 to this Code of Practice is on board the vessel and this is notified to the Operator prior to signing the Certificate, or
- (c) checks by the Master that equipment specified by Part 1 to this Code of Practice is on board the vessel and this is notified to the Operator and Owner prior to them signing the Certificate.

5.3 The decision on who is the Owner and who is the Operator for the purpose of the IPV Code should be determined by all parties prior to each IPV voyage.



## 6 Conditions of Compliance

### Safety Management System Conditions

- 6.1 The Operator should develop and maintain a written Safety Management System (SMS) in accordance with the principles of MGN536 (except Section 3) and MSN1869. This is required for all IPV Code voyages irrespective of the need for a DSM audit. The size, detail and complexity of the SMS should be commensurate with the level of risk presented by the type and frequency of IPV voyages completed by the Operator. The SMS is a written company management system for all IPV voyages by the Operator, rather than vessel-specific.
- 6.2 The SMS should set out procedures for complying with the terms and conditions of Part 1 of this Code of Practice and should define the nominated persons of responsibility for the issue of the Code of Practice self-declaration Certificate referred to in paragraph 6.42 below. The Operator should make the Owner and Master aware of the SMS procedures and arrangements to assure the safety of their vessel.
- 6.3 The SMS should include limiting operating conditions (such as maximum wind force or distance of voyage, or hours of use) that should be observed during use of vessels in accordance with this Code of Practice – the intent being for the Operator to consider the likely conditions to be encountered during the type of activity planned to be completed, the type of vessels likely to be used, the operational limits of Part 1 to this Code of Practice, and the abilities of potential skippers and crew.
- 6.4 Safety should be continuously managed throughout each IPV voyage in accordance with the SMS and, as an example, should consider sufficient detail such as the decisions for wearing of Personal Flotation Devices (PFDs) while completing IPV voyages.

### Operational Limitation Conditions

- 6.5 All voyages under Part 1 of this Code of Practice should be undertaken within 60 miles from a Safe Haven and within UK Territorial Waters (12 miles from the baseline coast of the United Kingdom), except in cases of force majeure. For a chart showing UK territorial waters please refer to the Foreign and Commonwealth Office website via the following link:  
  
<https://www.gov.uk/guidance/uk-maritime-limits-and-law-of-the-sea>
- 6.6 The limits of operating under the IPV Code (the scope of the IPV Code), and any operational limitations identified by the Operator, should be described within the SMS. Any voyage outside of these limits would need to be considered by the MCA on a case-by-case basis, which can authorize such voyages if appropriate/necessary and will identify the appropriate certification based on the risks posed by the proposed voyage(s) and the Operator. Limitations specific to the operation of the vessel, and safety measures required due to the type and size of the vessel, should be accounted for in the SMS. Examples of this are the carriage of storm sails, suitability of guard rails, and provision of safety harnesses for sailing vessels. If in doubt, reference should be made to MGN280 for guidance on the vessel-specific considerations that should be covered in the SMS.

- 6.7 The point from which to start measuring the 150 miles voyage length to assess compliance with paragraph 4.6(i) is from the point of passing to sea, i.e. leaving Categorised Waters. The point at which the 60 miles distance from a Safe Haven is measured for compliance with paragraph 6.5 is from the seaward entrance to the Safe Haven, which may or may not be Categorised Waters. For any further advice, please contact the nearest MCA Marine Office.
- 6.8 As far as possible, only equipment necessary for the IPV voyage should be carried. Any loose gear should be adequately secured. An IPV should not be used for the transport of cargo including marketing hardware such as a stand for a boat show.
- 6.9 Persons on board should be limited to the crew for the vessel, the manufacturer or repairing/surveying/servicing/delivery personnel, and other persons essential for the purpose of the voyage. This means that passengers should be limited to only those essential for the purpose of the voyage. The IPV Code cannot be used for chartering.
- 6.10 The maximum number of persons on board each IPV should be limited in accordance with an assessment made by the Operator based on the size of the vessel undergoing trials and the purpose of each IPV Voyage, in accordance with the SMS.
- 6.11 All persons on board should be briefed on emergency on-board procedures prior to any IPV voyage. Shore-side system checks should be undertaken by the Operator alongside prior to departure to ensure that systems critical to safety are working reliably. Any observed defects affecting the safety of the vessel should be rectified before commencing an IPV voyage. This does not preclude sea trials to, for example, test a damaged engine if that damaged engine is not critical to safe navigation because of another means of propulsion being available and suitable for an IPV voyage in the prevailing and forecast conditions.

#### Construction and Machinery Conditions

- 6.12 The Operator should examine the vessel and confirm that the vessel's structure and watertight integrity are appropriate for the intended area of operation, duration of voyage, forecast and prevailing weather conditions, forecast and prevailing sea conditions, and the purpose of the IPV voyage. This should be determined on the basis of the following (in order of priority and preference for checking): -
- (a) For IPV's of less than 24 metres Length, evidence of the following should be identified:-
- i) Compliance with ISO12215 as part of RCD conformity plus a visual check of the condition of the vessel by the Operator, or, if this is not possible,
  - ii) Compliance with the construction rules of an authorized organisation listed in [MSN1672](#) (and confirmation reported in writing by a Naval Architect), or, if this is not possible,
  - iii) Owner confirmation of a minimum of 5 years Safe History of Operation for the vessel plus the completion of a visual check of the condition of the vessel by the Operator prior to the IPV voyage, or

- iv) For vessels wishing to use the IPV Code to operate no more than 500 metres from land in favorable weather and daylight with no passengers and no more than two persons on board for checking repairs to (or to survey) the vessel, its machinery, equipment or systems the Operator may conduct a visual examination of the visible structure of the vessel without the need for verification of conformity to a specific standard or owner confirmation of a 5 year Safe History of Operation. To use this clause, the Operator should ensure that the conditions below are met: -

The Operator should guarantee that the use of the vessel is wholly in sight of and in contact with persons ashore or in immediate vicinity who are able to undertake a rescue in the event of an incident.

