



The Bahamas Maritime Authority

BMA INFORMATION BULLETIN No. 102, Revision 6

YACHTS OF 24 METRES LENGTH OR MORE: PROCEDURES FOR REGISTRATION AND STATUTORY MANAGEMENT

**Guidance and Instructions for Owners, Owners' Agents, Managers, Masters,
Bahamas Recognised Organisations and Bahamas Appointed Surveyors of Yachts
in Commercial and Non Commercial use**

Note: This Bulletin replaces and includes updates to BMA Bulletin No. 102 Rev 5 principally in section 2.

1. INTRODUCTION

- 1.1. This Bulletin includes procedures for managing the Registration and on going Certification of all yachts of "Load Line" length¹ 24 metres or more on The Bahamas Register. The Bahamas Maritime Authority (BMA) introduced The BAHAMAS YACHT CODE (BYC) in March 2011 as a new initiative to enhance the statutory management of yachts under The Bahamas register.
- 1.2. All Bahamas registered yachts will be registered with the status as a "Yacht." This Bulletin is divided into the following sections:
- .i Sections 1, 2 & 3 - General information
 - .ii [Section 4](#) - "Non-commercial" yachts;
 - .iii [Section 5](#) - 'Commercial' yachts - additional requirements
 - .iv [Section 6](#) - Manning and employment matters
 - .v [Section 7](#) - Casualty, Incident reporting and Investigation.

¹ The length of a yacht is to be determined in accordance with Regulation 3 of the International Convention on Load Line, 1966, as amended.^o

- 1.3. The [BAHAMAS YACHT CODE \(BYC\)](#) has been written to provide the necessary national technical standards to ensure that Bahamas registered Large Commercial Yachts continue to meet current international standards. It has been drafted from the base principles of the United Kingdom Large Yacht Code (LY2) but with a view to the special circumstances of The Bahamas.
- 1.4. The transitional arrangements in [section 5.4](#) of this Bulletin will be applied to existing yachts that have previously complied with The Bahamas policy as detailed in earlier versions of this Bulletin, including compliance with LY2. The process will provide a reasonable transition into the provisions of this Bulletin that are not anticipated to materially affect the management of such yachts.
- 1.5. Yachts are not permitted to carry more than 12 passengers (see [Annex 1 - Definitions](#)). Yachts that carry more than 12 passengers are regarded as passenger ships and therefore subject to applicable technical, operational and certification provisions of the SOLAS Convention 1974, as amended.
- 1.6. **Definitions:**
 - 1.6.1. “**Yacht**” - A yacht is a vessel that
 - .i does not carry cargo,
 - .ii does not carry fare-paying passengers on pre-defined routes or itineraries and
 - .iii is intended for sport or pleasure.
 - 1.6.2. Each Bahamian yacht will have a user status of either:
 - .i **Non-commercial** – when a yacht is used as a “pleasure vessel” or
 - .ii **Commercial** – when it is used for hire, to carry on board a charterer and their party.
 - 1.6.3. Further definitions are included in [Annex 1](#) to this Bulletin.

2. OWNERSHIP, CERTIFICATION, STATUS and CRUISING REQUIREMENTS

- 2.1. There are no ownership requirements, limitations or conditions of nationality, residence or company incorporation for yachts of 24 m or more “Load Line” length².

² The length of a yacht is to be determined in accordance with Regulation 3 of the International Convention on Load Line, 1966, as amended.^o

2.2 Certificate of Registry

2.2.1. **The Certificate of Registry will not declare the yacht's use or status.**

All yachts, once accepted into permanent registry will be provided with a Yacht Certificate of Registry with unlimited validity. The previous BMA policy of issuing an Annual Certificate of Registry for non-commercial yachts is cancelled and an appropriate certificate will be issued after payment of the 2012 fees.

2.2.2. Details of initial and annual registration fees may be obtained from the Registrar or by reference to [Bulletin No 81](#). Links are available on the "[Yachts](#)" page of the BMA website.

2.3. Certification in accordance with use or status

2.3.1. Yachts in '**Non-commercial**' use must maintain the minimum survey and certification in accordance with the provisions of [section 4](#) of this Bulletin.

2.3.2. Yachts in '**Commercial**' use must maintain survey and certification in accordance with the provisions of [section 5](#) of this Bulletin.

2.3.3. If an owner plans to change usage between 'Commercial' and 'Non-commercial,' in accordance with section 2.5 below, the owner must ensure that the yacht and crew are properly certificated at all times appropriate to the use or status.

