Merchant Shipping
Directorate

Transport Malta

SMALL COMMERCIAL YACHT CODE (SCYC) 2024

MALTA
SHIP REGISTRY

Revision 1

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SECTION 1

FOREWORD

1.1 Registrations in the < 24 metres length Commercial Yacht segment have seen a sharp increase in the last years. In acknowledging the importance of this segment and in order to further spur this segment's growth, the Merchant Shipping Directorate has developed a tailormade Code dedicated to Small Commercial Yachts. The Small Commercial Yacht Code (sCYC) has been developed in consultation with various industry stake holders, including yacht builders, yacht owners, yacht repair yards, specialised service providers, manufacturers, Recognised Organisations, Appointed Government Surveyors, yacht management companies and associations as a wider representation of the industry.

1.2 The sCYC updates and replaces the applicable requirements for Commercial Yachts < 24 metres Length Art. 2(8) contained within the Commercial Yacht Code (CYC). The sCYC is effective as from **1st April 2024**.

1.3 CYC certified yachts, are deemed to be in compliance with the sCYC. CYC certified yachts < 24 metres Length shall commence to be surveyed and certified in conformance with this Code by not later than the yacht's first **renewal survey** carried out on or after the **1st June 2024**. Details about the CYC to sCYC certification regime transfer may be found in the Survey and Certification section.

1.4 In the case of CYC certified yachts the Administration will accept existing equipment and arrangements. Upon replacement of such equipment or arrangements, the replacement should conform to the standards set out by this Code. Deviations, Exemptions and Equivalencies accepted for CYC certified yachts will be automatically accepted under the sCYC.

1.5 The sCYC is applicable for Commercial Yachts ≥ 12 metres in hull length L_H (ISO 8666) and < 24 metres in Length Art. 2(8), engaged in commercial operations, and which do not carry more than 12 passengers.

1.6 Commercial Yachts certified in conformance with this Code may be granted Navigation Notations as detailed in Section 3. Navigation Notations include Operational Areas, Weather and Radio Coverage restrictions / requirements.

1.7 This Code does not apply to:

- Pleasure / Private craft and yachts not employed in commercial use;
- Vessels carrying more than 12 passengers;
- Commercial Yachts < 12 metres hull length (ISO 8666). IACS99 and / or CVC (for vessels operating in Maltese waters) is applicable for commercial vessels < 12 metres L_H;
- Commercial Yachts ≥ 24 metres Length Art. 2(8). The CYC is applicable for Yachts ≥ 24 metres Length Art.2(8);
- Yachts Design Category D and Rigid Inflatable Boats (RIBs) Design Category C or D;
- Military vessels and vessels belonging to the State and used for non-commercial purposes;
- Vessels owned or operated on non-commercial services.

1.8 The Code sets the required standards of safety, pollution prevention and crew welfare, which are appropriate for the size and navigation notation of the yacht. The standards applied, take into consideration International Conventions, EU Regulations/Directives, Industry Standards and other equivalent standards.

1.9 The Administration may consider specific Deviations / Exemptions / Equivalencies, on a case-by-case basis, to any standard mentioned in this Code. For any proposed Deviations / Exemptions / Equivalencies the Recognised Organisation or Appointed Government Surveyor shall send a formal request to the Administration using the specific Deviation / Exemption / Equivalency Application Form. The application, will be reviewed and, if satisfactory, an acceptance will be issued by the Administration.

1.10 Upon the satisfactory completion of the designated surveys and inspections, a yacht complying with the standards set out in this Code, will be issued with a Small Commercial Yacht Certificate, by the Administration.

1.11 The Administration shall revise this Code, when deemed necessary, to update with applicable new legislation and international regulations and to reflect new technologies and feedback received from the stakeholders within the yachting industry.

1.12 Recognised Organisations (ROs) and Appointed Government Surveyors (AGSs) Oversight Programme

1.12.1 The Administration has delegated surveys and certification activities related to this Code to Recognised Organisations (ROs) and Appointed Government Surveyors (AGSs). In order to ensure the correct implementation of these delegated services, the Administration has established a Recognised Organisations' and Appointed Surveyors' Oversight Programme in order to proactively oversee, monitor, audit and enforce the Statutory inspections being carried out onboard commercial yachts. The main objectives of this oversight programme is to ascertain that the ROs and AGSs carry out surveys in compliance with this Code; and to identify areas necessitating enforcement and improvement.

1.12.2 The Administration may use any of the following tools as part of the oversight process: -

- Direct monitoring by carrying out office audits and vertical contract audits whilst the yacht is under survey;
- Indirect monitoring by reviewing the Certificates and Reports issued to the yacht;
- Indirect monitoring by analysing any Port State Control (PSC) and / or Flag State Inspection (FSI) detentions attributable to the responsibility of the Recognised Organisation or Appointed Government Surveyor.

1.13 Flag State Inspections (FSI)

1.13.1 From time to time, the Administration may decide to carry out Flag State Inspections (FSI) onboard yachts in any port. These inspections shall only be carried out by authorised Flag State Inspectors. Yacht masters / owners / managers shall give full co-operation and assistance to the attending Flag State Inspector.

1.13.2 Unless the yacht is found with serious deficiencies, which will require re-inspection, all costs related to the Flag State Inspection (FSI) will be covered directly by the Administration.

1.14 Port State Control Inspections

1.14.1 Yacht masters / owners / managers shall give full co-operation and assistance to any attending Port State Control Inspector. In case of a Port State Control detention, the owner or master of the yacht is to immediately inform the Administration and the Recognised Organisation or Appointed Government Surveyor.

1.15 Accident or Incident Reporting to the Administration

1.15.1 In conformance with the mandatory reporting requirements under the provisions of the Merchant Shipping Act, the Owner, Operator, or Master of a yacht is required to report any occurrence of a marine accident or incident as follows:

1) within 24hrs to the Maltese Authorities, in this case the Maltese Administration, on e-mail: mershipmalta.tm@transport.gov.mt and tech.tm@transport.gov.mt
2) the Marine Safety Investigation Unit by the quickest means available on e-mail: msiu.tm@transport.gov.mt

1.15.2 For accidents / incidents in Maltese waters the VTS shall also be immediately informed verbally, in view of safety of navigation within such waters and also in respect of any pollution to the marine environment. A written report shall be sent within 24 hrs.

1.15.3 Owners / Managers and Masters shall also be guided by Merchant Shipping Notice No. 94, as amended, and Section 307 of the Merchant Shipping Act.

1.16 Recognised Organisations (ROs) and Appointed Government Surveyors (AGSs) Authorisations, Duties and Limitations

1.16.1 Recognised Organisations and Appointed Government Surveyors are authorised by this Administration to perform the required surveys leading to the issuance of the Small Commercial Yacht Certificate.

1.16.2 It is to be pointed out that the Appointed Government Surveyors or Recognised Organisations carrying out surveys and certification pertaining to this Code may be chosen by the owner / managers / yacht builder, at their discretion.

1.16.3 Any recommendation raised by a specific Appointed Government Surveyor or Recognised Organisation shall, to the extent possible, be cleared by the same Appointed Government Surveyor or Recognised Organisation who raised the recommendation in the first place.

1.16.4 In the event that a yacht's certification body (Recognised Organisation or Appointed Government Surveyor), carrying out surveys and certification pertaining to this Code, is changed, the loosing certification body shall, upon written request / confirmation from the yacht's owner, forward a copy of the yacht's file including relevant drawings / plans, booklets, calculations and important documentation to the gaining certification body without undue delay. The Administration shall be duly informed when the above documentation / information is not duly forwarded.

1.16.5 Appointed Government Surveyors shall follow the Code of Ethics and Conduct for Appointed Surveyors issued by the Administration whilst Recognised Organisations' Surveyors shall follow the relevant Recognised Organisation's own Code of Ethics.

1.16.6 Recognised Organisations and Appointed Government Surveyors shall carry out the surveys and the subsequent reporting without undue delay.

1.16.7 Besides compliance with this Code, commercial yachts are also required to comply with the various laws / regulations / requirements issued under the Merchant Shipping Act or any other EU, International, National or Port State applicable legislation / requirements. In case of any conflict in requirements, unless expressly provided otherwise, the stricter requirement shall be applicable.

1.16.8 It is advisable and recommended that pleasure / private yachts < 24 metres Length registered for private use, voluntarily comply, as far as practicable and reasonable, with the standards of this Code. When a pleasure yacht registered for private use complies with the provisions of this Code, the Administration, upon request, may issue a Statement of Compliance with this Code.

1.17 Number of Persons Carried Onboard

1.17.1 The maximum number of persons carried onboard shall never exceed the maximum number of persons indicated on the CE Builder's Plate, which is issued in conformance with Directive 2013/53/EU, as amended. In any case the number of passengers shall **never** exceed 12.

1.18 Carriage of Support Personnel

1.18.1 Carriage of Support Personnel (such as security guards, child minders, carers, entertainers, maintenance and specialised personnel, etc.) other than crew and passengers, may be accepted by the Administration, on a case-by-case basis and subject to there being sufficient accommodation spaces and safety equipment. Moreover, they shall not be assigned any duty on the Muster List and they shall receive onboard familiarisation training, in personal survival techniques and receive sufficient information and instruction to be able to:

- Communicate with other persons onboard on elementary safety matters and understand safety information symbols, signs and alarm signals;
- Know what to do if a person falls overboard or if fire or smoke is detected or if the fire or abandon ship alarm is sounded;
- Identify muster and embarkation stations and emergency escape routes;
- Locate and wear lifejackets;
- Raise the alarm and have basic knowledge of use of portable fire extinguishers;
- Take immediate action upon encountering an accident and close and open fire doors, weather tight and water tight doors fitted onboard other than those for hull openings;
- Be aware and be able to follow any Security related procedures.

1.18.2 Onboard training shall be duly recorded and the records shall be available onboard.

1.19 Commercial Yacht – Pleasure / Private Yacht Changeover

1.19.1 For Malta Registered Yachts there is no limit on the number of changes and the change duration.

1.19.2 A change from Pleasure Yacht to Commercial Yacht is subject to the fees and provisions of the First Schedule of the Merchant Shipping Act (CAP. 234) Para A.iii. In case of multiple changeovers during a single year (linked to the Certificate of Registry expiry date), the relevant fees shall be paid only once and not during each changeover.

1.19.3 It is strongly recommended that yachts, which change from Commercial to Pleasure, continue with the same survey and certification regime as required for Commercial Yachts.

1.19.4 Prior to submitting an application for changeover, the local Maltese representative shall always receive an undertaking from the yacht's owners / managers confirming that the current Certificate of Registry will be returned to the Administration once the new certificate of Registry is received onboard. A copy of the undertaking shall be attached to the application.

1.19.5 *Certification changeover from Commercial Yacht to Pleasure / Private Yacht*

1.19.5.1 In order to change from a Commercial Yacht to a Private Yacht the following procedure shall be followed:

- The owner or the local Maltese representative shall submit a request for the Commercial Yacht's Certification to be converted from Commercial to Pleasure. The undertaking by the owners / managers, confirming that they will return the current Certificate of Registry once the new Certificate of Registry is received onboard, shall be attached to the request. The request shall be sent to the Flag Administration on e-mail: shipreg.tm@transport.gov.mt
- The Administration issues a Certificate of Registry as a Pleasure Yacht;
- Upon receipt onboard of the new Certificate of Registry, denoting the change in description, the previous Registry Certificate shall immediately be withdrawn and shall be sent to the Flag Administration;
- The Small Commercial Yacht Certificate and any Statutory Certificates, shall be kept in the yacht's safe under the responsibility of the Master;
- The change shall be documented on the Yacht's Official Logbook;
- Note that when a commercial yacht for which the CE Declaration of Conformity has never been issued, is changing to a private yacht, it shall first be certified according to the Directive 2013/53/EU, as amended.

1.19.6 *Certification changeover from Private / Pleasure Yacht to Commercial Yacht*

1.19.6.1 The owner or the local Maltese representative shall submit a request for the Yacht's Certification to be converted from Pleasure Yacht to a Commercial Yacht. The undertaking by the owners / managers, confirming that they will return the current Certificate of Registry once the new Certificate of Registry is received onboard, shall be attached to the request. The request shall be sent to the Flag Administration on e-mail: shipreg.tm@transport.gov.mt and to the responsible Appointed Government Surveyor or Recognised Organisation Surveyor. The change shall be documented on the Yacht's Official Logbook.

- For yachts which **were not** previously registered as Commercial Yachts:
  i. the Owner / Manager shall request the services of the responsible Appointed Government Surveyor or Recognised Organisation, whilst the local Maltese representative, or the surveyor himself, shall request the Registry Department to authorise the respective Appointed Government Surveyor or Recognised Organisation to carry out the necessary surveys and issue the necessary Certificates;
  ii. the Appointed Government Surveyor or Recognised Organisation, after satisfactory outcome of Initial Surveys as detailed in the Code, shall confirm compliance with the Malta Small Commercial Yacht Code (sCYC) and send the relevant survey reports to the Yachting Section (yachtsmalta.tm@transport.gov.mt) for review and for the issuance of the Small Commercial Yacht Certificate.
- For yachts which **were** previously registered as Commercial Yachts in compliance with the Malta sCYC or CYC, the Owner / Manager shall request the services of the responsible Appointed Government Surveyor or Recognised Organisation.
  i. For yachts which have no overdue surveys and have no expired Certificates, there is no requirement for the Appointed Government Surveyor or Recognised Organisation to attend onboard and in this case, the Yachting Section shall receive:
    - a Declaration issued by the Appointed Government Surveyor or Recognised Organisation confirming that no surveys are overdue and that no certificates are expired; and,
    - a Declaration from the Master confirming that from the date of the last periodical survey, the Yacht had not sustained any damages or changes, which might affect the validity of the Small Commercial Yacht Certificate, any Statutory Certificates and the Class Certificate (if available), as applicable.
  ii. For yachts, which have overdue surveys or expired Certificates, the Appointed Government Surveyor or Recognised Organisation shall attend onboard and:
    - subsequent to a satisfactory survey outcome and issuance of the relevant survey reports, in line with the requirements of the sCYC, the Appointed Government Surveyor or Recognised Organisation shall confirm that the Yacht is in compliance with the Malta Small Commercial Yacht Code and that no surveys are overdue and that no certificates are expired.
    - the above confirmation together with the necessary survey reports shall be sent to the Yachting Section (yachtsmalta.tm@transport.gov.mt) who, after satisfactory review, will issue a new Small Commercial Yacht Certificate or confirm the validity of the existing Small Commercial Yacht Certificate.
- Upon receipt of the above documentation and payment of the adjustment in registration fee, when applicable, the Administration will issue a Commercial Yacht Registration Certificate.
- Upon receipt onboard of the new Certificate of Registry, denoting the change in description, the previous Registry Certificate shall immediately be withdrawn and sent to the Flag Administration.

1.20 Three Month Provisional Registration for Commercial Yachts certified by other Administrations

1.20.1 Commercial Yachts, which are already issued with Red Ensign Group (REG), French or Italian Commercial Yacht Certification, will be issued with a three-month (3) provisional Small Commercial Yacht Certificate (having an equivalent navigation range and other restrictions similar to the existing certification), pending the completion of the Initial Surveys as

prescribed in this Code. Yachts issued with Commercial Yacht Certification by other flag states may be accepted on a case-by-case basis at the sole discretion of the Administration.

1.21 Base Entry and Prerequisite Certification Requirements

1.21.1 For a yacht to be able to undergo the survey and certification process in line with this Code, it shall first be CE Certified by an EU Recognised Notified Body in conformance to the EU Recreational Craft Directive 2013/53/EU, as amended, and be issued with a CE Declaration of Conformity having the same HIN of the yacht. Yachts shall be certified in conformance with the EU Recreational Craft Directive by an EU Recognised Notified Body under either of the Modules B+C, B+D, B+E, B+F, G or H. Other CE Certification Modules such as Module A and A1 shall not be accepted. When a yacht is certified in conformance to multiple Design Categories, the highest* Design Category, together with all its relevant restrictions, shall be applied for the purposes of sCYC Certification.
(*) A is the highest Design Category and D is the lowest Design Category.

1.21.2 Yachts which are not certified in conformance to the EU Recreational Craft Directive 2013/53/EU, as amended, and which are not Classed, may be accepted on a case-by-case basis. These yachts shall first undergo a Post Construction Assessment / Gap Analysis. The Post Construction Assessment / Gap Analysis and relevant reporting shall be carried out by a Notified Body or a Recognised Organisation or an Appointed Government Surveyor. No CE Certificate or CE Declaration of Conformity will need to be issued in this case.

1.21.3 In alternative to the EU Recreational Craft Directive Certification yachts, which are not certified in conformance to the EU Recreational Craft Directive 2013/53/EU, as amended, may be accepted if they hold a valid Class Certificate issued by a Recognised Organisation.

1.22 Classification Requirements

1.22.1 Commercial Yachts < 24 metres in Length are **not required** to be issued with a Class Certificate by a Recognised Organisation.

1.23 Master's Responsibility

1.23.1 The Master of a yacht is responsible for the health, safety and security of everyone onboard. Health and safety standards onboard shall be fully compliant with applicable international and national requirements.

1.24 sCYC Certified Yachts operating commercially in territorial waters of another country

1.24.1 sCYC Certified Yachts operating commercially in territorial waters of another country shall also comply with any additional requirements as required by that particular country/port state.

SECTION 2

DEFINITIONS

Note: Where a definition is not provided within this Code, guidance shall be sought from definitions provided in Directive 2013/53/EU, as amended, International / National Codes and Conventions.

Act means the Merchant Shipping Act (Cap. 234) in its latest version.

Accommodation Spaces are those spaces used as public spaces, lavatories, cabins, offices, medication areas, cinemas, entertainment rooms, health and beauty treatment areas, pantries containing no cooking appliances and similar spaces.

Administration shall, for the purpose of this Code, mean the Registrar-General of Shipping and Seamen.

Aft Perpendicular means the location where the centre terminal of the rudder stock is located. In cases of no rudder this is taken at the aft end of the Design Water Line (DWL).

AIS means an Automatic Identification System.

AIS-SART means an AIS Search and Rescue Transmitter.

AIS-EPIRB means an AIS Emergency Position Indicating Radio Beacon.

Amidships is located at half the length between perpendiculars (LBP/2).

Appointed Government Surveyor (AGS) means a surveyor appointed by the Administration, in terms of the Merchant Shipping Act, who is authorised to carry out surveys and certification in compliance with this Code.

Bareboat Charter means the contract for the lease or sub-lease of a yacht, hereinafter referred to as charter, for a stipulated period of time, by virtue of which the charterer shall acquire full control and complete possession of the yacht, including the right to appoint the master and crew for the duration of the charter but excluding the right to sell or mortgage the yacht.

Breadth (B) means the maximum breadth of the yacht, measured amidships to the moulded line of the frame in a yacht with a metal shell and to the outer surface of the hull in a yacht with a shell of any other material. The width of any permanently fixed fenders shall not be included.

Certified means an item / equipment that has been certified by an organisation / body such as CE Certification, MED Certification (Wheel Mark), ISO Certification, Recognised Organisation Type Approval and another Administration Certification.

Charter means an agreement between the Owner / Managing Agent and another party, which allows the other party to use and operate the yacht. The “Charterer” is that other party.

Classification Society or **Recognised Organisation (RO)** means an IACS Member recognised by the EU and the Government of Malta in terms of the Merchant Shipping Act.

Coastal Navigation means navigation within 20 nautical miles from a shore, with weather limitations as defined by the yacht’s design category and with radio equipment requirements as defined in this Code.

Code means the Malta Small Commercial Yacht Code (sCYC).

COLREGs means the Convention on the International Regulations for Preventing Collisions at Sea 1972 (COLREG 72).

Commercial Yacht is a yacht engaged in lawful trade, which is in commercial use for sport or pleasure, which does not carry cargo, and which does not carry more than 12 passengers.

Control Stations are those spaces in which the yacht's radio or main navigational equipment or the emergency power are located and where the fire detection, firefighting or fire control equipment are centralised. The wheelhouse, chartroom and the control room for propulsion machinery (when located outside the machinery space) are also considered as "control stations".

Company means the Owner of the yacht or any other Organisation or person such as the Manager, or the Bareboat Charterer, who has assumed the responsibility for the operation of the yacht from the owner.

Design Category refers to the Design Categories as defined in Directive 2013/53/EU, as amended.

EPIRB means a satellite emergency position-indicating radio beacon, which when activated emits emergency signals which are intended to facilitate search and rescue operations. The EPIRB must comply with performance standards adopted from time to time by the IMO, and being capable of:

1) floating free and being automatically activated if the yacht sinks; or
2) being manually activated by the persons onboard; and
3) must be able to be carried by one (1) person.

Equivalent Certification means a type of certification that is deemed equivalent to what is being required in this Code and that is accepted by the Administration.

Existing Yacht means a yacht which was already certified in conformance with the Malta Commercial Yacht Code (CYC) prior to entry into force of this Code.

Extended Range Yacht Tender means a craft / vessel used for servicing and providing support and entertainment to a yacht and which complies with the requirements for an Extended Range Yacht Tender as defined in the Code. Extended Range Yacht tenders may be either stowed on board or towed or may even chase / navigate together with the yacht.

Extended Short Range navigation notation means navigation within 150 nautical miles from a safe haven, with weather limitations as defined by the yacht's design category and with radio equipment requirements as defined in this Code.

Fire Safety Systems (FSS) Code means the International Code for Fire Safety Systems as adopted by the Maritime Safety Committee of the IMO by resolution MSC. 98 (73), as amended.

Fire Test Procedures (FTP) Code means the International Code for Application of Fire Test Procedures, adopted by the International Maritime Organisation by Resolution MSC. 61 (67), as amended.

Float-Free Launching means the method of launching of an EPIRB or a life raft from a sinking yacht, whereby the life raft / EPIRB is automatically released in compliance with the requirements of the Life-Saving Appliances Code.

Forward Perpendicular is located at the intersection of the deepest waterline (Summer) with the stem.

Freeboard (F) shall be measured as the distance between the sheerline at the defined lengthwise location and the flotation plane in any specified loading condition. The sheerline is the intersection between deck and hull, for rounded deck edges the natural intersection, or, where no deck is fitted or the hull extends above the deck (bulwark), the upper edge of the yacht's hull.

Freeboard Deck is normally the uppermost complete exposed deck, which has permanent means of closing for all openings in the weather part thereof. In a yacht having a discontinuous freeboard deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck is considered as the freeboard deck. At the Owner's request and subject to the approval of the Administration, a lower deck may be designated as the freeboard deck, provided it is a complete and permanent deck continuous in a fore and aft directions at least between the machinery spaces and peak bulkheads whilst also being continuous athwart ships. When a lower deck is designated as the freeboard deck, that part of the hull which extends above the freeboard deck is treated as a superstructure so far as concerns the application of the conditions of assignment and the calculation of freeboard. It is from this deck that the freeboard is measured and calculated. Any interpretations concerning the assignment of the freeboard deck shall be approved by the Administration.

Garage Space means those enclosed spaces above and below the bulkhead deck used for the storage of tenders, pleasure craft, vehicles, jet skis or any other such engine / battery driven units and recreational dive systems.

Garbage means all kinds of domestic and operational waste (excluding sewage and fresh fish and parts thereof), generated during the normal operation of the yacht and liable to be disposed of continuously or periodically.

Glazed Opening means an opening in the hull, superstructure or deckhouse of a yacht's structure fitted with a transparent or translucent material. Windows and portlights are considered as glazed openings.

Gross Tonnage (GT) means the measure of the overall size of a ship determined in conformance with the provisions of the Merchant Shipping (Tonnage) Regulations.

Hazardous Space means those areas, which may contain combustible or explosive gases, dusts or vapours, in which the use without proper consideration of machinery or electrical equipment may lead to a fire hazard or explosion.

Hull Length (length of the hull), L_H, shall be measured in conformance with the requirements of ISO 8666, as amended, with, one (1) plane passing through the foremost part of the craft and the other through the aftermost part of the craft. The Hull Length includes all structural and integral parts of the craft, such as stems or sterns, bulwarks, and hull / deck joints. The Hull Length excludes removable parts that can be detached in a non-destructive manner and without affecting the structural integrity of the craft, e.g. spars, bowsprits, pulpits at either end of the craft, stemhead fittings, rudders, outdrives, outboard motors and their mounting brackets and plates, diving platforms, boarding platforms, rubbing strakes, and fenders if they do not act as hydrostatic support when the watercraft is at rest or underway. With multihull craft, the Hull Length of each hull shall be measured individually. The length of hull, L_H, shall be taken as the longest of the individual measurements.

ICLL or LL means the International Convention on Load Lines.

ILO means the International Labour Organisation.

Immersion Suit means a protective suit, which reduces the body heat loss of a person wearing it in cold water, complying with the requirements of the LSA Code.

IMO means the International Maritime Organisation.

IMO Number - all yachts < 300 GT are not required to have an IMO No. assigned to them in conformance with SOLAS Ch. XI-1 Reg.3.

Insurance Policy means a policy of insurance which is issued by an insurer in compliance with the requirements of this Code.

Intact Stability (IS) Code, 2008 means the International Code on Intact Stability, 2008 (2008 IS Code) as adopted by IMO Circular MSC.267(85), as amended.

Launching Appliance means a provision complying with the requirements of the Life-Saving Appliances Code for safely transferring a lifeboat, rescue boat, or life raft respectively, from its stowed position to the water and its safe recovery, as applicable.

Length (L) or **Length Art. 2 (8)** as defined in LL Art. 2 (8) means 96% of the total length on a waterline of a yacht at 85% of the least moulded depth measured from the top of the keel, or the length from the fore-side of the stem to the axis of the rudder stock on that waterline, if that be greater. In yachts designed with a rake of keel the waterline on which this is measured shall be parallel to the designed waterline. Note that the **Hull Length** is as defined in ISO 8666. When the term '*Length*' is mentioned in this Code, without any other additional reference, then it shall always mean the Length Art.2(8) i.e. the Load Line Length.

Length Overall (LoA) means the overall length of the yacht as referred to in the Merchant Shipping (Tonnage Measurement) Regulations, as amended.

Life Saving Appliances Code (LSA Code) means the International Life Saving Appliances Code adopted by the International Maritime Organisation by Resolution MSC. 48 (66), in it's up to date version.

Low Flame Spread means that the surface will adequately restrict the spread of flame, as determined by Part 5 of the IMO Fire Test Procedures Code or by an alternative established procedure to the satisfaction of the Administration.