The Operator should guarantee that all persons on board are at all times when on deck wearing a lifejacket meeting, as a minimum, ISO 12402-3 (150N).

The Operator should ensure that the SMS includes details of how and when to complete a visual examination of a vessel's structure and watertight integrity which should be based on documented industry practice.

- (b) For vessels of 24 metres Length and above, the Operator should be assured that the vessel meets the structure and watertight integrity requirements of the Large Commercial Yacht Code.

- 6.13 If already fitted, the emergency power system should be fully operational. If not already fitted, the Operator should consider redundancy of power systems and how this will be achieved in the event of the hotel/machinery electrical source failing. A plan for achieving emergency power supply for critical systems should be considered as part of a voyage plan for each vessel, as appropriate to the size and type of vessel and the nature/distance of the planned voyage.
- 6.14 Each IPV should be equipped with an anchor suitable for use in an emergency in accordance with the provisions described in MGN280 or the Large Commercial Yacht Code (the Operator should choose the standard appropriate to the size of the vessel).
- 6.15 Each IPV should not proceed to sea without all machinery and control systems critical to the safe conduct of the IPV voyage being operational and pre-departure system checks being completed.
- 6.16 The steering control position should be located so that the person helming the vessel has a clear view for the safe navigation of the vessel for the duration of each IPV voyage.
- 6.17 Arrangements should be made for emergency steering for each IPV in the event of failure of steering control. If emergency steering is impractical for reasons such as the stage of construction of the vessel or repairs/systems being tested, alternative safety measures and / or procedures to deal with any steering failure situation should be provided to the satisfaction of the Owner, Master and Operator and in a way which will not endanger the safety of the vessel or the persons on board.

## Load Line, Bilge Pumping, and Stability Conditions

- 6.18 Access hatches, doors, ventilators, ship side valves, sea inlets/outlets, covers and all other openings above and below the waterline should be fully operational on each IPV prior to departure, and should have an identifiable and accessible secure closing/closing-off function. Also, maximum watertight and weathertight integrity should be maintained at all times by keeping hatches closed while at sea.
- 6.19 An IPV should have an efficient bilge pumping system, with suction pipes so arranged that any compartment (other than a tank permanently used for the carriage of liquids) can be drained. Where an IPV has an existing bilge pumping or draining system this should be fully operational for each IPV voyage. As a minimum, each IPV should have one working hand-powered bilge pump (or, for an open boat, a draining system, bailer or a bucket) on board. Where a hand-powered bilge pump is provided, it should have a pump capacity of not less than 15 litres per minute. A hand pump can be substituted by a powered pump.
- 6.20 Adequate stability information should be made available for each IPV and the Operator should confirm that the vessel's stability is appropriate for the intended area of operation, which should be on the basis of the following (in order of priority and preference for checking): -
- (a) For IPV's of less than 24 metres Length, evidence of the following should be identified:-
- i) Compliance with ISO12217 as part of RCD conformity, or, if this is not possible,
  - ii) **For motor monohull or motor multihull vessels** - Compliance with MGN280's simplified heel test completed and formally reported in writing by a Naval Architect. (the number of persons can be substituted with a standard weight of 82.5 kg to represent each person). See MGN280 Sections 11.4.1 and 11.4.2, as appropriate, or
  - iii) **For sailing monohull vessels only** - Compliance with MGN280's simplified stability assessment STOPS verified by a Naval Architect. See MGN280 Sections 11.9.4.and 11.9.5 (note that 11.9.5 is the table of permitted areas), except
  - iv) **Where 6.20(a)(ii) or 6.20(a)(iii) are deemed by both the Owner and Operator to be impracticable** - Owner confirmation of a minimum of 5 years Safe History of Operation is to be documented for the vessel. To mitigate the risks of a lack of stability assessment, the Operator should guarantee that: -

Only persons essential for the IPV voyage are permitted on board.

The IPV voyage will be undertaken in favourable weather and daylight only.

A system for regular shore contact to a designated person ashore using two-way communication for the duration of the IPV Voyage is in place with a procedure documented on board and in the SMS.

All persons on board are at all times when on deck wearing a lifejacket meeting, as a minimum, ISO 12402-3 (150N).

- v) For vessels wishing to use the IPV Code to operate no more than 500 metres from land in favorable weather and daylight with no passengers and no more than two persons on board for checking repairs to (or to survey) the vessel, its machinery, equipment or systems the Operator may waive the need for Owner confirmation of a 5 year Safe History of Operation. To use this clause, the Operator should ensure that the conditions of 6.20(a)(iv) are met and, in addition: -

The Operator should guarantee that the use of the vessel is wholly in sight of and in contact with persons ashore or in immediate vicinity who are able to undertake a rescue in the event of an incident.

- (b) For IPV's of 24 metres Length and above, the Operator should be assured that the vessel meets the stability requirements of the Large Commercial Yacht Code or the stability standards of an authorized organization listed in MSN1672.

6.21 Positive stability and freeboard should be maintained throughout each IPV voyage so care should be taken when considering the loading, trim and heel of the vessel throughout each IPV voyage. For sailing IPV's, sail selection for the forecast and prevailing conditions should be carefully considered so as not to risk the potential of excessive heel.