2.3.4. Yachts in '**Commercial**' use for part of a year should be maintained in accordance with the survey, certification and manning provisions of [section 5](#) on a continuous basis, year on year. Any break in the continuity of such certification may require re-survey under the BYC.

2.3.5. The lists in [Annex 2](#) include certificates required under the BYC and other certificates required for the size and use of each yacht.

2.4. Recording a Yacht's 'Commercial' or 'Non-commercial' use and status

2.4.1. **The Declaration of 'Commercial' or 'Non-commercial' use, signed by the Owner, Manager or Captain, and countersigned by the BMA, as detailed in section 2.5 below, should form an attachment to the Certificate of Registry to demonstrate the yacht's use and status.** Yachts in 'Non-commercial' use at each year end are required to re-submit a copy of that declaration at the same time as the payment of the annual fees for the next year. That will be countersigned by the BMA and returned to the yacht.

2.4.2. Yachts that change use during a calendar year must record such changes in the yacht's Bahamas Official Log Book (OLB) for each period that the yacht is in 'Commercial' or 'Non-commercial' use. These records may be examined by a Bahamas Surveyor or officer, and may be shown to attending Port State Control Inspectors as evidence of compliance with this Bulletin.

2.4.3. The record referred to in section 2.4.2 should be entered in the narrative section of the OLB and consist of an entry similar to one of the following:

- .i When commencing "Commercial" use: *"At the time and date specified [NAME OF YACHT] commenced Commercial use within the provisions of section 5 of The Bahamas Bulletin No 102."*
- .ii When commencing in "Non-commercial" use: *"At the time and date specified [NAME OF YACHT] commenced Non-commercial use within the provisions of section 4 of The Bahamas Bulletin No 102."*

2.5. Recording and changing a Yacht's "Use" with the BMA

2.5.1. The following facility is intended to enable owners to change the usage of their yacht between 'Commercial' and 'Non-commercial' when the yacht is made exclusively available to the owner, their family or friends as described in section 1.6.2 above and Annex I. As such it is not intended to provide the facility to "bounce" between each use for a few days or hours. Each declaration shall therefore remain valid for a minimum period of about 20 days.

2.5.2. In order to maintain valid registration, all yachts have the default status of 'Commercial'. Thereafter any change of status between 'Commercial' and 'Non-commercial' shall be initiated by the owner, or their representative, submitting the appropriate 'Declaration of Use' form Y 301 or Y 302. These forms are now only available from the BMA website or BMA Yachts: yachts@bahamasmaritime.com with instructions to facilitate an optional paperless submission and response. The web site contains additional advice to aid this procedure.

2.5.3. Any appropriate additional annual fee, in accordance with [Bulletin No 81](#), shall be paid at the time. The higher fee will be valid for that year and, once paid is not refundable in full or in part. The fee differential between 'Commercial' and 'Non-commercial' is currently (December 2011) \$300 plus 20 cents per net ton. A copy of the Declaration received by the BMA will be signed and returned to the yacht for inclusion in the yacht's papers as this Administration's acknowledgement of that use or status.

2.5.4. Fees for processing and acknowledging the Forms Y 301 and Y 302 are under review and will be promulgated under a revision of Bulletin No 81.

2.6. **Geographical imitations of cruising** are based upon the yacht design, standards of manufacture, cruising range, anticipated weather, crew numbers and crew qualification.

2.7. Change of ownership

- 2.7.1. The existing owner shall advise the Registrar where there is a change of ownership and comply with the BMA's change of [Yacht Ownership requirements](#). The new owner shall make an appropriate Declaration of Use and comply with the provisions of this Bulletin.

3. APPLICATION TO REGISTER A YACHT

- 3.1. When considering registering a yacht with The Bahamas an owner, or their designated agent or manager, may make a general email enquiry to yachts@bahamasmaritime.com. The first formal application should be on the Yacht Forms [YR 102](#) and [YR 104](#) sent to that email address or directly to a Bahamas Registrar in either [Nassau](#), [New York](#), [Hong Kong](#) or [London](#).
- 3.2. Form [YR 102](#) provides the BMA with the basic information needed to reserve the proposed name on the Register and commence registration. There is no obligation or firm commitment to register when submitting this form.
- 3.3. In the case of a new construction the owner, or their designated representative, should determine at an early stage the intended operational status of the yacht throughout the yacht's life – including after possible re-sale – as this may have a direct bearing on the design and technical requirements.
- 3.4. Owners and their representatives are advised to become familiar with the BMA's web site - www.bahamasmaritime.com – where all necessary information is available, particularly on the [BMA "Yachts" page](#). Form [YR 101](#) lists all appropriate Registration Forms that will be needed to complete the registration process.
- 3.5. All yachts will be reviewed by the BMA for their compliance with required technical standards prior to provisional and permanent registration. Deficiencies or issues identified during the review will be advised to the owner who will be requested to rectify them before registration is granted.