Machinery Spaces means all machinery spaces containing propulsion machinery and internal combustion engines, generators and major electrical machinery, refrigerating, stabilising, ventilation and air conditioning machinery, and similar spaces, and trunks to such spaces.

Main Source of Electrical Power means a source intended to supply electrical power to the main switchboard for distribution to all services necessary for maintaining the yacht in normal operation and in habitable conditions.

Main Steering Gear means the machinery, rudder, activators, steering power units and ancillary equipment and the means of applying the necessary torque to the rudder, necessary for effecting movement of the rudder.

Main Switchboard means a switchboard which is directly supplied by the main source of electrical power and is intended to distribute electrical energy to the yacht's services.

Major Alteration / Conversion means, namely, a substantial change in the yacht's dimensions and / or carriage capacity and / or the vessel's type and / or any change that substantially increases the yacht's life.

MARPOL means the International Convention for the Prevention of Pollution from Ships, 1973, as amended.

Master includes every person (except a pilot) having command or charge of a yacht and, in relation to a yacht, including the captain or skipper.

Mile means a nautical mile (NM) consisting of 1852 metres.
Moulded Depth is as defined, subject to paragraphs (a) to (c) below, the vertical distance measured from the top of the keel to the top of the freeboard deck beam at side, provided that:

1) In wood and composite yachts, the distance is measured from the lower edge of the keel rabbet and where the form at the lower part of the midships section is of a hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel;
2) In yachts having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwale were of angular design; and
3) Where the freeboard deck is stepped and the raised part of the deck extends over the point at which the moulded depth shall be determined, the moulded depth shall be measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part.

Motor Yacht means a yacht, which is described in the register and on the certificate of registry as such, and which has a sole means of propulsion by either one or more power units.

Multihull Yacht means any yacht, which in any normally achievable operating trim or heel angle, has a rigid hull structure, which penetrates the surface of the sea over more than one separate or discrete areas.

Muster Station means an area where passengers and crew can be gathered in the event of an emergency, given instructions and prepared to abandon the yacht, if necessary.

Maximum Depth (D_{MAX}) shall be measured as the vertical distance between the sheerline at half-length of the waterline (LWL), and the lowest point of the keel.

Navigation Notation means the exclusive area in which a yacht is certified to operate.

New Yacht means a yacht which is not an Existing Yacht.

Not Readily Ignitable means that the surface thus described will not continue to burn for more than 20 seconds after removal of a suitable impinging test flame.

Notified Body means an EU approved organisation / body, which certifies yachts in conformance with the Recreational Craft Directive 2013/53/EU, as amended and the Marine Equipment Directive 2014/90/EU, as amended.

Open Decks include open deck spaces and enclosed promenades having no fire risk.

Over-side Working Systems means the securing, anchoring or track and rail systems used to access external portions of the yacht for maintenance and wash down. This can include, but not limited to, track and car systems or static harness points.

Owner(s) / Managing Agent(s) means the registered owner(s) or the owner(s) or the managing agent(s) of the registered owner(s) or the owner(s) ipso facto, as the case may be.

Passenger means any person carried on a yacht, except a:

1) Person employed or engaged in any capacity on board the yacht on the business of the yacht;
2) Person on board the yacht either in pursuance of the obligation laid upon the master to carry shipwrecked, distressed or other persons, or by reason of any circumstances that neither the master nor the owner nor the charterer (if any) could have prevented; and
3) Child under one (1) year of age.

Passenger Yacht / Ship means a yacht / ship carrying more than 12 paying passengers.

Person means a person over the age of one (1) year.

Private Yacht (Pleasure Yacht) means a yacht propelled by sail or motor, used privately for leisure and recreational activities. Unless otherwise stated, the term '*yacht*' within this Code refers always to a commercial yacht.

Public Spaces means those portions of the accommodation which are used for halls, dining rooms, lounges and includes similar permanently enclosed spaces.

Radar Reflector means a device installed on board a yacht not built of metal to give a good target on a radar screen.

Radar Transponder (SART) means a radar transponder for use in survival craft to facilitate location of survival craft during rescue operations.

Recognised Organisation (RO) or **Classification Society** means an IACS Member recognised by the EU and by the Government of Malta in terms of the Merchant Shipping Act.

Recommend means to suggest that an action or an equipment would be beneficial or suitable for a particular job or purpose. A Recommendation is not mandatory in this Code.

Recreational Craft Directive (RCD) is the EU Directive 2013/53/EU, as amended.

Registrar-General means the "Registrar-General of Shipping and Seamen" as established in terms of the Merchant Shipping Act (CAP.234).

Restricted Navigation includes the Coastal, Short Range and Extended Short Range navigation notations.

Retro-reflective Materials means a material, which reflects in the opposite direction a beam of light directed on it.

Safe Haven means a harbour or shelter of any kind, which affords entry, subject to prudence in the prevailing weather conditions, and which offers protection from the force of the weather.

Sail Training Vessel means a sailing vessel, which at the time, is being used either:

1) To provide instruction in the principles of responsibility, resourcefulness, loyalty and team endeavour and to advance education in the art of seamanship; or
2) To provide instruction in navigation and seamanship for yachtsmen.

Sailing Yacht means a yacht designed to carry sails, whether as a sole means of propulsion or as a supplementary means.

Sea Area A1 means an area within the radiotelephone coverage of at least one very high frequency (VHF) coast station in which continuous DSC alerting is available.

Sea Area A2 means an area, excluding Sea Area A1, within the radiotelephone coverage of at least one medium frequency (MF) coast station in which continuous DSC alerting is available.

Sea Area A3 means an area, excluding Sea Areas A1 and A2, within the coverage of a recognised mobile satellite service supported by the ship earth station carried on board, in which continuous alerting is available.

Sea Area A4 means an area outside Sea Areas A1, A2 and A3.

Seafarer means a person who is employed or engaged in any capacity onboard the yacht on the business of the yacht. Trainees, pilots and / or volunteers onboard sail training vessels are not considered as seafarers subject that they are not included in the Muster list and they are not expected to assume any responsibilities during emergency situations.

Short Range Yacht means any yacht restricted to operate within 60 nautical miles of a safe haven, with weather limitations as defined by the yacht's design category and with radio equipment requirements as defined in this Code. The Administration may accept requests for Short Range Yachts to undertake transfer voyages exceeding the restrictions imposed, subject that no passengers are carried onboard and subject that safety conditions / precautions are taken as deemed necessary.

Significant Wave Height means the average of the highest one-third (33%) of waves (measured from trough to crest) that occur in a given period.

SOLAS means the International Convention for the Safety of Life at Sea, 1974, as amended signed in London on 1st November, 1974, including any amendment or Protocol related thereto as may from time to time be ratified, acceded to or accepted by the Government of Malta and other instruments, standards and specifications of a mandatory nature related thereto adopted or developed by the International Maritime Organisation or in terms of regulation 3(2)(a) of the Merchant Shipping (Safety Convention) Rules, 2003, as amended.

SOLAS A Pack means a life raft emergency pack as defined in the Life-Saving Appliances Code.

SOLAS B Pack means a life raft emergency pack as defined in the Life Saving Appliances Code.

Specific Approval for Use means the type approval of items or equipment that have been custom built or tailor made for a specific use.

Stairways means interior stairways, lifts, totally enclosed emergency escape trunks, and escalators other than (those wholly contained within the machinery spaces) and enclosures thereto. In this connection, a stairway, which is enclosed only at one level shall be regarded as part of the space from which it is not separated by a fire door.

Standard Fire Test means a test in which specimens of the relevant bulkheads, decks or other constructions are exposed in a test furnace by a specified test method in conformance with the Fire Test Procedures Code.

STCW means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, as amended signed in London on 7th July, 1978, including any amendment or Protocol related thereto as may from time to time be ratified, acceded to or accepted by the Government of Malta and other instruments, standards and specifications of a mandatory nature related thereto adopted or developed by the International Maritime Organisation.

Steel or Other Equivalent Material means steel or any non-combustible material which, by itself or due to insulation provided, has structural and integrity properties equivalent to steel at the end of the applicable exposure to the standard fire test.

Storm Covers / Shutters means a portable protective closure fitted to a glazed opening and which is fitted to the outside (weather side) of the yacht.

Superstructure has the meaning given in Annex I to International Load Line Convention.

Survival Craft means a craft capable of sustaining the lives of persons in distress from the time of abandoning ship.

Tender or **Yacht Tender** means a craft / vessel used for servicing and providing support and entertainment to a yacht. Yacht tenders may be either stowed on board or towed or may even chase / navigate together with the yacht.

Technical Spaces are those spaces, other than machinery spaces, that contain mechanical and / or electrical equipment with heat dissipating characteristics.

Training Manual with regard to live-saving appliances means a manual complying with the requirements of SOLAS III / Part B – Life-Saving Appliances and Arrangements, Regulation 35.

Trim means the difference between the draft forward and the draft aft, where the drafts are measured at the forward and aft terminals respectively, disregarding any rake of keel.

Two-way VHF Radiotelephone set means a portable or a fixed portable two-way VHF radiotelephone apparatus used for on-scene communications.

Type Approved means an item / equipment that has been approved and / or certified by an organisation / body recognised by the Administration.

Unrestricted Navigation means a navigation notation having no distance limits from a safe haven, with weather limitations as defined by the yacht's design category and with radio equipment requirements as defined in this Code.

Watertight means capable of preventing the passage of water in any direction under the head of water likely to occur in intact and damaged conditions.

Weatherdeck means a deck which is completely exposed to the weather from above and from at least two sides.

Weathertight has the meaning given in Annex I of the ICLL. Weathertight means that in any sea conditions water will not penetrate into the yacht.

Wheelhouse means the control position occupied by the officer of the watch who is responsible for the safe navigation of the yacht.

Wheel Marked means certified in conformance to the EU Marine Equipment Directive (MED), as amended.

> means “greater than”

< means “smaller than”

≥ means “greater or equal to”

≤ means “smaller or equal to”

SECTION 3

APPLICATION AND INTERPRETATION

3.1 Application

3.1.1 The Small Commercial Yacht Code (sCYC) has been drawn up by the Merchant Shipping Directorate, within Transport Malta, in consultation with various industry stake holders including owners, yacht repair yards, specialised service providers, Yachting Associations, Appointed Government Surveyors (AGSs) and Recognised Organisations (ROs).

3.1.2 For the purpose of this document, the term "Code" shall mean the Malta Small Commercial Yacht Code (sCYC).

3.1.3 The Small Commercial Yacht Code (sCYC) updates and replaces the applicable requirements for commercial yachts < 24 metres Length contained within the Commercial Yacht Code (CYC). The sCYC is effective as from **1st April 2024.**

3.1.4 CYC Certified Yachts are deemed to be in compliance with the requirements of the Small Commercial Yacht Code (sCYC). CYC Certified Yachts < 24 metres Length shall commence to be surveyed and certified in conformance with this Code by not later than the yacht's first **renewal survey** carried out on or after the **1st June 2024**.

3.1.5 The Small Commercial Yacht Code (sCYC) is applicable for commercial yachts ≥ 12 metres L_H - Hull Length (ISO 8666) and < 24 metres in Length Art. 2(8) engaged in commercial operations and which do not carry more than 12 passengers.

3.1.6 Hull Length (L_H) is defined in ISO 8666, as amended, whilst Length Art. 2(8) is defined in the Load Line Convention.

3.1.7 For Yachts issued with a CE Declaration of Conformity, in conformance with the EU Recreational Craft Directive 2013/53/EU, as amended, the Hull Length L_H shall be the Length of Hull L_H as mentioned on the CE Certificate.

3.1.8 In the event that the Hull Length L_H (ISO 8666) < 24 metres whilst at the same time the Length Art. 2(8) is ≥ 24 metres, then the Art. 2(8) Length shall be considered as the regulatory length and the yacht shall comply with the Commercial Yacht Code (CYC) together with Conventions, Rules and Regulations for Yachts ≥ 24 metres in Length Art. 2(8).

3.1.9 In the event of a yacht having Hull Length L_H (ISO 8666) > 24 metres and Length Art. 2(8) < 24 metres, then the Small Commercial Yacht Code (sCYC) will be applicable and, unless the yacht is classed, a Post Construction Assessment / Gap Analysis shall be carried out as detailed in Section 21.

3.1.10 The Hull Length L_H (ISO 8666) is defined differently than the Length Art. 2(8). There is no allowance in the Load Line and Tonnage Conventions for any detachable hull sections to be excluded (irrespective if the hull section contributes or not to the yachts' hydrostatic or dynamic support). If the detachable hull section increases the total length as determined in conformance with the Load Line and Tonnage Conventions, then it shall be included in the Length Art. 2(8).

3.1.11 For commercial yachts having a LoA from 20 metres up to 35metres and, for which the Length Art. 2(8) has been measured to be < 24 metres, the Length Art. 2(8) measurement and the relevant scaled Load Line drawings, shall be sent to yachtsmalta.tm@transport.gov.mt for review prior to the commencement of an Initial Small Commercial Yacht Code (sCYC) Survey.

3.1.12 This Code does not apply to:

- Pleasure craft and yachts not employed in commercial use;
- Vessels carrying more than 12 passengers;
- Commercial yachts < 12 metres hull length L_H (ISO 8666). IACS99 and / or CVC (for vessels operating in Maltese waters) is applicable for commercial vessels < 12 metres L_H;
- Commercial yachts ≥ 24 metres Length Art. 2(8). The Commercial Yacht Code (CYC) is applicable for Yachts ≥ 24 metres Length Art. 2(8);
- Yachts Design Category D and Rigid Inflatable Boats (RIBs) Design Category C or D;
- Military vessels and vessels belonging to the State and used for non-commercial purposes;
- Vessels owned or operated on non-commercial services.

3.1.13 All applicable provisions of the Code shall be deemed to be a requirement.

3.1.14 Yachts may be exempted, on a case-by-case basis, at the sole discretion of the Administration, from any of the Code's requirements which are proven to be disproportionately onerous and technically impracticable for the particular yacht. Applications for Deviations, Exemptions or Equivalencies shall be submitted to the Administration by Recognised Organisations (RO) s or Appointed Government Surveyors (AGSs) using the appropriate application form.

3.1.15 As an initial pre-requisite for a yacht to be considered for certification in conformance with the Small Commercial Yacht Code (sCYC), a yacht shall first be CE certified in conformance with Directive 2013/53/EU, as amended.

3.1.16 Yachts shall be certified in conformance with the EU Recreational Craft Directive by a Notified Body under either of the Modules B+C, B+D, B+E, B+F, G or H. CE Certification Modules, such as A and A1, shall not be accepted. When a yacht is certified in conformance with multiple Design Categories, the higher* Design Category, together with all its relevant restrictions, shall be applied for the purposes of Small Commercial Yacht Code (sCYC) Certification. (*) Design Category A is considered the highest possible design category whilst Design Category C is the lowest.

3.1.17 Yachts which are not CE certified in conformance with Directive 2013/53/EU, as amended, and yachts which are not classed, including yachts certified to USCG or other standards and yachts built before the 16th June 1994, shall first undergo a CE Post Construction Assessment / Gap-Analysis by a Notified Body or a Recognised Organisation (RO) or an Appointed Government Surveyor (AGS), as detailed in Section 21.

3.1.18 In the unlikely event that the gross tonnage (GT) of a yacht ≥ 300 GT, the Administration shall be consulted, as additional requirements shall be applicable in that case.

3.2 Navigation Notations

3.2.1 Commercial yachts certified in conformance with this Code shall be granted Navigation Notations as below. Navigation Notations include Operational Area and Weather restrictions and Radio equipment requirements.

Navigation Notation	Design Category	Range	Minimum Sea Area Radio Coverage
Coastal	A, B & C	20 NM from shore	A1
Short Range	A & B	60 NM from safe haven	A1
Extended Short Range	A & B	150 NM from safe haven	A1 + A2
Unrestricted	A	No limit	A1 + A2 + A3 (+A4 for polar waters)

3.2.2 Remarks:

1) Coastal Navigation means navigation within 20 nautical miles (NM) from a shore, with weather limitations as defined by the yacht's design category and with radio equipment requirements as defined in this Code;
2) Short-Range Navigation means navigation within 60 nautical miles (NM) from a safe haven, with weather limitations as defined by the yacht's design category and with radio equipment requirements as defined in this Code;
3) Extended Short Range means navigation within 150 nautical miles (NM) from a safe haven, with weather limitations as defined by the yacht's design category and with radio equipment limitations as defined in this Code;
4) Unrestricted Navigation means navigation having no distance limits from a safe haven, with weather limitations as defined by the yacht's design category and with radio equipment limitations as defined in this Code;
5) For yachts, which intend to operate in Polar Regions, these shall meet requirements of the IMO Polar Code, as applicable. Special considerations, in line with the Polar Code, may be accepted by the Administration, for yachts restricted to operate in ice free waters;
6) As defined in Directive 2013/53/EU, as amended, the Design Category of a yacht provides navigational restrictions related to Wind Speed and Wave Height. These restrictions shall also remain applicable when the yacht is certified to the Small Commercial Yacht Code (sCYC).
7) Other operational limitations, namely the maximum load permitted onboard, the maximum number of persons permitted onboard and the maximum propulsion power allowed, as indicated on the Builder's Plate, the Yacht's CE Certificate and / or the CE Declaration of Conformity, shall also remain applicable when the yacht is certified to the Small Commercial Yacht Code (sCYC).
8) When a yacht is certified in conformance to multiple Design Categories, the higher* Design Category, together with all its relevant restrictions, shall be applied for the purposes of Small Commercial Yacht Code (sCYC) Certification. Note: (*) Design Category A is considered to be the highest possible design category.
9) Yachts Design Category D and Rigid Inflatable Boats (RIBs) Design Category C or D are not accepted to be certified in conformance with the Small Commercial Yacht Code (sCYC).

3.2.3 Weather restrictions as defined in the Recreational Craft Directive 2013/53/EU, as amended, shall apply to each yacht in line with the assigned Design Category.

3.2.4 The Administration, in exceptional cases, may impose weather restrictions, which are different from those imposed by Directive 2013/53/EU, as amended.

3.3 Number of persons to be carried onboard

3.3.1 The number of persons and the number of passengers that can be safely carried onboard is to be clearly stated.

3.3.2 The maximum number of persons that are allowed to be carried onboard (passengers plus crew) cannot exceed the number shown on the CE Builder's Plate and on the CE Certificate and the CE Declaration of Conformity, and in any case, the number of passengers shall **never** exceed 12.

3.4 Existing Yachts and Yachts already Certified to the Commercial Yacht Code (CYC)

3.4.1 In case of already built yachts, which may not comply with certain sections of the Code, the Administration may give consideration to proposals made by the Recognised Organisation (RO) or Appointed Government Surveyor (AGS) to phase in the necessary requirements within a timescale not exceeding 12 months. Deviations, Equivalencies and Exemptions accepted on yachts already certified to the CYC will be automatically accepted under the Small Commercial Yacht Code (sCYC).

3.4.2 When a yacht does not comply with any requirements of this Code, proposals for Deviations, Exemptions or Equivalencies shall be submitted by the Recognised Organisation (RO) or the Appointed Government Surveyor (AGS) to the Administration for consideration. The appropriate Deviation / Exemption / Equivalency Application Form shall be submitted in these cases. The Administration, when considering individual cases, will take into consideration the surveyor's justifications / recommendations, the service history and any other factors relating to the particular yacht. The main aim will be that the minimum standards as set out in the Code are achieved.

3.4.3 When a yacht's design and structural strength cannot be confirmed to be in compliance with the requirements set out in the Code, proposals for alternative methods to prove that the yacht is of adequate strength may be submitted to the Administration for consideration. In these cases, the Administration will take also into consideration the service history and operational history and any other factors relating to the particular yacht into consideration. The main aim shall be that the standards set out in the Code are achieved and maintained.

3.5 Yachts Marking and Builder's Plate

3.5.1 All yachts shall be marked in conformance with the requirements of Section 15 of the Merchant Shipping Act, 1973, as amended (Chapter 234) and the requirements of Directive 2013/53/EU, as amended. Yachts are not required to have the name marked on the bow.

3.5.2 All yachts shall be fitted with a Builder's Plate in conformance with ISO 14945, as amended.

3.6 Yacht's Plans, Signs, Instruction Manuals, Name Plates, Working Language and Record Keeping

3.6.1 All yachts shall have their Builder's Plate, signs, notices, plans, manuals and documents relating to the safety and operation of the yacht drawn up both in the yacht's working language and in English (if the working language onboard is different than English).

3.6.2 Yachts shall carry adequate information including basic drawings, plans, instruction manuals and the owner's manual necessary for the yacht's safe and pollution prevention operation.

3.6.3 The Master shall be responsible for ensuring that records are maintained onboard in conformance with the requirements of this Code.

3.7 Interpretations

3.7.1 Any interpretations related to the contents or lack of contents in this Code, Conventions, Directives and / or to other requirements made by Appointed Government Surveyors (AGSs) or Recognised Organisations (ROs) shall always be approved by Administration.

3.8 Administration Requirements, Technical Notes and Commercial Yacht Notices

3.8.1 Yachts shall comply with the applicable Administration Requirements, Technical Notices and Commercial Yacht Notices. This is subject to any express provision to the contrary in the Code.

3.9 Conflicts

3.9.1 Wherever and whenever, there is a conflict between the requirements of the Small Commercial Yacht Code (sCYC) Code and Directive 2013/53/EU, as amended, the most demanding requirement shall always prevail.

SECTION 4

STRUCTURAL STRENGTH AND WATERTIGHT INTEGRITY

4.1 General Requirements

4.1.1 The objective of this section is to ensure that all yachts are constructed to a consistent standard in respect of structural strength and watertight integrity. The hull structural design and construction shall provide strength, stability and a reliable service life for the safe operation of a yacht, at its service draught and maximum service speed, in order to withstand the sea and weather conditions likely to be encountered in its intended area of operation.

4.1.2 Yachts shall meet the Structural Strength and Watertight Integrity requirements as detailed in the EU Recreational Craft Directive 2013/53/EU, as amended, and as detailed in this Code.

4.1.3 Yachts, which are certified in conformance with the EU Recreational Craft Directive 2013/53/EU by a Notified Body under either of the Modules B+C, B+D, B+E, B+F, G or H, shall be considered in meeting the above requirement. This is subject to a satisfactory outcome of a condition survey by an Appointed Government Surveyor (AGS) or Recognised Organisation (RO). Other CE Certification Modules, such as A and A1, do not meet the required criteria and shall thus, not be accepted. When a yacht is certified in conformance to multiple Design Categories, the higher Design Category, together with all its relevant restrictions, shall be applied for the purposes of Small Commercial Yacht Code (sCYC) Certification.

4.1.4 Any conditions, which restrict the use of the yacht at sea and the yacht's declared area(s) of operation, shall be declared on the Small Commercial Yacht Certificate.

4.1.5 Yachts having an elevated risk of suffering a lightning strike shall be fitted with lightning strike protection.

4.1.6 The use of any new installation / structure / component containing asbestos is prohibited. MSC Circ.1045, as amended, shall be followed for the maintenance and monitoring of any existing onboard materials containing asbestos.

4.2 Bulkheads

4.2.1 Hinged doors may be used on watertight bulkheads and these shall be kept closed at sea. Alternative arrangements may also be accepted by the Administration.

4.3 Hatchways and Skylights

4.3.1 A hatchway, which gives access to spaces below the weatherdeck, shall be of adequate construction and watertightness.

4.3.2 The hinged / sliding cover of a hatchway shall be permanently secured and provided with a locking device to enable positive securing in the closed position.

4.3.3 On Extended Range and Unrestricted Navigation yachts, a hatchway with a hinged cover, which is located at the forward quarter length of the yacht, shall have the hinges fitted on the forward end.

4.3.4 Any hatches, which are allowed to be kept open during navigation, shall not exceed an area of 1 m^2 in clear area at the top of the coaming. These hatches shall be located as near to the centreline as practicable and the cover(s) shall be permanently attached to the hatch coamings.

4.3.5 Hatches, that are designated for escape purposes, shall be openable from both sides, and be fitted with permanent handles. Outer removable-type handles may be accepted, subject that the handles are stowed in a well-marked and accessible location close to the hatch itself. The escape hatch shall be readily identified and a notice to this effect shall be posted. Fixed glass type escapes shall have a clearly marked emergency hammer located in their vicinity.

4.3.6 Glazed escape hatches located on the side of the hulls on multihull yachts shall be provided with blanks.

4.3.7 Flush hatches having the same strength and watertightness / weathertightness as the adjacent deck, are allowed to be installed onboard but these shall be kept closed at all times unless when used to provide access. In case the flush hatch is to be kept open, this shall be done only when the yacht is moored / anchored in sheltered waters and adequate protection acting as barrier shall be erected and appropriate illumination shall be available around the open hatch so that no one may accidentally fall in.

4.3.8 Skylights that are designated as escape routes shall be openable from both sides and have permanently fixed handles on both sides. Outer removable-type handles, may be accepted, subject that the handles be stowed in an accessible location close to the skylight and the handles storage location is clearly marked.

4.4 Doorways

4.4.1 A doorway located at the main deck level which gives access to spaces below main deck shall be provided with a weathertight door. Such door shall always open outwards and shall have an efficient means to secure it in the closed position and be operable from both sides. Doors on Extended Short Range and Unrestricted Navigation yachts, which are fitted on the forward side or on the sides of the superstructure on the weather deck, shall have a fixed or removable sill of at least 300 mm above the weather deck and shall be hinged forward. Pantograph doors may open in any direction.

4.4.2 Access doors leading directly from an open deck to the engine room shall be located aft of the ¼ length from forward, and shall be fitted with an adequately sized fixed / removable sill.

4.4.3 Equivalencies to the sill height requirements may be considered for doors facing aft, subject to the following:

1) The opening of the door has no direct access leading below;
2) The door shall be located at least 600 mm above the waterline;
3) The door shall be located in an area, which is well protected from green seas;
4) Portable sills are fitted when the yacht is at sea; and / or
5) Gutters or “reverse sills” shall be fitted aft of the door and they shall meet all here below requirements:

i. The gutter/reverse sill shall be fitted along the whole width of the door and along any adjacent non-opening glass structure;
ii. The gutter/reverse sill shall be 150 mm deep. Gutters of an equivalent volume may be accepted where the depth cannot be achieved due to space restrictions. In any case, the depth of the gutter shall never be less than 100 mm for Unrestricted Navigation Yachts and 70 mm for all other Yachts;
iii. The gutter shall be fitted with an adequate number of drains, which will enable the gutter full of water, to fully drain in not more than 180 seconds;
iv. The gutter drains shall discharge by gravity and if discharging takes place below the waterline, they shall be fitted with non-return valves;
v. The gutter shall be covered with a grating of sufficient strength and which has a minimum of 50% open area.;
vi. The grating shall be removable so that the gutter and drains may be periodically cleaned.

