

**ANNEX 3**

**THE MANNING OF SMALL VESSELS**

This Annex gives information relating to the manning and operation of small vessels in commercial use as follows:

- Section 1 - Areas of Application
- Section 2 - Minimum Qualifications of the Person in Charge of the Vessel and the Additional Person When Required To Be Carried
- Section 3 - Revalidation of Certificates & Licences
- Section 4 - Approved Engine Course
- Section 5 - Stability and Approved Stability Course
- Section 6 - Pilot Boats
- Section 7 - Single Handed Operations
- Section 8 - Responsibility of the Owner/Managing Agent for the Safe Manning of the Vessel
- Section 9 - Keeping a Safe Navigational Watch
- Section 10 - Withdrawal of Certificate

**General**

Vessels to which this Code applies and which comply with its requirements, will be exempt from the need to comply fully with the Merchant Shipping (Training and Certification) Regulations 1997, SI 1997 No. 348, as amended and the Merchant Shipping (Safe Manning, Hours of Work and Watchkeeping) Regulations 1997, SI 1997 No.1320 provided the manning of the vessel is in accordance with the standards given in paragraph 2 below when operating in the areas described in paragraph 1 below.

**1. Areas of Application**

Commercially operated vessels operating within the following areas should carry at least the qualified personnel shown in Section 2 below:-

Area Category 6	To sea, within 3 miles from a nominated departure point(s) and never more than 3 miles from land, in favourable weather and daylight
Area Category 5	To sea, Within 20 miles from a nominated departure point in favourable weather and daylight.
Area Category 4	Up to 20 miles from a safe haven, in favourable weather and in daylight
Area Category 3	Up to 20 miles from a safe haven
Area Category 2	Up to 60 miles from a safe haven
Area Category 1	Up to 150 miles from a safe haven
Area Category 0	Unrestricted service

**2. Minimum Qualifications of the Person in Charge of the Vessel (Skipper) and of the Additional Persons Required to be Carried on Board**

**2.1 General**

2.1.1 All Certificates and Licences of Competency or Service are to be appropriate to the type of vessel in which they are used.

2.1.2 Any person appointed as a skipper must be a minimum age of 18 years.

**2.2 Endorsement of Certificates**

RYA certificates of competency and/or service and other MCA recognised Yachtmaster certificates should carry the endorsement - "valid for vessels of up to 24 metres in length used for commercial purposes".

**2.3 Qualifications Required**

A vessel should be manned in accordance with Tables 1, 2 and 3 of this Annex. Qualification differing from those tabled, but of equal standing or specialist application (e.g. Sailing Barge Masters Certificate), will be considered.

**2.4 Controllers of Organised Activities**

The controllers of organised activities such as Sailing Schools may submit alternative Qualifications to those listed above. Any such submissions to the MCA will be considered upon their merits.

**2.5 Radio Qualifications**

Every vessel should carry at least one person holding a Radio Operator's Certificate suitable for the radio equipment on board.

**2.6 Medical Fitness Certificates**

2.6.1 The skipper and anyone else who is employed on board and who has safety responsibilities should hold an authorised medical fitness certificate. The standard medical fitness certificate for anyone employed at sea is the seafarer's medical certificate (ENG1), available subject to a satisfactory medical examination, from an approved doctor appointed by the Secretary of State, listed in a Merchant Shipping Notice (currently MSN 1777(M)), or on the MCA's website ([www.mcga.gov.uk](http://www.mcga.gov.uk)). This medical certificate is acceptable for any area of operation (unless it includes a specific restriction) and is valid for a maximum of two years, in line with international requirements.

2.6.2 For those employed on small commercial vessels that operate no further than 60 miles from a safe haven (Area Categories 2, 3, 4, 5, and 6) the alternative ML5 certificate is acceptable. The ML5 certificate is attached to the ML5 report and may be issued by any registered medical practitioner on the basis of a satisfactory ML5 report. An ML5 certificate is valid for no more than 5 years. The ML5 report form is available from any MCA Marine Office, or may be downloaded from MCA's website ([www.mcga.gov.uk](http://www.mcga.gov.uk))

(Note - Additional guidance on both ENG1 and ML5 certificates can be found in Marine Guidance Note 264)

2.6.3 As an alternative to Section 2.6.2, for vessels operating no further than 60 miles from a safehaven, the following will be accepted as evidence of medical fitness:-

CAA commercial pilot's licence,  
HSE diving medical certificate,  
DVLA Group 2 Drivers Licence.