4. YACHTS in NON-COMMERCIAL USE

4.1. Survey and Technical Standards

- 4.1.1. The technical standards, certificates and surveys required for yachts in Non-commercial use are described in Appendix 2 and summarised here:
- .i Carving and Marking (see [Annex 2/1.1](#))
 - .ii International Tonnage Certificate (ITC) (see [Annex 2/1.2](#))
 - .iii Ship Radio Licence (see [Annex 2/1.3](#))
 - .iv MARPOL Convention 73/78, as amended (see [Annex 2/1.4](#)) – including appropriate record books, to demonstrate compliance, as summarised below:
 - MARPOL Annex I (Oil Pollution) including International Oil Pollution Prevention Certificate (IOPPC) and Oil Record Book (see [Annex 2/1.4.2](#))
 - MARPOL Annex IV (Sewage) (see [Annex 2/1.4.3](#))
 - MARPOL Annex V (Garbage) including a Garbage Management Plan and Garbage Record Book (see [Annex 2/1.4.4](#))
 - MARPOL Annex VI (Air Pollution) including International Air Pollution Prevention Certificate (IAPPC) (see [Annex 2/1.4.5](#))
 - Engine International Air Pollution Prevention Certificate (EIAPPC) (see [Annex 2/1.4.6](#))
 - .v International Anti-Fouling System Certificate (IAFSC) (see [Annex 2/1.5](#))
 - .vi Bunker Convention Certificate of Civil Liability (Bunker CLC) (see [Annex 2/1.6](#)).
- 4.1.2. [Annex 2](#) also contains a simplified table of required statutory surveys and certificates which may be applicable, according to size and tonnage.
- 4.1.3. Yachts in Non-commercial use are not mandated to comply with the provisions of the [BYC](#) but section 1.10 of BYC recommends that pleasure vessels do comply with those standards. In particular it is strongly recommended that yachts in 'Non-commercial' use comply with the LSA and fire fighting sections (13, 14 and 15) of the BYC.
- 4.1.4. In addition the owner may wish to undertake periodic survey by the BMA to attest to this compliance. There is an increased awareness of the need for demonstrable compliance with recognised standards for all yachts world wide. Maintaining an agreed programme of survey to such standards is an economic method of demonstrating compliance with published standards of the Flag State.
- 4.1.5. As referred to in [section 2.3.4](#), above, owners who require the flexibility to easily change their yacht's use between 'Commercial' and 'Non-commercial' use should maintain compliance with the BYC on a continuous, year on year basis in order to enable quick and easy transfer of such declared use.
- 4.1.6. The transition process from LY2 to BYC is referred to in [section 5.4](#).

5. YACHTS in COMMERCIAL USE

5.1. Survey and Technical Standards

- 5.1.1. [Annex 2](#) lists a general description of those requirements and contains a simplified table of required statutory surveys and certificates which are applicable, depending upon size and tonnage.
- 5.1.2. Yachts subject to this section shall comply with the technical standards and mandatory provisions for their size and total number of persons on board as follows:
- .i The same standards and certification as applied to yachts in ‘Non-commercial’ use described in [section 4.1.1](#)
 - .ii BYC (see 5.3 below and [Annex 2/2.2](#))
 - .iii International Load Line Certificate (ILLC) (see [Annex 2/2.3](#))
 - .iv Maritime Labour Convention (MLC 2006) (see [Annex 2/2.4](#))
 - .v Safety Construction Certificate (SAFCON) (see [Annex 2/2.5](#))
 - .vi Safety Equipment Certificate (SEC) (see [Annex 2/2.6](#))
 - .vii Safety Radio Certificate (SRC) (see [Annex 2/2.7](#))
 - .viii LRIT (see [Annex 2/2.7.1](#) & .2)
 - .ix International Safety Management Certificate (ISM) (see [Annex 2/2.8](#))
 - .x International Ship Security Certificate (ISSC) (see [Annex 2/2.9](#))
 - .xi Continuous Synopsis Record (CSR) (see [Annex 2/2.10](#))
 - .xii Bahamas Safety inspection (see [Annex 2/2.11.](#))