6) In alternative to points (4) and / or (5) above, an operational restriction may be imposed for the door to be kept closed at sea. A notice for the door to be kept closed at sea shall be placed on the inside and on the outside, near the door itself.

4.4.4 A quick-draining recess with a reduced risk of flooding may not require a sill for any companionway(s) opening subject that the following criteria, as detailed in ISO 11812, as amended, is complied with:

1) The yacht is of a fully enclosed type according to ISO 12217;
2) The recess is open to the sea;
3) All of the recess is located aft of the mid hull length of the yacht;
4) Companionway(s) is installed on the rear face of a superstructure;
5) it has the lowest point of the companionway(s) opening higher than $[(L_H/17)+h_{S,min}]$ above the reference waterline ($h_{S,min}$ is the minimum sill height required by ISO 11812);
6) Companionway opening appliance(s) is permanently installed, enabling immediate closure.

4.5 Glazed Openings

4.5.1 Glazed Openings shall:

1) Not be fitted in the hull in the way of the machinery spaces;
2) Be of the permanently closed or of the non-readily opening type.

4.5.2 When glazed openings are fitted by bonding, the following provisions shall be observed:

1) Measures to ensure the integrity of the bond line taking into account environmental and ageing effects; and
2) Arrangements shall be such that glazed openings and doors cannot fall from their mountings should the bond line fail;
3) The bonding shall be inspected by the attending surveyor during periodical surveys. Pressure tests shall be carried out as deemed necessary by the surveyor.

4.5.3 Where glazed openings protect buoyant volumes, they shall be designed using the pressure heads derived from Recognised Organisation (RO) Rules or from a recognised International Standard such as ISO 12216 or ISO 11336.

4.5.4 Where glazed openings do not protect buoyant volumes, they shall be designed using the pressure heads derived from Recognised Organisation (RO) Rules or from a recognised International Standard such as ISO 12216 or ISO 11336.

4.5.5 Non-certified glazed openings may be accepted, subject that the glazing thickness meets Recognised Organisation (RO) Rules or ISO 12216 or ISO 11336 requirements and subject that the glazing withstand a standard hose test. When the glazing thickness requirements are not met, then the glazed openings shall be hose tested using a test pressure derived from an appropriate international standard. The testing shall be witnessed by the attending surveyor. It is recommended that all non-certified glazed openings shall be provided with blanks.

4.5.6 Glazed openings fitted in the forward quarter length of the yacht below main deck may be allowed and these shall meet requirements as detailed in 2013/53/EU, as amended. A notice shall be posted on the bridge in order to remind all concerned that the forward quarter glazed openings shall be closed prior to sailing and a clearly legible notice shall be posted on the internal part of the glazing warning that the glazing shall never be opened during navigation.

4.6 Enclosed compartments within the hull and below the Freeboard Deck provided with Access Openings through the Hull

4.6.1 Hinged doors may be used on watertight bulkheads and these shall be kept closed at sea. Alternative arrangements may also be accepted by the Administration.

4.6.2 Openings in the hull shall have provisions for manual or secondary means of closing.

4.7 Glazing located at or below the Design Water Line (DWL)

4.7.1 Yachts fitted with glazing located at or below the Design Water Line (DWL) may be accepted by the Administration, on a case-by-case basis. The design, installation and testing of the glazing shall be in conformance with Recognised Organisation (RO) requirements and / or other applicable international or national standards, accepted by the Administration.

4.8 Ventilators and Exhausts

4.8.1 Adequate ventilation is to be provided throughout the yacht. The accommodation is to be protected from any ingress of gas and / or vapour fumes from machinery, exhaust, fuel systems and from black water and grey water tanks.

4.8.2 Exhaust pipes passing through the accommodation shall be avoided but, when no alternatives are available, then the exhaust pipe within the accommodation space shall pass through a gas tight trunk or each affected space within the accommodation shall be fitted a Carbon Monoxide (CO) Detector having an alarm locally. If the CO Alarm is not audible from the bridge, a repeater shall be provided on the bridge.

4.8.3 Vents and ventilators shall be appropriately constructed and provided with means of weathertight closure.

4.8.4 Engine exhaust ducts, which penetrate the hull below the weather deck, shall be of an equivalent strength and construction of the adjacent hull and be provided with anti-siphon equipment to avoid back flooding into the hull through the exhaust system.

4.9 Air Vents / Pipes

4.9.1 When located on the weather deck, air vents shall be kept as far inboard as practicable or be located directly behind the bulwark or in concealed spaces.

4.9.2 Air vents fitted on the weather deck shall have a means of closure or an anti-siphon loop.

4.9.3 Air vents fitted below the weather deck may be accepted, subject that these are provided with a means of closure and are installed taking into consideration down flooding and any unwanted ingress of water below deck when the yacht is heeled.

4.9.4 Air vents serving fuel and other tanks shall be of efficient construction, be adequately supported and be provided with a means of weathertight closure. Means of closure may be omitted if it can be shown that the open end of the air pipe is afforded adequate protection by other means which prevent the ingress of water.

4.9.5 Closing appliances shall be of a type, which will prevent excessive pressure on the tank boundaries. Provisions shall be made for relieving a vacuum when tanks are being drawn from or emptied.

4.9.6 Air vents leading to fuel tanks or tanks containing flammable liquids shall be fitted with spark arrestors.

4.9.7 Goose necks and vents fitted on the ¼ forward length shall be facing aft and be fitted with closing flaps.

4.10 Scuppers, Sea Inlets and Discharges

4.10.1 All sea inlets and overboard discharges shall be provided with a metallic seacock, a metallic valve or a certified non-metallic valve / seacock or other effective equivalent means of closure, fitted in a position which is readily accessible at all times.

4.10.2 A valve or similar fitting attached to the side of the yacht below the water line within the engine room or any other high fire risk area shall be of steel, bronze, brass or other approved metal. Non-metallic valves certified to ISO 9093 or to an equivalent standard may also be accepted.

4.10.3 All hull openings below the waterline for speed logs, underwater lights and / or hull penetrating accessories having a hull opening area larger than 20 cm^2 shall be enclosed in a watertight box, unless having in-built watertightness, which ensures watertightness in case of damage. Retractable accessories must be fitted with appropriate valves. Hull penetrating accessories and / or underwater lights shall be certified. Recognised Organisation (RO) Rules requirements may also be accepted.

4.10.4 When water holding tanks are not provided, inlet and discharges from water closets shall be provided with hull fittings as required above. When the rim of a toilet is either below or less than 300 mm above the deepest waterline of the yacht, anti-siphon measures shall be provided.

4.11 Materials for Valves and Associated Piping

4.11.1 Valves, which are fitted below the waterline, shall meet the requirements of the Recreational Craft Directive 2013/53/EU, as amended. Certified non-metallic sea valves certified to ISO 9093 or to an equivalent standard may also be accepted.

4.11.2 Piping systems shall meet the requirements of the Recreational Craft Directive 2013/53/EU, as amended.

4.11.3 ISO 7840 Certified Fire-Resistant Fuel Hoses may be accepted for use as fuel lines.

4.11.4 Means shall be provided to stop the ingress of water in the event of a pipe located below the Design Water Line (DWL) being damaged.

4.11.5 Pipes shall be adequately supported and protected against chafing.

4.11.6 Sea strainers located below the deepest waterline shall have a metallic body, whilst those having a Perspex / polycarbonate / non-metallic dome / top shall be fitted with a metallic lid / cover, which shall be kept closed during navigation.

4.12 Water Freeing Arrangements

4.12.1 When bulwarks are fitted, they shall be provided with freeing ports. The freeing ports shall be located as close to the deck as possible and not higher than the lower 1/3 bulwark height.

4.12.2 Permanent doors in bulwarks may be accepted as freeing ports, however, for such doors to be designated as freeing ports, they shall be provided with adequate securing devices to keep them in the open position and temporary removable safety rails be installed in the opening.

4.12.3 Where the solid bulwark height does not exceed 150 mm, freeing ports, as defined above, are not required.

4.12.4 In the case of non-return flaps being fitted in way of the freeing ports, these shall be kept free to move at all times.

4.12.5 In a yacht in which freeing ports cannot be fitted, other efficient means of clearing trapped water from the yacht shall be provided.

4.12.6 Any recesses on the weather deck shall be of weathertight construction and shall be self-draining under all conditions. Swimming pools, Jacuzzis and spas, which are prone to water-free surface effects and which are open to the elements, shall be treated as recesses. Means shall be provided to prevent the backflow of sea water into the recesses and arrangements for fast drainage, by gravity, shall be in place.

4.12.7 ICLL or Recognised Organisation (RO) rules water freeing arrangements' requirements may be accepted in lieu of the requirements details above.

4.13 Bulwarks and Guardrails

4.13.1 Bulwark / Railing height shall meet the requirements of ISO 15085, as amended, and as detailed in the Recreational Craft Directive 2013/53/EU, as amended.

4.13.2 In the presence of raised areas with fixed items (sundeck cushions, tables etc.) immediately adjacent to handrails, operational restrictions to the use of the unsafe area during navigation may be imposed, whilst removable raised items adjacent to guard rails and raised items situated at least 500 mm away from the guard rails, may be accepted.

4.13.3 Glazed railings may be fitted on main deck Position 1 (being only of moderate dimensions and being located in sheltered locations) and in Position 2 of the yacht, subject that the glazed railings are in conformance with Recognised Organisation (RO) rules or to an applicable ISO Standard. Glazed railings, which are not equipped with solid cup rails, may be fitted onboard, on a case-by-case basis, and upon approval by an Appointed Government Surveyor (AGS) or Recognised Organisation.

4.14 Rigging on Sailing Yachts

4.14.1 The condition of the masts, booms and the rigging shall be the subject to a continuous monitoring and to a preventive maintenance schedule. The records of all inspections are to be recorded and inspected by an Appointed Government Surveyor (AGS) or Recognised Organisation (RO) during each periodical survey. A detailed inspection by a professional rigger shall be carried out if the attending AGS or RO deems this as being necessary.

4.15 Running and Standing Rigging

4.15.1 Cables used for standing rigging shall be of sufficient strength that is equivalent or higher to the strength of non-flexible steel wire rope. The yacht shall carry a log of all rigging elements used whilst clearly recording when each element has been installed / replaced.

4.15.2 When solid rods are used for standing rigging, the time when each element has been put in use, shall be logged. The solid rods are to be renewed strictly within the time limit set by the manufacturer.

4.15.3 The strength of all parts of the rig, including blocks, shackles, rigging screws, cleats, running rigging, winches and all other associated fittings and attachment points shall exceed the breaking point of the rigging.

4.15.4 Chainplates for standing rigging shall be of strong construction and adequate to carry and transmit all forces involved. Adequate access is to be given to examine the attachment to the hull of all chainplates.

4.16 Sails

4.16.1 Adequate means of reefing or shortening sail shall be provided.

4.16.2 Yachts that are only engaged in day sailing trips need not carry storm canvas whilst, all other yachts shall either be provided with separate storm sails or have specific sails designated and constructed to act as storm canvas.

SECTION 5

MACHINERY

5.1 General Requirements

5.1.1 Machinery systems and spaces shall meet the requirements as detailed in EU Directive 2013/53/EU, as amended, and as detailed in this Code.

5.1.2 Motor yachts having a single engine shall be provided with a secondary means of propulsion. Special consideration from this requirement may be given by the Administration for motor yachts restricted to Coastal Navigation.

5.1.3 Machinery spaces shall be enclosed and be watertight (except openings via the appropriate ventilators) and insulated against excessive noise. The materials used shall be of the type that do not absorb oil and be of low fire spread.

5.1.4 Piping systems shall meet the requirements of the Recreational Craft Directive 2013/53/EU, as amended. Non-metallic piping for Fire and Fuel lines, meeting the requirements of the IMO Fire Test Procedures (FTP) Code, or applicable ISO Standards such as ISO 7840, ISO 13363 and ISO 15540, may be accepted.

5.1.5 The machinery installation shall be adequately designed and outfitted for the intended use. The design and outfit shall be such that all parts are properly shielded and protected to minimise the danger of personal injury. Due regard is to be given to moving parts, hot surfaces, extremely cold surfaces and other hazards.

5.1.6 Fuel distribution line(s) to engines shall be fitted with a manual shut-off valve. This valve shall be capable of being closed from an indicated accessible location outside the engine compartment. If electrically operated valves are used, they shall be equipped with a manual emergency operating or by-passing device.

5.1.7 Fuel filling pipes and air vents serving fuel tanks shall be of efficient construction, be adequately supported and be provided with permanently attached means of weathertight closure. Means of closing are not required on air pipe ends located at the top of a mast of on sailing yachts. The closing appliances shall be of a type, which will prevent excessive pressure on the tank boundaries. Provisions shall be made for relieving a vacuum when tanks are being drawn from or emptied. Air vents leading to fuel tanks or tanks containing flammable liquids shall be fitted with spark arrestors.

5.1.8 Where the oil / fuel level gauges penetrate below the tank top, the valves are to be of the self-closing type. When a glass fuel / oil level gauge is fitted it shall be of the “flat glass” type.

5.1.9 Flexible fuel hoses shall be made of fire-retardant material and shall be certified to ISO 7840 or another equivalent recognised standard. The end connections shall be of an adequate crimped and threaded coupling. No temporary fittings shall be allowed. All materials used on fuel systems shall be certified. Heavy duty clamps may be accepted although they must be used sparingly.

5.1.10 Engines shall have the external high-pressure fuel delivery lines, fitted between high-pressure fuel pumps and fuel injectors, appropriately screened OR jacketed OR provided with anti-spray protection OR otherwise suitably protected to avoid spray or leakages onto possible sources of ignition.

5.1.11 Oil fuel lines shall not be located immediately above or near units of high temperature including exhaust manifolds, silencers or other equipment operating at temperatures ≥ 220°C. As far as practicable, oil fuel lines and their connections shall be arranged far apart from hot surfaces, electrical installations or other sources of ignition and shall be screened or otherwise suitably protected to avoid oil spray or oil leakage onto the sources of ignition. The number of joints in such piping systems shall be kept to a minimum.

5.1.12 The total propulsion power of a yacht shall never exceed the maximum power as indicated on its CE Certificate.

5.2 Engine Starting

5.2.1 Means shall be provided to ensure that the machinery can be brought in to operation from a dead yacht condition without external aid.

5.2.2 Engines may be started manually, mechanically or by batteries.

5.2.3 When the sole means of starting is by battery, the battery shall be in duplicate and connected to the starter motor via a changeover switch so that either battery or set of batteries can be used for starting either engine. Charging facilities for the batteries shall be available on board.

5.2.4 Unless the engine starting batteries are of the sealed type, these shall be located above the floor plates in the machinery space. If location above floor plates is not possible, batteries shall be located in a watertight box below the floor plates. The water tight box shall be properly ventilated above floor plates.

5.3 Steering Gear

5.3.1 Steering gear systems shall be in conformance with the Recreational Craft Directive 2013/53/EU, as amended.

5.3.2 The control position shall be located so that the person at the steering position will have a clear view for the safe navigation of the yacht.

5.3.3 When the steering gear is equipped with remote control, arrangements shall be provided for local emergency steering.

5.3.4 Emergency steering arrangements may be:

1) A tiller to fit the head of the rudder stock; or
2) A rod attachment, which may be fitted to a Z-drive framework; or
3) A steering oar; or
4) In the case of twin screw vessels, manipulation of power distribution between the drives. In the case of twin stern-drive arrangements, means should be provided to lock the drives in the midships position; or
5) In the case of a vessel fitted with outboard(s), a means to control the direction of thrust.

5.3.5 Alternative emergency steering systems may be accepted by the Administration.

5.3.6 Appropriate emergency steering gear operating instructions shall be posted onboard.

5.4 Bilge Systems

5.4.1 Bilge systems shall be in conformance with the Recreational Craft Directive 2013/53/EU, as amended, and as required in this Code.

5.4.2 In all compartments, the installation of automatic* or manual bilge pumps, together with a hand pump, capable of taking suction from all compartments and which is located in the cockpit may be accepted.

5.4.3 Bilge lines shall be equipped with strum boxes.

5.4.4 A high-bilge level alarm shall be fitted for compartments susceptible to flooding and for spaces not fitted with automatic bilge pumps. The alarm shall be able to provide a visual and audible alarm at the control position.

5.4.5 (*) Machinery spaces and compartments containing potential pollutants shall not be fitted with automatic bilge pumps. Sea Valves, which are not in use and which are located within spaces not fitted with automatic bilge pumps, shall be kept closed when the yacht is left unmanned.

5.5 Petrol Engines

5.5.1 Inboard Petrol engines used for the yacht's propulsion or as the yacht's auxiliary engines shall not be accepted even if the yacht holds a CE Certificate/Declaration of Conformity mentioning inboard petrol engines.

5.5.2 Outboard petrol engines may be accepted subject that fuel transfer and storage systems fully comply with the RCD requirements or with an equivalent internationally recognised standard.

5.6 Engines operating with other fuels

5.6.1 Yachts having engines operating with fuels, other than diesel, may only be accepted by the Administration, on a case-by-case basis, and at the sole discretion of the Administration.

SECTION 6

ELECTRICAL INSTALLATION

6.1 General Requirements

6.1.1 Electrical systems and installations shall meet the requirements as detailed in Directive 2013/53/EU, as amended and as detailed in this Code.

6.1.2 The electrical installation shall be designed such that:

1) All electrical auxiliary services necessary for maintaining the yacht in normal, operational and habitable conditions shall be ensured without relying on any other source of power;
2) Electrical services essential for the safety of the yacht and personnel on board shall be operable under various conditions;
3) The yacht and personnel onboard shall be protected from electrical hazards.

6.2 Overload, Short Circuit Protection and Emergency Lighting

6.2.1 The electrical system shall be provided with overload and short circuit protection for all circuits, with the exception of the engine starting circuits supplied from batteries.

6.2.2 Lighting circuits shall be distributed through all spaces and in such a manner that a total black-out cannot occur due to the tripping of a single protective device. Electric devices working in potentially hazardous areas, into which petroleum vapour or other hydrocarbon gas may leak, shall be of a type certified for the particular hazard.

6.2.3 Emergency lighting shall be provided and be sufficient to enable persons to make their way through emergency exits, to Muster stations, to Life Saving Appliances (LSA), survival craft and to allow work on essential machinery. Flash lights may be considered as adequate in lieu of emergency lighting, subject to flash lights being available in all habitable spaces and their location being clearly indicated.

6.3 Batteries General Requirements

6.3.1 Only sealed maintenance-free (SMF/VRLA) batteries, suitable for marine use, shall be installed onboard. Any existing batteries which are not of the sealed maintenance-free type shall be duly replaced.

6.3.2 A battery cut-off switch shall be provided for all systems. It is preferable that this switch acts as an isolator i.e., it is double pole. If a battery changeover switch is fitted and is provided with an ‘Off’ position, this may also serve as the cut-out switch.

6.3.3 Batteries shall be secured firmly to avoid movement when the yacht is subjected to sudden acceleration or deceleration, a large angle of heel, trim, etc.

6.3.4 Batteries supplying essential services shall be located in a position not likely to flood in normal operations or in the event of damage.

6.4 Lithium-Ion Batteries used for propulsion, both as the main propulsive power or hybrid propulsion, and / or for main electric power supply purposes during yacht operations

6.4.1 Where lithium-ion batteries are used for propulsion, both as main propulsion or hybrid propulsion, and / or for main electric power supply purposes during yacht operations, the battery system design and operation shall meet the requirements of ISO 23625 and/or the rules of a Recognised Organisation. Additionally, battery installations shall also comply with the following:

1) Battery compartments shall be specially located and designed to ensure that the batteries are kept within their thermal operating limits in the most onerous conditions. Temperature control systems shall be employed with levels of redundancy to ensure that localised cell temperatures remain within manufacturer's guidelines. Failure of the temperature control system or excessive rise in the battery compartment temperature shall provide early alarms on the bridge;
2) Battery compartments shall be fitted with a hydrocarbon gas, smoke and heat detection system and an automatic fixed fire extinguishing system. When at least two (2) detectors are activated, the system shall initiate appropriate alarms and shall also automatically isolate electrical systems, shut down and close the ventilation system and activate the fixed fire extinguishing system;
3) Ventilation systems shall be able to be shut down from a safe location outside the battery compartment;
4) Ventilation inlets and exhausts shall be fitted with permanently attached closing / shutdown flaps / shutters, which shall be capable of being easily closed remotely;
5) Ventilation systems shall be able to safely expel any toxic or flammable gases to a safe location on the outside of the yacht;
6) The batteries' location and fixings shall ensure that any liquid residues are removed from around the batteries and fire-fighting mediums shall adequately spread through the battery compartment to extinguish a potential fire;
7) The batteries and ancillary equipment shall be secured within the battery compartment such that they can endure the maximum predicted vessel motions. Heavy items or items, which could cause physical damage to the batteries, shall not be co-located within the battery compartment, unless these are well secured in place at all times. Consideration shall be given to fixing the batteries adjacent to any potential sources of heat, which could result in inadvertent heating of the batteries;
8) Consideration shall be given to the reduction of combustible materials within a battery compartment. Dangerous goods shall not be stored in a battery compartment.

6.4.2 Special consideration from the above requirements may be given, by the Administration, on a case-by-case basis, to:

1) Smaller capacity battery installations; and
2) Battery installations, which are composed of batteries, which are not susceptible to self-combustion.

6.4.3 Suitable mitigations or safeguards shall be implemented to reduce risks to an acceptable level. In general, amendments to operational methods or procedures shall not be accepted as an alternative to the safe design of a battery system and its installation in a yacht.

6.4.4 Battery installations' inspections and maintenance shall be in conformance with manufacturer's recommendations and shall include the testing of all sensors, assessment of the state of health of each cell, recording of the environmental conditions in the battery compartment and assessment of any other relevant factors. Routine onboard inspections shall be carried out and these shall check for any physical damage, leakages, signs of arcing or increased temperature, correct operation of ventilation and battery protection systems, etc.

6.4.5 Battery charging systems shall be fitted with circuitry to prevent overcharging and overheating. Special attention is to be taken in cases of any batteries onboard being placed under charge due to the possibility of explosions or fires.

6.5 Cables

6.5.1 All cables and wiring shall be in conformance with requirements of the Recreational Craft Directive 2013/53/EU, as amended.

6.5.2 It is recommended that cables and wiring serving essential power, lighting, internal communications or signals shall be routed clear of galleys, laundries, machinery spaces and any other high fire risk areas.

6.5.3 Adequate provisions shall be made for securing electrical connections.

6.6 Switchboards

6.6.1 Water, oil or fuel pipes shall be installed away from switchboards so that any leakage from any pipe will not spray directly on the switchboard.

6.6.2 Non-conducting mats or gratings shall be provided at the front and rear of A/C switchboards.

SECTION 7

STABILITY

7.1 General Requirements

7.1.1 A yacht shall meet the Stability requirements as detailed in Directive 2013/53/EU, as amended, and as detailed in this Code.

7.1.2 Stability shall be calculated in conformance with EN ISO 12217, as amended, or in conformance with the International Code on Intact Stability, 2008 or in conformance to the Commercial Yacht Code (CYC) requirements.

7.1.3 Any permanent ballast must be positioned in a manner that prevents its shifting or movement.

7.1.4 Any stability related limitations / conditions / restrictions imposed to the yacht shall be clearly indicated during survey reporting and any necessary notices shall be placed on the bridge and on the owner's manual.

7.1.5 Motor yachts, which do not have stability data calculated in conformance with ISO 12217, may undergo a simplified stability test. The yacht shall be tested in fully laden conditions with all fuel tanks and fresh water tanks being full and having onboard the total number of persons, which the yacht is certified to carry, or a 75kg weight replacing each of the above-mentioned persons. By assembling all persons / weights along one side of the yacht, the angle of the heel and the change in waterline height are calculated. The yacht will be judged to have passed the simplified stability test if the test shows that:

1) The angle of heel does not exceed 7°; and
2) In the case of a yacht with a watertight weather deck extending from stem to stern, the freeboard to deck distance is not less than 75 mm at any point;
3) The angle of heel may exceed 7°, but shall not exceed 10°, if the freeboard in the heeled condition is in accordance with that required in Section 8 of the Code;
4) The heeling moment applied during the test described above shall also be calculated. By using the below formula, the yacht shall attain a value of initial GM not less than 0.5 m if using an estimated displacement of the yacht, or 0.35 m if the displacement of the yacht is known and can be verified by the attending surveyor.

$$GM = \frac{57.3 \times HM}{\theta \times \Delta}$$

Where: HM = Heeling moment in kilogram metres
θ = angle of heel in degrees obtained from the test as defined in section above.
Δ = the displacement of the yacht in kilogrammes, either estimated or measured and verified by the attending recognised surveyor.

7.1.6 In all cases, the maximum number of persons that may be carried onboard resulting from the above-mentioned test and calculations shall be recorded. Any additional personal equipment, such as diving equipment etc, are to be disembarked during the simplified test as this will affect the end result and the yacht's fully laden condition.

7.2 Stability Assessment subsequent to Major Alteration / Refit

7.2.1 A yacht, which undergoes a major alteration or major refit, shall be subjected to a complete reassessment of stability and be provided with new Recognised Organisation (RO) or Appointed Government Surveyor (AGS) approved stability calculations.

7.3 Damage Stability

7.3.1 It is recommended that Unrestricted Navigation Yachts comply with the Damage Stability requirements as detailed in the Commercial Yacht Code (CYC).

SECTION 8

FREEBOARD AND FREEBOARD MARKINGS

8.1 General Requirements

8.1.1 Yachts shall meet the freeboard and freeboard markings requirements as detailed in the EU Recreational Craft Directive 2013/53/EU, as amended.

8.1.2 The minimum freeboard calculation shall take into consideration both the loading and stability related data.

SECTION 9

LIFE SAVING APPLIANCES

9.1 General Requirements

9.1.1 Yachts shall meet the applicable Life Saving Appliances (LSA) requirements as detailed in the EU Recreational Craft Directive 2013/53/EU, as amended, and as detailed in this Code.