#### Life-Saving Conditions

6.22 All life-saving appliances (LSA) should be provided on board and fully operational prior to the start of each IPV voyage, as defined within the SMS and in compliance with the LSA provisions below.

- (a) For IPV's of less than 24 metres Length operating **within** the 6 mile by 1 mile area referred to in paragraphs 4.5 and 4.6 the requirements for LSA should: -

- (i) if operating in favorable weather and daylight - as a minimum, comply with the LSA provisions of MGN280 Area Category 6.
- (ii) if operating at night - as a minimum, comply with the LSA provisions of MGN280 Area Category 3.

- (b) For IPV's of less than 24 metres Length operating **outside** the 6 mile by 1 mile area referred to in paragraphs 4.5 and 4.6 the requirements for LSA should, as a minimum, be in accordance with MGN280 Area Category 2.

- (c) For IPV's of less than 24 metres Length operating no more than 500 metres from land in favorable weather and daylight with no passengers and no more than two persons on board for checking repairs to (or to survey) the vessel, its machinery, equipment or systems need not carry the liferaft required for Area Category 6 operations, subject to the conditions below being met: -

- (i) The Operator should guarantee that the use of the vessel is wholly in sight of and in contact with persons ashore or in immediate vicinity who are able to undertake a rescue in the event of an incident.

- (ii) The Operator should guarantee that all persons on board are at all times when on board wearing a lifejacket meeting, as a minimum, ISO 12402-3 (150N).
- (iii) The Operator should ensure that the reasons for not carrying a liferaft for sea trials, as per the MGN280 Annex 4 Equivalence provisions, is fully documented in the SMS.

NOTE: The requirements for LSA for vessels of less than 24 metres Length, including a table listing LSA carriage requirements is provided at Section 13 of MGN280 but the table should be read in conjunction with the corresponding paragraphs in Section 13.

- (d) For IPVs of 24 metres Length and above, the Operator should be assured that the vessel meets the LSA carriage requirements of the Large Commercial Yacht Code.

NOTE: Inflatable SOLAS Life-Saving Appliances should be serviced according to MGN548 and inflatable non-SOLAS Life-Saving Appliances should be serviced according to MGN553.

- 6.23 Suitable means of escape should be provided from all compartments, with access ladders rigged where applicable to allow egress, and all such escapes should be fully operational.

#### Fire-Safety Conditions

- 6.24 All fixed and portable Fire Safety Appliances should be provided on board and fully operational prior to the start of each IPV voyage, as defined within the SMS and in compliance with the Fire Safety Appliances provisions below.

- (a) For IPVs of less than 24 metres Length operating **within** the 6 mile by 1 mile area referred to in paragraphs 4.5 and 4.6 of Part 1 to this Code of Practice, the fire safety appliances should, as a minimum, be in accordance with MGN280 Area Category 6.
- (b) For IPVs of less than 24 metres Length operating **outside** the 6 mile by 1 mile area referred to in paragraphs 4.5 and 4.6 of Part 1 to this Code of Practice the fire safety appliances should, as a minimum, be in accordance with MGN280 Area Category 2.

NOTE: The requirements for fire safety appliances for vessels of up to 24 metres Length are provided at Section 15 of MGN280.

- (c) For IPVs of 24 metres Length and above, the Operator should be assured that the vessel meets the fire safety appliance carriage requirements of the Large Commercial Yacht Code.
- 6.25 Suitable Fire, Abandon Ship, and Man Overboard drills should be carried out on a regular basis with persons on board (as determined by the Operator to be appropriate, and as documented in the SMS). In determining the frequency of drills, the Operator should take account of the number of IPV voyages completed each year, number of IPV voyages completed by persons on board, the complexity of IPVs used, and the number of persons employed or engaged by the Operator to undertake IPV voyages.

## Safety of Navigation and Communication Conditions

- 6.26 Each IPV should be prepared for sea by the Operator, and a voyage plan for each voyage should be made with due consideration being given to the weather forecast and proximity of a Safe Haven as a place of refuge (noting that each IPV voyage should always be within 60 miles of a Safe Haven and always within UK territorial waters). A voyage plan need not be too complex but is essential for good seamanship and for the safety of all persons on board.
- 6.27 Navigation Safety equipment should be carried on board each IPV according to MGN280 or Large Commercial Yacht Code standards (as appropriate to the size of vessel), and as defined within the SMS. Except where the IPV is only within 500 metres from land and is using the clauses at paragraph 6.12(a)(iv), 6.20(a)(v), and 6.22(c), the radar reflector should be rigged in position and may be either a passive or an active radar reflector.
- 6.28 Two-way radio communications equipment should be provided on board each IPV in accordance with MGN280 or Large Commercial Yacht Code (as appropriate to the size of vessel) and as defined within the SMS. Sufficient number of persons on board should be appropriately qualified and licensed for the use of the equipment.
- 6.29 At every stage of an IPV voyage due regard should be given to weather forecasts to ensure that the voyage will be completed in weather and sea conditions suitable for the vessel.
- 6.30 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). This fitment recommendation is particularly useful when undertaking group working activities. See below Notes i, ii, iii.

Note i: A Class M VHF MOB will only inform the Coastguard if the nearest station is in VHF range. It will also alert other vessels within range. Therefore, it is considered unsuitable for use on single-handed vessels and it is prudent at least one other person on board vessels to have a 406 MHz PLB with GPS to ensure they alert Coastguard if they enter the water alone or with others.

Note ii: When registering a PLB consideration should be made to scheduled crew changes and to providing a 24 hour contact if the vessel operates 24 hours.