The following conditions will also apply:

1. the validity of the evidence of medical fitness would be that of the validity of the parent licence, e.g. one year in the case of a CAA commercial pilot's licence.
2. in the case of the HSE diving medical and the DVLA Group 2 licence, evidence of satisfactory colour vision will be required.

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- .3 in the case of the above-named equivalent medicals, a declaration will be required, signed by the applicant confirming the following:-
- i) the contact details of the examining doctor, their consent for the MCA to obtain further medical information if required, and the date of the examination; and
  - ii) that they have not had any medical conditions requiring hospital admission, regular prescribed medication, or continuing medical surveillance, since the alternative medical was carried out; and
  - iii) that they have no conditions limiting strength, stamina, or flexibility, such that they could not cope with emergencies on board, such as recovering someone who has fallen overboard or fighting a fire; and
  - iv) that they will seek revised medical fitness certification and submit this to the Administration if the licence accepted as evidence of medical fitness is revoked for any reason, or if they suffer any illness or accident affecting their fitness to operate the vessel, during the period of the licence/certificate.

### 2.7 Basic Sea Survival Course

Skippers of vessels to which the Code applies should hold an approved Basic Sea Survival Course Certificate.

### 2.8 First Aid Training

The skipper or a member of the crew of vessels which operate in Area Category 2, 3, 4, 5 or 6 should hold an MCA approved Elementary First Aid Certificate (or the First Aid at Sea certificate or Medical First Aid certificate), an RYA First Aid Certificate, or a SeaFish Basic First Aid Certificate, provided use of the medical stores is covered in the course. Skippers of vessels operating in Area Category 0 or 1 should hold a Proficiency in Medical Care Certificate (or its predecessor, the Ship Captain's Medical Certificate) unless another member of the crew holds a medical or nursing qualification of an equivalent or a higher standard. The skipper or nominated first-aider should undertake refresher training at least every five years.

### 2.9 Hours of Work Provisions

2.9.1 Fatigue at sea is a serious safety issue and operators should ensure that all vessels certificated under the Code are sufficiently manned to avoid the need to work excessive hours. The skipper is responsible for ensuring, so far as is reasonably practicable, that he/she and all crew members are properly rested when they begin work and obtain adequate rest when not on duty. The minimum hours of rest for anyone employed on board should be not less than:-

.1 ten hours in any 24-hour period; and

.2 77 hours in any seven day period.

2.9.2 These limits should be observed, although exceptions are allowed so long as they are agreed between the skipper and crew members, and provided that their health and safety, and the safety of the vessel, are not compromised. Such exceptions may take account of more frequent or longer leave periods or the granting of compensatory leave for watchkeeping seafarers or seafarers working on board ships on short voyages.

2.9.3 For boats operating on the basis of watchkeeping arrangements, a schedule of duties should be drawn up setting out the hours of work and rest periods. In drawing up a schedule, factors to be taken into account may include:

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- .1 type of operation;
- .2 details of the watchkeeping arrangements;
- .3 the total workload;
- .4 the seriousness of irregular working hours and their contribution to causing fatigue and the importance of scheduling reasonably stable working hours.

2.9.4 The Maritime Working Time Directive also provides anyone employed at sea with an entitlement to a period of leave of at least four weeks' paid leave in each year.

### 2.10 Health and Safety at Work Provisions

2.10.1 The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 (SI 1997/2962) apply wherever "workers" are employed on ships. Under these regulations all employers have a duty to ensure the health and safety of workers and others, so far as is reasonably practicable. To fulfil this duty, employers are required to carry out "a suitable and sufficient assessment of the risks of the health and safety of workers arising in the normal course of their activities or duties". The concept of risk assessments is relatively simple, and follows these basic steps:-

- .1 identify the hazards and personnel at risk;
- .2 assess the chances of a hazardous event occurring;
- .3 assess the severity or consequences; and
- .4 if the combined risk and severity is too great, some action must be taken to reduce the risk to as low a level as reasonably practical.