5.2. The Role of Classification Societies, Recognised Organisations and Bahamas Yacht Surveyors

- 5.2.1. All Commercial yachts over 300 GT are required to be “in class” with one of our Recognised Organisations (RO) (see [Bulletin No 3](#)).
- 5.2.2. All ROs, as listed in Bulletin No 3, are authorised to examine plans, perform surveys and issue statutory certification on behalf of The Commonwealth of the Bahamas. This authorisation is for all statutory surveys including the BYC but excludes those in 5.2.5 below.
- 5.2.3. Owners of yachts that use a Classification Society must be aware of their Society Rules. Some Societies will not undertake statutory surveys unless the yacht is simultaneously maintained “in Class” – under Classification Society Rules.
- 5.2.4. Additionally, some Classification Society rules may only allow them to class and survey vessels that are constructed to international standards or their own Rules. Furthermore owners of yachts of less than 300 GT who use an RO must be aware that some Societies will not undertake statutory surveys unless the yacht is simultaneously maintained “in Class.”

5.2.5. ROs are not authorised to undertake the following:

- Carving and Marking Inspections
- Bahamas Annual Inspections (where deemed necessary)
- Casualty or Incident Investigations.

5.2.6. Bahamas Appointed Yacht Surveyors are specialist surveyors who are capable of undertaking surveys and audits for statutory surveys, certificates, inspections and investigations. Their involvement in the survey process is by appointment through the BMA, unless specific directions from the BMA authorise differently.

5.3. **Bahamas Yacht Code (BYC)**

5.3.1. The depth and extent of the survey for The Bahamas Yacht Code (BYC), referred to in '5.1.2.ii' above, will depend upon the tonnage of the yacht and other statutory surveys that may be in place which duplicate certain sections of the Code.

5.3.2. Some sections of the BYC also modify some aspects of the SOLAS certificates for yachts that are over 500 GT. Surveyors engaged on such surveys shall be guided by the specialist provisions of the BYC when surveying for SOLAS compliance.

5.4. **Transition procedure for existing yachts**

Yachts that have previously been certificated to LY2, shall adopt the following transition process.

- .i For the purpose of survey there is very little difference between the provisions of the BYC and those of the UK's Large Yacht Code – LY2. As such surveyors will be able to easily survey for BYC compliance for any yacht that is already compliant with LY2 or was constructed to that or a similar standard. An uncontrolled version of the BYC is available on the website that shows the principle differences between the two codes.
- .ii For an interim period commencing from September 2011, The BMA will continue to recognise an existing certificate, based upon compliance with LY2, issued under pre 2011 BMA policy.
- .iii At the next survey for annual compliance or renewal of LY2 the surveyor will survey against the BYC and new certificates will be issued, under the continuity of the existing certificate. During this transition period the BMA policy will be one of recognition of certification against either LY2 or BYC.

- .iv Other statutory certificates, where necessarily applicable to the tonnage of the Yacht, will continue to be valid as they will have been issued by an RO under existing agreements that are not altered.
- .v Once all existing yachts are certificated against BYC the 'Transition' period will cease and a new revision of this Bulletin will be issued.

5.5. Bahamas Safety Inspection

- 5.5.1. Section 28.3.3 of the [BYC](#) requires a mandatory attendance of a Bahamas yacht surveyor at least once during the five year period of the BYC Certificate of Compliance concurrent with the statutory surveys being carried out. The schedule for this inspection will be arranged through the BMA Yachts and will be tailored to the cruising style and location of the yacht. This Inspection cannot be made by a Recognised Organisation surveyor.
- 5.5.2. Owners, or their agents, managers or captains, are encouraged to maintain communications with the BMA Yachts Section to facilitate this provision and to minimise unnecessary costs.
- 5.5.3. Where a Bahamas Yacht Surveyor is appointed to undertake another statutory survey the Bahamas Safety Inspection may be made simultaneously.

6. MANNING

– including elements of STCW, ILO and MLC (Maritime Labour Convention)

- 6.1. **This sub-section, 6.1, applies to all yachts;**
sub-section 6.2 applies to yachts declared to be in 'Commercial' use;
sub-section 6.3 applies to yachts declared to be in 'Non-commercial' use.
- 6.1.1. The principles of safe manning of large yachts are adequately covered in the [BYC](#) with details expanded in BYC sections 26.2.2 and .3. The introduction of BYC section 26.2 applies to every vessel under The Bahamas register, including every yacht. It states:

The Bahamas Maritime Authority requires that all vessels are safely and sufficiently manned in relation to the nature of their operation with the responsibilities placed on companies owning or operating seagoing vessels, to ensure that their vessels are manned with personnel of appropriate grades who have been properly trained and certificated. The numbers of certificated officers and certificated and non-certificated ratings must be sufficient to ensure safe and efficient operation of the vessel at all times.

