



TUVALU SHIP REGISTRY

Singapore Operations Office:

10 Anson Road #25-16, International Plaza, Singapore 079903

Tel: (65) 6224 2345 Fax: (65) 6227 2345

Email: info@tvship.com Website: www.tvship.com

YACHT CIRCULAR

YC-2/2012/1

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FOR: Yacht Owners, Yacht Managers, Yacht Operators, Yacht Masters/Skippers, Yacht Officers, Classification Societies, Flag State Inspectors.

SUBJECT: REGISTRATION AND STATUTORY REQUIREMENTS FOR YACHTS OF 24 METRES LOAD LINE LENGTH AND OVER UNDER TUVALU FLAG

PURPOSE:

This circular provides guidance and instructions with respect to the registry requirements for all yachts of 24 metres Load Line Length and over registered under the Tuvalu flag.

APPLICATION:

This circular applies to all yachts of 24 metres 'Load Line' length (approximately 85 feet overall length (LOA)) and over.

REFERENCES:

- (a) Tuvalu Merchant Shipping Act 2008, as amended
- (b) International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended
- (c) Tuvalu Marine Guidance MG-2/2012/1 - Guidance on Medical Examinations and Certificates for Seafarers
- (d) Tuvalu Yacht Code for Private and Commercial Yachts, as amended

BACKGROUND

Tuvalu Ship Registry (TSR) understands that yacht owners have different requirements from other ship owners and has established a simplified framework for yacht registrations to help yacht owners understand and comply with the requirements of the registry. The Tuvalu Merchant Shipping Act shall remain as the general maritime law in respect to all yachts registered under the Tuvalu flag.

It should be noted that yachts are not permitted to carry more than 12 passengers. Yachts that carry more than 12 passengers are regarded as passenger ships and therefore subject to applicable technical, operational and certification provisions of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended.

1. DEFINITIONS

1.1. The following terms shall mean:

- 1.1.1. *Yacht* – includes a boat propelled by sails or motor, used private leisure, sports or commercial purposes.
- 1.1.2. *Private Yacht* – to operate as a 'pleasure yacht', for private use.
- 1.1.3. *Commercial Yacht* – when used for charter or reward.
- 1.1.4. *Dual Purpose Yacht* – to operate either as a pleasure / private yacht, or as a commercial yacht with dual certification to suit.
- 1.1.5. *TYC* – Tuvalu Yacht Code for Private and Commercial Yachts, as amended

- 1.2. *Passengers* shall be defined in accordance to SOLAS Reg I/2 and the TYC.
- 1.3. *Persons* shall include passengers, master / skipper, crew, or anyone employed or engaged in any capacity on board a yacht, as further described in the TYC.

2. OWNERSHIP AND REGISTRY CERTIFICATION

- 2.1. Any yachts that are seaworthy, well managed, and comply with the requirements of the TYC are eligible to be registered under TSR.
- 2.2. A Yacht may be owned by:
 - 2.2.1. A citizen of Tuvalu;
 - 2.2.2. A legal entity incorporated under the laws of Tuvalu;
 - 2.2.3. A foreign owner; or
 - 2.2.4. A legal entity incorporated under the laws of a foreign country
- 2.3. All yachts on acceptance by TSR will be issued with a Provisional Certificate of Registry for yachts valid for 6 months. Upon conversion to permanent registration status, the yacht will be issued with a Certificate of Registry (Yacht) valid for 12 months or 36 months from the date of issue of the Provisional Certificate.
- 2.4. All yachts will be provided with a Call Sign and a Maritime Mobile Service Identity (MMSI) number.
- 2.5. Every Tuvalu flagged yacht shall have her name marked upon the stern. The Port of Registry "FUNAFUTI" must be marked immediately below the name of the yacht upon the stern.
- 2.6. Please refer to Tuvalu Registry Circular RC-8/2012/1 for registration procedures.