9.1.2 Life Saving Appliances (LSA) as detailed in this Code shall be readily available onboard. All equipment shall be CE or Wheel Marked (MED Certified). Type 1 Group B ISO life rafts, certified in conformance with ISO 9650-1, as amended, are also accepted onboard yachts having Restricted navigation notations except for the Unrestricted Navigation notation.

9.1.3 All life-saving equipment shall be fitted with retro reflective tape.

9.2 Inflatable life rafts and inflatable life jackets requirements

9.2.1 Inflatable life rafts hydrostatic release units (other than disposable HRUs) and inflatable life jackets shall be serviced annually by approved servicing stations, except for those life rafts, which are approved by the Administration allowing for Extended Servicing Intervals. ISO life rafts servicing shall be carried out at periods not exceeding 24 months but, in any case, not exceeding the manufacturer's servicing recommendations. Servicing certificates shall be maintained on board at all times.

9.2.2 *Life Rafts*

9.2.2.1 All life rafts (including any easy transferable life rafts) shall be float free and fitted with Hydrostatic Release Units (HRUs) and have their painter permanently attached to the yacht following the original manufacturer's instructions. Weak links shall also be appropriately fitted in conformance with manufacturer's instructions. Easy transferable life rafts shall be able to be shifted via a clear path on the same deck level. On yachts fitted with side-to-side easy transferable life rafts, a life raft(s) transferability drill shall be witnessed by the attending surveyor during initial and renewal surveys and during Flag State Inspections.

9.2.2.2 Life rafts containers fitted with covers when stowed, shall have the lids of the associated covers also float-free.

9.2.2.3 Life raft launching and embarkation stations shall be accessible via the open deck.

9.2.2.4 Life rafts of Restricted Navigation yachts shall be equipped with a SOLAS B Pack. If necessary, SOLAS B pack equipment may be stowed in a grab bag and placed next to the life raft. Life rafts of Unrestricted Navigation Yachts shall be equipped with a SOLAS A Pack.

9.2.3 *Life Jackets*

9.2.3.1 All life jackets carried onboard shall be Wheel Marked (MED Certified) and be fitted with a light and whistle.

9.2.3.2 All life jackets shall also be marked with the yacht's name and port of registry.

9.2.3.3 In case the adult life jackets provided onboard are not designed to fit persons weighing up to 140 kgs and with a chest girth of up to 1,750 mm, a sufficient number of appropriate life jackets shall be provided.

9.2.3.4 When personal safety equipment used for water sports is carried onboard, this shall be distinctly stored apart from the life-saving equipment.

9.3 Launching Systems and Appliances

9.3.1 Life rafts on sailing multihull yachts, which are susceptible to inversion, shall be located in a position, which is accessible both when the yacht is upright or when in a capsized position.

9.3.2 The life rafts embarkation arrangements shall comply with the following:

1) A readily available embarkation ladder shall be provided when the distance between the lowest embarkation deck of the yacht and the topmost edge of the life raft tube (when floating) exceeds 1000 mm;
2) When the embarkation point is higher than 4500 mm above the topmost edge of the life raft tube, when floating, deployment shall be by means of davit launched life rafts. Davits shall be CE or MED Certified or certified to an equivalent internationally recognised standard.

9.3.3 On yachts having projections on the side (such as fin stabilisers), special provisions are to be made to ensure that such projections do not interfere with the safe evacuation of the yacht or damage the life-saving appliance. Means shall be provided to prevent overboard discharge of water into the survival craft.

9.3.4 The maintenance of equipment shall be carried out in conformance with the instructions for on board maintenance. Certificates and / or Declaration of Conformity shall be maintained on board in an Equipment Record File.

9.3.5 All lifesaving equipment shall be maintained in a good state of maintenance and ready for immediate use at all times. The equipment shall be stowed in easily accessible and adequately marked locations and such locations shall never be blocked by equipment, furniture or any other encumbrance.

9.3.6 All survival craft required for the yacht's abandonment by the total number of persons onboard shall be capable of being launched with their full complement of persons and equipment within a period of 30 minutes from the time the abandon ship signal is given and after all persons have been assembled, with life jackets donned.

9.4 Minimum Carriage Requirements for Life Saving, Safety and Navigation Equipment and Appliances

	Restricted▲ Navigation	Unrestricted Navigation
Life rafts Note 1	100% each side	100% each side
Lifebuoys Total Note 2 of which: - Lifebuoy with self-igniting light, and - Lifebuoy with buoyant line	2 1 1	2 1 1
Adult Lifejackets Note 3	120%	120%
Children Lifejackets Note 3	100% for all children onboard	100% for all children onboard
Infant Lifejackets Note 3	100% for all infants onboard	100% for all infants onboard
Immersion Suits or TPAs Note 4	100% of persons onboard	100% of persons onboard
Safety Harness on Sailing Yachts	100% of persons onboard	100% of persons onboard
Pyrotechnics: - Parachute Flares - Hand Held Flares - Buoyant Smoke Signals	 4 4 2	 6 4 2
GPS/GNSS	1	1
AIS Note 5	1	1
MSI Note 6	1	1
EPIRB or AIS-EPIRB Note 7	1	1
SART or AIS-SART Note 7	1	1
SOLAS Life Saving Signals and Rescue Poster	1	1
Posters/Manual and signs describing Survival craft and equipment Operating instructions	1	1
Training Manual	1	1
Instructions for Onboard Maintenance	1	1
Muster List	1	1
Owner's Manual	1	1
Dan Buoy for sailing yachts Note 8	1	1

Remarks:

(▲) - Restricted Navigation includes the: Coastal, Short Range and Extended Short Range navigation notations.

9.4.1 **Note 1**: All life rafts shall be Wheel Marked (MED Certified) or ISO Certified (ISO Life rafts). They shall contain emergency packs as detailed in the Code. Their stowage onboard shall be such that they may be easily launched. Life rafts shall be fitted with a hydrostatic release device / unit so they would be able to float free (no float-free restrictions must be present vertically over the life raft stowing position). If the life rafts are easily transferable from side-to-side, then, a 100% aggregate capacity may be considered sufficient. Easy transferable life rafts shall be able to be shifted via a clear path on the same deck level. In cases where life rafts are enclosed in a special moulded locker, the top of the locker shall be also float-free, the locker shall be appropriately marked and easily openable in any condition. A life raft(s) transferability drill shall be witnessed by the attending surveyor during initial and renewal surveys and during Flag State Inspections.

9.4.2 **Note 2**: Each life buoy shall be marked with the yacht's name and port of registry. Buoyant lines shall have a minimum length of 18 metres.

9.4.3 **Note 3**: All life jackets shall be fitted with a light and whistle and shall be marked with the yacht's name and port of registry.

9.4.4 **Note 4**: Immersion Suits or TPAs are required on all yachts other than those operating during summer only and other than those operating where the sea water temperature in the area of operation does not normally fall below 20°C. Immersion suits are required instead of TPAs when the yacht operates in areas where the sea water temperature is ≤ 10°C.

9.4.5 **Note 5:** AIS Class B is required.

9.4.6 **Note 6**: A receiver or a combination of receivers capable of receiving Marine Safety Information (MSI) and SAR related information throughout the entire voyage of the yacht is required for all yachts, excluding those engaged on Coastal navigation. An equivalent means of obtaining weather forecasts may be accepted on yachts engaged on Short Range navigation.

9.4.7 **Note 7**: All EPIRB's and SART's shall be installed in an easily accessible position so that they can be either float-free or be manually released and placed in the survival craft. All EPIRB's shall be programmed and be registered with the Administration.

9.4.8 **Note 8**: All sailing yachts shall be fitted with a Dan Buoy, in addition to the required life buoys.

9.4.9 In the case of yachts engaged on voyages of such a nature and duration that, in the opinion of the Administration, the application of the requirements of parts of this section is unreasonable or impractical, the Administration, on a case-by-case basis and at its own discretion, may approve alternative / equivalent standards.

9.5 Drills

9.5.1 All drills shall be duly recorded on the yacht's logbook and an appropriate drill register and plan shall be maintained onboard.

9.5.2 *Emergency Drills – Fire, Abandon Ship, Emergency Steering, Enclosed Space Entry, Rescue and other drills*

9.5.2.1 Every crew member shall participate to a Fire Drill and an Abandon Ship Drill, at least, once every fortnight.

9.5.2.2 When at least 25% of the crew is replaced, a Fire Drill and an Abandon Ship Drill shall be carried out before departure.

9.5.2.3 Emergency steering drills shall take place at least once every three (3) months in order to practise emergency steering procedures. These drills shall include direct control from within the steering gear compartment and communication procedures with the navigation bridge.

9.5.3 *Oil Pollution Drills*

9.5.3.1 Oil Pollution Drills shall be carried out, at least, once every three (3) months.

9.6 Duties, Musters and Briefing

9.6.1 On a yacht engaged on a voyage where passengers are scheduled to be onboard for more than 24 hours, mustering of newly-embarked passengers shall take place prior to or immediately upon departure. Passengers shall be instructed in the use of the life jackets and the action to take in an emergency.

9.6.2 Whenever new passengers embark, a passenger safety briefing shall be given immediately before departure, or immediately after departure. The briefing shall be made by means of an announcement, in one or more languages likely to be understood by the passengers.

9.7 Onboard Training and Instructions

9.7.1 Onboard training in the use of the yacht's life-saving appliances, including survival craft equipment, the use of the yacht's fire-fighting equipment, fire-extinguishing appliances, etc., shall be given as soon as possible but not later than two weeks after a crew member joins the yacht.

9.7.2 Every crew member shall have access to instructions related to the yacht’s life saving appliances, fire detection and extinction systems, first aid and in other important onboard emergency procedures.

9.7.3 Onboard training in the use of davit-launched life rafts shall take place at intervals of not more than four months, on every yacht fitted with such appliances. Whenever practicable this shall include the inflation and lowering of a life raft.

9.8 Training Manual

9.8.1 A training and instruction manual shall contain instructions and information on the life-saving appliances provided onboard the yacht and also contain information on the best methods of survival.

9.8.2 The training manual may take the form of instructions from the manufacturers of the life-saving equipment provided with the following explained in detail:

1) Donning of life jackets;
2) Boarding, launching and clearing the survival craft from the yacht;
3) Illumination in launching areas;
4) Use of all survival equipment;
5) Use of all detection equipment;
6) With the assistance of illustrations, the use of radio life-saving appliances;
7) Use of sea anchors;
8) Recovery of persons from the water;
9) Hazards of exposure and the need for warm clothing;
10) Best use of the survival craft facilities;
11) Methods of retrieval, including the use of helicopter rescue gear (slings, baskets, stretchers) breeches-buoy and shore life-saving apparatus;
12) Instructions for emergency repair of the life-saving appliances;
13) Personal survival at sea.

9.9 Instructions for onboard maintenance

9.9.1 These shall contain instructions for onboard maintenance of the life-saving appliances and shall include the following where applicable:

1) A check list for use when carrying out the required inspections;
2) Maintenance and repair instructions;
3) Schedule of periodic maintenance;
4) List of replaceable parts;
5) List of sources for spare parts;
6) Log of records of inspection and maintenance.

9.10 Emergency Instructions and Muster Lists

9.10.1 Clear Emergency Instructions and Muster Lists shall be provided and exhibited in conspicuous places throughout the yacht including the navigation bridge, machinery spaces, accommodation spaces, mess rooms, passenger cabins and open decks.

9.10.2 The Emergency Instructions and Muster Lists shall specify details of actions to be taken by crew, passengers or other persons onboard when the alarm is sounded. Instructions on the signal for fire onboard and the order to abandon ship shall be specified.

9.10.3 Muster Lists and Emergency Instructions shall include illustrations and instructions and shall be conspicuously displayed to inform all onboard of:

- Their muster station;
- The essential actions they should take in an emergency; and
- The method of donning lifejackets.

The attention of the crew / passengers shall be drawn to the yacht's Emergency Instructions and Muster Lists.

SECTION 10

FIRE PROTECTION, DETECTION AND EXTINCTION

10.1 General Requirements

10.1.1 Fire Protection, Detection and Extinction systems shall meet the requirements as detailed in Directive 2013/53/EU, as amended, and as detailed in this Code.

10.1.2 The purpose of this section is to provide the basic principles and minimum expected fire safety including prevention, detection and extinction.

10.2 Fire Plan

10.2.1 All yachts shall carry a Fire Control Plan. The plan shall indicate and describe the fire protection, detection and extinction arrangements onboard. The Fire Control Plan may be combined with a safety plan as a "Fire and Safety Plan".

10.3 Means of Escape

10.3.1 The arrangement of the yacht shall ensure that all compartments have means of escape in case of emergency. Stairways, corridors and ladders shall provide a means of escape to the embarkation deck.

10.3.2 Two (2) means of escape shall be provided from:

1) Accommodation spaces used for sleep or rest; and
2) Other accommodation spaces having a high-fire risk; and
3) Machinery spaces, except for unattended spaces or those spaces that are attended only occasionally during normal operations and from which a readily available escape route is provided at all times through a single access.

10.3.3 Main escape routes from the accommodation spaces shall not pass through any high-risk areas.

10.3.4 An access door to a space, which also serves as one of the escape routes or the only escape route from the space, shall be marked accordingly on both sides. Its functionality shall be tested during drills.

10.3.5 Passenger lifts shall not be considered as a means of escape.

10.3.6 The means of escape within the accommodation spaces shall be as widely separated as is reasonably possible. The escape routes shall not be obstructed and any movable furniture and fittings shall be adequately secured in place in order to avoid shifting.

10.3.7 All accommodation spaces shall have two (2) distinct and easily openable and accessible means of escape. The escape routes, including any concealed routes, shall be clearly indicated and marked by means of adequately sized and visible signage. Any carpets on top of escape hatches shall be adequately shaped and / or cut in order not to hinder the escape itself.

10.3.8 Secondary escape routes passing through a cabin shall include provisions for ease of access including easy opening of any lockable doors.

10.3.9 In exceptional cases and in instances when a second means of escape cannot be provided, a single means of escape may be accepted if:

1) The existing single escape route leads directly to an open deck without passing through high-risk areas or alternatively an Emergency Escape Breathing Device (EEBD) or Full-Face Smoke Hood is provided per passenger;
2) The length of the single escape route within the accommodation space to the open deck does not exceed 5 meters;
3) A fire detection / alarm system and emergency lighting systems are installed.

10.3.10 Sailing habitable multi-hull yachts, susceptible of inversion*, shall be provided with viable means of escape in the event of inversion. Where there is a means of escape provided for use in the inverted position, it shall not compromise the structure, the stability or buoyancy whether the yacht is upright or inverted.

(*) Yachts deemed as not susceptible to inversion shall be provided with adequate stability data demonstrating this.

10.4 Openings leading to Machinery Spaces

10.4.1 Means of remotely shutting down any forced ventilation shall be provided.

10.4.2 Extended Short Range and Unrestricted navigation yachts, fitted with gas fixed fire extinguishing systems in the machinery spaces, shall have the machinery spaces ventilation openings fitted with fire/smoke dampers which can be safely closed from outside the machinery spaces.

10.4.3 It is recommended that Coastal and Short Range navigation yachts, fitted with gas fixed fire extinguishing systems in the machinery spaces, have the machinery spaces ventilation openings fitted with fire/smoke dampers.

10.4.4 No glazed openings shall be fitted on the boundary of the machinery spaces. Notwithstanding the aforementioned, the fitting of an observation port having a maximum diameter of 150 mm may be allowed in internal doors leading to the machinery spaces. Such an observation port is to be of the non-opening type having a steel frame and be supplied with a permanently attached cover with closing devices.

10.5 Piping Systems

10.5.1 Piping systems shall meet the requirements of the Recreational Craft Directive 2013/53/EU, as amended, and as detailed in this Code.

10.5.2 Engines shall have the external high-pressure fuel delivery lines, fitted between high pressure fuel pumps and fuel injectors, appropriately screened OR jacketed OR provided with anti-spray protection OR otherwise suitably protected to avoid spray or leakages onto possible sources of ignition.

10.5.3 Oil fuel lines shall not be located immediately above or near units of high temperature including exhaust manifolds, silencers or other equipment operating at temperatures ≥ 220°C. As far as practicable, oil fuel lines shall be arranged far apart from hot surfaces, electrical installations or other sources of ignition and shall be screened or otherwise suitably protected to avoid oil spray or oil leakage onto the sources of ignition. The number of joints in such piping systems shall be kept to a minimum.

10.6 Use of LPG

10.6.1 Any LPG installation shall be in conformance to the applicable ISO Standard or Recognised Organisation (RO) rules. All open flame appliances shall be certified in compliance with the requirements of EC Directive 2016/426/EU, as amended. Hydrocarbon Gas detectors and CO detectors shall be installed in the areas where LPG is used.

10.6.2 Gas cylinders, regulators and safety devices shall be stowed in a dedicated locker on an open deck. This locker shall be naturally ventilated and designed to drain overboard. The gas locker shall not to have any electrical fittings in it.

10.6.3 Gas piping shall be metallic with only the shortest possible lengths of non-metallic hoses being used for the connection with the gas lines and appliances. Non-metallic hoses shall be certified and suitable for their intended use. Clearly marked gas shut-off valves shall be fitted in the gas locker and also near the connected equipment / appliances.

10.6.4 The gas line couplings shall be crimped and threaded. Non-metallic hoses by virtue of their definite life require to be replaced at regular intervals as recommended by the manufacturer. In case of copper piping periodical inspections shall be undertaken.

10.6.5 Suitable means for detecting the leakage of gas shall be provided in a compartment containing a gas-consuming appliance or in any adjoining space or compartment into which the gas, of greater density than air, may seep. Battery-operated gas detectors may also be accepted.

10.7 Fire Prevention – Fuel Systems and Storage Spaces for Highly Flammable Liquids

10.7.1 No fuel or flammable liquids having a flash point below 60°C may be stored in the machinery spaces.

10.7.2 Other highly flammable liquids, excluding diesel and heavy fuel oils, shall be kept to a strict minimum. These flammable liquids shall only be located in the fuel tanks of vehicles or craft appropriately stowed onboard or in appropriate lockers designed and designated for storing such fuel. Containers used for the carriage of flammable liquids shall be constructed to a recognised standard. Each container shall be clearly marked providing details about its contents and providing a warning for flammability.

10.7.3 The location of dedicated lockers on deck used for stowage of hand-held flammable liquid containers, must be clearly marked indicating that the locker contains flammable material and no-smoking signs shall be posted. In addition, these lockers shall:

1) Be located away from any high-risk area and be placed in a restricted access area;
2) Have intrinsically safe electrical fittings in or around them (minimum IP55 rating) and the electrical fittings shall be fitted at a height ≥ 450 mm from the deck;
3) Have a means of ventilation at the top and bottom and ventilators shall be fitted with spark arrestors;
4) Have self-draining holes leading directly overboard;
5) Have means to secure the fuel containers;
6) Have No-Smoking signs affixed.

10.7.4 Enclosed spaces, highly flammable fuel lockers and garages, wherein vehicles or craft containing fuel having a flash point below 60°C are stowed, shall be fitted with:

1) A means of ventilation meeting the requirements of ISO 11105, as amended;
2) All electrical equipment within the space shall be intrinsically safe (minimum IP55 rating) and the electrical fittings shall be fitted at a height ≥ 450 mm from the deck;
3) A petrol fume detector shall be fitted, and it is recommended that it is provided with an alarm on the bridge and in the crew accommodation spaces;
4) No-Smoking Signage;
5) A fire detection and fire alarm system. Battery operated systems may be accepted;
6) A manual or automatic fixed firefighting system, preferably a manual or automatic fixed pressure water-spraying system.

10.8 Lithium-Ion Batteries used for propulsion, both as the main propulsive power or hybrid propulsion, and / or for main electric power supply purposes during yacht operations

10.8.1 Where Lithium-Ion batteries are used for propulsion, both as main propulsion or hybrid propulsion, and / or for main electric power supply purposes during yacht operations, the battery system design and operation shall meet the requirements of ISO 23625 or the rules of a Recognised Organisation. Additionally, battery installations shall also comply with the following:

1) Battery compartments shall be specially located and designed to ensure that the batteries are kept within their thermal operating limits in the most onerous conditions. Temperature control systems shall be employed with levels of redundancy to ensure that localised cell temperatures remain within manufacturer's guidelines. Failure of the temperature control system or excessive rise in the battery compartment temperature shall provide early alarms on the bridge;
2) Battery compartments shall be fitted with a hydrocarbon gas, smoke and heat detection system and an automatic fixed-fire extinguishing system. When at least two (2) detectors are activated, the system shall initiate appropriate alarms and shall also automatically isolate electrical systems, shut down and close the ventilation system and activate the fixed-fire extinguishing system;
3) Ventilation systems shall be able to be shut down from a safe location outside the battery compartment;

4) Ventilation inlets and exhausts shall be fitted with permanently attached closing / shutdown flaps / shutters, which shall be capable of being easily closed remotely;
5) Ventilation systems shall be able to safely expel any toxic or flammable gases to a safe location on the outside of the yacht;
6) The batteries' location and fixings shall ensure that any liquid residues are removed from around the batteries and fire-fighting mediums shall adequately spread through the battery compartment to extinguish a potential fire;
7) The batteries and ancillary equipment shall be secured within the battery compartment such that they can endure the maximum predicted vessel motions. Heavy items or items which could cause physical damage to the batteries, shall not be co-located within the battery compartment unless these are well secured in place at all times. Consideration shall be given to fixing the batteries adjacent to any potential sources of heat, which could result in inadvertent heating of the batteries;
8) Consideration shall be given to the reduction of combustible materials within a battery compartment. Dangerous goods shall not be stored in a battery compartment.

10.8.2 Special consideration from the above requirements may be given, by the Administration, on a case-by-case basis, to:

1) Smaller capacity battery installations; and
2) Battery installations, which are composed of batteries, which are not susceptible to self-combustion.

10.9 Storage of Lithium-Ion battery-operated Water Sports' Equipment / Toys and Bicycles

10.9.1 Lithium-Ion battery-operated water sports' equipment / toys and bicycles shall be stored on an open deck OR else in an enclosed space / garage which shall:

1) Have a forced ventilation system, which exhausts directly outside;
2) Have the ventilation system capable of being isolated and closed remotely;
3) Have all ventilation air intakes and exhausts fitted with permanently attached closing / shutdown flaps / shutters, which shall be capable of being easily closed remotely;
4) Be fitted with a hydrocarbon gas, smoke and heat detection system and an automatic fixed-fire extinguishing system. When at least two (2) detectors are activated, the system shall initiate appropriate alarms and shall also automatically isolate electrical systems, shut down the ventilation system and close the ventilation flaps / shutters;
5) Be fitted with a fixed fire extinguishing system, which is automatically activated when two (2) detectors are activated OR be fitted with a manual fixed-fire extinguishing system. A fixed manual drencher system may be accepted;
6) Be fitted with an automatic visual indication / warning light that shall be visible on-site and, on the bridge, indicating that water sports' equipment / toys and / or bicycles batteries are charging;
7) Be equipped with battery boundary cooling appliances / equipment in order to cool down the boundaries of lithium-Ion batteries in cases of battery runaway and / or fires. Operational instructions and necessary bilge pumping arrangements shall also be put in place;
8) Be fitted with a means of closing the garage door remotely from a space outside of the garage itself;
9) Have No-Smoking signage.

10.9.2 Special consideration from the above requirements may be given, by the Administration, on a case-by-case basis, for battery systems, which are composed of batteries, which are not susceptible to self-combustion.

10.9.3 Onboard yachts, having a gas-based fixed-fire extinguishing system, it is strongly recommended that the garage door be kept closed during the battery charging process in order for the fire extinguishing system to remain effective should a fire need to be extinguished.

10.10 Storage of Other Highly Flammable Products

10.10.1 Storage rooms used for the storage of highly flammable products shall be provided with totally independent ventilation systems. Such systems shall be served by intrinsically safe fans. The intake and exhaust side of these ventilation systems shall be fitted with spark arrestors.

10.10.2 Storage rooms housing fuel filled lamps, paraffin, paint cans and other flammable materials shall have suitable ventilation features. Any direct connection with any accommodation space is not permitted. Only minimum amounts of paint shall be kept in these spaces.

10.10.3 No fuel, lube oils or any other flammable materials may be carried in the forecastle space or in the forepeak or in the chain lockers.

10.10.4 The fuel pipes from all tanks shall be fitted with remotely operated closing valves. Such valves shall be provided with mechanical means of closure. Low voltage electrically operated shut off solenoid valves may be accepted.

10.10.5 Means shall be provided for the fuel transfer pumps to be stopped from outside the machinery spaces.

10.11 Furnishing Material

10.11.1 Foams used in upholstery and furniture shall be in conformance with a recognised international standard. On already built yachts this requirement may be delayed until the materials are due for renewal and, in the meantime, the application of fire-retardant spray is recommended.

10.11.2 Fabrics shall satisfy the Flammability Cigarette and Butane tests. On already built yachts this requirement may be delayed until the materials are due for renewal and, in the meantime, the application of fire-retardant spray is recommended.

10.12 Galleys and Galley Equipment

10.12.1 In addition to the above requirements, as applicable, linings on bulkheads and ceilings around galley equipment shall be made with non-combustible materials. Non-certified combustible materials within the following distances, shall be protected:

- 400 mm vertically above the cooking range or cooking accessories;
- 150 mm horizontally on the sides of the cooking range or cooking accessories;
- curtains or any other suspended materials shall not be fitted within 600 mm of the top of the cooking range or cooking accessories.

10.12.2 The installation of deep-fat frying equipment shall be avoided; however the installation of this equipment may be accepted subject that, a dedicated fixed fire extinguishing system is installed. For deep frying equipment of upto 15 litres cooking oil capacity, a suitably sized Class F Fire Extinguisher, an adequately sized fire blanket and a manual shut-off of the electrical power supply shall be available.

10.13 Wooden Yachts

10.13.1 On wooden yachts, measures shall be taken to prevent the absorption of oil into the structure. Metal drip trays shall be installed under engines and under other equipment / machinery that could drip oil. Such drip trays shall have draining facilities so that they can be drained in appropriate containers. Such containers shall be properly disposed of ashore at oil reception facilities. Engine rooms shall be kept clean and free from oily waste, oily rags and other combustible materials.