Further guidance on the application of the regulations and the assessment of risk can be found in MGN 20.

2.10.2 Applying the principles of the health and safety requirements to Code Vessels means that the operator or skipper should take a proactive approach to safety and consider what particular hazards are likely to arise in the context of work activities on board. They should then take appropriate measures to remove the risks in so far as possible. The goal is to provide, as far as reasonably practical, for a safe working environment, with crew following safe working practices. The risk assessment does not need to be written down, but ensuring that crew have appropriate health and safety instruction and information is part of the exercise. Section 17 of MGN 20 outlines the duties of the workers.

### 2.11 Radar Training

In any vessel that carries radar, the Skipper and any member of the crew who is liable to use the radar are strongly recommended to undertake appropriate training in its use.

## 3. Revalidation of Certificates and Licences

3.1 All Certificates (whether of competency or service), Boatmaster's Licences and Local Authority Licences must be revalidated every five years. To revalidate, the applicant must prove at least 150 days of actual sea service on appropriate vessels during the previous five years and be in possession of a valid Medical Fitness Certificate.

3.2 Applicants for revalidation who are not able to prove the requisite sea service but are able to demonstrate that during at least half of the five year period they have been employed on

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duties closely associated with the management and operation of one or more of the appropriate types of vessels, may have their Certificates or Licences considered for revalidation.

### 4. **Approved Engine Course**

4.1 An Approved Engine Course is a course of at least thirty hours duration which is approved or recognised by the MCA. A "Certificate of Attendance" will be given by the course organisers to persons satisfactorily completing the course.

4.2 Persons who are able to demonstrate to the satisfaction of the MCA that they have the appropriate engineering experience and competency may be granted exemption from the requirement to attend an Approved Engine Course. Such a course will cover the following topics:-

Introduction to compression ignition and spark ignition engines; engine cycles; construction and operational details; fuel, air, cooling, lubrication and electrical systems; power transmission; hull fittings; oil and garbage pollution prevention; safe working practices; basic fire prevention and fire fighting techniques; dangers of asphyxiation in the use of gaseous and vaporising fluid extinguishing mediums; safety requirements of bottled gas installations; fault finding and rectification within all topics.

4.3 In addition to the above, it is strongly recommended that for vessels where there is installed propulsion power greater than 1500 kW or the vessel is fitted with equipment, essential to its operation, that is not included in the syllabus of the engineering qualification held, an applicable manufacturers, or equivalent, course should be attended.

### 5. **Stability**

The skipper of every vessel should be familiar with the vessels Stability Guidance Booklet, should insert the information required of the Master, and should ensure that it is drawn to the attention of all watch keepers on board. In the case of vessels also required to be provided with a Stability Information Booklet, skippers should have a knowledge and understanding of its contents.

### 6. **Pilot Boats**

Pilot Boats shall be manned in accordance with Section 25.6.3.26.

### 7. **Single Handed Operations**

7.1 The MCA does not recommend single handed operations. Vessels operating under this Code, other than those engaged as Pilot Boats or in any other business which involves the transfer of personnel at sea, may be operated single handed providing that the person operating the vessel complies fully with the minimum requirements for a skipper (appropriately qualified for the operating area) and the following conditions:-

- .1 the area of operation is restricted to Area Category 3, 4, 5 or 6 in conditions of favourable weather and subject to favourable official weather forecasts for the area throughout the period of operation; and
- .2 the duration of the voyage should not exceed 8 hours; and

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- .3 the vessel is not operated single handed in conditions of restricted visibility; and
- .4 an acceptable lifejacket is worn at all times by the skipper; and
- .5 no oversee working takes place whilst the vessel is being operated single handed; and
- .6 details of the time and point of departure, voyage plan and the Expected Time of Arrival (ETA) of every single handed voyage are left with a suitable person ashore and that person is notified of the safe arrival on completion of each voyage; and
- .7 communication should be made with a person ashore or with a vessel in company at regular agreed intervals; and
- .8 on all open sportsboats, inflatable craft and RIBS, engine kill-cords should be fitted and used at all times.