The BMA places a duty on the owner and operator to provide the master of a vessel with the necessary resources to comply with the manning requirements.

6.1.2. Seafarers working on board Bahamian yachts may apply for and be issued with Seaman's Record Books (SRB). These are dealt with under [Bulletin No 107](#). Please note that a Bahamas SRB is NOT an identity document and is unsuitable for immigration purposes or as an authoritative identity document. Such documents should be issued by the seafarer's National body.

6.2. Yachts in 'Commercial' use - Manning

6.2.1. 'Commercial' yachts must be issued with and carry an original Safe Manning Document (SMD) under the provisions of SOLAS Ch V/14.2, as amended or, for those of less than 500 GT, the BYC. They are valid for a period of 5 years and are charged in accordance with the 'Fee' [Bulletin No 81](#). Please refer to [Bulletin No 115](#) (Safe Manning requirements) in making an application and use the form [YR 106](#) in order to ensure that all relevant data is supplied.

6.2.2. Officer's Watchkeeping Certificates under the STCW Convention and similar certificates for yachts, such as those of the master, deck and engineer officers referred to in 6.2.3 below, must be Endorsed by the BMA in accordance with the procedures for Flag State Endorsements in regulation I/10 of STCW, as amended, referred to in detail in [Bulletin No 108](#), using the [Application Form](#) from the website, [Bulletin No 124](#) and, for fees, in [Bulletin No 81](#).

6.2.3. Watchkeeping Certificates of lower grades than those detailed in the STCW Convention, as amended, may be recognised by the BMA on a case by case basis. All such endorsements of certificates, under the procedures of [Bulletin No 108](#), will be processed under the authorisation of this Bulletin.

6.2.4. Crew Articles, crew agreements and the social and employment provisions of The Bahamas Merchant Shipping Act, ILO and, when it becomes effective, MLC (Maritime Labour Convention) are mandatory on Commercial yachts.

6.3. Yachts in 'Non-commercial' use - Manning

6.3.1. Manning codes and conventions, including the provisions of MLC, are not mandatory for 'Non-commercial' yachts. Owners who wish to voluntarily comply with such should refer to section 6.1 and 6.2 above. The [BYC](#) recommends that all yachts are issued with a Safe Manning Document. Please see section 6.2.1.

6.3.2. The provisions for Seaman's Record Books and Watchkeeping Certificates, detailed in sections 6.1 & 6.2, are available to crew members on a voluntary basis.

6.3.3. As referred to in 2.2.4 above owners who require the flexibility to easily change their yacht's use between 'Commercial' and 'Non-commercial' should consider maintaining compliance with the BYC on a continuous basis including the above manning procedures for Commercial yachts, in order to enable quick and easy transfer of declared use from Non-commercial to Commercial.

7. INCIDENT, CASUALTY AND ACCIDENT REPORTING

7.1. All yachts, of any size or status, must comply with the Incident reporting procedures detailed in [BMA Bulletin No 4](#).

ANNEX 1

Definitions

1. A “**Guest**” on board a non-commercial pleasure vessel is a collective term used to describe the “immediate family and friends” in the following definitions that have been extracted from the [BYC](#).

2. A “**Pleasure vessel**” is:
 - 2.1.1. any vessel which at the time it is being used is:
 - i. (aa) in the case of a vessel wholly owned by an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; **or**

 - (bb) in the case of a vessel owned by a body corporate, used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends; **and**

 - ii. on a voyage or excursion which is one for which the owner does not receive money for, or in connection with, operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; **or**

 - 2.1.2. any vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club; **and**

- 2.2. In the case of any vessel referred to in paragraphs 2.1.1 or 2.1.2 above, no other payments are made by or on behalf of users of the vessel, other than by the owner.

- 2.3. The term “**immediate family**” in 2.1.1 i (aa), (bb) and 2.1.2 above means an individual, the husband or wife of the individual, and a relative of the individual or the individual's husband or wife and a “relative” means brother, sister, ancestor or lineal descendant.