Note iii: 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)

- 6.31 406MHz PLBs should be registered with the UK Beacon Registry, details of which are given in MSN 1816 – Mandatory Registration of Emergency Position Indicating Radio Beacons (EPIRBs). VHF DSC devices should be registered with Ofcom, details of which are also given in MSN1816.

6.32 An arrangement for towing the vessel should be provided for use in an emergency.

Safe Manning Conditions

6.33 The tables below should be complied with as a minimum for each IPV except it is not necessary for any of the persons on board to have a commercial endorsement for the prescribed qualification.

Table1 for Minimum Manning - Vessels <24 metres Length

Capacity	Minimum Certification	Number
Master	Master in accordance with MGN 280 to be defined by the Operator for each class / size of vessel.	1
Crew	Crew in accordance with MGN 280 to be defined by the Operator for each class / size of vessel.	1
Engineer where applicable	Engineer / Crew in accordance with MGN 280 to be defined by the Operator for each class / size of vessel.	1 where applicable

Table 2 for Minimum Manning - Vessels 24 metres Length and above

Capacity	Minimum Certification	Number
Master	Master in accordance with MSN1858 to be defined by the Operator for each class / size of vessel.	1
Chief Officer	Coastal Skipper	1
Chief Engineer	Chief Engineer Yachts (Y1)(STCW Reg III/2)	1
Yacht Rating	Yacht Rating (Reg II/4 and III/4)	2

6.34 The Chief Engineer (Y1) (STCW III/2) may be replaced with a Chief Engineer (Y3) (STCW Reg III/3) providing the holder has completed an Engine Manufacturer’s course covering the operation and daily maintenance of the engines fitted.

6.35 The Yacht Ratings (Reg II/4 and Reg III/4) may be replaced with Navigational Watch Rating (STCW II/4).

6.36 The Hours of Work requirements of MSN1868 as amended should be complied with.

6.37 Adequate provision should be made for accommodation facilities as appropriate to the duration and nature of each IPV voyage, provisions, and potable water (which may be in the form of bottled water) for drinking purposes.

Clean Seas Conditions

6.38 Each IPV should meet national and local requirements for the prevention of marine pollution which are applicable to the area in which the vessel is operating. Responsibility for the vessel to be properly equipped and maintained to meet the requirements prevailing rests with the Owner but should be managed by the Operator.

6.39 The disposal of garbage into the sea is prohibited by other rules and regulations and this should be observed by the Operator and Master at all times.



## Domestic Safety Management Audit Conditions

- 6.40 Where a DSM audit is required by Section 4 of Part 1 to this Code of Practice, the SMS required by paragraph 6.1 should be audited by MCA surveyors and a DSM certificate issued to the Operator with validity for a period of up to 5 years. For cases where DSM certification has been issued by the MCA the Operator should advise the MCA of any changes which may affect compliance with Part 1 of this Code of Practice.
- 6.41 Continued validity of the DSM certificate for the Operator is subject to a repeat DSM audit of the Operator by the MCA at no more than 5 year intervals from the date of issue. The MCA may choose to set DSM certificate validity and to undertake a repeat audit at less than 5 year intervals if the initial DSM or any subsequent notification to the MCA about the Operator's ability to meet the IPV Code identifies high or potentially high risks. Fees will be charged by the MCA for DSM audits in accordance with the Merchant Shipping (Fees) Regulations. The Operator and vessels compliant with Part 1 of this Code of Practice will also be subject to inspection at any reasonable time by the MCA. Fees are not charged for ad-hoc MCA inspections.

## Self-Declaration Conditions

- 6.42 The self-declaration Certificate is the certificate required by the underpinning regulations to be on board in order to disapply the Merchant Shipping regulations. The Operator and Owner are jointly responsible for making an examination of the vessel the completion and the completion and issue of the self-declaration Certificate for each voyage made under Part 1 of this Code of Practice. The self-declaration Certificate confirms that the Operator has complied with the terms and conditions of Part 1 of this Code of Practice for the forthcoming voyage, and that the Owner is content for the vessel to be used by the Operator in temporary commercial use at Sea. The required format of the self-declaration Certificate is shown at Annex A.
- 6.43 It is not necessary to send a copy of the self-declaration Certificate to the MCA but the MCA will check during DSM audits (for Operators required to receive a DSM audit) that the self-declaration Certificates are being completed and retained according to the requirements of this Code of Practice.
- 6.44 It should be noted that Regulation 5(4) of SI1998/2771 and Regulation 5(2) of SI1998/1609 state that:
- “Where a vessel has been so examined and a small commercial vessel certificate issued, the vessel shall not proceed, or attempt to proceed, to sea unless:
- (a) *the certificate is currently in force;*
  - (b) *the vessel complies with the requirements of the relevant Code of Practice (including any requirements as to operation, manning and maintenance); and for this purpose any provision of the Code expressed in the conditional (i.e. “should”) shall be a requirement; and*
  - (c) *the certificate is displayed in some conspicuous place on board; or, if this is not reasonably practicable, is available for inspection on board.”*

Equally, Regulation 4(4) of SI1998/2771 states (in the context of Large Yachts) that:

*“Where a vessel has been so examined and appropriate certificates issued, the vessel shall not proceed or attempt to proceed to sea unless:*

*(a) the certificates are currently in force; and*

*(b) the vessel complies with the applicable requirements of the Code of Practice (including any requirements as to operation, manning and maintenance).”*

