

MGN 416 (M)

Inspection, Survey and Certification Guidance for United Kingdom Small Commercial Vessels Operating in Foreign Waters

Notice to all owners, operators, Masters and crew of United Kingdom Small Commercial Vessels intending to operate abroad.

This notice should be read with in conjunction with the MCA's existing Codes of Practice, namely:

The Safety of Small Commercial Motor Vessels - A Code of Practice;

The Safety of Small Commercial Sailing Vessels - A Code of Practice;

The Code of Practice for the Safety of Small Workboats and Pilot Boats;

The Code of Practice for the Safety of Small Vessels in Commercial Use for Sport or Pleasure Operating from a Nominated Departure Point (NDP); and

The equivalent provisions provided by the Annex to MGN 280 (M) - Small Vessels in Commercial Use for Sport or Pleasure, Workboats and Pilot Boats - Alternative Construction Standards.

Summary

- International Conventions do not cover all vessels and other Maritime Administrations or Port State Authorities are under no obligation to accept UK certificates.
- Some Maritime Administrations or Port State Authorities may accept UK certificates if they consider them equivalent to their own.
- Owners and operators should check before accepting work abroad. However other Marine Administrations have the right to refuse to allow such vessels to operate.
- This Note provides guidance to prevent difficulties.

1. Introduction

1.1 In the United Kingdom (UK), vessels operating at sea for non-pleasure purposes must under Merchant Shipping legislation hold a valid Load Line Certificate.

- 1.2 Alternative arrangements for small vessels have been made in the form of Codes of Practice¹. These vessels are issued with Small Commercial Vessel or Workboat Certificates in lieu of the Load Line Certificate or Load Line Exemption Certificate.
- 1.3 The Maritime and Coastguard Agency (MCA) Small Commercial Vessel Codes of Practice apply to UK vessels of up to 24 metres Load Line length (and vessels less than 150GT built before 21 July 1968) that are:-
- pilot boats of any size on any service; or
 - are a vessel engaged at sea in non-pleasure activities; and
 - carry cargo; or
 - carry not more than 12 passengers; or
 - provide a service.
- 1.4 These vessels are normally surveyed and issued with certificates by an MCA appointed Certifying Authority.
- 1.5 The Certificates are acceptable to the MCA wherever the vessel operates provided the vessel continues to meet the conditions of the Certificate.
- 1.6 International Conventions do not cover these small vessels and therefore other Maritime Administrations or Port State Authorities are under no obligation to accept UK certificates for vessels in their waters, although some Maritime Administrations or Port State Authorities may accept UK certificates as an equivalent standard to their own.
- 1.7 It has come to the attention of the MCA that certain Administrations may not accept Small Commercial Vessel/Workboat certification issued by Certifying Authorities.
- 1.8 A further complication is with regard to the acceptability of seafarers' certificates abroad. Certificates acceptable to the MCA in accordance with the Small Commercial Vessel Codes of Practice may not be acceptable to other Administrations.

2. Guidance

- 2.1 From time to time discussions take place between the MCA and representatives of other Maritime Administrations about their acceptance of UK standards for Small Commercial Vessels operating in their waters.
- 2.2 Owners and operators are advised that before accepting work overseas, they should seek advice from the relevant Port State Authority on their requirements for certification, both for the vessel and for the crew.
- 2.3 It is more likely (but not guaranteed) that United Kingdom Load Line Exemption (UKLLE) Certificates might be accepted by other Maritime Administrations. These certificates can only be issued by the MCA. If owners or operators have advice from an

¹ The Safety of Small Commercial Motor Vessels - A Code of Practice;
The Safety of Small Commercial Sailing Vessels - A Code of Practice;
The Code of Practice for the Safety of Small Workboats & Pilot Boats;
The Code of Practice for the Safety of the Small Vessels in Commercial Use for Sport or Pleasure Operating from a Nominated Departure Point (NDP); and
The equivalent provisions provided by the Annex to MGN 280 (M) – Small Vessels in Commercial Use for Sport or Pleasure, Workboats and Pilot Boats – Alternative Construction Standards.

Administration that a UKLLE Certificate will be accepted, they should contact the local MCA Marine Office and arrange for an inspection. This survey will be made against the requirements of the relevant Code of Practice and any Certificate issued will be based on the same conditions as the Certificate already issued by the Certifying Authority, although the MCA reserves the right to impose additional conditions if necessary.

2.4 Provided the vessel is inspected and found to comply with the Code of Practice under which it was originally surveyed, no charge for survey or inspection will be made. However fees will be charged for travel costs and administrative time for the production of a Certificate. If deficiencies are found, further charges may be made by the MCA at our standard hourly rate.

2.5 Where the skipper and crew hold Certificates acceptable under the Codes of Practice which are not considered appropriate by a Port State Authority, owners and operators should consider using the Master (Code vessels less than 200gt limited to 150 miles from a safe haven) and the Master (Code vessels less than 200gt unlimited area) Certificates of Competency which are issued in accordance with the 1978 STCW Convention, as amended. Details of these certificates can be found in MSN 1802 (M). If the vessel is 200GT or greater, other STCW certification is available. If the STCW Certificate is not issued by the UK, the holder is required to hold a Certificate of Equivalent Competency issued by the MCA.

More Information

Vessel Policy Branch/Codes Unit
Maritime and Coastguard Agency
Bay 2/30
Spring Place
105 Commercial Road
Southampton
SO15 1EG

Tel : +44 (0) 23 8032 9139
Fax : +44 (0) 23 8032 9104
e-mail: codes@mcga.gov.uk

General Inquiries: infoline@mcga.gov.uk

MCA Website Address: www.mcga.gov.uk

File Ref: MS 169/001/0047

Published: June 2010
Please note that all addresses and
telephone numbers are correct at time of publishing

© Crown Copyright 2010

Safer Lives, Safer Ships, Cleaner Seas

Printed on material containing minimum 75% post-consumer waste paper

*An executive agency of the
Department for*
Transport