- 2.4. A 'passenger' means any person carried in a ship or yacht who does not meet the criteria in 2 above except:
- i. a person employed or engaged in any capacity on board the ship on the business of the ship or yacht **or**
 - ii. a person on board the ship or 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 **or**
 - iii. a child under one year of age.
3. Further amplification of persons employed on board:
- 3.1. "*A person employed or engaged in any capacity on board the vessel on the business of the vessel*" i.e. crew, includes:
- i. bona-fide members of the crew over 16 years of age who are properly employed by the owner in the operation of the vessel;
 - ii. person(s) employed by the owner in connection with business interests of the owner and providing service to passengers or the owner and guests:
and
 - iii. person(s) employed by the owner in relation to social activities on board and providing a service available to passengers or the owner and guests.
- 3.2. It should be noted that whether a person on board a vessel should be considered as a 'passenger' or as a member of the 'crew' is determined by their employment status. Recognising that not all members of the crew are directly employed by the owner, the term '*employed by the owner*' maybe elaborated to mean 'employed by the owner, or employed by a Company, who under contract, is required to provide the owner with personnel to be engaged on board'.
- 3.3. The above persons engaged on the business of the vessel are to be provided with accommodation that has been approved for the use of crew and, are to be included in the crew Articles of Agreement, which is required for the vessel. They are also to be provided with familiarisation and training, appropriate their duties.

ANNEX 2

STATUTORY SURVEYS AND CERTIFICATES REQUIRED FOR YACHTS General description, Tonnages, etc.

1. YACHTS in NON-COMMERCIAL USE

1.1. Carving and Marking

1.1.1. The term “Carving and Marking” covers the ‘permanent’ marking on the hull and structure of a vessel’s name, port of registry, official number, net tonnage and draft marks. The legislative requirement for this is in the Merchant Shipping Act section 9.

1.1.2. Special consideration may be given for the structural material of the yacht.

1.1.3. Inspection for Carving and Marking is a requirement at first registration or during the period of provisional registration and subsequently for any changes, such as name or net tonnage.

1.2. International Tonnage Certificate (ITC)

Applicable to all yachts of 24 m length or over. This is issued at construction or when a yacht is altered such that the tonnage is increased or decreased.

1.3. A **Ship Radio Licence** will be issued at the time of registration by the BMA on behalf of The Bahamas Utilities Regulation & Competition Authority (URCA), which is the responsible national communications regulatory body. See the Application forms [R 108](#) and [Bulletin No 6](#) (for registration of an EPIRB.)

1.4. MARPOL Convention 73/78, as amended

1.4.1. All yachts are required to comply with the provisions of the MARPOL Convention 73/78 subject to the applicability of each Annex as detailed below. Such surveys, and any periodic inspections from any national or official body, will also require appropriate record books to be available on board to demonstrate compliance. Blank books, for MARPOL Annexes I (Oil), V (Garbage) and VI (Air) are available from the BMA Publications: publications@bahamasmaritime.com.

1.4.2. MARPOL Annex I (Oil Pollution)

- Control and discharge of any form of petroleum oil
- **International Oil Pollution Prevention Certificate (IOPPC)**
- **Oil Record Book (ORB)**
- IOPPC and ORB are both applicable to all yachts of 400 GT or over
- MARPOL Annex I, Regulations 6, 7 & 8 deal with survey and certification
- MARPOL Annex I, Regulation 17 deals with recording oil storage and transfers.

1.4.3. **MARPOL Annex IV (Sewage)**

- Applicable to all yachts of 400 GT and over or less than 400 GT but carrying more than 15 persons
- The Bahamas has not ratified MARPOL Annex IV (Sewage) but the provisions of this Annex apply to any yacht that visits a port, or sails to or within the waters of an IMO Member State that has ratified that Annex
- Surveyors are authorised to issue a 'Statement of Compliance' in lieu of a Convention Certificate.

1.4.4. **MARPOL Annex V (Garbage)**

- Applicable to all yachts of any size
- **Garbage Management Plan and Garbage Record Book**
- Yachts of 400 GT and over or less than 400 GT but carrying more than 15 persons are required under Annex V Regulation 9 to carry a Garbage Management Plan and to maintain records in a Garbage Record Book
- There are no survey or certification requirements for this Annex but Port States and other Inspections will require compliance with applicable provisions of the Annex. This is best demonstrated by completion and retention of a Garbage Record Book.

1.4.5. **MARPOL Annex VI (Air Pollution)**

- Applicable to all yachts of any size except as expressly provided in Annex VI
- **International Air Pollution Prevention Certificate (IAPPC)**
- Applicable to yachts of 400 GT or over. (See Annex VI, Regulations 6 & 7)
- Please see [Bulletins Nos 75](#) and [126 \(Annex VI record Book\)](#).