## PART 2 TO THE CODE OF PRACTICE FOR INTENDED PLEASURE VESSELS IN TEMPORARY COMMERCIAL USE AT SEA

### 1. Application and Introduction

- 1.1 Part 2 of this Code of Practice is applicable to Intended Pleasure Vessels (IPVs) which are in temporary commercial use at sea on a single-voyage basis as a **Race Support Boat for the purpose of Race Support Activities at sea affiliated to the National Governing Body of the Sport**. It can only be used for a vessel to complete up to 10 Race Events outside the Pleasure Vessel definition per calendar year.
- 1.2 Part 2 of this Code of Practice is applicable to IPVs of no more than 15m Length which are United Kingdom vessels within United Kingdom waters (or any other IPV of no more than 15m Length operating from United Kingdom ports) whilst fulfilling a role in United Kingdom waters as a Race Support Boat for any racing activity at sea which is affiliated to the UK National Governing Body of Sport.
- 1.3 Part 2 of this Code of Practice only applies to Race Support Activities to sea within 3 miles from the Nominated Departure Point named in the Certificate and never more than 3 miles from land, in favourable weather and daylight (Code Area Category 6). It only applies to Race Support Activities within the description of: -
  - a) transition to the Race Course Area(s) as defined by the Notice of Race, and
  - b) movements as directed by the Race Committee as defined by the Notice of Race.
- 1.4 Race Support Boats used beyond the scope of application for Part 2 of this Code of Practice should instead be Certificated to an alternative and appropriate Code of Practice or should reconsider the way the vessel is used so that it is operated entirely within the definition of Pleasure Vessel.
- 1.5 The user of the vessel is termed the “Operator” and has responsibilities for equipping and maintaining the vessel according to Part 2 of this Code of Practice. In many cases the Operator for Part 2 of the IPV Code is likely to be the club organising the racing but this depends on the individual circumstances and arrangements of the race as determined by the Owner and the Race Committee. The Owner has a responsibility for ensuring that the Operator has a Safety Management System (SMS) in place in order to disapply the Merchant Shipping Regulations through compliance with Part 2 of this Code of Practice.
- 1.6 This Code of Practice sets a framework to allow Operators to declare that they will use the Owner’s vessel safely, and to allow for the Owner to declare that they are content for the Operator to use their vessel. Both the Owner and the Master are responsible for due diligence to check that the Operator complies with Part 2 of this Code of Practice.

## **2. Vessel Use Included in the Application of Part 2 of this Code of Practice**

- 2.1 Any IPV owned by an individual (within the scope of application) which is normally in use for sport or pleasure but for a single-voyage basis the use is temporarily not within the definition of a Pleasure Vessel because it is taken to sea to provide Race Support Activities for a race affiliated to the National Governing Body of Sport which is not only for the Sport or Pleasure of the individual vessel Owner (nor the Owner's friends or immediate family).
- 2.2 Any IPV owned by a Body Corporate (within the scope of application) which is normally in use for sport or pleasure but for a single-voyage basis the use is temporarily not within the definition of a Pleasure Vessel because it is taken to sea to provide Race Support Activities for a race affiliated to the National Governing Body of Sport and it is not in use by officers or employees of the Body Corporate owner, nor immediate family or friends of the Body Corporate owner.
- 2.3 Any IPV owned by a Members Club (within the scope of application) which is normally in use for sport or pleasure but for a single-voyage basis the use is temporarily not within the definition of a Pleasure Vessel because it is taken to sea to provide Race Support Activities for a race affiliated to the National Governing Body of Sport and it is not in use by the Member's Club owning the vessel for the Members of the club.

### **3. Vessel Use Excluded from the Application of Part 2 of this Code of Practice**

- 3.1 Any vessel which is in use within the definition of a Pleasure Vessel is excluded from IPV Code Part 2 Scope. This may include the use of a Race Support Boat owned by an individual and used only for the sport or pleasure of the Owner if it is also a free voyage or excursion. Such vessels need not require certification to a Code of Practice or merchant shipping regulations but will need to comply with Class XII requirements if the vessel is 13.7m in length or over. A vessel owned by a Body Corporate is required to have specific persons on board the vessel at the time of use in order for it to qualify as a Pleasure Vessel. The full definition of Pleasure Vessel should always be studied to determine the status prior to use as a Race Support Boat. If in doubt as to the status of the vessel, the Owner is advised to seek independent legal advice after reading the IPV Code, Pleasure Vessel definition, and all MCA published guidance on the definition and the IPV Code.
- 3.2 Any vessel which is in use outside the definition of Pleasure Vessel, outside the scope of the IPV Code, or is in use for charter (for which the owner receives money for or in connection with operating the vessel as a Race Support Boat other than as a contribution to the direct running costs) or as a workboat or pilot boat is excluded from IPV Code Part 2 Scope. Such vessels should be examined and certificated to the appropriate alternative Code of Practice or merchant shipping regulations. Advice should be sought from one of the UK authorised small commercial vessel Certifying Authorities or the nearest MCA Marine Office.
- 3.3 Any vessel which is in use outside the definition of Pleasure Vessel and not operating on a temporary single-voyage basis at sea as a Race Support Boat for Race Support Activities affiliated to the National Governing Body of Sport is excluded from IPV Code Part 2 Scope. Such vessels should be examined and certificated to an alternative Code of Practice or Merchant Shipping Regulations because they do not fall within the definition of IPV. Advice should be sought from the nearest MCA Marine Office.
- 3.4 Any vessel which is not in use at sea is excluded from IPV Code Part 2 Scope. If operating in commercial use within Categorised Waters, advice should be sought from the nearest MCA Marine Office or local authority with responsibility for the particular waters (for example, the PLA on The Thames).
- 3.5 Any marine vehicle or craft which is not a sailing or motor vessel normally in use for navigation is excluded from IPV Code Part 2 Scope. Part 2 of this Code of Practice does not apply to rowing boats, rowing skiffs, canoes, kayaks, paddle boards, kite-surf boards, surf-boards, windsurfing boards, body boards, jet-ski's, jet-bikes or similar. For guidance on the applicable requirements for such craft, reference should be made to the National Governing Body for the Sport.
- 3.6 Any vessel of more than 15m in Length, any vessel carrying passengers, any vessel carrying more than 10 persons, and any vessel or use of vessel which falls within the application of Part 1 of this Code of Practice is excluded from IPV Code Part 2 Scope.
- 3.7 Any vessel which is in use on an international voyage or any other vessel beyond the scope of application of Part 2 of this Code of Practice is excluded from IPV Code Part 2 Scope. Advice should be sought from the nearest MCA Marine Office about the applicable requirements which will differ depending on the type and use of vessel. Also, vessels