7.2 In some cases, because of the size and arrangement of the vessel, the Certifying Authority may deem the vessel not to be suitable for single handed operations. In all cases where single handed operations are carried out, the owner/managing agent and the skipper should be satisfied that it is safe to do so. The vessels certificate should show that it is suitable for "single handed" operations.

### 8. **Responsibility of the Owner/Managing Agent for Safe Manning of the Vessel**

It is the responsibility of the owner/managing agent to ensure that the skipper, and where necessary, the crew of the vessel have, in addition to any qualifications required in 2 above, recent and relevant experience of the type and size of vessel, the machinery on the vessel, and the type of operation in which the vessel is engaged. The owner/managing agent should also ensure that there are sufficient additional crew on board having regard to the type and duration of voyage/excursion being undertaken.

### 9. **Keeping a Safe Navigational Watch**

It is the responsibility of the skipper to ensure that there is, at all times, a person with adequate experience in charge of the navigational watch. In taking this decision the skipper should take into account all the factors affecting the safety of the vessel, including:-

- .1 the present and forecast state of the weather, visibility and sea;
- .2 the proximity of navigational hazards;
- .3 the density of traffic in the area.

TABLE 1 - Deck Manning Requirements Small Vessels in Commercial Use

CATEGORY	6	5	4	3	2	1	0	
<p>SKIPPERS QUALIFICATION ACCEPTABLE FOR GIVEN CATEGORY</p>	Certificate of Competency -Yachtmaster Ocean (MCA Accepted )	✓	✓	✓	✓	✓	✓	
	Certificate of Competency or Service - Yachtmaster Offshore (MCA Accepted )	✓	✓	✓	✓	✓	✓	
	MCA Boatmasters Licence Grade 1,2 & Modified Grade 3	✓	✓	✓	✓	✓		
	RYA/DfT Certificate of Competency or Service - Coastal Skipper	✓	✓	✓	✓			
	RYA/DfT Advanced Powerboat Certificate	2 years relevant experience	✓	✓	✓	✓		
		12 months relevant experience	✓					
	Certificate of competence for appropriate area issued by Competent Authority	✓	✓	✓	✓			
	RYA/DfT Day Skipper Theory & Practical Certificate	✓	✓					
	Local Authority Licence for appropriate area	✓						
	RYA/DfT Day Skipper Practical Certificate	✓						
RYA/DfT Powerboat Level 2 Certificate	✓	✓						
<p>ADDITIONAL REQUIREMENTS</p>	Unless operating in the single-handed mode in accordance with Paragraph 7 of this Annex, a second person capable of assisting the Skipper in an emergency should also be on board	✓	✓	✓	✓			
	There should also be on board a second person deemed by the skipper to be experienced.				✓			
	There should also be on board a second person holding at least an RYA/DfT Certificate of Competency or Service as Coastal Skipper.					✓		
	There should also be on board another person holding at least an RYA/DfT Certificate of Competency as either Yachtmaster Ocean or Yachtmaster Offshore.						✓	

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- Note 1** Qualifications differing from those tabled, but of equal standing or specialist application will be considered.
- Note 2** Vessels regularly engaged on near coastal voyages from ports outside the UK, have to abide by the manning requirements of the Administration regulating that coastal area.
- Note 3** Refer section 2.2.1 - RYA/DfT certificates of competency and/or service, and other MCA recognised Yachtmaster certificates, should carry the endorsement - "valid for vessels of up to 24 metres in length used for commercial purposes".
- Note A** Certificate should be designated motor or sail as appropriate.
- Note B** Existing MCA Boatmasters Licence Grade 3 is only acceptable if it has been validated for the specific area in the license prior to this Code coming into force. All Boatmasters licence holders (1, 2, and modified 3) are subject to the area limitations as defined on the certificate.
- Note C** Competent Authority in respect of manning requirements means either the Maritime and Coastguard Agency or an organisation that issues Certificates of Competence which has been applied for and granted recognition by the Maritime and Coastguard Agency as having the appropriate technical and administrative expertise.
- Note D** Local Authority Licence - only those Local Authorities that have the approval of the MCA may issue Licences under this Code.