1.4.6. **Engine International Air Pollution Prevention Certificate (EIAPPC)**

- This is required for every diesel engine greater than 130 kW (except emergency engines) in yachts that are constructed or that undergo a major conversion after 01 January 2000
- This certificate is usually issued by the engine manufacturer
- Please again see [Bulletin No 75](#), particularly with respect to recent constructions or new engines.

1.5. **International Anti-Fouling System Certificate (IAFSC)**

- The AFS Convention applies to *all* registered vessel types operating in the marine environment, without any tonnage limitation
- Yachts of 400 GT or over engaged on an international voyage must have a valid IAFSC and should be subjected to survey whenever the anti-fouling systems are changed or replaced. Please see [Bulletin No 113](#).

1.6. **Bunker Convention Certificate of Civil Liability (Bunker CLC)**

- Applicable to all yachts over 1,000 GT and is issued by a Bahamas registrar upon evidence of appropriate insurance cover. Please see [Bulletin No 112](#).

2. YACHTS in COMMERCIAL USE

2.1. As Section 1 of this Annex plus the following:

2.2. The Bahamas Yacht Code ([BYC](#))

2.2.1. Commercial yachts of 24 meters in "Load Line" length or more shall comply with the provisions of The Bahamas Yacht Code (BYC). The depth and extent of the survey will depend upon the tonnage of the yacht and other corresponding surveys that may be in place which duplicate certain sections of the Code.

2.3. International Load Line Certificate (ILLC)

Applicable to yachts except those operating under section 4 only.

2.4. Maritime Labour Convention 2006 (MLC)

The provisions of this Convention, when it comes into force, will be applicable to all commercial yachts. The current advice from the BMA is published and updated as and when necessary through the BMA Bulletin system. The latest advice is available in [Bulletin No 127](#). The principal concern for future planning is that of crew accommodation spaces, under Title 3 of MLC. Discussions between flag states and industry representatives in formulating a uniform and practical approach to these are on going. Please contact yachts@bahamasmaritime.com to discuss concerns of Bahamian Yachts.

2.5. Safety Construction Certificate (SAFCON)

Applicable to yachts of 500 GT or over. There are two distinct parts of SAFCON, both as modified by the BYC:

- .i Construction - SOLAS Ch II-1 and
- .ii Structural fire protection and means of escape - SOLAS Ch II-2.

2.6. Safety Equipment Certificate (SEC).

Applicable to yachts of 500 GT or over. There are three distinct parts of the SEC, as modified by the BYC:

- .i Fire appliances - SOLAS Ch II-2
- .ii Life-saving appliances - SOLAS Ch III and
- .iii Navigation equipment - SOLAS V.

2.7. **Safety Radio Certificate (SRC)**

Applicable to yachts of 300 GT or over - SOLAS Ch IV, as modified by the BYC, including an LRIT Conformance Test Report if such equipment is fitted.

- 2.7.1. The **LRIT** requirements, as detailed in [Bulletin No 111](#), as amended, are applicable to all commercial yachts of 300 GT and above.
- 2.7.2. Such yachts that operate exclusively in a GMDSS A1 sea area **and** are fitted with AIS are not required to install **LRIT**. There is a provision for an exemption or equivalent arrangement, as detailed in paragraph 3 of [Bulletin No 111](#) if they engage in an international voyage outside the GMDSS A1 sea area.
- 2.7.3. Neither the Safety Radio Certificate nor the record of equipment for the Safety Radio Certificate should be amended in any way to document compliance with the obligation to transmit LRIT information. These documents can only be amended by the body that issued them.

2.8. **International Safety Management Certificate (ISM)**

Applicable to yachts of 500 GT or over. Yachts of less than 500 GT, in compliance with the BYC should operate under a Safety Management system that conforms to the principles of Annex 2 of the BYC. This is not subject to external audit but provides a tool for a common approach to safety management and recording.

2.9. **International Ship Security Certificate (ISSC)**

Applicable to yachts of 500 GT or over.

2.10. **Continuous Synopsis Record (CSR)**

Applicable to yachts over 500 GT (SOLAS Ch XI-I Reg 5)
Detailed requirements are available in [Bulletin No 57](#).