operating from or within the waters of a State other than the UK should seek guidance from the relevant port-State or coastal-State on the applicable local requirements.

#### **4. Certification Arrangements**

- 4.1 The intent of Part 2 of this Code of Practice is to provide a proportionate and appropriate level of safety for temporary, single-voyage basis commercial use for IPV's used as a Race Support Boat, while not affecting the construction of the vessel or placing undue burdens on the Operator using it. It is not intended to be more onerous than would be expected of usual race management practice in the UK for Race Support Boats.
- 4.2 It is also intended to ensure that pleasure vessel construction standards and appropriate equipment and operational measures are applied to deliver an equivalent level of safety by accounting for the limited potential risk of this type of use.
- 4.3 Part 2 of this Code of Practice applies a self-declaration Certificate approach. An Operator using an IPV in temporary commercial use at sea on a single-voyage basis as a Race Support Boat should comply with the requirements of Part 2 of this Code of Practice, examine the vessel to ensure compliance, and issue a self-declaration Certificate for each Race Event before the Race Support Boat puts to sea.
- 4.4 All self-declaration Certificates should be signed by the Owner and Operator, displayed on board for the duration of the IPV voyage, and retained by the Operator for a minimum period of 5 years. There is no requirement to formally register with the MCA the use of Part 2 of this Code of Practice or notify self-declaration Certification with the MCA.
- 4.5 The MCA recommends that for open vessels the self-declaration Certificate is laminated or stowed in a dry-bag so that it is not damaged by sea spray or rain.
- 4.6 The MCA advises that the Registry of Shipping and Seamen (RSS) is contacted if the vessel has been registered as a United Kingdom Part 1 Pleasure Vessel but is wanting to use the IPV Code. A change to registration or temporary registration suspension may be required if the IPV Code is going to be used so the RSS should be consulted.
- 4.7 A vessel Owner always has the option of applying to the MCA for single-voyage Load Line Exemption(s) on a case-by-case basis or certification to a Small Commercial Vessel Code of Practice applicable for non-temporary use.
- 4.8 The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 apply to workers on board all vessels as defined in the regulations. Similarly, other associated health and safety regulations may apply.

## **5 General Requirements**

5.1 To comply with Part 2 of this Code of Practice, the Operator should: -

- (a) ensure that the Owner authorises the use of the IPV as a RSB and agrees to it being certificated to Part 2 of this Code of Practice, this should be indicated by the Owner's signature on the self-declaration Certificate; and
- (b) verify that each vessel used and Certificated to Part 2 of this Code of Practice is an IPV and only in temporary commercial use for a Single-voyage Basis for no more than 10 Race Events per calendar year as a Race Support Boat for Race Support Activities at sea; and
- (c) maintain and implement a Safety Management System (SMS) appropriate and proportionate to the safety risks presented by the activity undertaken and in accordance with the race management guidance issued by the National Governing Body of the Sport; and
- (d) examine the vessel and ensure that the Conditions of Compliance at Section 6 of Part 2 of this Code of Practice are met for every voyage or operation using Part 2 of this Code of Practice; and
- (e) ensure that each RSB only undertakes UK domestic voyages within the limits specified in the Conditions of Compliance; and
- (f) ensure that RSBs operated to Part 2 of this Code of Practice carry no passengers and no more than 10 persons in total (see paragraph 6.6 of Part 2 of this Code of Practice for a clarification).



## 6. Conditions of Compliance

### General Conditions

- 6.1 Each RSB should be prepared suitably for sea by the Operator, and a race management plan inclusive of the use of each RSB for Race Support Activities should be written by the Operator with due consideration being given to the weather forecast and proximity of a potential place of refuge.
- 6.2 The structure, watertight integrity and machinery for each RSB should be deemed by the Operator to be suitable for the intended area of operation, duration of Race Support Activities, crew ability, weather, and sea conditions. This should be determined through a visual examination and, as far as is possible, it should be evidenced to the Operator by the Owner through compliance with either the construction standards underpinning the RCD, Rules of a Classification Society listed in [MSN1672](#), or, for vessels not complying with either the construction standards underpinning the RCD or Rules of a Classification Society listed in MSN1672 due to the age of the vessel or the country of build, a Safe History of Operation should be evidenced to the Operator. As far as is possible, the Owner should make it clear to the Operator how the vessel meets these standards.
- 6.3 All uses of a RSB should be undertaken within the application limits of Part 2 of this Code of Practice. All uses should be within UK territorial waters. The limits to the area of operation should be included within the SMS. Any commercial voyage outside of IPV Code scope will need to be considered by the MCA on a case-by-case basis.
- 6.4 The SMS should identify limiting conditions that should be observed whilst each RSB is at sea. Due regard should be given to weather forecasts to ensure that the Race Event and therefore Race Support Activity is only undertaken in daylight and favorable weather. Alternatively, all Race Support Activity will need to be completed within the Pleasure Vessel definition or each RSB would need to be fully certificated to the Brown Code / MGN280.
- 6.5 As far as practicable any equipment unnecessary for use as a RSB should be removed and any loose gear should be secured. Each RSB should not be used for the transport of cargo such as marketing material but anything required to be carried to act as a RSB is permitted as long as the vessel is not overloaded.
- 6.6 Each RSB should be manned in accordance with paragraphs 6.39 and 6.40. The persons on board should be limited to the crew and any race officers or adjudicators identified by the Race Committee as being required on board. This cannot include any passengers. The maximum number of persons on board should not exceed 10 but the IPV should not at any point be overloaded.
- 6.7 All persons on board should be briefed and drilled in emergency procedures before departure. Any race event competitor who is taken on board each RSB as part of the Race Support Activity is not deemed a passenger as long as they are on board for the purposes of safety, rescue, medical assessment or repatriation to the shore, their vessel or another event vessel. Competitors thus embarked are not required to be "briefed and drilled in emergency procedures" if doing so is not practicable e.g. during a rescue situation.