10.14 Saunas and Steam Rooms

10.14.1 All boundaries of saunas and steam rooms having steam generators > 5 kW, shall be insulated to at least B-15, or equivalent, and protected by a fire detection and alarm system. The direct boundaries adjacent to the sauna oven, and the steam generator > 5 kW, shall be insulated to A-0 for unrestricted navigation yachts and B-0 for yachts having other restricted navigation notations. Pipes leading to steam discharge nozzles shall be lagged. Wooden linings on ceilings and bulkheads are allowed. The ceiling above the sauna oven shall be lined with a non-combustible plate with an air gap of at least 30 mm whilst the distance from the hot surfaces to combustible materials shall be at least 500 mm. The sauna door shall always open outwards by pushing.

10.15 Battery Charging Stations

10.15.1 Battery charging systems shall be fitted with circuitry to prevent overcharging and overheating. Special attention is to be taken in cases of any batteries onboard being placed under charge, due to the possibility of explosions or fires.

10.15.2 Movable / Portable lithium-ion batteries (including batteries fitted on onboard equipment, toys, bicycles, appliances, etc.), during the charging process, shall be placed in a well-ventilated area, which is either an open deck, or either a continuously manned ventilated area or otherwise an area which is covered by a hydrocarbon gas, smoke and heat detection system and an automatic or manual fixed fire extinguishing system. All ventilation air intakes and exhausts, in battery charging stations, which are not continuously manned, shall be fitted with a permanently attached closing / shutdown flaps / shutters, which shall be capable of being easily closed remotely. It is strongly recommended that the yacht is never left unattended during the movable / portable batteries charging process. Charging on open decks during the dark hours should be avoided, as the crew might be asleep and any runaway smoke might not be noticed.

10.15.3 Battery boundary cooling operational instructions and the necessary appliances / equipment shall be installed onboard in order to cool down the boundaries of lithium-Ion batteries in cases of battery runaway and / or fires. The necessary bilge pumping arrangements shall also be able to cater the amounts of water used in case of battery runaway and / or fires.

10.16 Spit Roasts and BBQ Appliances

10.16.1 Metallic spit roast and BBQ appliances shall only be used on open decks in well-ventilated locations, clear of any hazards, such as overhanging structures, combustible awnings, flammable liquids, etc.

10.16.2 Spit roasts and BBQs shall be safely secured to prevent any movement that may be caused by the yacht's motion. They shall not be placed near stairways, passageways, life saving appliances and water toys and under no circumstances shall they be placed internally.

10.16.3 Spit roasts and BBQ appliances shall be fitted with metallic lids or other means of closing.

10.16.4 A fire blanket, two (2) pairs of heat proof gloves and a suitable portable fire extinguisher shall be placed close by and shall be ready for immediate use.

10.16.5 Spit roasts and BBQ appliances shall be fitted with appropriate splash and spark guards.

10.16.6 A metallic fixed collecting / drip tray shall be secured directly below the spit roasters and BBQs.

10.16.7 Deck scuppers, which are located close to the appliances, shall be designed to discharge directly overboard.

10.16.8 In order to be safely extinguished, any combustible materials / fuels used for roasting / grilling, shall always be soaked with water after use even if no flames or ambers are visible. Metallic lids / closing devices shall be put in place after use of the appliances.

10.16.9 Any extinguished and well cooled ashes and / or combustible residues shall be appropriately disposed of in metallic containers / bins.

10.16.10 Gas operated spit roast or BBQ appliances shall meet the applicable ISO Standard requirements and shall be fitted with a gas detector in way of the gas cylinder storage compartment and with a remote gas shut down valve.

10.16.11 No other recreational fire appliances may be fitted onboard the yacht.

10.17 Active Fire Protection

10.17.1 Yachts, with total installed power (propulsion and electrical generation) ≥ 750 kW, shall be fitted with a certified fire / smoke detection and alarm system in the machinery spaces. In case of multi-hull yachts, the total engine power in each hull shall be considered. The main alarm panel shall be fully addressable and be located at the main steering position. Where the main alarm panel is not audible from the crew quarters a repeater alarm panel shall be installed. If the fire alarm system is not fully addressable than the panel shall at least be divided into clearly labelled separate sections and a single section shall not cover more than one deck and shall not contain more than eight (8) detectors.

10.7.2 Yachts, with total installed power < 750 kW, shall be fitted with a fire / smoke detection and alarm system in the machinery spaces. Stand-alone battery-operated detectors may be accepted.

10.17.3 Type Approved wireless-type active fire protection systems may be accepted on all yachts.

10.18 Fire Fighting Equipment

10.18.1 Fire Fighting equipment shall be kept in good working order at all times and shall be serviced regularly by qualified and certified shore-based servicing stations in conformance with manufacturer's instructions and Administration requirements.

10.18.2 Fire protection systems shall meet the requirements of ISO 9094, as amended. Appropriate visual and audible alarms shall be installed in machinery spaces in case hazardous fire extinguishing gases (such as CO_2) are being utilised. Certified aerosol fire extinguishing systems may also be accepted as fixed fire extinguishing systems.

10.18.3 Servicing of Fire Fighting Equipment shall be carried out in accordance with Malta Technical Notice SLS.6, as amended.

10.19 List of minimum Fire Fighting Equipment required onboard

10.19.1 A fire pump, located outside the engine spaces, having a sea suction and at least one (1) hose connection (capable of delivering a jet of water to any part of the yacht) shall be available onboard. Portable fire pumps may also be accepted.

10.19.2 At least, one (1) fire hydrant shall be installed, provided that all spaces are reachable in order to easily deliver a jet of water to any part of the yacht. If not all spaces onboard are easily reachable, then additional fire hydrants shall be installed onboard.

10.19.3 If a portable fire pump is used, the hydrant may be part of the portable pump arrangement.

10.19.4 The installation of a fire hose port, a water mist system, a sprinkler system or a drencher system may be accepted in lieu of the installation of an additional fire hydrant(s).

10.19.5 A fire hose of adequate length together with a jet / spray nozzle shall be provided for each hydrant available onboard. The fire hose shall be stored in close proximity to the fire hydrant.

10.19.6 An automatic or manual fixed fire extinguishing system shall be fitted in the engine spaces, as detailed above. Overhung automatic fire extinguishers may be accepted on sailing boats and on yachts with compact machinery spaces.

10.19.7 An adequate number of portable fire extinguishers shall be available onboard. Consideration shall be given to the number of extinguishers required in the Owner's Manual but there shall be at least:

Accommodation and Service Spaces	Two(2) x 5 kgs CO_2 OR Two(2) x 5 kg Dry Powder extinguishers located at not more than 10 meters apart
Bridge	One(1) 5 kgs CO_2 OR One(1) 5 kgs Dry Powder Extinguisher
Machinery Spaces	One(1) extinguisher for oil fires AND One(1) 5 kgs CO_2 OR One(1) 5 kgs Dry Powder extinguisher

10.19.8 One adequately sized fire blanket shall be available in the galley.

10.20 Additional Requirements

10.20.1 Fire mains shall preferably be metallic, however, non-metallic piping meeting the requirements of the IMO Fire Test Procedures (FTP) Code or applicable ISO Standards such as ISO 7840, ISO 13363 and ISO 15540, may be accepted.

10.20.2 Fire mains located on deck shall be provided with drain points to avoid freezing. The size of the fire main is to be designed to suit the size of the fire pump.

10.20.3 The fire hydrant(s) shall be located in easily accessible location and be fitted with a valve and coupling to allow the quick attachment of the fire hose.

10.20.4 Fire hoses shall have jet / spray nozzles. Only certified hoses made uniquely for this purpose shall be used.

10.20.5 Maintenance and servicing of fire systems shall be done regularly, by an RO approved service supplier, as indicated in the relevant sections of the Malta Flag Administration Requirements and as per manufacturer's recommendations. A log of all maintenance and all servicing certificates shall be kept on board.

10.20.6 A CO_2 portable fire extinguisher nozzle access port shall be available below the navigation bridge console unit(s), providing access to all the compartments located below the navigation console(s). The access ports shall enable the crew to discharge a CO_2 portable fire extinguisher(s) directly within the console's compartments allowing the fire extinguishing medium to swiftly penetrate and extinguish any fires located within.

10.21 Structural Fire Protection

10.21.1 Structural fire protection is not required, but it is recommended.

SECTION 11

ANCHORS, CABLES AND LIFTS

11.1 General Requirements

11.1.1 This section sets out the minimum standards for the Anchoring, Mooring, Storm Sails, Lifts and Lifting Equipment.

11.1.2 Yachts shall meet the requirements as detailed in the EU Recreational Craft Directive 2013/53/EU, as amended, and as detailed in this Code.

11.1.3 All yachts shall have at least two (2) anchors. At least one (1) anchor shall be rigged and ready for use at all times.

11.1.4 The sizing of anchors and cables shall take into account the additional windage forces of the masts and rigging of sailing yachts.

11.2 Storm Sails

11.2.1 Sailing yachts shall carry efficient storm sails. These shall be proven capable of taking the yacht to windward in cases of heavy weather.

11.3 Wire Cutting

11.3.1 All sailing yachts shall carry an adequately sized wire cutting tool suitable for the largest size of rigging wire used onboard. In case of solid rod rigging, adequate rod cutting equipment shall be placed onboard for emergency use.

11.4 Lifting Equipment

11.4.1 Lifting appliances installed onboard shall be inspected during periodical surveys and be dynamically tested to 1.1 times the working load, at least, once in every five (5) years and the relevant Overload Test Certificate shall be retained onboard.

11.5 Elevator Lifts

11.5.1 Lifts, including dumbwaiters, shall be inspected annually by the manufacturer or by an authorised representative. All lifts shall be provided with an overload protection and the maximum number of persons allowed to board the lift shall be clearly indicated. A suitable means of escape from the lift capsule and the lift shaft shall be provided together with an internal lift alarm and lift telephone system. A notice stating that the lift is not to be used in case of fire shall be posted.

11.6 Towing and Tow Lines

11.6.1 Accessible efficient strong securing points shall be provided for the attachment of towlines for the yacht to tow and be towed. All yachts shall be provided with a towline having a length and diameter adequate for the size of the yacht. The anchor cable / rope may be used as the towline.

SECTION 12

MERCHANT SHIPPING (MARITIME LABOUR CONVENTION) RULES 2013

12 Merchant Shipping (Maritime Labour Convention) Rules 2013 – (Transposition of MLC 2006 into Maltese Law)

For the purpose of this section alone, in Part A and Part B the terms:
Existing Yacht means "A yacht whose keel was laid or which was in a similar stage of construction before 20/08/2013" and;
New Yacht means "A yacht whose keel was laid or which was in a similar stage of construction on or after 20/08/2013".

Mini Index:
PART A – MLC 2006 and Accommodation Requirements for **Existing** Yachts
PART B – MLC 2006 and Accommodation Requirements for **New** Yachts

12.1 Part A – MLC 2006 and Accommodation Requirements for Existing Yachts

12.1.1 Existing Yachts shall comply with the requirements of Merchant Shipping (Maritime Labour Convention) Rules as amended, except for the Rules relating to Medical Stores (see Section 18) and except for the Third Schedule.

12.1.2 This section provides the minimum requirements for crew accommodation spaces.

12.1.3 Existing Yachts (i.e. yachts whose keel was laid or which was in a similar stage of construction before 20/08/2013) shall also comply with the here below provisions in addition to the requirements of Merchant Shipping (Maritime Labour Convention) Rules, as amended.

12.1.4 An adequate standard of accommodation shall be provided on board to ensure recreation, comfort, health and safety of all persons onboard. Due consideration shall also be given to the number of hotel and other support staff required.

12.1.5 Crew accommodation shall not be located within hazardous spaces. No beds shall be placed in public spaces such as saloons and mess rooms, with no appropriate levels of privacy.

12.1.6 The accommodation spaces shall be equipped with sufficient hand holds and grab rails within the accommodation spaces to allow safe movement of persons around the accommodation in all weather conditions.

12.1.7 An appropriately sized bed (bunk or cot) shall be provided for every person onboard. The bed / bunk shall not be shared by others with the exception for mutually agreed consenting partners or married couples, both being employed as crew members.

12.1.8 It is recommended that in crew accommodation, the maximum number of persons per sleeping room is two (2) and there shall be unobstructed access to at least one side of each bed. This number may be increased in cases where the cabin area allows for an increase in the maximum number of persons.

12.1.9 Yachts engaged solely on day trips may be exempted from sleeping spaces' requirements.

12.1.10 *Access and Escape Arrangements*

12.1.10.1 The means of access and escape shall comply with the requirements as detailed in this Code.

12.1.11 *Lighting in Accommodation Spaces*

12.1.11.1 Adequate electrical lighting systems shall be installed in the accommodation and working spaces.

12.1.12 *Ventilation, Noise and Vibration*

12.1.12.1 All enclosed spaces, which are used by onboard personnel, have to be effectively ventilated.

12.1.12.2 When mechanical ventilation is provided for the accommodation spaces this shall have, at least, a capacity of six (6) air changes per hour.

12.1.12.3 Accommodation spaces shall be provided with adequate natural and/or mechanical air re-circulation systems.

12.1.12.4 Air conditioning systems (both heating and cooling) shall cater for a minimum of 25 m^3 of air per hour, per person accommodated in the ventilated space during normal operating conditions.

12.1.12.5 Noise and vibration within the accommodation spaces shall be kept at a minimum.

12.1.13 *Fresh Water Supply*

12.1.13.1 There shall be an adequate supply of free fresh drinking water onboard. Unless bottled drinking water is provided, the drinking water shall be provided and piped to convenient positions throughout the accommodation spaces.

12.1.13.2 The fresh water system shall be maintained in a clean condition to protect against the contamination of the water. Unbottled drinking water shall be treated through a UV Water Purifier or an equivalent purification system. Drinking water tanks shall be tested for bacteria by a recognised lab on an annual basis and relevant test results shall be kept onboard.

12.1.13.3 In addition, an emergency reserve of drinking water shall be carried onboard. This may be in dedicated tanks or bottles. The amount required shall not be less than two (2) litres per person onboard.

12.1.14 *Galley*

12.1.14.1 Every yacht, other than day trip yachts, shall be provided with a galley fitted with cooking equipment.

12.1.14.2 The galley is to be supplied with a sink and a safe and adequate working surface.

12.1.14.3 The floor of the galley is to be of the non-slip type.

12.1.14.4 All furniture and fittings in the galley shall be made of a material, which is impervious to dirt and moisture.

12.1.14.5 Only non-rusting metals may be used in the galley.

12.1.14.6 Means shall be provided to allow the cook to be secured in position, with both hands free for working, when the yacht's motion threatens safe working.

12.1.15 When gimballed cooking appliances are provided, this shall be provided by a crash bar or by other means to retain the cooking equipment lying on top of the appliances in order to avoid personal injury.

12.1.16 Means shall be provided to lock the gimballing mechanism.

12.1.17 *Storage of Food and Garbage*

12.1.17.1 Means shall be provided for the secure and hygienic storage of food.

12.1.17.2 Means shall be provided for the storage of garbage, which will not in any way contaminate the stored food.

12.1.18 *Messing Facilities*

12.1.18.1 Adequate messing facilities shall be provided. Each messing area shall be large enough to accommodate the greatest number of persons likely to make use of it at any time. Crew and passengers messing areas may be shared.

12.1.19 *Toilet and Shower Facilities*

12.1.19.1 Adequate sanitary facilities shall be supplied on board, as follows:

1) There shall be at least one (1) water closet for every eight (8) persons on board;
2) There shall be at least one (1) fresh water shower for every eight (8) persons on board;
3) There shall be at least one (1) wash basin for every six (6) persons on board.

12.1.19.2 In cases when the sanitary system includes a holding tank, care shall be taken to ensure that no toxic or foul fumes or odours would leak from any part of the system to the toilet and into the accommodation spaces.

12.1.20 *Stowage and Storage Facilities*

12.1.20.1 Adequate stowage and storage facilities for personal effects shall be provided for each person onboard.

12.1.21 *Heavy Equipment*

12.1.21.1 All items of heavy equipment shall be able to be secured during the sea voyage.

12.1.21.2 The doors of all stowage lockers containing heavy items shall be capable of being securely fastened.

12.1.22 *Equivalent Arrangements*

12.1.22.1 Equivalent arrangements to what is proposed in Part A may be accepted, subject that these arrangements provide the crew with the same safety and comfort as those indicated in this section.

12.2 Part B – MLC 2006 and Accommodation Requirements for New Yachts

12.2.1 Accommodation & Recreational Facilities requirements for New Yachts (i.e. yachts whose keel was laid or which was in a similar stage of construction on or after 20/08/2013).

12.2.2 New yachts shall comply with the requirements of the MLC 2006 as transposed by the Merchant Shipping (Maritime Labour Convention) Rules, as amended, except for the Fourth Schedule.

12.2.3 Part B of this section provides an equivalence in reference to Title 3 of the MLC 2006 that deals specifically with crew accommodation, recreational facilities and food & catering. For Medical Stores refer to Section 18 of this Code.

12.2.4 *The purpose of PART B is to implement substantially equivalent arrangements to the crew accommodation and recreational facilities requirements of the Maritime Labour Convention 2006 for yachts built after the coming into force of the Convention.*

12.2.4.1 The accommodation shall also be adequate for those who are not seafarers onboard the yacht.

12.2.5 *General*

12.2.5.1 The accommodation shall provide decent living conditions and recreational facilities for those persons employed or engaged in any capacity onboard.

12.2.5.2 So as to provide decent living conditions and recreational facilities, the requirements mentioned in this section are provided as minimum standards.

12.2.5.3 The materials used to construct internal bulkheads, panelling and sheeting, floors and joinings shall be suitable for the purpose and conducive to ensuring a healthy environment.

12.2.5.4 Excessive noise and vibration shall be limited within accommodation spaces, and as far as practicable in conformance with relevant international standards (refer to the as amended subsidiary legislation S.L. 424.28 on Noise and S.L.424.31 on Vibration, for further guidance in this regard). Where the seafarers' exposure to noise and vibration is very time limited in accommodation spaces, alternative arrangements may be accepted.

12.2.5.5 When agreed by the Administration, yachts, which are of traditional build and are true replicas of traditionally designed yachts, which include wooden yachts and other yachts of similar design where their traditional character is incompatible with the detailed accommodation requirements, particularly with regard to cabin size, may be exempted from the requirements of this section.

12.2.6 *Access / Escape Arrangements*

12.2.6.1 The arrangement of the yacht shall ensure that all compartments have means of escape in case of emergency. Stairways, corridors and ladders shall provide a means of escape to the embarkation deck. Refer to Section 10 of the Code for detailed requirements.

12.2.7 *Headroom*

12.2.7.1 There shall be adequate and reasonable headroom for all seafarers onboard, taking into consideration the size and operation of the yacht. The provided headroom shall not result in discomfort to seafarers.

12.2.7.2 For spaces within the accommodation where seafarers are expected to stand for prolonged periods, the minimum headroom shall be 190 cms. Reduced height may be allowed in some locations, unless this results in discomfort to seafarers.

12.2.8 *Ventilation*

12.2.8.1 Refer to the requirements as detailed in this Code and to the Merchant Shipping (Maritime Labour Convention) Rules, as amended.

12.2.9 *Heating and Insulation*

12.2.9.1 The accommodation shall be adequately insulated, with all accommodation spaces adequately heated, whilst taking into account climatic conditions within yacht's intended area of operation.

12.2.10 *Lighting*

12.2.10.1 An electric lighting system shall be installed and be capable of supplying adequate light to all enclosed accommodation and working spaces. The system shall meet the requirements set out in this Code.

12.2.10.2 Seafarer's sleeping rooms and mess rooms shall be lit by natural light and provided with adequate artificial light. Where the provision of natural light is impracticable, adequate artificial light may be acceptable in limited areas.

12.2.11 *Water Services and Provision*

12.2.11.1 Hot and cold running fresh water shall be available in all wash spaces.

12.2.11.2 An adequate supply of free fresh and hygienically safe drinking water shall be provided. Unless bottled drinking water is provided, the drinking water shall be piped to convenient positions throughout the accommodation spaces.

12.2.11.3 In addition, an emergency reserve supply of drinking water shall be carried, sufficient to provide at least two (2) litres per person.

12.2.11.4 Unbottled drinking water shall be treated through a UV Water Purifier or an equivalent purification system.

12.2.11.5 Drinking water tanks shall be tested for bacteria by a recognised lab on an annual basis and relevant test results shall be kept onboard.

12.2.12 *Galley Facilities and Provision of Food*

12.2.12.1 Refer to the Merchant Shipping (Maritime Labour Convention) Rules, as amended.

12.2.12.2 The organisation and equipment of the catering department shall be such so as to permit the provision of adequate, varied and nutritious meals prepared and served in hygienic conditions. This shall include as a minimum, that the galley is fitted with a means of cooking and a sink and have an adequate working surface for the preparation of food. The galley floor shall be provided with a non-slip surface providing a good foothold and it shall also be impervious to water. The galley floor shall be seamless and without sharp corners. Linings and flat surfaces in galleys shall be of the seamless type. Food shall be provided for all seafarers onboard free of charge and shall be suitable in respect of quantity, nutritional value, quality and variety.

12.2.12.3 All furniture and fittings in the galley shall be made of a material, which is impervious to dirt and moisture. All metal parts of furniture and fittings shall be rust resistant. Porous materials, such as wood, shall be avoided.

12.2.12.4 An effective means of scheduled pest control shall be put into practice and records of same kept.

12.2.12.5 The ventilation in the galley shall be arranged to ensure that there is an adequate supply of fresh air and for the efficient discharge of fumes into the open air. Hood filters shall be kept oil and grease free.

12.2.12.6 Cooking appliances shall be protected by a crash bar, or other means, so as to prevent personal injury.

12.2.12.7 Safe means shall be provided to allow the cook to be secured in position, allowing both hands to remain free for working, when the yacht's motion threatens safe working conditions. In extreme conditions cooking over open flames shall be discouraged.

12.2.12.8 Secure and hygienic storage for food and garbage shall be provided.

12.2.12.9 Mess rooms shall be large enough to accommodate the greatest number of persons likely to use it, at any one time. A single mess room catering for all persons onboard is acceptable.

12.2.12.10 Yachts engaged exclusively on day trips may be exempted from the galley requirements.

12.2.13 *Hand Holds and Grab Rails*

12.2.13.1 There shall be sufficient hand holds and grab rails within the accommodation to allow for safe movement around at all times. Stairways shall be given special consideration.

12.2.14 *Sleeping Accommodation*

12.2.14.1 Sleeping accommodation shall be of adequate size and properly equipped so as to ensure reasonable comfort and to facilitate tidiness. Weekly inspections by the master shall be undertaken and recorded accordingly.

12.2.14.2 There shall be no direct openings into sleeping rooms from machinery spaces or from storerooms, drying rooms or communal sanitary areas. It is recommended that direct openings from galleys into sleeping rooms be also avoided.

12.2.14.3 It is recommended that the maximum number of persons per sleeping room is two (2) and there shall be unobstructed access to at least one side of each bed. This number may be increased in cases where the cabin area allows for an increase in the maximum number of persons.

12.2.14.4 Sleeping accommodation shall be situated or equipped, as practicable, so as to provide appropriate levels of privacy.

12.2.14.5 Berths for seafarers must have a minimum inside dimension of:

1) Not less than 190 cms by 70 cms, with no tapering, where it is satisfied that this is reasonable and will not result in discomfort to the seafarers; or
2) Not less than 198 cms by 80 cms, where a taper is permitted from half the length of the berth so that under no circumstances the berth is narrower than 50 cms. (See Annex 1 for alternative arrangements).

12.2.14.6 Where considered appropriate, means for preventing the occupants from falling off the bunk, shall be provided.

12.2.14.7 Sleeping accommodation shall possibly be situated above the load line / freeboard mark. No sleeping accommodation is allowed forward of the collision bulkhead. Any sleeping accommodation located forward and having a single exit / entry from the weather deck or having other / multiple exit / entry points may be accepted, subject that the sleeping accommodation shall be used only when the yacht is stationary at anchor in good weather conditions, or at berth.

Where it is not practicably possible to provide sleeping accommodation above the load line / freeboard mark (or the deepest waterline where no load line / freeboard mark is provided), an alarm shall be fitted to provide early warning of flooding, by alerting occupants within the sleeping accommodation and allowing them sufficient time to escape from the accommodation.

12.2.14.8 Yachts engaged exclusively on day trips may be exempted from the crew accommodation requirements.

12.2.15 *Sanitary Facilities*

12.2.15.1 There must be at least one (1) set of sanitary facilities, which is segregated from the accommodation spaces, for every six (6) seafarers onboard. Each set of sanitary facilities shall include one (1) shower or one (1) tub, one (1) wash basin and one (1) water closet. Each set of sanitary facilities must be provided with a door that is lockable. Where reasonable and practicable, there shall be separate sanitary facilities provided for men and for women. For multiple shower cubicles, shower curtains shall be provided accordingly.

12.2.15.2 In yachts where a sanitary system, including a holding tank, is provided, care shall be taken to ensure that there is no possibility of fumes from the tank finding their way back to a water closet, shall the water seal at the toilet be broken. Sewage generated gases are known to be hazardous.
(See Annex 2 for alternative arrangements).

12.2.16 *Mess Rooms*

12.2.16.1 It may be that in some cases the mess will be a shared facility for seafarers and passengers. Mess rooms shall be of adequate size and comfort and properly furnished and equipped, taking account of the number of seafarers and passengers likely to use them at any one time. Where it is reasonable and practicable the crew and passengers can be served at different sittings.

12.2.17 *Recreational Facilities*

12.2.17.1 Appropriate seafarers' recreational facilities, amenities and services, as adapted to meet the needs of seafarers living and working onboard, shall be provided.

12.2.17.2 All yachts shall have a space or spaces on open deck to which seafarers can have safe access when off duty, which are of adequate area relative to the size of the yacht and the number of seafarers onboard and are protected from the elements. Due consideration shall be given to any areas on deck which may be considered as posing a safety risk to seafarers. Such spaces shall have seating arrangements and may be shared with the passengers onboard. Availability of such spaces is dependent on atmospheric or security related conditions and, which remain at the discretion of the Master.

12.2.18 *Stowage Facilities for Personal Effects*

12.2.18.1 Each seafarer shall be provided with adequate storage space for personal effects having a minimum of 125 litres per seafarer.

