

CODE OF SAFETY PRACTICE

Article 3 (1) of the Shipping (Safety Code – Yachts and Small Ships) (Jersey) Regulations 2013

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PART 1 – GENERAL

1.1 Foreword

1.1.2 This Code is the Code of Safety Practice referred to in Article 3 (1) of the Shipping (Safety Code – Yachts and Small Ships) (Jersey) Regulations 2013 referred to in this document as “The Regulations.”

1.1.3 Compliance with the Regulations does not replace the obligation to comply with other Jersey legislation which may be applicable.

1.1.4 Compliance with the Code in no way obviates the need for vessels and / or Masters and seafarers to comply with relevant laws when in the territorial waters of another jurisdiction.

1.2 Definitions

1.2.1 **Jersey Maritime Administration (JMA)** is the body responsible for carrying out regulatory functions on Jersey Registered vessels and other vessels operating in Jersey waters.

1.2.2 A **new vessel** is a vessel which was registered for the first time in Jersey or for which the keel was laid after 1st September 2026.

1.2.3 An **existing vessel** is a vessel which was registered for the first time in Jersey or for which the keel was laid before 1st September 2026.

1.2.4 **Large Yachts, Passenger Yachts, Pleasure vessels** and **Small Commercial Ships** are defined in the *Shipping (Safety Code – Yachts and Small Ships) (Jersey) Regulations 2013*.

1.3 Role of the Jersey Maritime Administration (JMA)

3.1 The JMA may carry out the examination, survey and certification of vessels itself and / or may delegate those functions to appropriately qualified and experienced surveyors, Recognised Organisations approved by the Red Ensign Group and Certifying Authorities as appropriate. It retains the enforcement duties of The Regulations and is responsible for monitoring the performance of those delegated.

1.4 Interpretation, Application and Updating the Code

1.4.1 Interpretation of the Code may be undertaken within the limits of the delegated authority by the respective Recognised Organisation or Certifying Authority. Where matters of interpretation sit outside of this authority or in cases of doubt, clarification shall be sought from the JMA.

1.4.2 References in this Code to UK Codes, legislation and guidance to the UK Secretary of State and the Maritime and Coastguard Agency should be read as if these were references to the Minister and the JMA.

1.4.3 Application – This Code shall apply to all vessels to which the *Shipping (Safety Code – Yachts and Small Ships) (Jersey) Regulations 2013* apply.

1.4.4 Publication and updates to this Code can be accessed on the respective websites of the Jersey Government and Ports of Jersey respective websites.

1.4.5 When the Code requires that a particular piece of equipment or machinery should be provided or carried in a vessel, or that any particular provision should be made, or to a specific standard, the JMA may permit another piece of equipment or machinery to be provided or carried, or any other provision to be made, provided the JMA is satisfied that the alternative is at least as effective as that required by the Code.

1.4.6 Application for an equivalence or exemption shall be made to the JMA. Where an equivalence or exemption has already been accepted by the Maritime and Coastguard Agency of the United Kingdom, this should be stated on the application. The existence of equivalences or exemptions from the UK Maritime and Coastguard Agency or other Flag States will not necessarily be accepted by the JMA who reserves the right to assess each application on its merit.

1.5 Compliance

1.5.1 Unless subject to exemption by the JMA, a ship to which this Code applies shall meet the requirements of and be certificated in accordance with PART 2, below.

1.5.2 The ship to which this Code applies shall not proceed or attempt to proceed to sea when it does not comply with this Code. The specific responsibilities of Masters and owners in respect to the code are contained in The Regulations and in the specific Codes and / or requirements referenced in PART 2.

PART 2 – TECHNICAL AND OPERATIONAL REQUIREMENTS

2.1 All Ships Subject to This Code

2.1.1 All ships subject to this Code, unless operating solely within the territorial waters of Jersey, shall be required to comply with the requirements of the Maritime Labour Convention as applicable to the vessels size, type and age (as appropriate).

2.1.2 All ships subject to this Code to which the Maritime Labour Convention applies shall have onboard a valid Maritime Labour Convention inspection report issued by the Recognised Organisation, Certifying Authority or JMA.

