

Small Commercial Vessels Code For Guernsey and Sark (SCV Code)

Frequently Asked Questions

General Points

Q. Why has Guernsey Harbours introduced the SCV Code?

A. The Code has been introduced to ensure the safe operation of small commercial vessels. It achieves this by prescribing standards of construction, manning and emergency equipment for small commercial vessels operating from a harbour within Guernsey and Sark, other than a vessel operating solely within the territorial seas of Sark. The Code is in line with similar Codes in other jurisdictions (including the UK).

Q. Which vessels does the Code apply?

A. The Code applies to vessels of less than 24m in length operating commercially from a harbour within Guernsey and Sark, other than a vessel operating solely within the territorial seas of Sark.

Q. Which vessels does the Code not apply?

A. Pleasure vessels, GU registered fishing vessels (unless that vessel carries passengers e.g. for fishing charter trips), SOLAS passenger vessels, lifeboats/cruise ship tenders, pilot vessels or personal watercraft (e.g. jet skis).

Q. How is the Code structured?

A. The Code is divided into three sections. Section A applies to all vessels. Section B applies only to vessels carrying more than 12 passengers. Section C applies only to vessels carrying 12 passengers or under. Additionally, a number of supporting annexes supplement the Code.

Q. What happens if I do not comply with the Code?

A. The Code is supported by the Merchant Shipping (Commercial Vessels) (Safety and Crewing) (Guernsey and Sark) Regulations 2018. Under these Regulations, non-compliance with certain aspects of the Code is a criminal offence. If found guilty of an offence, you may be liable for a fine, imprisonment or both.

Vessel Code Compliance Certificates

Q. What type of certificate do I need for my vessel?

A. For a vessel carrying more than 12 passengers, you require a 'Code Compliance Passenger Certificate'. For a vessel carrying 12 passengers or less, you require a 'Code Compliance Certificate'. Certificates will be issued subject to a satisfactory survey conducted by an approved authority against the Code. In the case of a Code Compliance Passenger Certificate, the vessel will also need to be audited against the Domestic Safety Management Code.

Q. How long is my vessel certificate valid?

A. A Code Compliance Passenger Certificate is valid for one year. A Code Compliance Certificate is valid for five years subject to an annual declaration stating that your vessel continues to comply with the Code.

Q. In the case of a Code Compliance Certificate (12 and under), when must I make my annual declaration?

A. You must make your declaration during the period from three months before and up to three months after the certificate's anniversary date. The anniversary date is the date upon which the certificate was issued. The declaration must be made in writing and the original certificate must be returned in order for it to be endorsed for that year.

Q. What should I do if I already have an in-date Passenger Ship Safety Certificate (over 12 passengers)?

A. Your current certificate will remain valid subject to a written declaration that your vessel conforms to the Code. Should the vessel not conform to the Code, the Passenger Ship Safety Certificate will remain valid on the understanding that all Code deficiencies are rectified prior to the next survey cycle (i.e. Spring 2019). You will be issued with a new Code Compliance Passenger Certificate once the vessel has undergone its annual survey and a Domestic Safety Management code audit. An existing Passenger Ship Safety Certificate will be subject to the new Regulations.

Q. What should I do if I already have an in-date local Small Commercial Vessel Certificate (12 passengers and under)?

A. You will receive a letter from Guernsey Harbours requiring you to exchange your old certificate for a new Code Compliance Certificate valid until the expiration of the old certificate. This will be subject to a written declaration that your vessel conforms to the Code. Should the vessel not conform to the Code, a Code Compliance Certificate may be issued with an explicit condition that the deficiency is to be rectified within a specified timeframe. If you are exchanging your old certificate for a new one, no cost will be incurred.

Q. What should I do if my vessel has not operated commercially in Guernsey and Sark waters before?

A. The vessel will be considered a “New Vessel” as defined by the Code. An application will need to be made to Guernsey Harbours for Code Compliance/Code Compliance Passenger Certificate subject to the conditions detailed in Section A of the Code. Operators are strongly advised to seek advice from Guernsey Harbours prior to committing to the purchase of a new vessel for passenger operations.

Q. What should I do if my vessel has been operating commercially up to this point but has not previously held either a Passenger Ship Safety Certificate (over 12 passengers) or a local Small Commercial Vessel Certificate (12 passengers or less)?