3. USAGE OF YACHT – COMMERCIAL / PRIVATE / DUAL

- 3.1. During the initial registration of the yacht, the applicant shall declare whether the yacht will be designated for "Private", "Commercial" or "Dual Purpose" use. This declaration shall be made on the application form for Registration of Yachts (Form Y1).
- 3.2. The yacht owner / manager / master / skipper should notify TSR (support@tvship.com) by email at least 24 hours before any change in the use of the yacht by completing a Declaration of Private/Commercial use (Form Y3) every time the usage of the yacht is changed.
- 3.3. The original Form Y3 is to be kept on board with all changes in the use of the yacht recorded in the Official Log Book with an entry asf:

"At the Date/Time/Place, [NAME OF YACHT] commenced Private / Commercial / Dual Purpose use and a Declaration has been received and acknowledged by the Yacht Fleet Manager or the Registry."
- 3.4. All yachts will need to comply with the requirements of statutory surveys and certification as described in the TYC. Take note that yachts in "Dual Purpose" are required to comply with the requirements for "Commercial Yachts" at all times during navigation, even when in private use.

4. MANNING REQUIREMENTS AND CREW COMPETENCIES

- 4.1. It is the responsibility of the yacht owner / manager to ensure that the master / skipper hold the relevant experience and suitable valid qualifications to operate the yacht taking into consideration its type and size, machinery on board, and conditions in which the yacht is usually engaged in. The yacht owner / manager should also ensure that there are sufficient crew on board taking into consideration the type and duration of voyage/excursion being undertaken.

4.2. Minimum Safe Manning Certificate

4.2.1. All “Commercial” and “Dual Purpose” use yachts are required to carry a Minimum Safe Manning Certificate (MSMC).

4.2.2. Private yachts are not required to carry a MSMC but may apply for one voluntarily at an applicable fee through the use of Form Y2 or online.

4.3. The owners / managers are to refer to the TYC for guidance on appropriate manning levels reproduced here in ANNEX I.

4.4. All crew employed on board the yacht should be medically fit and hold a valid medical fitness certificate issued by a competent authority – please refer to Tuvalu Marine Guidance MG-2/2012/1.

4.5. All crew employed on board the yacht should have completed the basic STCW courses listed below:

- Personal Survival Techniques
- Fire Prevention and Fire Fighting
- Elementary First Aid
- Personal Safety and Social Responsibility
- Proficiency in Security Awareness

4.6. At least 1 officer/crew must hold the relevant Radio Operator qualification appropriate to the radio equipment on board.

4.7. Yachts operating in near coastal areas from ports outside of Tuvalu are required to comply with the manning requirements of that Coastal State.

4.8. All Officers working on “Commercial” or “Dual Purpose” use yachts are required to hold crew endorsements issued by TSR in accordance with Regulation I/10 of the STCW, as amended. Please refer to Tuvalu Registry Circular RC-5/2012/1. Officers on “Private Yacht” vessels may apply for crew endorsements voluntarily. Fees apply for the issuance of crew endorsements.

5. SAFETY BRIEFING

5.1. Before the commencement of any voyage, the master / skipper of all yachts regardless of use shall ensure that all persons on board are briefed, as a minimum, on the stowage and use of personal safety equipment such as lifejackets, thermal protective aids and lifebuoys, and the procedures to be followed in cases of emergency.

5.2. The master / skipper should also brief at least one other person who will be sailing on the voyage with regards to the following:

- 5.2.1. Location of life rafts and the method of launching;
- 5.2.2. Procedures for the recovery of a person from the sea;
- 5.2.3. Location and use of pyrotechnics;
- 5.2.4. Procedures and operation of radios carried on board;
- 5.2.5. Location of navigation and other light switches;
- 5.2.6. Location and use of firefighting equipment;
- 5.2.7. Method of starting, stopping, and controlling the main engine; and
- 5.2.8. Method of navigating to a suitable port of refuge.

6. SURVEY REQUIREMENTS

6.1. TSR authorises and delegates the functions of statutory surveys, plan approvals / reviews, and issuance of non-convention statutory certificates to the following Recognized Organizations (ROs):

- 6.1.1. American Bureau of Shipping (ABS)
- 6.1.2. Bureau Veritas (BV)
- 6.1.3. China Classification Society (CCS)
- 6.1.4. Croatian Register of Shipping (CRS)
- 6.1.5. DNV (DNV)
- 6.1.6. Indian Register of Shipping (IRCLASS)
- 6.1.7. International Ship Classification (ISC)
- 6.1.8. Korean Register of Shipping (KR)
- 6.1.9. Lloyd's Register (LR)
- 6.1.10. Nippon Kaiji Kyokai (NK)
- 6.1.11. Polish Register of Shipping (PRS)
- 6.1.12. Registro Italiano Navale (RINA)
- 6.1.13. Turk Loydu (TL)

6.2. Yachts that are engaged in “Commercial” and “Dual Purpose” use are required to follow the survey and certification requirements of the TYC.