2.11. **Bahamas Safety Inspection**

- 2.11.1. Section 28.3.3 of the BYC requires a mandatory attendance of a Bahamas yacht surveyor at least once during the five year period of the BYC Certificate of Compliance concurrent with the statutory surveys being carried out. The schedule for this inspection will be arranged through the BMA Yachts, London office and will be tailored to the cruising style and location of the yacht. This Inspection cannot be made by a Recognised Organisation surveyor.
- 2.11.2. Owners, or their agents, managers or captains, are encouraged to maintain communications with the BMA Yachts Section to facilitate this provision and to minimise unnecessary costs.
- 2.11.3. Where a Bahamas Yacht Surveyor is appointed to undertake another statutory survey the Bahamas Safety Inspection may be made simultaneously.

YACHTS of 24 m or more in length
Statutory Documents required on board a Bahamas Registered Yacht

Certificate/Document	Issuing body ¹	<u>Non-commercial</u>	<u>Commercial</u>
Form Y 301 Declaration of Non-commercial use or Form Y 302 Declaration of Commercial use	Owner & BMA	✓ (B102/2.5.2)	✓ (B102/2.5.2)
Carving and Marking Inspection	BMA	✓ (B102/4.1.1.i)	✓ (B102/4.1.1.i)
Certificate of Compliance The Bahamas Yacht Code (BYC) or UK MCA Large Commercial Yacht Code (LY2) – to phase out	Recognised Organisations (Class) / BMA	-	✓ (B102/5.1.2.ii) & (B102/5.3)
International Tonnage Cert.	RO / BMA	✓ (B102/4.1.1.ii)	✓ (B102/4.1.1.ii)
International Load Line Cert.	RO / BMA	-	✓ (B102/5.1.2.iii)
Safety Construction Cert. – 500 GT & over	RO / BMA	-	✓ (B102/5.1.2.v)
Safety Equipment Cert. – 500 GT & over	RO / BMA	-	✓ (B102/5.1.2.vi)
Safety Radio Cert. – 300 GT & over	RO / BMA	-	✓ (B102/5.1.2.vii)
LRIT Conformance Test Report	BMA	-	✓ (B102/5.1.2.viii)
Int'l Oil Pollution Prevention Cert. – 400 GT & over	RO / BMA	✓ (B102/4.1.1.iv)	✓ (B102/4.1.1.iv)
Doc. of Comp: International Sewage Prevention 400 GT and over or carrying more than 15 persons.	RO / BMA	✓ (B102/4.1.1.iv)	✓ (B102/4.1.1.iv)
Garbage Management Plan and Record Book 400 GT and over or carrying more than 15 persons.	Owner	✓ ⁵ (B102/4.1.1.iv)	✓ ⁵ (B102/4.1.1.iv)
Int'l Air Pollution Prevention Cert. – 400 GT & over	RO / BMA	✓ (B102/4.1.1.iv)	✓ (B102/4.1.1.iv)
Engine Int'l Air Pollution Prevention Cert.	Manufacturer	✓ ⁴ (B102/4.1.1.iv)	✓ ⁴ (B102/4.1.1.iv)
Intl Anti-fouling System Certificate – 400 GT & over	RO / BMA	✓ (B102/4.1.1.v)	✓ (B102/4.1.1.v)
Bunker Convention CLC – 1,000 GT & over	BMA	✓ (B102/4.1.1.vi)	✓ (B102/4.1.1.vi)
Maritime Labour Convention 2006 (MLC)	RO / BMA	-	✓ (B102/5.1.2 iv)
ISM Safety Management Cert – 500 GT & over	RO / BMA	-	✓ ² (B102/5.1.2.ix)
International Ship Security Cert – 500 GT & over	RO / BMA	-	✓ ³ (B102/5.1.2.x)
Continuous Synopsis Record (CSR) – 500 GT & over	BMA	-	✓ (B102/5.1.2 xi)
Bahamas Safety Inspection Certificate	BMA	-	✓ (B102/5.5)
Safe Manning Document	BMA	-	✓ (B102/6.2.1)
Certificate of Registry	BMA	✓ (B102/2.2)	✓ (B102/2.2)
Ship Radio Licence	BMA	✓ (B102/4.1.1.iii)	✓ (B102/4.1.1.iii)

Notes

1. Details of the only Classification Societies that are Recognised Organisations are in [BMA Information Bulletin no. 3](#)
2. The "Company" requires Document of Compliance. See [BMA Information Bulletin no. 23](#)
3. See [BMA Information Bulletin no. 70](#) : Ship Security
4. Applies to diesel engines > 130 kW in yachts built or having a major conversion after 01 Jan 2000
5. The Bahamas has not ratified MARPOL Annex V (Garbage) but the provisions of Annex V applies to any yacht that visits a port, or sails to or within the waters of an IMO