A. As the Code applies to vessels of less than 24 metres in length operating commercially from a harbour within Guernsey and Sark, you will need to apply for an appropriate certificate. Please contact [Guernsey Harbours](#) to discuss further.

Crewing – General

Q. How do I know how many crew I need to have on my vessel?

A. One of the key features of the new Code is to prescribe the minimum safe manning levels for vessels. The number of crew required is calculated using a matrix in the Code which considers a number of factors including number of passengers, area of operation, lifesaving apparatus etc. This method is employed by other jurisdictions including the United Kingdom.

Q. My vessel is licenced for 12 passengers or under. Can I still operate single-handed?

A. Whilst we do not recommend single-handed manning, vessels carrying 12 passengers or less may be operated single-handed subject to the conditions stipulated in Section A8.2 of the Code, which includes limiting the vessel to operating in Area Category 3 i.e. to a maximum of 20 nautical miles from a safe haven.

Q. Are my declared crew numbers fixed or can they vary depending on my operation?

A. Provided that you conform to the manning matrix in the Code (i.e. you meet the minimum numbers based on the circumstances of your operation) and the total numbers of passengers and crew do not exceed the maximum carrying capacity of the vessel, your crew numbers can flex as required.

Crewing – Licences

Q. What types of crewing licence are available under the SCVC?

A. Boatmaster Grade 1 (required for vessels carrying over 12 passengers); Boatmaster Grade 2 (required for vessels carrying 12 passengers or under), Engineer, and Competent Crew.

Q. How do I obtain a crewing licence?

A. You will need to fulfil the criteria detailed in section A9 of the Code dependent on the type of licence being applied. In all cases, there will be a requirement to sit an exam, which may include a practical assessment. In the case of a Competent Crew licence, the Harbour Master may delegate responsibility for examination to a qualified Boatmaster in agreement with the vessel operator if the examination is carried out in accordance with the syllabus detailed in Annex 4 of the Code.

Q. Why do I need to complete the additional training courses detailed in Annex 5?

A. The additional training required reflects the standards expected by Boatmasters and crew in other jurisdictions. By completing such training, you will be better prepared to safely operate your vessel to the benefit of yourself, your crew, your passengers, and other mariners. The majority of the additional training certificates required are mandatory for obtaining a Commercial Endorsement on RYA Certification, which many applicants will have.

Q. What shall I do if I cannot complete the additional training courses locally?

A. At the time of writing, all training required can be obtained by local providers or online. In the event that a specific training course is no longer delivered locally, an alternative course may be available which is sufficient to meet the training needs. You are advised to contact [Guernsey Harbours](#) for guidance.

Q. Am I exempt from needing a crewing licence if I already hold an alternative navigation/deck or marine engineering qualification?

A. You will still need to apply for a licence. Depending on the nature of your qualification, at the Harbour Master's discretion, you may be exempt from some parts of the examination syllabus but certain parts (e.g. the Local Knowledge Endorsement, passenger safety etc.) will remain mandatory. You are advised to contact [Guernsey Harbours](#) for further guidance.

Q. What do I do if I hold an existing Man-In-Charge/Engineer licence?

A. Your existing licence will expire on 31st December 2018. However, the new Code will not come into force until 1st February 2019. During this period, your existing licence will remain valid. You will be asked to fill in an application form for a new licence comparative to your existing licence. The new licence will be valid for 5 years or until the expiration of your current medical certificate (whichever is earlier) subject to a declaration that you have achieved a minimum of 15 days sea service in the previous 12 months and subject to successful completion of the additional training detailed in Annex 5 of the Code. You will have a period of two years to complete and evidence this additional training starting from the date on which you are issued with the new licence. You will also be expected to have a thorough knowledge of the Code. However, no additional examination in this or any other area will be required for existing licence holders. Failure to achieve the above will result in suspension of your licence.

Q. Why have you made a Local Knowledge Endorsement (LKE) mandatory for Boatmasters carrying 12 passengers or under?

A. Good local knowledge is recognised as being critical to the safe operation of commercial vessels in Guernsey and Sark waters, especially where the carriage of passengers is concerned. The navigational risk of operating in our waters does not diminish as the size of vessel or number of passengers carried reduces. In fact, smaller vessels are at more risk as they may operate closer inshore and use narrow channels from which larger vessels are excluded. With this in mind, the LKE has been introduced to establish a baseline standard for all Boatmasters based on existing pilotage syllabi. The requirement for LKEs is standard in other jurisdiction including the UK.