6.3. Yachts in “Private” use also need to comply with the sections of the TYC that are relevant to their length, tonnage and cruising areas.

7. CERTIFICATES TO BE CARRIED ON BOARD

Certificate/Document	Criteria	Yacht status		Issued by
		Private	Commercial	
Certificate Of Registry (Yacht)		All	All	TSR
Ship Radio Station Licence		On request	All	TSR
Minimum Safe Manning		On application	All	TSR
Official Log Book		All	All	TSR
Continuous Synopsis Record	> 500 GT	-	All	TSR
Tonnage Certificate		All	All	RO
Safety Equipment Certificate		All	All	RO
International Load Line Certificate	= or > 24 m	-	All	RO
Ship Safety Radio Certificate	> 300 GT	-	All	RO
Ship Safety Construction Certificate	> 500 GT	-	All	RO
ISM- Document of Compliance	> 500 GT	-	All	RO
ISM- Safety Management Certificate	> 500 GT	-	All	RO
ISPS- International Ship Security Certificate	> 500 GT	-	All	RO
International Oil Pollution Prevention	> 400 GT	All	All	RO
International Sewage Pollution Prevention*	> 400 GT	All	All	RO
International Air Pollution Prevention	> 400 GT	All	All	RO
International Anti-fouling System Certificate	> 400 GT	All	All	RO
Garbage Management Plan and Record Book*	> 400 GT	All	All	Ship
LRIT Test report	> 300 GT	-	All	ASP
Bunker Convention Certificate	> 1000 GT	All	All	TSR
Certificate of Class		Recommended	All	Class
P&I and H&M Insurance Cover		Recommended	All	Insurers
Maritime Labour Convention			All	RO

Note: * Certificate applies to yachts more than 400GT or more than 15 persons on board.

ANNEX I

Manning Scale for Yachts 24 metres or more in Load Line Length

Manning Scale for Motor Yachts

Miles from a safe haven	Personnel	Vessel Type		
		>24m <200 GT	200-500 GT	500-3000 GT
Up to 60	Master	1	1	1
	Chief Officer	1*	1*	1
	OOW (Navigation)	-	-	-
	Chief Engineer	1	1	1
	Second Engineer	-	-	-
	Assistant Engineer	-	1*	1
	Yacht Rating	1	2	2
Up to 150	Master	1	1	1
	Chief Officer	1	1	1
	OOW (Navigation)	-	-	-
	Chief Engineer	1	1	1
	Second Engineer	-	-	1
	Assistant Engineer	-	1*	-
	Yacht Rating	1	2	2
Unlimited	Master	1	1	1
	Chief Officer	1	1	1
	OOW (Navigation)	-	1*	1
	Chief Engineer	1	1	1
	Second Engineer	-	1	1
	Assistant Engineer	1*	-	-
	Yacht Rating	2	2	2

*May be exempted subject to risk assessment

Manning Scale for Sailing Yachts

Miles from a safe haven	Personnel	Vessel Type		
		>24m <200 GT	200-500 GT	500-3000 GT
Up to 60	Master	1	1	1
	Chief Officer	1*	1*	1
	OOW (Navigation)	-	-	-
	Chief Engineer	1	1	1
	Second Engineer	-	-	-
	Assistant Engineer	-	1	1
	Yacht Rating	2	2	3
Up to 150	Master	1	1	1
	Chief Officer	1*	1*	1
	OOW (Navigation)	-	-	-
	Chief Engineer	1	1	1
	Second Engineer	-	-	1
	Assistant Engineer	-	1	-
	Yacht Rating	2	2	3
Unlimited	Master	1	1	1
	Chief Officer	1	1	1
	OOW (Navigation)	-	1	1
	Chief Engineer	1	1	1
	Second Engineer	-	-	1
	Assistant Engineer	1	1	-
	Yacht Rating	2	2	2

*May be exempted subject to risk assessment

STCW qualifications will be acceptable to the Tuvalu Ship Registry subject to the recognition process detailed in STCW I/10. Qualifications issued to officers based upon National standards will be recognized upon review.