2.1.3 Guidance on Maritime Labour Convention compliance can be found within UK Marine Guidance Notes.

2.1.4 Applicability of UK Marine Guidance Notes and other publications for Jersey registered vessels will be determined by JMA.

2.2 Small Commercial Ships

2.2.1 Small Commercial Ships shall meet the requirements of and be certificated in accordance with one or more of the following United Kingdom Codes as determined by the applicability of the respective code, the type of vessel and the nature of operation (as appropriate). In cases of doubt, the JMA shall determine the applicable Code.

2.2.2 New Vessels:

- (a) The Workboat Code (Edition 3)
- (b) The Sport or Pleasure Vessel Code
- (c) The High-Speed Offshore Service Craft Code
- (d) Rescue Boat Code

2.2.3 Existing Vessels:

- (a) The Safety of Small Commercial Motor Vessels – A Code of Practice (Yellow Code)
- (b) The Safety of Small Commercial Sailing Vessels – A Code of Practice (Blue Code)
- (c) The Safety of Small Workboats and Pilot Boats – A Code of Practice (Brown Code) -
- (d) The Safety of Small Vessels in Commercial Use for Sport or Pleasure Operating from a Nominated Departure Point – A Code of Practice (Red Code).
- (e) Small Vessels in Commercial Use for Sport or Pleasure, Workboats and Pilot Boats – Alternative Construction Standards (MGN 280 (M))
- (f) The High-Speed Offshore Service Craft Code
- (g) Rescue Boat Code

2.2.3.1 Vessels used for sport or pleasure certificated in accordance with the Yellow, Blue or Red Codes or MGN 280 will be required to transition to the Sport or Pleasure Vessel Code not later than the next renewal examination or 12 December 2028 whichever is later.

2.2.3.2 Workboats and pilot boats certificated in accordance with the Brown Code or MGN 280 shall be required to transition to the Workboat Code Edition 3 not later than the next renewal examination or 13 December 2027 whichever is later, except for vessels operating in UK waters, which shall be required to transition to the Workboat Code Edition 3 not later than 13 December 2026.

2.3 Large Yachts

2.3.1 New and Existing Vessels

2.3.1.1 Large yachts shall meet the requirements of and be certificated in accordance with the Red Ensign Group Yacht Code Part A and Common Annexes, noting the provisions of section 1.6 for existing vessels.

2.4 Passenger Yachts

2.4.1 New and Existing Vessels

2.4.1.1 Passenger yachts shall meet the requirements of and be certificated in accordance with the Red Ensign Group Yacht Code Part B and common Annexes.

2.5 NOT USED

2.6 NOT USED

2.7 Other Requirements for Ships subject to this Code

2.7.1 Small Commercial Ships certificated in accordance with the High-Speed Offshore Service Craft Code, Large Yachts and Passenger Yachts shall be required to be classified by and maintained in class with a classification society approved by the Red Ensign Group. Exceptions shall be considered on a case-by-case basis by the JMA.

2.7.2 Large Yachts and Passenger Yachts are limited in size up to 399GT. Vessels above this size shall not be certificated for operation.

2.7.3 Unless equivalent pollution prevention requirements are specifically provided for within the code under which the vessel is certificated, the following MARPOL annexes shall be applicable to vessels subject to this code according to tonnage and other respective applicable requirements as defined by and according to the MARPOL Convention.

(a) MARPOL ANNEX III

(b) MARPOL ANNEX IV

(c) MARPOL ANNEX V

(d) MARPOL ANNEX VI

PART 3 – MANNING REQUIREMENTS

3.1 Vessels subject to this Code shall be manned in accordance with the Code under which they are certificated. Where requirements are not specified in the applicable code, the requirements of the Jersey Manning Policy Manual shall apply. In the case of conflict, the requirements of the Jersey Manning Policy Manual shall prevail. In cases of doubt JMA shall be consulted. Exceptions and equivalences shall be dealt with on a case by case basis by JMA.

3.2 Where a minimum safe manning document is issued to a vessel, the requirements stated therein become the minimum requirements, notwithstanding the requirements of the code under which the vessel is certificated.