- 6.8 Safety of each RSB should be continuously managed throughout in accordance with the SMS.
- 6.9 An arrangement for towing each RSB should be provided for use in an emergency and each RSB should be equipped with an anchor suitable for use in an emergency.
- 6.10 Adequate provision should be made on each RSB for seating, accommodation facilities, provisions and potable water (as appropriate to the size of the vessel and the duration of Race Support Activities). Provision of potable water may be in the form of bottled water.

#### Radio and Navigation Safety Conditions

- 6.11 Each RSB should have appropriate devices for ensuring two-way marine radio communications to achieve the functional requirements below which should account for such issues as the limitations of line of sight operation for VHF radio: -
  - a) each RSB should have a means of contacting, as a minimum, the Race Committee and other RSBs, and
  - b) at least the RSB or the Race Committee should have a means of contacting the Coastguard.
- 6.12 For the functional requirement at 6.11 a) only, it should be achieved through at least one of the following device types: -
  - a) portable VHF marine radio
  - b) fixed VHF marine radio
- 6.13 For the functional requirement at 6.11 b), if the Race Committee ashore is unable to contact the Coastguard by landline or mobile telephone then the RSB should carry the following device types: -
  - a) GMDSS two-way communications device (see Maritime Radio advice below).
- 6.14 Each RSB should carry on board an efficient handheld magnetic compass or other means independent of the main power supply to determine the vessel's heading.
- 6.15 Suitable charts for the area (or a suitable electronic chart plotting system) and tide tables should be carried and this may be achieved through the provision of material as part of the event instructions provided by the Race Committee. The person helming a RSB should have a clear view to assure the safe navigation of the vessel.

#### Advice on Maritime Radio Communications

- 6.16 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.

- 6.17 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.
- 6.18 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.
- 6.19 The MCA offers guidance on communications equipment including beacons in publicly available leaflets on the gov.uk website.
- 6.20 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.

#### Bilge Pumping Conditions

- 6.21 A minimum of one hand powered bilge pump or a bailer or a bucket should be provided on board. Where a hand powered bilge pump is provided, it should have a pump capacity of not less than 15 litres per minute.

#### Fire-Safety Conditions

- 6.22 A minimum of one multipurpose fire extinguisher with minimum fire rating of 5A/34B should be provided on board each Race Support Boats, stowed in a readily accessible location.

#### Life-Saving Conditions

- 6.23 The following life-saving appliances are the minimum which should be carried on board and may be stowed in a grab-bag: -
- 2 Buoyant lines of 18m length (each attached to a throwing quoit), or 2 throw lines within a throw-bag designed for retrieving a casualty from the water; and
  - 2 Red hand flares; and
  - 2 Buoyant or hand-held smoke signals; and
  - 1 Fog horn in working order; and
  - 1 First aid kit; and

- 2 Thermal protective aids; and
  - 1 Tow line for towing casualty race vessels (unless deemed unnecessary by the Race Committee on the basis of the type of Race Support Activities being undertaken).
- 6.24 Personal Flotation Devices (PFD) should at all times be worn by persons on board each RSB.
- 6.25 Where specifically directed by the Race Committee, a RSB crew member may be required to enter the water at short notice and therefore is permitted to wear a Buoyancy Aid PFD compliant with ISO12402-5, and should wear appropriate clothing for immersion. The term “Appropriate Clothing” should be defined by the Race Committee and should take account of guidance from the National Governing Body which as a minimum should include consideration of time in water, water temperature, and air temperature for the duration of the Race Support Activity.
- 6.26 Other than the case described in paragraph 6.25 above, the persons on board should wear a lifejacket PFD complying, as a minimum, with ISO 12402-3 (150N), or the Marine Equipment Directive / SOLAS.
- NOTE: Inflatable SOLAS Life-Saving Appliances should be serviced according to MGN548 and inflatable non-SOLAS Life-Saving Appliances should be serviced according to MGN553.
- 6.27 Suitable means of escape should be provided and all such escapes should be fully operational.