12.2.19 *Machinery Space Boundaries*

12.2.19.1 Where machinery spaces are adjacent to accommodation spaces, the boundaries shall be noise attenuated and it is recommended they be also gas tight.

12.2.19.2 Machinery space boundaries must retain any liquids, which may leak from equipment found within the machinery space.

12.2.20 *Securing of Heavy Equipment*

12.2.20.1 All heavy items of equipment such as permanent ballast, batteries, cooking stove, etc, shall be securely fastened in place. All stowage lockers containing heavy items shall have lids or doors, which are capable of being securely fastened.

12.2.21 *Protection from Mosquitoes*

12.2.21.1 Yachts regularly trading within mosquito-infested areas shall be provided with either suitable screens or other appropriate devices such as electronic or similar.

12.2.22 *Master's Inspections*

12.2.22.1 There shall be weekly documented inspections carried out on board yachts, by or under the authority of the Master, with respect to:

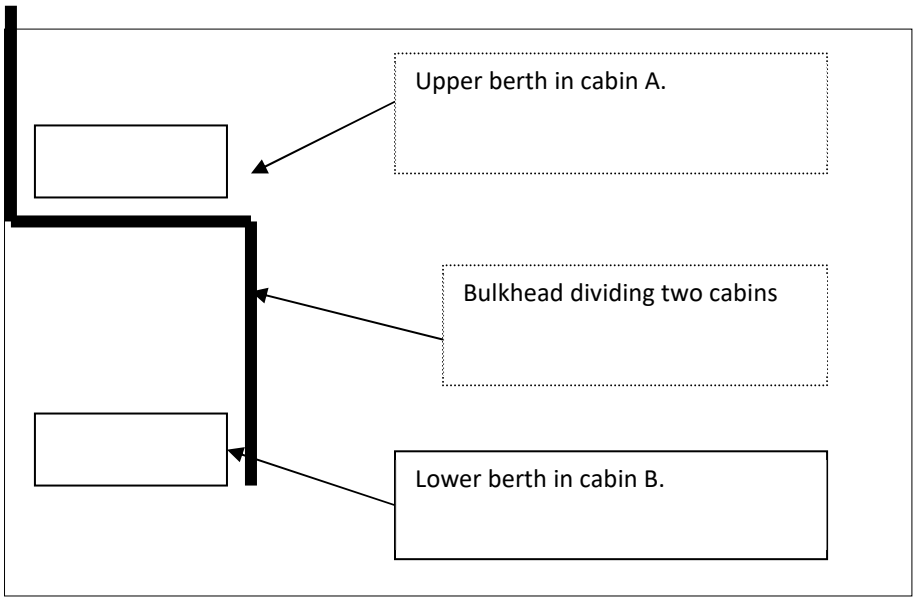
1) Supplies of food and drinking water;
2) All spaces and equipment used for the storage and handling of food and drinking water;
3) Galley and other equipment used for the preparation and service of meals; and
4) Seafarers' accommodation cleanliness, habitability and state of repair.

12.2.22.2 Records of inspections and the results thereof shall be maintained and be readily available for inspection by Flag and Port State Authorities upon request.

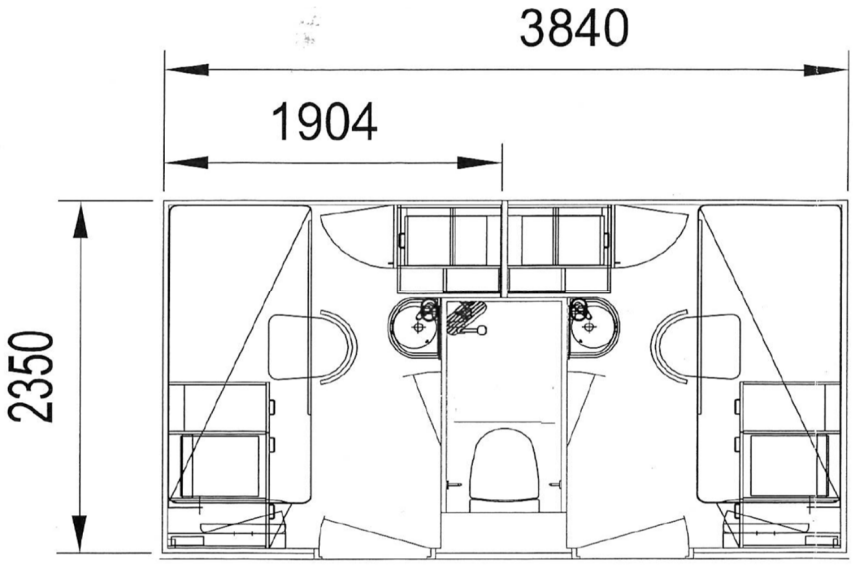
12.2.23 *Equivalent Arrangements*

12.2.23.1 Equivalent arrangements to what is proposed in Part B may be accepted, subject that these arrangements provide the crew with the same safety and comfort as those indicated in this section.

Annex 1 – Berths Arrangement



Annex 2 - Cabins with shared Sanitary Spaces



SECTION 13

PROTECTION OF PERSONNEL

13.1 General Requirements

13.1.1 Note: These requirements are in addition to those required by the Merchant Shipping (Maritime Labour Convention) Rules 2013, as amended and the MLC 2006, as amended. Should there be any conflict between requirements, the most demanding requirements shall prevail.

13.2 Gangways, Passarelles, Accommodation Ladders, etc.

13.2.1 A safe means of access shall be provided at all times when in port, either deployed or available for deployment. If the safe means of access is not deployed, there shall be a means provided for communication between those on the quay and those onboard and in all circumstances a safe means of access shall be provided for any persons embarking or disembarking on the yacht.

13.2.2 Access equipment and immediate approaches to it shall be adequately illuminated.

13.2.3 Equipment used to provide access shall also meet the standards and / or requirements of international standards and applicable port state requirements.

13.2.4 Any gangways, passarelles and accommodation ladders shall be manufactured to adequate and recognised standards. They shall be clearly marked with the manufacturer's name, the model number, the maximum design angle of use and the maximum safe loading number of persons. Side screens or handrail(s) shall be provided on both sides.

13.2.5 In case such equipment has no details about Safe Working Load, then a load test shall be carried out and witnessed by an Appointed Government Surveyor (AGS) or Recognised Organisation (RO).

13.2.6 This test shall:

1) Be carried out to 120% of the rated load at mid span (75 kgs per person is to be assumed);
2) Confirmation that no permanent deformations are present after the test.

13.2.7 A Test Certificate is to be issued and retained onboard.

13.3 Safe Working Aloft and Overside

13.3.1 When it is necessary to work aloft, overside and on the bow sprit of sailing yachts, the following arrangements shall be made:

1) Safety nets shall be laid below the bow sprit. Safety grab rails and strong points for the attachment of safety harnesses shall be provided;
2) The use of safety harnesses is mandatory;
3) Sufficient foot supports shall be rigged to enable the crew working on the yards or on the bow sprit to step on them;
4) For climbing aloft, the mast shall be equipped with fixed metal steps or ladders. Ratlines or rattling bars fitted across the shrouds on traditional rigs may be considered to form an acceptable permanent ladder.

13.3.2 Over-side working systems such as rail and trolley / car systems and related components shall be designed, certified, approved and tested in conformance with BS EN 795 Class D, as amended, or to a recognised international standard for fall protection equipment and shall display the CE mark. ANSI approval and markings may be accepted.

13.3.3 If it cannot be adequately proven that the design of the attachment to the substrate is identical to the one used in the type approval process completed by the over-side working system's manufacturer, or through approval of the design on another yacht, separate pre-installation testing shall be required to be satisfactorily completed prior to the system being installed and prior to the system being put in service.

13.3.4 The installation of the system to the substrate of the yacht shall be tested to meet the requirements of BS EN 795, as amended.

13.3.5 Yacht substrates can be of many differing materials and thicknesses, as can the fixtures and fittings that secure the over-side working systems to the substrate. In all cases, the method of installation to the particular substrate needs to be tested in conformance with BS EN 795, as amended, in order for it to be considered approved and suitable for supporting crew members working over the yacht's side. If a particular method of attachment of the over-side working system to the yacht's substrate has been previously approved and documentary evidence can be provided, then only post-installation testing shall be required and carried out. The orientation of the trackway shall be as detailed in the manufacturer's approval certificate, considering the path of the harness line and resultant wear.

13.3.6 *Over-side working systems Pre-Installation Workshop Destructive Testing*

13.3.6.1 When the method of attachment to the substrate has not been already approved, additional static and dynamic load tests shall be required to prove the strength of the individual installation for each type of base material / fastener type. These tests complete the installation's approval. It is recommended that such workshop destructive testing is carried out on a section of track of at least 400 mm in length attached to a representative mock-up of the yacht's superstructure.

13.3.6.2 Tests shall be witnessed by a Recognised Organisation (RO) or Appointed Government Surveyor (AGS) and if successfully carried out, a relevant statement and Test Certificate shall be issued and shall be retained onboard.

13.3.6.3 The workshop test shall be carried out as follows:

1) Static load test – requires the application of a 12 kN load in at least three (3) locations, typically at both ends and at any rail joint or in the middle. This load shall be applied for at least three (3) minutes;
2) Dynamic Load test – requires the use of a test lanyard manufactured from rope conforming to BS EN 892, as amended, with a 100 kgs solid test mass dropped through a predetermined distance in order to be able to apply a fall arrest load of 9 kN. Direct reference shall be made to BS EN 795, as amended, as to how this shall be accomplished.

13.3.6.4 Note that the dynamic load test is a destructive test and as such, following the dynamic load test, the trolley / car(s) and the section of the track used for testing shall have been overloaded and shall be discarded.

13.3.7 *Over-side working systems Onboard / Post-Installation Testing and Quinquennial (5 yearly) Testing*

13.3.7.1 Once an over-side working system is installed, a post-installation load test shall be carried out before the system is put in service. This is a non-destructive test.

13.3.7.2 Onboard / post-installation testing shall be carried out as follows:

1) A test load of 6 kN shall be attached to a single car or single anchor point for at least fifteen (15) seconds in at least three (3) locations, typically at both ends and at any rail joint or in the middle;
2) Additional requirements specified by the manufacturer shall also be taken into consideration during the test;
3) Testing shall be witnessed by a Recognised Organisation (RO) or Appointed Government Surveyor (AGS) and a Load Test Certificate shall be issued / endorsed accordingly.

13.3.7.3 The onboard / post installation testing shall be carried out at the initial installation and subsequently on a quinquennial (5 yearly) intervals and also at intervals as may be prescribed by the manufacturer.

13.3.8 *Non-compliant and pre-existing over-side working systems*

13.3.8.1 Yachts fitted with uncertified over-side working systems shall have their overside working systems put immediately out of service and decommissioned unless the appropriate certification can be obtained.

13.3.8.2 Over-side working systems, for which there is evidence that the system is in compliance with either BS EN 795:1997 or 2012, as amended, but without evidence that the installation was tested by a Recognised Organisation (RO) or Appointed Government Surveyor (AGS), shall not be used until such time that the installation arrangements have been approved by an RO or AGS. This may require the submission of drawings of the existing arrangements and the subsequent static and dynamic testing of the rail attachment method as deemed applicable. On satisfactory completion of this testing the over-side working systems shall be subjected to the post-installation testing.

13.3.8.3 Onboard post-installation testing shall be carried out onboard yachts fitted with over-side working systems for which there is evidence that the system is in compliance with either BS EN 795:1997 or 2012, as amended, and there is evidence that the installation was approved but there is no evidence of onboard post-installation testing.

13.3.8.4 Prior to the completion of the required testing, signage shall be clearly displayed stating that the track is not to be used unless the crew member has a fall arrester attached by a secondary line which shall be secured to a strong point or secured to a part of the yacht structure having the necessary strength to withstand the drop loads.

13.3.9 *Use of over-side working systems*

13.3.9.1 Over-side systems shall not be used whilst the yacht is underway at sea. Over-side systems shall be used whilst using the appropriate PPE. On systems where one of the travellers is fitted with a locking device, the device which locks the traveller in position along the track, shall only be disengaged from the track rail while the user is changing position. The over-side working system user shall never rely on only one (1) attachment point for personal protective equipment.

13.3.9.2 All over-side working systems shall be clearly marked for the use of one (1) user only.

13.3.10 *Over-side working systems repairs*

13.3.10.1 Over-side working systems repairs shall be carried out as per manufacturer's instructions and under the supervision of an Appointed Government Surveyor (AGS) or Recognised Organisation (RO). Onboard / Post Installation Testing required for new installations shall be carried out after the completion of repairs and a new Load Test Certificate shall be issued.

13.4 Personal Clothing

13.4.1 Each person onboard shall have the necessary protective clothing required to undertake his necessary duties onboard.

13.4.2 Each member of the crew shall have the necessary safety working outfits required to carry out his work safely.

13.4.3 Each person onboard shall wear non-skid deck shoes.

13.5 Chemicals

13.5.1 Each crew member shall be given suitable protective clothing and equipment for protection against the effects of corrosive chemicals that may be used for maintenance onboard. This may include special gloves, goggles and eyewash.

13.6 Noise

13.6.1 Noise levels onboard yachts shall be kept to the lowest possible levels and in conformance with MLC 2006.

13.6.2 All yachts shall meet the requirements of the IMO Code on Noise Levels, as far as reasonable and practicable.

13.6.3 For safe navigation, it is important that sound signals and VHF communications can be properly heard, at the navigating position in normal operating conditions.

13.6.4 The wearing of ear protectors in spaces, such as machinery spaces where the noise levels normally exceed 85 dB (A), is mandatory. The ear protectors must be capable of being worn with other safety equipment.

13.6.5 Signs and symbols for the use of ear protectors shall be posted on the entrance of the machinery spaces. Such symbols must conform to international (IMO, EU) standards.

13.6.6 Ear protectors having the correct level of noise attenuation required for each particular application shall be supplied for each member of the crew who may have to enter spaces with high noise levels.

13.7 Personnel Training

13.7.1 All personnel shall receive training appropriate to the tasks they undertake. It is the responsibility of the company / owner to ensure that this training is given, and that the personnel have an understanding of the relevant regulations and rules. As a minimum, this means:

1) For the Master, the training appropriate for the respective qualification;
2) For the crew, the training appropriate for the respective qualifications and any additional training appropriate to the relevant designated duties.

13.7.2 Prior to the first occasion of working on the yacht, each employee shall receive appropriate familiarisation training and proper instruction on onboard procedures. This shall include, but not necessarily be, limited to:

1) Launching and recovery of survival craft;
2) Donning of life jackets;
3) Handling of passengers in emergency cases;
4) Use of handling of firefighting equipment.

13.7.3 A training manual shall be available onboard and shall include details of established safe working practices, guidance on onboard training, preparation for emergencies, personal clothing and protection from injury, health, security and safety awareness and prevention of pollution.

13.8 Cranes and other Lifting Appliances

13.8.1 All cranes and lifting appliances onboard shall be marked with the appropriate Safe Working Load (SWL). Life saving launching appliances, which are used also as cranes, shall comply with the requirements for Life Saving Appliances Code.

13.8.2 During the course of their life service, cranes and lifting appliances shall be dynamically tested on an annual basis and a dynamic overload test of 1.1 times the Safe Working Load (SWL) shall be carried out, at least, once in every five (5) years and the relevant test certificate shall be available onboard. All tests shall be witnessed by a Recognised Organisation (RO) or an Appointed Government Surveyor (AGS).

13.9 Means of Reboarding and Man-Overboard Retrieval

13.9.1 All yachts shall have means of reboarding and be capable of retrieving a person from the sea.

13.10 Master's Overall Authority

13.10.1 The Master shall have overall authority at all times, to make decisions and take actions with regard to the safety of the yacht and the persons onboard.

SECTION 14

NAVIGATION AND COMMUNICATION

14.1 General Requirements

14.1.1 Yachts shall meet the applicable requirements as detailed in the EU Recreational Craft Directive 2013/53/EU, as amended, and as detailed in this Code.

14.2 Safety of Navigation

14.2.1 All yachts shall be equipped with adequate nautical instruments, navigational equipment and charts / data to ensure safe operation and safe navigation.

14.2.2 Yachts shall carry the necessary Publications adequate for the yacht's trading area. These may include:

- Sailing directions;
- List of lights;
- Notices to Mariners;
- Pilot Books;
- Tide Tables;
- Radio Aids to Navigation;
- Port Information Guide.

14.3 Shipborne Navigational Equipment

14.3.1 All yachts shall be equipped with:

1) a properly calibrated magnetic compass, or other means, independent of any power supply, that may determine the yacht's heading and that displays the heading at the main steering position. All yachts ≥ 150 GT shall have a spare magnetic compass. A satellite compass is accepted as an alternative to a magnetic compass;
2) an Echo Sounding Device. This is to be easily visible from the navigation position;
3) a receiver for a global navigation satellite system (GNSS) or other means, suitable for use at all times throughout the intended voyage, in order to be able to establish and automatically update the yacht's position;
4) a speed and distance measuring device, or other suitable means to indicate speed and distance;
5) engine(s) Revolution counter(s), propeller / pitch counter / indicators (except for outboard engines) at the steering position;
6) a search light of adequate size and intensity intended for search and rescue operations at night and intended to assist any berthing operations in the dark. A powerful torch is also acceptable;
7) an efficient waterproof electric torch suitable for Morse signalling;
8) an AIS Class B;
9) a radar reflector (onboard yachts which do not have a metallic hull).

14.4 Weather Measuring Instruments and Other Equipment

14.4.1 Yachts shall carry the following Instruments:

1) Barometer;
2) Sailing yachts shall carry an anemometer and an inclinometer;
3) Navigation Lights, Shapes and Sound Signals.

14.4.2 All yachts are required to comply with COLREGs, as applicable. On a case-by-case basis, due to the geometrical design of certain types of yachts, the longitudinal position of the main mast may be accepted to be located aft of midships.

14.4.3 Navigation lights shall be provided with main and emergency power supply. If navigation lights are not fitted with duplicated bulbs, spare bulbs shall be carried onboard and, in case of bulb failure, shall be easily replaced in a short period of time.

14.4.4 LEDs shall only be used within the lifespan specified by the manufacturer to maintain the necessary luminous intensity of LEDs.

14.4.5 Each yacht shall be fitted with a whistle or horn. Portable air horns may be acceptable.

14.4.6 Each yacht shall carry a set of binoculars.

14.5 Bridge Navigational Watch Alarm System (BNWAS)

14.5.1 Yachts ≥ 150 GT shall be fitted with a Bridge Navigational Watch Alarm System (BNWAS).

14.5.2 The BNWAS shall be in operation whenever the yacht is underway at sea.

14.6 Radio Communication and Additional Equipment

14.6.1 All yachts shall carry radio transmitting and receiving equipment adequate for the area and range of operation. The Small Commercial Yacht Certificate issued to a yacht will reflect the sea area coverage provided by the equipment installed.

14.6.2 *Coastal (up to 20 NM from shore) Navigation Notation Yachts*

1) a VHF DSC / RT;
2) an EPIRB or AIS-EPIRB;
3) a SART or AIS-SART;
4) Two (2) VHF GMDSS portable sets;
5) Class B AIS Tx / Rx;
6) a GNSS.

14.6.3 *Short Range - Area A1 (up to 60 NM from safe haven)*

1) a VHF DSC / RT**;
2) Means of receiving MSI and SAR information;
3) a SART or AIS-SART;
4) an EPIRB or AIS-EPIRB;
5) Two (2) VHF GMDSS portable sets;
6) Class B AIS Tx / Rx**;
7) an X-Band Radar;
8) a GNSS**.

14.6.4 *Extended Short Range - Area A1 + A2 (up to 150 NM from safe haven)*

In addition to the equipment required for Area A1 the yacht shall also carry:

1) A wheel marked MF DSC / RT unit or a wheel marked SES**.

14.6.5 *Unrestricted - Area A1 + A2 + A3 and Area A1 + A2 + A3 + A4*

In addition to the equipment required for Area A1 and Area A2 the yacht shall also carry:

1) An additional VHF DSC / RT** unit;
2) An additional MF / HF DSC / RT or an additional SES** (SES units shall be capable of operating in latitudes above 70° when certified for sea area A4).

14.6.6 Equipment marked ** shall have independent means of emergency power and auto charging separate from the main source of energy. Service batteries located outside the machinery spaces may be accepted as means of emergency power.

14.6.7 Equipment installed on yachts having Unrestricted Range navigation notation shall bear the Wheel Mark (MED Certification). Equipment installed on yachts having Restricted Navigation may be certified to CE, ISO or to other industry standard certification.

14.6.8 EPIRB / AIS-EPIRB / SART / AIS-SART / Portable VHF GMDSS units shall bear the Wheel Mark irrespective of yacht's range / GT.

14.6.9 Equipment performance requiring uninterrupted automatic position updating shall have means of providing such facility either through own built-in facility or through interfacing with the yacht's GNSS system.

14.7 Sources of Energy

14.7.1 Whilst the yacht is at sea there shall be a continuous supply of electrical energy adequate to operate the radio installation and to charge any batteries used as the reserve source of energy.

14.7.2 An emergency source of power shall be provided for the purpose of conducting distress and safety radio communications in the event of failure of the main source of electrical power. This shall have a minimum capacity for operating the required radio equipment for a period of, at least:

1) 1 hour on yachts provided with an emergency source of electrical power; and
2) 6 hours on yachts **not** provided with an emergency source of electrical power.

14.7.3 If an uninterrupted input of information from the yacht's navigational or other equipment to a radio installation as required by this section, including the navigational receiver, is needed to ensure its proper performance, means shall be provided to ensure the continuous supply of such information in the event of failure of the yacht's main source of electrical power.

14.7.4 When the reserve source of energy consists of a re-chargeable accumulator battery such batteries shall be able to be automatically re-charged through an independent charger and shall reach their minimum capacity requirements within 10 hours.

14.7.5 All accumulator batteries for the radio installation shall be installed as high as possible in the yacht so that any form of flooding will not affect the efficiency of the batteries.

14.8 Operational Performance

14.8.1 The GMDSS installation shall be installed in an easily accessible position.

14.8.2 The GMDSS installation is to be protected against the effects of sea water / spray, extremes of temperature and other adverse conditions.

14.8.3 The Call Sign / MMSI No. / IMN Nos. and any other applicable codes shall be clearly marked next to the equipment.

14.8.4 Onboard sailing yachts, if the radio antenna is fitted on the mast, then an emergency antenna is to be provided on board.

14.9 Watchkeeping

14.9.1 A yacht at sea shall maintain a continuous watchkeeping on (as applicable):

1) VHF Channel 16;
2) VHF Channel 13;
3) VHF (DSC) Channel 70;
4) MF on the distress and safety DSC frequency 2187.5 kHz;
5) HF on the distress and safety distress frequencies 8414.5 khz and at least on one (1) other DSC distress & safety frequency within the HF marine band;
6) Satellite shore to ship distress alerts if fitted with a radio facility for reception of maritime safety information through a recognized mobile satellite service ship earth station.

14.9.2 It is recommended that yachts carry onboard the latest editions of the Admiralty List of Radio Signals (ALRS) applicable.

SECTION 15

MARINE POLLUTION PREVENTION, AFS AND BWM

15.1 General Requirements

15.1.1 All yachts shall meet international, national, regional, local and port state requirements / legislation for the prevention of pollution, which are applicable to the area in which the yacht is operating.

15.1.2 Yachts shall also meet the applicable requirements as detailed in the EU Recreational Craft Directive 2013/53/EU, as amended, and as detailed in this Code.

15.1.3 It is the responsibility of the crew and all persons onboard the yacht to comply with the applicable requirements of this section at all times.

15.1.4 EEXI and EEDI requirements are not applicable to Commercial Yachts.

15.2 Prevention of Pollution by Sewage – MARPOL Annex IV

15.2.1 Yachts certified to carry more than 15 persons are required to be surveyed and certified in line with MARPOL Annex IV.

15.2.2 Sewage holding tanks shall be constructed with a sloping bottom arranged such that the outlet is at the lowest point. Ventilation arrangements shall be routed well clear of accommodation and sleeping quarters. Outlets from ventilation shall not be near ventilation or machinery inlets and shall not pose a danger to other vessels alongside. Tanks shall be manufactured from material not susceptible to corrosion in anaerobic decomposition conditions and shall be provided with means to view and / or measure its contents.

15.3 Prevention of Pollution by Garbage – MARPOL Annex V

15.3.1 All yachts are required to comply with the applicable provisions of MARPOL Annex V. Yachts ≥ 100 GT and yachts certified to carry 15 persons or more are required to be provided with a Garbage Management Plan*.

15.3.2 Furthermore, all yachts shall display placards that notify the crew and passengers of the garbage discharge requirements.

(*) Refer to the guidelines for the development of garbage management plans adopted by the MEPC resolution on MEPC 220(63), as amended.

15.4 Prevention of Air Pollution and Energy Efficiency – MARPOL Annex VI

15.4.1 Engines installed on yachts certified in conformance with Directive 2013/53/EU, as amended, meeting the emission standards as detailed in Directive 2013/53/EU, as amended, are not required to be issued with an EIAPP Certificate.

15.4.2 If the installed engines do not conform with Directive 2013/53/EU, as amended, then each diesel engine ≥ 130 kW installed onboard a yacht constructed on or after the 1st January 2000 shall be issued with an EIAPP Certificate. For yachts constructed before the 1st January 2000, if a diesel engine, which does not conform with Directive 1013/53/EU, as amended, undergoes or has undergone a major conversion after the 1st January 2000, the engine must hold an EIAPP certificate. Engines used for emergency purposes are exempted from this requirement.

15.4.3 Yachts having equipment containing Ozone Depletion Substances (ODS) shall maintain an ODS Record book (can be in electronic format) where entries and records of repairs or maintenance of such equipment, recharge and discharge of ODS can be made.

15.4.4 With regards to MARPOL Annex VI Reg.13 Tier III requirements, the term "for recreational purposes", shall also apply to Commercial Yachts i.e. Tier III requirements are not applicable, however the applicable requirements of Directive 2013/53/EU, as amended, shall be complied with.

15.5 Anti-Fouling Systems (AFS) Convention

15.5.1 The use of organotin compounds, which act as biocides and biocide cybutryne in anti-fouling systems, is prohibited. It is recommended that yachts be issued with an Anti-Fouling Systems (AFS) Declaration, on a voluntary basis.

