

## Introducing a new MGN: Guidance on MGN538

### What is the MGN to replace MGN538?

The MCA has re-written the MGN on the regulations applicable to Pleasure Vessels. The changes give a better explanation of the framework, introduce the term 'Intended Pleasure Vessel' and include two key new things:

- 1) We have amended the 'Class XII LSA Exemption for Pleasure Vessels of 13.7m in Length and Over' to phase-out the use of ORC liferafts (this is relevant to Pleasure Vessel owners).
- 2) There is a new exemption for RCD compliant vessels from the Class XII Regulations for certain fire protection measures (this is relevant to Pleasure Vessel manufacturers).

The entire document has had a complete re-fresh; we've updated all references, improved the flow and simplified the explanations.

### Have your say

That said, we'd really appreciate your feedback so let us know what you think. We'd really welcome your thoughts on these changes and on the potential impacts that we've identified in the Impact Assessment Technical Data and Fact Sheet.

### Please note

We recommend that you take a look at all of the documents on the consultation page before responding, but please send any comments, questions or concerns to the contact details provided in this leaflet.



## For questions and feedback on the draft new Code of Practice and MGN

### Maritime and Coastguard Agency

**W:** [www.gov.uk/government/consultations/intended-pleasure-vessel-ipv-code-pleasure-vessel-exemptions](http://www.gov.uk/government/consultations/intended-pleasure-vessel-ipv-code-pleasure-vessel-exemptions)

**E:** [PleasureVessels@mcga.gov.uk](mailto:PleasureVessels@mcga.gov.uk)

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### Southampton Boat Show

Find us on stand B038, near the Holiday Inn



# Your Guide to Pleasure Vessels Sail on the Right Side of the Law



## Introducing the draft new Intended Pleasure Vessel (IPV) Code – developed for you

We've worked closely with British Marine (BM), RYA and the Yacht Brokers, Designers and Surveyors Association (YBDSA) to develop a new Code to allow for Pleasure Vessels to be in temporary commercial use at sea for specific purposes (explained below). We've been listening: this is a positive step, which provides a framework for what we know the sector wants.

### When does the Code go live and can I have a say?

It is due for publication on 01 January 2019. Before then, we'd like your feedback through public consultation taking place between 01 August 2018 and 26 September 2018. We'll also be at the Southampton Boat Show on stand B038 alongside RYA and YBDSA to answer any specific questions about the new Code.



## What does the Code mean for me?

The IPV Code is divided into two parts:

- 1) Use at sea for business purposes and;
- 2) Use at sea as a race support boat.

In each part there are requirements for owners and requirements for operators.

For Part 1, Operators are the people using the boat for their business. This includes manufacturers, brokers, repairers and surveyors. In some cases, owners can also be operators.

For Part 2 the Operator is the person authorised by the owner to use the vessel as a race support boat.

## Guidance on Temporary Commercial Use for Business Purposes

Part 1 of The IPV Code allows for Intended Pleasure Vessels (boats which are normally Pleasure Vessels) to be in temporary commercial use at sea on a single-voyage basis. This is for business purposes relating to repair, post-production, post-repair or mid-survey sea trials, customer sea trials, or vessel delivery outside the definition of Pleasure Vessel.

It applies to all UK Intended Pleasure Vessels of any size, wherever they may be.

It also applies to other Intended Pleasure Vessels operating from UK ports whilst in UK waters.

## Guidance on Temporary Commercial Use as Race Support Boat

Part 2 of the IPV Code allows for Intended Pleasure Vessels to be in temporary commercial use at sea on a single-voyage basis as a race support boat. This is for boats used for race support activities affiliated to the national governing body of the sport.



It is important to note that the proposals are just to create a framework for complying with existing regulations. Any questions or concerns about this should be raised in the consultation.

It provides a standard for small (<8m) Intended Pleasure Vessels used for no more than ten occasions per calendar year as a race support boat.

The idea of Part 2 of the IPV Code is that its application includes any use as a race support boat which is outside the definition of Pleasure Vessel, which means it becomes commercial. Owners are advised to study the Pleasure Vessel definition in detail before using their boat for activities such as race committee boat, coaching boat, safety boat, laying marks of a course etc.

It is aimed at open boats such as rigid inflatables but does not prohibit use for small (<8m) decked vessels. Operators of race support boats are advised that other codes of practice may be more appropriate for decked vessels.

## Guidance: Next steps for you

### What do I need to do as an owner of a Pleasure Vessel?

If you own a Pleasure Vessel (irrespective of whether it is owned by an individual or a company) then you are responsible for making sure that all use is in accordance with the Pleasure Vessel definition or, if not, appropriate commercial standards are met.

If your Pleasure Vessel is going to be taken to sea for business purposes or as a race support boat on a temporary basis, it's important that you study the draft new code and look at the draft new MGNs. We'd really appreciate your feedback, but doing so will also explain what requirements are applicable to you.

### What do I need to do as an operator of a Pleasure Vessel?

If you are taking a vessel to sea for business purposes as an owner, manufacturer, broker, repairer or, surveyor, then you become an operator in accordance with this Code of Practice.

If the use is not temporary, you need to seek further advice from the MCA. If the use is temporary (according to the IPV Code) then you can use this simple and easy to meet standard.

The very basic requirement for use as an operator is that you will need to have a safety management system in place – and this is not complicated to do.

We would really appreciate your feedback so do look at the draft Code and the associated MGNs before 26 September 2018. If you have any questions or concerns, please talk to the MCA, BM, YBDSA or RYA.