#### Construction and Machinery Conditions

- 6.28 RSBs should not proceed to sea without all machinery and control systems being operational and pre-departure checks being completed by the Operator. Outboard petrol engines for a RSB should comply with recognised safety standards for their fitting and operation.
- 6.29 When the steering control is remote from the means of steering, an emergency means should be provided for steering the vessel in the event of failure of the main steering control. For open Rigid Inflatable Boats, emergency steering arrangements may take the form of a steering oar.
- 6.30 Electrical arrangements should minimise the risk of fire and electric shock.
- 6.31 A RSB should carry a sufficient reserve of fuel for the duration of the intended use. However, in RSBs powered by outboard petrol engines, spare petrol is not to be carried on board unless it is judged by the Operator to be essential to assure the safe completion of the Race Support Activities as directed by the Race Committee.
- 6.32 If spare fuel is carried on board in portable containers (including spare fuel tanks), the number of containers should be kept to a minimum and the maximum aggregate volume of fuel carried in portable fuel containers should be limited to 30 litres. Portable fuel containers should be clearly marked and stowed on the open deck where they can be readily jettisoned.

- 6.33 All open vessels using Part 2 of this Code of Practice should be fitted with a machinery kill-cord which the Master should ensure is always worn when operating. The SMS should include a provision to reflect this.

#### Load Line Conditions

- 6.34 Access hatches, doors, ventilators, ship side valves, sea inlets/outlets, covers and all other openings above and below the waterline should be fully operational prior to departure, have an identifiable and accessible secure closing/closing-off function. Also, maximum watertight and weathertight integrity should be maintained at all times, for example, by keeping hatches closed while at sea.
- 6.35 Adequate stability information should be available and to confirm the acceptability of the stability of the vessel in accordance with Classification Society Rules, MGN280, or ISO12217 (whichever is the appropriate standard for the size, age and type of the vessel).
- 6.36 Adequate positive stability and freeboard are maintained throughout the voyage in accordance with the vessel's stability information, including during high speed maneuvers, where applicable and as defined within the SMS.

#### Clean Seas Conditions

- 6.37 Each RSB should meet national and local requirements for the prevention of marine pollution which are applicable to the area in which the vessel is operating. Responsibility for the vessel to be properly equipped and maintained to meet the requirements prevailing rests with the Owner but should be managed by the Operator.
- 6.38 The disposal of garbage into the sea is prohibited by other rules and regulations.

#### Safe Manning Conditions

- 6.39 The Operator should be satisfied that the skipper and Crew are competent for the Race Support Activities. The minimum standard required is RYA Powerboat Level 2 or an equivalent national recognised certificate but no commercial endorsement to that qualification is necessary. A second person on board should be trained and competent in handling emergency situations. At least one person on board should also be qualified to operate the VHF radio, and at least one person should hold a maritime first aid qualification to a minimum level of RYA First Aid at Sea.
- 6.40 The SMS established by the Operator will set out procedures for complying with the terms and conditions of Part 2 of this Code of Practice and will define the nominated persons who will be responsible for the issue of the self-declaration Certificate below.

#### Self-Declaration Conditions

- 6.41 The Operator is responsible for the issue of the Self-declaration Certificate for each use of a RSB made under Part 2 of this Code of Practice. This certificate confirms that the Operator has complied with the terms and conditions of this Code of Practice for the forthcoming Race Support Activities. The format of the Self-Declaration Certificate is shown at Annex A to this Code of Practice.

6.42 It should be noted that Regulation 5(4) of SI1998/2771 and Regulation 5(2) of SI1998/1609 state that:

*“Where a vessel has been so examined and a small commercial vessel certificate issued, the vessel shall not proceed, or attempt to proceed, to sea unless:*

- (a) the certificate is currently in force;*
- (b) the vessel complies with the requirements of the relevant Code of Practice (including any requirements as to operation, manning and maintenance); and for this purpose any provision of the Code expressed in the conditional (i.e. “should”) shall be a requirement; and*
- (c) the certificate is displayed in some conspicuous place on board; or, if this is not reasonably practicable, is available for inspection on board.”*

## Annex A – Form of Self Declaration Certificate

**NOTE: This certificate should be displayed in some conspicuous place on board; or, if this is not reasonably practicable, be available for inspection on board.**

[Enter Operator Name and/or Logo Here]

This Code of Practice Self-declaration Certificate is issued under the terms and conditions of [Part 1 or Part 2 (*delete as appropriate*) of] the Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use at Sea made under SI1998/2771 and SI1998/1609.

<b>Date of Expiry of DSM Cert. (if applicable)</b>	
<b>Vessel Name, Length and Date of Build</b>	
<b>Date and time of start of voyage</b>	
<b>Date and time of end of voyage</b>	
<b>Departure Location</b>	
<b>Arrival Location</b>	
<b>Max. distance from Departure Location</b>	
<b>Max. persons and passengers on board</b>	

I, [name], do declare that the above named Intended Pleasure Vessel will be making the temporary commercial single-voyage at sea (as described above) under the terms and conditions of [Part 1 or Part 2 (*delete as appropriate*)] of the Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use at Sea, that I have examined the vessel, and all the terms and conditions of the relevant Part of the Code of Practice have been met, in particular: -

<b>Requirement</b>	<b>Confirmed</b>
Hull Construction and Machinery	
Life-Saving and Fire-Safety Appliances	
Radio Equipment and Navigation Safety	
Load Line, Bilge Pumping and Stability	
Safe Manning and Qualifications	
Clean Seas	
Safety Management System	

<b>Signature (Operator)</b>	<b>Name (Operator)</b>	<b>Date (Operator)</b>

I, [Insert name], as the Owner of the above-named vessel understand that it will be used by the above named Operator under the terms and conditions of The Code of Practice for Intended Pleasure Vessels in Temporary Commercial Use at Sea.

<b>Signature (Owner)</b>	<b>Name (Owner)</b>	<b>Date (Owner)</b>

Any enquiries regarding the validity of this certificate should be directed to [PleasureVessels@mcga.gov.uk](mailto:PleasureVessels@mcga.gov.uk)