15.6 Ballast Water Management (BWM) Convention

15.6.1 A statement of non-applicability shall be issued, in case of the yacht's compliance with any one of the conditions as stipulated under Article 3.2 of the BWM Convention as follows:

1) Ships not designed or constructed to carry ballast water;
2) Ships of a Party, which only operate in waters under the jurisdiction of that Party, unless the Party determines that the discharge of ballast water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent or other States;
3) Ships of a Party, which only operate in waters under the jurisdiction of another Party, subject to the authorization of the latter Party for such exclusion. No Party shall grant such authorization if doing so would impair or damage their environment, human health, property or resources, or those of adjacent or other States. Any Party not granting such authorization shall notify the Administration of the ship concerned that this Convention applies to such ship;
4) Ships, which only operate in waters under the jurisdiction of one (1) Party and on the high seas, except for ships not granted an authorization pursuant to sub-paragraph (3), unless such Party determines that the discharge of ballast water from such ships would impair or damage their environment, human health, property or resources, or those of adjacent of other States; and
5) Permanent ballast water in sealed tanks on ships, that is not subject to discharge.

15.7 Insurance

15.7.1 All yachts shall be covered by an adequate insurance policy.

SECTION 16

MANNING AND SEAFARER CERTIFICATION

16.1 The aim of this section is to determine the minimum safe manning requirements and the minimum level of seafarer certification.

16.2 It is the responsibility of the owner / company, master and operators of yachts to ensure that at all times the yacht is safely manned and operated in compliance with the standards of safety, marine environment protection and security set out in the various applicable international Codes, Conventions, national & international legislation, port state requirements and in conformance with any Safe Manning document / certificate.

16.3 The number of trained seafarers shall always be sufficient to assist the total number of passengers who may be onboard at any one time.

16.4 During lay up or during wintering periods the number of seafarers may be reduced whilst an adequate and sufficient compliment of seafarers, who are able to handle emergencies, are kept onboard. The number of seafarers remaining onboard during lay up or wintering periods shall also be in compliance with any local port authorities and / or insurance requirements.

16.5 Seafarer Qualifications

16.5.1 Qualifications issued in conformance with the STCW Convention, as amended, are generally accepted subject to Certificates of Competence being endorsed by the Maltese Administration. Details about recognition of non-Maltese Certificates of Competence for Service on Maltese vessels may be found on Merchant Shipping Notice No.92, as amended. Yacht Masters onboard yachts < 200 GT should, as a minimum, be in possession of a Transport Malta (TM) Master on Yachts certificate, issued by the Malta Merchant Shipping Directorate or be in possession of an internationally recognised equivalent as detailed in the "*List of Commercial Yacht Qualifications accepted onboard Commercial Yachts*".

16.5.2 On a case-by-case basis, officers who are in possession of a Notice of Eligibility (NOE) or have a written declaration that they are progressing towards meeting the minimum requirements to obtain their relevant certification, may be considered to be engaged in the capacity of the rank being sought, only for a limited period of time that will be determined by the Administration.

16.5.3 All crew members, including cooks and stewardesses, shall hold a valid medical fitness certificate (ILO / IMO) and a Basic Training Certificate of Proficiency in conformance with STCW Reg.VI/1 or a Certificate, recognised by the Administration, which proves basic training in:

1) Personal survival techniques;
2) Fire Prevention and Fire Fighting;
3) Elementary First Aid;
4) Personal Safety and Social Responsibility;
5) Security Awareness (optional).

16.6 List of Commercial Yacht Qualifications accepted onboard Commercial Yachts

16.6.1

1) Transport Malta (TM) Master on Yachts (< 200 GT, Chief Officer ≤ 150 NM & ≤ 500 GT, OOW ≤ 500 GT);
2) RYA/MCA Yacht Master Offshore with Commercial Endorsement (Master ≤ 200 GT & ≤ 150 NM, Chief Officer ≤ 150 NM & ≤ 500 GT, OOW ≤ 500 GT);
3) RYA/MCA Yacht Master Ocean with Commercial Endorsement (Master ≤ 200 GT, Chief Officer ≤ 150 NM & ≤ 500 GT, OOW ≤ 500 GT);
4) IYT Master of Yachts Limited (Master ≤ 200 GT & ≤ 150 NM, Chief Officer ≤ 150 NM & ≤ 500 GT, OOW ≤ 500 GT);
5) IYT Master of Yachts Unlimited (Master ≤ 200 GT, Chief Officer ≤ 150 nm & ≤ 500 GT, OOW ≤ 500 GT);
6) Transport Malta (TM) AEC;
7) MCA Y1, Y2, Y3, Y4;
8) MCA Engineer Officer Small Vessel Certificate of Competency (SV CoC) in line with MCA MIN 524;
9) MCA 'full / new' AEC (AEC 1 + AEC 2);
10) MCA 'old' AEC (AEC 1);
11) MCA MEOL(Y);
12) Croatia Yacht Master Category B (≤ 500 GT, Chief Officer ≤ 150 NM & ≤ 500 GT, OOW ≤ 500 GT);
13) Croatia Yacht Master Category A (≤ 100 GT, Chief Officer ≤ 60 NM & ≤ 200 GT, ≤ 150 NM & ≤ 200 GT);
14) Slovenia Yacht Master (< 500GT);
15) Qualifications issued in conformance with the STCW Convention, as amended, are accepted subject to endorsement by the Maltese Administration. Other non-STCW / equivalent qualifications may be accepted, on a case-by-case basis, by the Administration. In these cases, the Yachting Section shall be contacted on: yachtsmalta.tm@transport.gov.mt

Note: Positions / Ranks marked in **red** are equivalent crew rank concessions allowed onboard based on the original qualification certificate.

16.7 Radio Personnel Qualifications

16.7.1 On yachts engaged on Coastal and Short-Range navigation (within GMDSS Sea Area A1), one (1) seafarer shall be in possession of a GMDSS Short Range (SRC) Certificate OR a Restricted Operator's Certificate (ROC).

16.7.2 On yachts engaged on Extended Short Range and Unrestricted navigation (within GMDSS Sea Area A1+A2 and above), at least, one (1) seafarer shall be in possession of a GMDSS General Operator's Certificate (GOC).

16.8 Minimum Safe Manning Scales

Navigation Notation	Sailing Yachts	Motor Yachts
Coastal (≤ 20 NM)	Master + Experienced Seaman	Master + Experienced Seaman
Short Range (≤ 60 NM)	Master + Experienced Seaman	Master + Experienced Seaman
Extended Short Range (≤ 150 NM)	Master + Yacht Rating	Master + Yacht Rating
Unrestricted	Master + OOW (Nav) One (1) of the crew members shall have an Approved / Accredited Engine Course certificate	Master + OOW (Nav) One (1) of the crew members shall have an Approved / Accredited Engine Course certificate

16.8.1 Notwithstanding the above provisions, the crew compliment on yachts shall never be less than two (2) seafarers.

16.8.2 Yachts < 24 metres in length are not required to be issued with a Minimum Safe Manning (MSM) Certificate.

16.9 Schedule of Duties

16.9.1 The Master shall ensure that a schedule of duties is drawn up setting out the hours of work for each of the seafarer. The table of schedule shall show:

1) the schedule of duties at sea and duties in port; and
2) the minimum hours of rest as defined by the MLC.

16.9.2 Changes shall not be made to the schedule of duties unless they can be justified by substantially altered work patterns or other significant factors.

16.9.3 A copy of the schedule of duties shall be made available to all crew members and it will not be necessary to draw up a new schedule of duties for each voyage, so long as it is applicable to the voyage in question and the composition of the crew for whom it was originally intended has not changed.

16.10 Work and Rest Hours

16.10.1 All members of the yacht's complement, including the Master, shall have minimum rest periods and maximum periods on duty (emergencies excluded) in conformance with the provisions of the STCW and MLC.

16.10.2 The Master shall ensure that the work and rest hours are adhered to onboard by suitable arrangements with respect to the assignment of duties and in line with adequate manning levels.

16.10.3 The time and place of rest periods shall be such as to ensure that such periods can be taken in a suitable environment conducive to achieving an effective rest.

16.10.4 As far as practicable and possible, the Master shall schedule emergency drills in such a manner, which minimises the disturbance to rest periods.

16.11 Medical Fitness Certificates

16.11.1 Every person, prior to being engaged onboard a yacht registered under the Merchant Shipping Act, shall provide proof of physical and mental fitness by being in possession of a valid medical certificate issued by a duly qualified medical doctor attesting that he / she is fit for duty following a medical examination covering in particular visual and auditory acuity, colour vision, mobility of the upper and lower limbs, the neuro-psychiatric state and cardiovascular condition in terms of the ILO / IMO Guidelines on the Medical Examination for Seafarers, in its latest version.

16.11.2 Medical certificates shall be revalidated every two (2) years (for seafarers over 18 years of age). The medical practitioner, at his discretion, and based on his / her professional judgement, may prescribe a lesser period of validity.

16.11.3 On reaching the age of 61 years, the holder of a medical fitness certificate shall, within the following three (3) months and subsequently annually, undergo the medical examination referred to above.

16.12 Guidelines for the issuance of a Crew Authorisation Attestation as required by certain Port Authorities in order to grant Commercial Yachts Charter Licences

16.12.1 A number of foreign Port Authorities require that they issue a Charter Licence to Commercial Yachts operating in their ports. In order to issue the Charter Licence, in some instances, Port Authorities require a Crew Authorisation Attestation issued by the flag Administration. The Crew Authorisation Attestation confirms that the crew presently onboard are “authorised” and meet the requirements as set out in the Small Commercial Yacht Code (sCYC).

16.12.2 For the issuance of Crew Authorisation Attestation, a request shall be sent by an Appointed Government Surveyor (AGS) or a Recognised Organisation (RO) or the yacht’s authorised Maltese Legal Representative, to the Yachting Section at the Merchant Shipping Directorate (MSD) on yachtsmalta.tm@transport.gov.mt

16.12.3 The Recognised Organisation (RO), Appointed Government Surveyor (AGS) or the authorised Maltese Legal Representative shall check the completeness of the required documentation prior to forwarding the Crew Authorisation Attestation request to the MSD Yachting Section.

16.12.4 Crew Authorisation Attestation applications sent by other entities shall not be accepted.

16.12.5 Together with the e-mail application the following documents' / certificates' copies shall be provided:

1) Yacht's crew List;
2) Flag Endorsements for all Deck and Engine Officers, or their valid Acknowledgment of Applications in cases where a Flag Endorsement is still in process to be issued;
3) In cases where a Flag Endorsement is not applicable for Deck and Engine Officers, such as holders of Yacht Master Certificates or AEC Certificates, their Certificate of Competence shall be provided;
4) The Assistant Engineer's Engine qualification, as applicable;
5) STCW Basic Training Certificate(s) for all Ratings (including the Assistant Engineer if applicable) forming part of the yacht's minimum safe manning;
6) Food handling or Cook's Certificate for Cooks or Chefs that are required to be included in the Crew Authorisation Attestation.

16.12.6 Notes:

1) Due to mailbox and e-mail size restrictions a download link to an online file sharing service shall be sent instead of attaching all documents / certificates to one or multiple e-mails;
2) Additional documents / certificates may be requested by the Yachting Section, as and if required.

SECTION 17

BAREBOAT CHARTERS AND SPECIAL CATEGORY YACHTS

17.1 Bareboat Charters

17.1.1 *Duty of Familiarisation at Handover*

17.1.1.1 The Owner / Managing Agent or an appointed representative with in-depth knowledge of the yacht shall be present at the handover of the yacht to the chartering Master and crew in order to complete the following familiarisation processes:

1) A demonstration of the stowage of all gear and the method of use of all lifesaving and firefighting appliances onboard the yacht shall be given;
2) The location and method of operation of all sea valves and bilge pumps shall be explained;
3) A demonstration to ensure familiarisation with all mechanical, electrical and electronic equipment shall be carried out;
4) Checks to be carried out on the engine prior to starting, whilst running and after stopping to be demonstrated;
5) On sailing yachts, the method of setting, sheeting and reefing each sail shall be shown.

17.1.2 *Documentation*

17.1.2.1 The Owner / Manager of the yacht or his representative shall make sure that the Original Trading Certificates are handed over to the incoming Master and Crew. The documents shall include:

1) Certificate of Registry;
2) The Small Commercial Yacht Certificate;
3) All other certificates issued to the yacht;
4) Details about the permitted operating area, weather/navigational restrictions, and any special instructions, which may affect the operational safety of the yacht;
5) All Instruction and Training manuals;
6) All the yacht's technical drawings and diagrams;
7) The yacht's maintenance records. The due dates of maintenance of all equipment shall be highlighted;
8) Yacht's Class records (if the yacht is in Class);
9) The inventory of yacht's equipment and spare parts. Details of spare parts suppliers shall be also provided;
10) The plan of stowage of all moveable equipment necessary for the safe operation of the yacht;
11) A list of contact telephone numbers (24 hours) of persons who may be contacted by the Chartering Master and Crew in case of emergencies or when special advice is required;
12) The original copy of the insurance certificate and policy (unless the Charterers will take separate insurance cover for the duration of the charter).

17.1.3 *Handover Documentation*

17.1.3.1 The handing over and taking over Masters shall sign a handing over document.

17.1.3.2 The quantities of fuels and unused consumables remaining onboard at time of handover shall be agreed upon and an adequate list shall be drawn up and signed by both parties.

17.1.3.3 A crew list with full details of the new crew taking over the yacht, together with all the crew certificates' details, shall be available onboard.

17.1.4 *Merchant Shipping (Maritime Labour Convention) Rules 2013 Requirements*

17.1.4.1 The Merchant Shipping (Maritime Labour Convention) Rules 2013, as amended, shall be applicable for any crew employed by the charter.

17.1.5 *Off-Hire Procedures*

17.1.5.1 When the yacht is returned to the Owners / Managers after the period of charter, the same procedures indicated above shall be followed.

17.1.5.2 All handover documents shall be signed by both parties.

17.2 Yachts taking part in races

17.2.1 Yachts holding a Small Commercial Yacht Certificate are not required to remain fully in compliance with the requirements of the Code during races and during the transfer voyages to and from the race locations.

17.2.2 Any person onboard is to be clearly informed of the suspended commercial yacht certification status for the duration of the race and / or the transfer voyage. The Administration shall be informed when the yacht is transferring for a race or taking part in a race.

17.2.3 It remains the responsibility of the Owner / Master / Agents of the yacht to have the persons onboard covered by a valid insurance policy for the duration of the race and / or the relevant transfer voyage.

17.3 Sail Training Yachts

17.3.1 A Sail Training Yacht may carry a combination of trainees and passengers; however, the number of passengers shall never exceed twelve (12).

17.3.2 The crew compliment onboard shall be set by the Administration taking in consideration the number of trainees, the area of operation, the time of year, the weather conditions and the level of competence of the trainees being trained.

17.3.3 Trainees and / or volunteers onboard sail training vessels are not considered as seafarers subject that they are not included in the Muster list and they are not expected to assume any responsibilities during emergency situations.

17.4 Traditional / Historical Yachts

17.4.1 This special category of yachts will be considered by the Administration on a case-by-case basis.

17.4.2 These yachts, as far as practicable, shall comply with the contents of this Code.

17.4.3 The Administration is conscious that these yachts may not be able to comply with all the requirements set out in this Code and thus Deviations, Exemptions or Equivalencies will be considered on a case-by-case basis. Under these circumstances, what traditional / historical yachts lack in modern technology or structural details shall be compensated for by operational measures that ensure the yacht's safe operation without destroying their particular historical character and design.

17.4.4 Such yachts would normally be certified to operate on Coastal or Short Range Navigation and in good weather conditions, however, special considerations may be made on a case-by-case basis.

17.5 sCYC Certified Yachts operating commercially in territorial waters of another country

17.5.1 sCYC Certified Yachts operating commercially in territorial waters of another country shall also comply with any additional requirements, in excess to those stated in this Code, as required by that particular country/port state.

SECTION 18

MEDICAL STORES

18.1 General Requirements

18.1.1 All yachts shall carry adequate medical stores suitable for their area and range of operation.

18.1.2 The Master shall ensure that any necessary medical attention given onboard the yacht is given either by him or under his supervision.

18.1.3 The Master is also responsible for the management of the medical supplies and in ensuring that they are maintained in good condition and within their reference expiry date.

18.1.4 Every yacht shall maintain and updated Medical Stores List in which, all medical stores are listed and in which any expiry dates are clearly mentioned.

18.1.5 Life rafts shall carry their own medical stores as required by international/national standards and conventions.

18.1.6 All packaging and relevant containers shall contain clear directions for use and clearly indicate the relevant expiry date(s), as applicable.

18.2 Medical First Aid Kit

18.2.1 A First Aid Kit shall be carried onboard. The First Aid Kit shall be kept in a damp proof strong canvas bag, satchel or a box with a carrying strap and onboard yachts having an Extended Short Range or Unrestricted navigation notation it shall, at least, contain the following items:

Item	Quantity Required
Triangular bandages with sides of about 90 cm and a base of about 127 cm	4
Standard dressings No. 8 or 13 BPC	6
Standard dressings No. 9 or 14 BPC	2
Extra-large sterile unmedicated dressings 28 cms x 17.7 cms	2
Medium size safety pins, rustless	6
Assorted adhesive dressing strips medicated BPC	19
Sterile pads with attachments	2
Packages each containing 15 g sterile cotton wool	2
Pair of large disposable polythene gloves	5
Paracetamol – 500 mg tablets	50
Seasickness remedy tablets (Hycoscine hydrobromide 0.3 mg recommended)	50
Disposable resuscitation shield with mouthpiece	5
Butterfly Closures – Adhesive skin closures approx. 5 cms length sealed and sterile	19
Forceps – Epilation with oblique ends, 12.5 cms of stainless steel throughout	1
Scissors (approved medical type) about 18 cms, one (1) blade sharp pointed and the other round-ended	1
Thermometer – Ordinary range clinical thermometer, stubby bulb pattern	1
First Aid Manual (Published by an appropriate Body or Authority)	1

SECTION 19

YACHT TENDERS AND EXTENDED RANGE YACHT TENDERS

19.1 Yacht Tenders including Ancillary Craft and Chase Boats falling under the Registration Certificate of the Mother Yacht

19.1.1 For the purpose of this Code a Yacht Tender means a craft / vessel used for servicing and providing support and entertainment to a yacht. Yacht tenders may be either stowed on board or towed or may even chase / navigate together with the yacht.

19.1.2 Tenders including ancillary craft and chase boats may not engage in any separate commercial activities other than those related to the mother yacht. Such vessels shall only be used in conjunction with the mother yacht and may operate only within a 3 NM radius from the mother yacht.

19.1.3 The number of persons the tender may safely carry and the name of the mother yacht shall be clearly marked onboard of the tender. The name of the tender shall be marked in the format: "T/T *name of mother yacht*" were the words "T/T" mean "Tender To".

19.1.4 All tenders < 12 metres in length, when fitted with remote throttle controls, shall be fitted with a kill-cord, to be used at all times during navigation. A spare kill cord shall also be carried onboard.

19.1.5 All tender(s) including ancillary craft and chase boats shall be surveyed in conjunction and with the same survey criteria of the mother yacht and they shall be duly maintained in a good state of maintenance and shall be provided with the necessary safety equipment for the intended range of operations.

19.1.6 Submersible craft, designated as ancillary craft, shall comply with IMO MSC Circ.981, as amended, and they shall be built and maintained in conformance with the rules of a Recognised Organisation and be suitable for their intended use. Periodical maintenance shall be carried out by the manufacturer or by an authorised manufacturer's representative. The crew operating the submersible craft shall be appropriately trained and qualified.

19.1.7 Submersibles, amphibious craft and hover craft, when utilised solely in conjunction with the mother yacht, are considered as ancillary craft and their details shall be included in the relevant inspection report. The maximum safe working load of the equipment and maximum sea state in which the craft may be launched shall be clearly stated and displayed onboard.

19.1.8 All vessels falling under this sub-section shall be used exclusively in conjunction with the mother yacht and are not permitted to engage in separate voyages or any other commercial activities. The Master is responsible to ensure that the use of these craft is in compliance with the Rules and Regulations imposed by the Port Authorities for the area of operation and that the crew operating these craft are trained, qualified and experienced in the use of these craft.

19.1.9 Vessels operating commercially in territorial waters of another country shall also comply with any additional requirements as required by that particular country/port state.

19.1.10 Yacht Tenders including ancillary craft and chase boats shall be adequately and safely manned. The manning of the yacht tender shall never jeopardise the safety manning of the mother yacht.

19.2 Extended Range Yacht Tenders falling under the Registration Certificate of the Mother Yacht

19.2.1 For the purpose of this Code and Extended Range Yacht Tender means a craft / vessel used for servicing and providing support and entertainment to a yacht and which complies with the requirements for an Extended Range Yacht Tender as defined in the Code. Extended Range Yacht tenders may be either stowed on board or towed or may even chase / navigate together with the yacht.

19.2.2 In the eventuality of any conflict between these requirements and any National and / or Port State requirements, the stricter requirements shall always prevail. Vessels operating commercially in territorial waters of another country shall also comply with any additional requirements as required by that particular country/port state.

19.2.3 The Extended Range Yacht Tender requirements are applicable only to Malta Flag Commercial Yachts' Tenders which are ≤ 24 metres Length of Hull (L_h) and which are falling under the Registration Certificate of the Mother Yacht.

19.2.4 Extended Range Yacht Tenders shall be engaged solely and exclusively in the business of the Mother Yacht.

19.2.5 Extended Range Yacht Tenders shall be certified in conformance with the EU Recreational Craft Directive 2013/53/EU, as amended, to a minimum of Design Category B. Design Category C Extended Range Yacht Tenders shall only be considered in exceptional circumstances and at the sole discretion of the Administration.

19.2.6 An Extended Range Yacht Tender shall be covered by a CE Certificate and be issued with a Builder's Declaration of Conformity. Other types / categories / standards of internationally recognised certification regimes may be accepted by the Administration on a case-by-case basis.

19.2.7 A tender shall never carry more than twelve (12) passengers and it shall never exceed the maximum number of persons as shown on the CE Builder's Plate.

19.2.8 Weather restrictions as defined in the Recreational Craft Directive 2013/53/EU, as amended, shall apply to each tender in line with its assigned Design Category.

19.2.9 Extended Range Yacht Tenders shall be fitted with safe and strong hand holds and it is recommended that they be fitted also with safe seating arrangements. Railings and inflatable tubes shall not be considered parts of the seating arrangements.

19.2.10 Extended Range Yacht Tenders shall be provided with adequate mooring arrangements, an anchor and anchor cable appropriate for the size of the tender. The anchor cable shall be capable of being used also as a towline.

19.2.11 The Extended Range Yacht Tender shall be adequately and safely manned. The manning of the tender shall never jeopardise the safety manning of the mother yacht.

19.2.12 The Extended Range Yacht Tender's crew shall hold a valid nautical license or an internationally recognised equivalent, and be adequately experienced and trained.

19.2.13 *Extended Range Yacht Tenders Minimum Equipment Requirements*

19.2.13.1

	Extended Range from Mother Yacht		
Minimum Equipment Required	***6nm***	***12nm***	***25nm***
Life jackets fitted with lights & whistles and suitable for all persons onboard	100%	100%	100%
Inflatable Life raft(s)	100%	100%	100%
Bailer with lanyard	1	1	1
Waterproof torch or lantern	1	1	2
Handheld flare •	2	2	4
Buoyant smoke signal •	1	1	2
Parachute flare •	2	2	4
Lifebuoy complete with buoyant line	-	-	1
Magnetic Compass	1	1	1
Portable Fire Extinguishers	Required	Required	Required
Thermal protective Aids *	100%	100%	100%
1 litre drinking water per person	-	-	100%
Portable VHF Radio	1	-	-
Hand held GMDSS VHF	2	2	2
Fixed VHF DSC ▲	-	1	1
Navigation Lights	Required	Required	Required
Binoculars	1	1	1
GPS Unit with Maps	1	1	1
Power Operated Bilge Pump	1	1	1
Manual Bilge Pump	1	1	1
Sound Horn	1	1	1
First Aid Kit ►	1	1	1
Satellite / Satellite-AIS EPIRB +	-	1	1
SART / AIS-SART	1	1	1
AIS ▲	1	1	1
X-Band Radar	-	-	1
Radar Reflector	-	1	1
SPF30 water resistant sun cream **	100%	100%	100%
Fire Blanket ▼	1	1	1

(*) - May be exempted if the tender operates in constantly warm climates within sea areas as detailed in Technical Notice SLS.8, as amended.

(**) - Required for tenders which offer no shade from the sun.

(**+**) - The tender's EPIRB shall be an additional EPIRB. In accordance with the applicable Cospas-Sarsat deliverables, the EPIRB shall be programmed with the MMSI No. assigned to the mother yacht, as follows:

1) Coded using the MMSI Maritime User Protocol with the Maltese Country code (MID);
2) The 6 trailing digits of the MMSI of the mother yacht;
3) The Beacon Number of this particular beacon (bits 76 to 81); and
4) The homing signal capability of the beacon.

(▲) - In accordance with ITU recommendation ITU-R.585-7, crafts associated with a parent ship need to be assigned with a unique 9-digit identification number, different from that assigned to the parent ship. Yachts deploying Extended Range Tenders shall have AIS installed (even if the mother yacht < 300 GT). The Identification Number(s) is assigned by the Maritime Radio Communications Services (MRCS). Applications shall be made by sending an e-mail on: mrcsmalta@transport.gov.mt

(●) - All pyrotechnics shall be stored in an appropriate safe and clearly marked container / compartment.

(▼) – a Fire Blanket is required for tenders having a galley.

(►) - The First Aid Kit shall be in compliance with the requirements as detailed in the sCYC.

19.2.14 *Extended Range Yacht Tender Insurance Requirements*

19.2.14.1 Extended Range Yacht Tenders shall be issued with adequate insurance coverage, which shall at least cover Third Party liabilities. The tender's insurance policy may be incorporated in the mother yacht's insurance policy.

19.2.15 *Extended Range Yacht Tender Survey and Certification*

19.2.15.1 Extended Range Yacht Tenders shall be surveyed in conjunction with the mother yacht during the mother yacht's Initial / Renewal Survey and also during the mother yacht's Intermediate Survey.

19.2.15.2 For existing yachts, the Initial Extended Range Yacht Tender survey may be carried outside the mother yacht's survey window. The subsequent periodical tender surveys shall be aligned with the mother yacht's survey window. The tender's survey dates will be shown on the Commercial Yacht Extended Range Tender Certificate.

19.2.15.3 Extended Range Yacht Tenders shall be surveyed by the same Appointed Government Surveyor (AGS) or Recognised Organisation (RO) surveying the mother yacht for compliance with the Small Commercial Yacht Code. Tender(s) details and survey outcome shall be duly included in the mother yacht's survey report and the tender(s) shall be mentioned on the sCYC Certificate.

19.2.15.4 Upon satisfactory completion of the surveys, the attending surveyor shall issue a Commercial Yacht Extended Range Tender Survey Report using the dedicated Form: TM Commercial Yachts Extended Range Tender Survey Report

19.2.15.5 The TM Commercial Yachts Extended Range Tender Survey Report together with a copy the tender's CE Certification and a copy of the Builder's Declaration of Conformity shall be sent to the Administration. Upon the satisfactory review of the survey report, and upon payment of the necessary fee, the Administration will issue a Commercial Yachts Extended Range Tender Certificate.

19.3 Yacht Tenders and Ancillary Craft, including Chase Boats issued with a separate independent Registration Certificate

19.3.1 *Yacht Tenders < 24m in Length, restricted to operate exclusively within a 3 NM radius from a commercial yacht*

19.3.1.1 Yacht Tenders including Ancillary craft and Chase Boats < 24m in Length, issued with a separate independent Registration Certificate, operating exclusively within a 3 NM radius from a commercial yacht, and which are not engaged in separate commercial activities, shall comply with the requirements as set out in Section 19.2. Alternatively, they may comply with another standard / code accepted by the Administration.

19.3.2 *Yacht Tenders operating independently*

19.3.2.1 Yacht Tenders and Ancillary Craft, including Chase Boats, issued with a separate independent Registration Certificate, which are not restricted to operate within a specified radius from a commercial yacht, shall comply and be certified in conformance with IACS99 for vessels < 15 metres LoA and the NCV Code for vessels ≥ 15metres LoA.

19.3.2.2 Yacht Tenders and Ancillary Craft, including chase boats, carrying passengers may alternatively be certified in conformance with the Small Commercial Yacht Code (sCYC) for vessels < 24m Length and the Commercial Yacht Code (CYC) for vessels ≥ 24m Length.

19.3.2.3 On a case-by-case basis, and at the sole discretion of the Administration, Yacht Tenders and Ancillary Craft, including chase boats, which do not carry passengers may be certified in conformance with the Small Commercial Yacht Code (sCYC) for vessels < 24m Length and the Commercial Yacht Code (CYC) for vessels ≥ 24m Length.

SECTION 20

STATIC CHARTERING

20.1 The guidelines for the Static Chartering of Commercial Yachts are being issued by the Merchant Shipping Directorate in order to present a practical, safe and homogeneous approach to this ever-growing market sector.

20.2 These guidelines are applicable to registered Commercial Yachts flying the Malta Flag.

20.3 It is to be pointed out that the Master is fully responsible at all times for all the persons onboard the yacht.

20.4 In the event that the commercial yacht will remain static; berthed or anchored at sea, the yacht may be allowed to carry more than twelve (12) passengers in line with the requirements and the process set out in these guidelines.

20.5 For a commercial yacht to be able to be chartered on a static basis, the yacht shall be issued with a Statement by Transport Malta, allowing Static Charters to be held onboard. For this statement to be issued an application shall be made to the Yachting Section of the Merchant Shipping Directorate and the application shall include:

1) Details of the yacht including name and official number;
2) The maximum number of persons planned to be carried onboard during a static charter;
3) The total number of crew and other staff (non-passengers) planned to be carried onboard during the static charter;
4) A documented risk assessment, carried out by a Recognised Organisation (RO) or by an Appointed Government Surveyor (AGS). The risk assessment shall identify all risks associated with the yacht being chartered on a static basis, when berthed and when anchored at sea and shall include recommendations about any necessary mitigating measures;
5) Confirmation from a RO or an AGS verifying that the yacht's stability calculations include a loading condition calculated taking into consideration the maximum number of persons carried onboard and any additional ancillary equipment utilised during the static charter. This loading condition shall also include the possible shifting of all persons to one side of the highest deck of the yacht altogether at the same time (crowding), and shall comply with the requirements and limitations set out in sCYC with regards to Intact Stability and to Minimum Freeboard together with the requirements set out in the 2008 Intact Stability Code Part A Chapter 3 – Special Criteria for Passenger Ships (excluding the requirements set out in sections 2.2 and 2.3). Alternatively, stability for yachts < 24 metres may also be calculated using the Simplified Stability Test as detailed in Section 7 of the Code;
6) The availability of adequate insurance coverage;
7) Confirmation from Master / Owners / Managers that the yacht shall abide by the following conditions and requirements whenever a Static charter is planned to be carried out:
    a) The necessary life saving appliances, namely life jackets and life rafts, are provided for the total number of persons onboard during a static charter when the yacht is anchored at sea;
    b) At least, two (2) means of escape shall be available from the yacht during a static charter held alongside at berth;
    c) The crew shall be adequately trained and an evacuation drill shall be carried out prior to the commencement of the static charter;
    d) The port authorities shall be notified about the event, beforehand;

e) The yacht shall remain static throughout the event and shall not navigate / cruise if more than twelve (12) passengers are onboard (tender boats may be used to convey any additional persons).
f) Static charters at anchor shall only be undertaken in good weather conditions and the yacht shall remain static within 1 mile from the coast and within 5 miles from a safe haven;
g) During static charters, at sea, any tender boats shall remain standby for the full duration of the charter.

20.6 Subsequent to the satisfactory review of the static charter application, the yacht will be issued with a Statement by Transport Malta, allowing static charters to be held onboard. The statement will have an indefinite validity subject that the conditions and requirements set out in these guidelines remain unchanged and subject that the Small Commercial Yacht Certificate and any applicable Statutory Certificates remain valid and no periodical surveys are overdue.

20.7 Whenever a Static Charter is planned the Master / Owners / Managers shall inform the local port authorities and send a notification utilising Form MSD_CYCSTATINF to the Yachting Section of the Merchant Shipping Directorate: yachtsmalta.tm@gov.mt , at least 48 hours in advance.

SECTION 21

SURVEY AND CERTIFICATION

21.1 General

21.1.1 All yachts covered by this Code shall be surveyed, certified and maintained in order to maintain the validity of the Small Commercial Yacht Certificate, hereinafter referred to as the sCYC Certificate.

21.1.2 The sCYC Certificate shall be issued solely by the Administration and shall be valid for five (5) years with the requirement of intermediate and renewal surveys.

21.1.3 Appointed Government Surveyors (AGSs) and Recognised Organisations (ROs) are authorised by this Administration to perform the required surveys leading to the issuance of the sCYC Certificate.

21.1.4 Qualified, experienced and competent exclusive surveyors belonging to ROs may carry out the full range of survey and certification processes pertaining to this Code.

21.1.5 AGSs are authorised to carry out the survey and certification processes pertaining to this Code in the areas in which they are adequately skilled, experienced and qualified to act.

21.1.6 AGSs shall follow the Code of Ethics and Conduct for Appointed Ship Surveyors issued by the Administration, whilst RO Surveyors shall follow the relevant Recognised Organisation's own Code of Ethics.

21.1.7 ROs and AGSs shall carry out the surveys and the subsequent reporting without undue delay.

21.1.8 The crew compliment shall always be present onboard during surveys in order to enable the:

1) Necessary equipment / machinery to be operated and tested;
2) Drills to be carried out by the competent responsible seafarers;
3) Personal certification / documentation checks.

21.2 Initial Pre-Requisite Certification Requirements

21.2.1 As an initial pre-requisite, for a yacht to be considered for certification in conformance with the sCYC, a yacht shall first be CE certified in conformance with Directive 2013/53/EU, as amended.

21.2.2 Yachts shall be certified in conformance with the EU Recreational Craft Directive by a Notified Body under either of the Modules B+C, B+D, B+E, B+F, G or H. Other CE Certification Modules such as A and A1 are not accepted.

21.2.3 When a yacht is certified in conformance to multiple Design Categories, the highest Design Category, together with all its relevant restrictions, shall be applied for the purposes of sCYC Certification.

21.2.4 Yachts, which are not CE certified in conformance with Directive 2013/53/EU, as amended, and yachts which are not Classed by a RO, including yachts certified to USCG or other standards and yachts built before the 16th June 1994, shall first undergo a CE Post Construction Assessment / Gap-Analysis by a Notified Body or by a Recognised Organisation (RO) or an Appointed Government Surveyor (AGS). In this case the issuance of a CE Certificate will not be required and a statement shall be issued:

1) Confirming that the yacht is in compliance with Directive 2013/53/EU, as amended;
2) Indicating any other code / standard to which the yacht is in compliance with;
3) Indicating the Design Category;
4) Indicating the maximum number of persons and maximum load permitted to be carried onboard;
5) Indicating the maximum allowed propulsion power;
6) Highlighting any RCD requirements, which are not complied with, and providing any necessary justifications, recommendations, mitigating measures and / or equivalencies;
7) Providing details of the yacht's service and operational history.

21.2.5 As an alternative to EU Recreational Craft Directive Certification, yachts which are not certified in conformance to the EU Recreational Craft Directive 2013/53/EU, as amended, may be accepted if they hold a valid Class Certificate issued by a Recognised Organisation (RO) or if they are already certified in conformance with the CYC.

21.2.6 Yachts certified in conformance with the sCYC are not required to be issued with a Class Certificate.

21.2.7 Yachts already certified as Commercial Yachts with the Red Ensign Group, French or Italian Administrations may be issued with a three (3) month provisional Small Commercial Yacht Certificate (having the same navigation range and other restrictions as the existing certification), pending the completion of the Initial Surveys as prescribed in this section. Yachts issued with Commercial Yacht Certification by other flag states may be accepted on a case-by-case basis and at the sole discretion of the Administration.

21.2.8 Traditional Build yachts, built predominantly from timber need not be CE Certified, however, they must be presented for a CE Post Construction Assessment / Gap-Analysis and an sCYC Initial Survey prior to being accepted by the Administration. Replica of traditional build yachts constructed of materials other than timber, shall not generally be considered as Traditional Build yachts.

21.3 Initial sCYC Survey Requirements

21.3.1 A sCYC request shall be made by the yacht's owner / manager / builder / legal representative to a Recognised Organisation (RO) or an Appointed Government Surveyor (AGS). The RO or AGS, shall request a Certification Authorisation from the Administration by sending an e-mail to: shipreg.tm@transport.gov.mt

21.3.2 As part of the Initial Survey, the survey guidelines form: MSD sCYC 2024 Survey Guidelines Rev.1 shall be duly followed and filled in, as applicable, and the survey form shall be submitted to the Administration. A brief photographic reportage, a copy of the yacht's CE Certificate and CE Declaration of Conformity shall be included with the survey report.

21.3.3 The attending surveyor shall, as far as reasonably practicable, ascertain that the yacht and its systems / equipment / machinery have not been modified from the original build standard. This is essential because the Declaration of Conformity is normally based on the original build standard. Any modifications shall be clearly identified and indicated on the survey report and the surveyor shall ascertain that the modifications are equivalent to what is required by the EU Recreational Craft Directive 2013/53/EC, as amended.

21.3.4 A detailed survey, having the same criteria of a Renewal Survey of the hull, the machinery and of all equipment shall be carried out. A Dry-docking survey shall also be carried out. If at the time of survey, it is not possible to carry out a Dry-docking Survey, then the yacht shall be surveyed afloat and the Dry-docking Survey of the underwater parts shall be carried out not later than six (6) months from the date of the Initial Survey (which may be extended by the Administration for not more than a further 6 months) subject to an internal hull inspection being carried out during the Initial Survey itself.

21.3.5 Yachts having composite hulls shall have moisture readings of the hull taken during drydocking, if this is deemed necessary by the attending surveyor.

21.3.6 Yachts having steel hulls shall have thickness gauging carried out by an approved service supplier, in conformance with a Recognised Organisation (RO) Rules, unless the yacht is issued with a valid Class Certificate. Yachts ≤ 5 years of age need not carry out thickness gauging. A copy of the thickness gauging report is to be kept onboard.

21.3.7 A full survey and operational test of safety equipment, life saving appliances, fire detection and fire-fighting equipment shall be carried out.

21.3.8 The yacht's documents and certificates, including the seafarer's certification, shall be checked.

21.3.9 All items relating to freeboard, water freeing arrangements and safety shall also be checked. On sailing yachts, a rigging survey shall be carried out. The rigging survey reports, together with the rigging material / equipment certificates, shall be maintained onboard.

21.3.10 Operational tests shall also be carried out under supervision of the attending surveyor.

21.3.11 Any applicable Statutory Surveys shall also be carried out and any relevant Statutory Certificates / Statements shall be issued.

21.3.12 Copies of any Statutory Certificates / Statements issued by the attending surveyor, shall also be sent to the Administration.

21.3.13 On successful completion of the Initial survey the attending surveyor, shall report to the Administration. Subsequent to a satisfactory review of the survey reports and documentation the Administration, will issue an sCYC Certificate valid for five (5) years.

21.4 Renewal sCYC Surveys

21.4.1 A Renewal Survey shall be carried out five (5) years subsequent to the last Initial or Renewal Survey anniversary date.

21.4.2 As part of the Renewal Survey the survey guidelines form: MSD sCYC 2024 Survey Guidelines Rev.1 shall be duly followed and filled in, as applicable, and the survey forms shall be submitted to the Administration. A brief photographic reportage of the yacht shall be included with the survey report.

21.4.3 A renewal survey shall be carried out within three (3) months prior to the expiry of the sCYC Certificate. Failure to carry out the Renewal Survey within the sCYC validity period will result in the automatic suspension of the sCYC Certificate. Re-instatement of the sCYC Certificate will be granted once the overdue renewal survey is carried out, unless different instructions are issued by the Administration.

21.4.4 During a renewal survey a full inspection of the yacht shall be carried out. A Dry-docking Survey shall also be carried out. If at the time of survey, it is not possible to carry out a Dry-docking Survey, the yacht shall be surveyed afloat and the Dry-docking Survey of the underwater parts shall be carried out not later than six (6) months from the date of the Renewal Survey (which may be extended by the Administration for not more than a further 6 months) subject to an internal hull inspection being carried out during the Renewal Survey itself.

21.4.5 Yachts having composite hulls shall have moisture readings of the hull taken during drydocking, if the attending surveyor deems this to be necessary.

21.4.6 Yachts having steel hulls shall have thickness gauging carried out by an approved service supplier, in conformance with a Recognised Organisation (RO) Rules, unless the yacht is issued with a valid Class Certificate. Yachts ≤ 5 years of age need not carry out thickness gauging. A copy of the thickness gauging report is to be kept onboard.

21.4.7 The hull, machinery, systems and equipment of the yacht shall be thoroughly inspected and tested.

21.4.8 All items relating to freeboard, water freeing arrangements and safety shall also be checked. On sailing yachts, a rigging survey shall be carried out. The rigging survey reports together with the rigging material / equipment certificates shall be maintained onboard.

21.4.9 The yacht's documents and certificates, including the seafarer's certification, shall be checked.

21.4.10 A full survey and operational test of safety equipment, life saving appliances, fire detection and fire-fighting equipment shall be carried out.

21.4.11 Operational tests shall also be carried out under supervision of the attending surveyor.

21.4.12 Any applicable Statutory Surveys shall also be carried out and any relevant Statutory Certificates / Statements shall be issued. The statutory certificates validity is to be fully maintained during the whole sCYC Certificate's validity period. For Radio Survey requirements refer to detailed section below.

21.4.13 Statutory Certificates shall, to the extent possible, be harmonised with the sCYC Certificate's validity.

21.4.14 Copies of any Statutory Certificates / Statements issued / endorsed by the attending surveyor, shall also be sent to the Administration.

21.4.15 On successful completion of the renewal survey, the attending surveyor shall endorse the relevant section on the existing sCYC Certificate and shall report to the Administration. Subsequent to a satisfactory review of the survey report and documentation, the Administration will issue a new sCYC Certificate, valid for another 5 years.

21.5 Intermediate sCYC Surveys

21.5.1 A yacht shall carry out an Intermediate Survey between the 2nd and 3rd year from the last Initial / Renewal Survey anniversary date. The window for the Intermediate Survey opens three (3) months prior to the 2nd year anniversary date and closes three (3) months after the 3rd year anniversary date.

21.5.2 As part of the Intermediate Survey the survey guidelines form: MSD sCYC 2024 Survey Guidelines Rev.1 shall be duly followed and filled in, as applicable, and the survey forms shall be submitted to the Administration.

21.5.3 All items relating to freeboard, water freeing arrangements and safety shall also be checked. On sailing yachts, a rigging survey shall be carried out. The rigging survey reports together with the rigging material / equipment certificates shall be maintained onboard.

21.5.4 A full survey and operational test of safety equipment, life saving appliances, fire detection and fire-fighting equipment shall be carried out.

21.5.5 The yacht's documents and certificates, including the seafarer's certification, shall be checked.

21.5.6 On successful completion of the Intermediate Survey the attending surveyor, shall endorse the relevant section on the sCYC Certificate and shall report to the Administration.

21.5.7 Survey due dates are indicated on the sCYC Certificate.

21.5.8 Any applicable Statutory Surveys shall also be carried out and any relevant Statutory Certificates / Statements shall be issued / endorsed. The statutory certificates validity is to be fully maintained during the whole sCYC Certificate's validity period. For Radio Survey requirements refer to detailed section below.

21.5.9 Copies of any Statutory Certificates / Statements endorsed / issued by the attending surveyor, shall also be sent to the Administration.

21.5.10 Failure to carry out the Intermediate Survey within the prescribed window will result in the automatic suspension of the sCYC Certificate, unless an extension has been granted by the Administration. Re-instatement of the sCYC Certificate will be granted once the overdue intermediate survey is carried out, unless different instructions are issued by the Administration.

21.6 Bottom Surveys

21.6.1 A minimum of two (2) inspections of the outside of the yacht's bottom shall be carried out, in dry dock, during any five-year (5) period. The interval between any two (2) such inspections shall not exceed 36 months. Consideration may be given to an alternate (in lieu) inspection being carried out with the yacht afloat (in-water survey) and in such cases the interval between consecutive inspections in dry dock shall not exceed 60 months. One (1) of the two (2) bottom inspections shall coincide with the sCYC Certificate Initial / Renewal Survey whilst the other bottom survey shall be carried out during the Intermediate Survey window. Bottom surveys carried out on yachts as part of the Classification process, onboard yachts holding a valid Class Certificate, shall be deemed to meet the requirements of this section.

21.7 Transfer between the CYC and sCYC Certification Regimes

21.7.1 Yachts already certified in conformance with the CYC shall retain the existing CYC survey windows. Yachts < 24 metres already certified in conformance with the CYC shall start being surveyed and certified in conformance with this Code by not later than the yacht's first renewal survey carried out on or after the 1st June 2024. Subsequent to completing the sCYC survey, the surveyor shall endorse the existing CYC CoC for the renewal survey carried out whilst using the MSD sCYC 2024 Survey Guidelines Rev.1. The surveyor shall add a note on the CYC CoC endorsement page stating: "*This survey has been carried out in conformance with the Small Commercial Yacht Code (sCYC) and this Certificate remains valid and is being endorsed pending the issuance of a new sCYC Certificate by the Administration".* The Administration will issue a new sCYC after satisfactorily reviewing the survey reports. The sCYC will follow the same survey windows of the CYC.

21.8 Occasional Surveys, Surveys following Damage, Surveys following Port State Control and Surveys following Recommendations

21.8.1 Occasional Surveys, Surveys following Damage and Surveys following Recommendations shall be carried out by an Appointed Government Surveyor (AGS) or by a Recognised Organisation (RO). A brief photographic reportage shall be sent to the Administration.

21.8.2 Masters / Owners / Managers are required to contact the Administration following Damage and / or following a Port State Control Detention. On a case-by-case basis, the Administration will carry out additional / occasional surveys in order to confirm the validity of the sCYC Certificate. Failure to inform the Administration about Damage and / or a Port State Control Detention may lead to suspension of the sCYC Certificate.

21.8.3 Any recommendation raised by a specific Appointed Government Surveyor (AGS) or Recognised Organisation (RO) shall, to the extent possible, be cleared by the same AGS or RO who raised the recommendation in the first place.

21.9 Remote Surveys

21.9.1 Remote Surveys may be carried out in line with what is allowed in the respective applicable MSD Technical Notices and Commercial Yachts Technical Notices.

21.10 Major Repairs and / or Alterations / Conversions

21.10.1 Major repairs and / or conversions must be carried out under the supervision of an Appointed Government Surveyor (AGS) or Recognised Organisation (RO).

21.10.2 An existing yacht, which undergoes a major alteration / modification / conversion shall be considered as a new yacht and thus needs to comply with all the requirements for a new yacht as detailed in the Code. A major alteration / modification / conversion means, namely, a substantial change in the yacht's dimensions, carriage capacity, the vessel's type and / or any change that substantially increases the yacht's life.

21.11 Sale of a Yacht

21.11.1 When a yacht is sold, an occasional survey shall be requested by the new owners and shall be carried out by an Appointed Government Surveyor (AGS) or Recognised Organisation (RO). The attending surveyor shall confirm that the yacht is still meeting the sCYC requirements.

21.12 Historical Yachts

21.12.1 Historical yachts shall be surveyed by an Appointed Government Surveyor (AGS) or a Recognised Organisation (RO) acting under the direction of the Administration.

21.13 Tenders and Ancillary Craft

21.13.1 Tenders and other ancillary craft shall also be surveyed in conjunction with the mother yacht. Tender(s) details and survey outcome shall be duly included in the survey report and the tender(s) shall be mentioned on the sCYC Certificate

21.14 Suspension of the sCYC Certificate

21.14.1 Failure to carry out Renewal or Intermediate Surveys within the specified survey window will result in the automatic suspension of the sCYC Certificate. Re-instatement of the sCYC Certificate will be granted once the overdue survey is carried out, unless the Administration has issued different sCYC Certificate re-instatement instructions.

21.15 Statutory Surveys and Certificates

21.15.1 Statutory Surveys shall only be carried out when an International Convention is applicable and when a Statutory Certificate is required to be issued. The frequency of the Statutory Surveys shall be as stated in the applicable Convention itself.

21.15.2 A Document of Compliance may be issued in case of voluntary surveys carried out against Conventions, which are not applicable to the respective yacht.

21.16 Radio Surveys, Radio Inspection Reports and Safety Radio Certificate

21.16.1 On Short Range, Extended Short Range and Unrestricted Navigation Yachts a Radio Survey shall be carried out by an approved radio surveyor during the Initial, Intermediate and Renewal Surveys.

21.16.2 On Coastal Navigation Yachts a Radio Survey shall be carried out by an approved radio surveyor during the Initial and subsequent Renewal Surveys.

21.16.3 The original Radio Inspection Report shall be kept onboard whilst a copy shall be sent to the Administration.

21.17 MARPOL Surveys

21.17.1 The attending Appointed Government Surveyor (AGS) or Recognised Organisation (RO) shall survey the yacht in conformance with the applicable MARPOL requirements and shall issue the relevant applicable MARPOL Certificates.

21.17.2 Engines installed on yachts certified in conformance with Directive 2013/53/EU, as amended, meeting the emission standards as detailed in Directive 2013/53/EU, as amended, are not required to be issued with an EIAPP Certificate.

21.18 Anti-Fouling Systems (AFS) Convention

21.18.1 It is recommended that yachts are issued with an Anti-Fouling System (AFS) Declaration, on a voluntary basis.

21.19 Merchant Shipping (Maritime Labour Convention - MLC) Rules

21.19.1 An MLC Inspection shall be carried out on all yachts, by a Recognised Organisation (RO) or by an Appointed Government Surveyor (AGS). The frequency of the MLC inspection shall be the same as that of the sCYC surveys. The MLC Inspection Report and an MLC Statement of Compliance shall be issued by a RO or AGS.

21.20 Certificate of Survey (Tonnage Measurement)

21.20.1 All yachts shall be issued with a Certificate of Survey (Tonnage Measurement).

21.21 Exemptions, Deviations and Equivalencies related certain Regulations or Requirements

21.21.1 Exemptions, Deviations and Equivalencies related to the application of specific Regulations and / or Requirements may be issued only by the Administration at the sole discretion of the Administration.

21.22 Interpretations

21.22.1 Any Rules / Code / Convention / Directive interpretations made by a Recognised Organisation (RO) or Appointed Government Surveyor (AGS) shall be approved by the Administration.

21.23 List of Recognised Organisation (ROs) and Appointed Government Surveyors (AGSs)

21.23.1 A list of all Recognised Organisations (ROs) together with a list of Appointed Government Surveyors (AGS) may be found on TM's website: www.transport.gov.mt

21.24 List of Certificates

21.24.1 A list of certificates that shall be provided onboard, as applicable, as provided in the following table.

21.24.2 In the unlikely event that the tonnage of a yacht (< 24m) ≥ 300 GT, the Administration shall be duly contacted as additional requirements will be applicable.

List of Certificates / Documentation to be issued to Commercial Yachts < 24 metres Length and < 300 GT

CERTIFICATION	SUBJECT AND REQUIREMENT	ISSUED BY	APPLICABLE YACHTS SIZE / GT	DETAILS & REMARKS
Certificate of Registry	Registration	The Administration	All	
Certificate of Survey (Tonnage Measurement)	Tonnage	AGS or RO	All	
Freeboard Assignment Report	Load line	AGS or RO	All	For yachts ≥ 150 GT with keel laid prior to 21/07/1968 the Load Line Convention is applicable and a Load Line Certificate should also be issued.
Safety Radio Report	SAFRAD	Radio Surveyor	All	
ISPP	MARPOL	AGS or RO	Only for yachts carrying > 15 persons.	
EIAPP	MARPOL	RO	All diesel engines ≥ 130 kW	Engines, which do not have an EIAPP Certificate may be accepted, subject that are issued with a Declaration of Conformity for Recreational Craft Propulsion Engines in line with the requirements of EU Directive 2013/53/EU.
AFS Declaration	AFS	AGS or RO	It is recommended that an AFS Declaration is issued on a voluntary basis.	
MLC Statement of Compliance	ILO	AGS or RO	All	
sCYC Certificate	sCYC	The Administration	All	