

SAINT CHRISTOPHER AND NEVIS

STATUTORY RULES AND ORDERS

No. 37 of 2007

MERCHANT SHIPPING (PLEASURE VESSEL) REGULATIONS, 2007.

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MERCHANT SHIPPING (PLEASURE VESSEL) REGULATIONS, 2007.

In exercise of the power conferred under section 456 of the Merchant Shipping Act, No. 24 of 2002, the Minister responsible for Maritime Affairs makes these Regulations:

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1. **CITATION.** These Regulations may be cited as the Merchant Shipping (Pleasure Vessel) Regulations, 2007.

2. **INTERPRETATION.** In these Regulations

“Act” means the Merchant Shipping Act, No. 24 of 2002;

“approved” means approved by

- (i) the Government of Saint Christopher and Nevis,
- (ii) administrators which are members of IMO and which have equivalent or National provisions for the approval of types of equipment for pleasure vessels,
- (iii) recognized Organizations of Saint Christopher and Nevis;

“authorised person” means a person authorised in writing by or on behalf of the Director or the Designated Authority for the purposes of these Regulations;

“Government” means the Government of Saint Christopher and Nevis;

“Director” means the Director of Maritime Affairs;

“length” means the greater of the distance between the foreside of the stem and the axis of the rudderstock;

“length overall”, means the distance from end to end over the deck, excluding sheer, measured in a straight line from the foremost part to the aftermost part of a vessel. Bowsprits, bumpkins, rudders, outboard motor brackets and similar fittings or attachments are not to be included in the measurement.

“Minister” means the Minister responsible for Maritime Affairs;

“motorboat”, means any vessel propelled by machinery and which is 24 metres (or 78.75 feet) in length or less;

“motor vessel”, means any vessel propelled by machinery and which is over 24 metres (or 78.75 feet) in length;

“operator” means the person who operates or is in charge of the navigation of a pleasure vessel, who may or may not be the owner;

“register” means the Register of Saint Christopher and Nevis ships for the purposes of section 11 of the Act;

“recognized Organization”, means any corporation or society authorised by the Director for the survey and classification of ships as promulgated in section 411(4) of the Act;

“sailboat” means a vessel, whether or not equipped with an auxiliary engine, which is intended to be propelled by the wind effect on the sail and which may also have an outboard engine or any other type of motor or mechanical device capable of propelling it;

“sailing vessel” has the same meaning as “sailboat”;

“Tonnage Certificate” is the certificate issued as applicable to the vessel;

“vessel” in these regulations has the same meaning as pleasure vessel in the Act.

3. **APPLICATION.** These Regulations apply to Saint Christopher and Nevis pleasure vessels wherever they may be and to other pleasure vessels while they are in Saint Christopher and Nevis waters, except

- (a) those of less than 6 metres in overall length;
- (b) motorboats used exclusively for towing skiers;
- (c) jet Skis.

4. **OBJECTIVE.** The purpose of these Regulations is to ensure that all pleasure vessels of Saint Christopher and Nevis, are so constructed, equipped and inspected as to attain the highest standards of safety of life at sea.

5. **SURVEYS, INSPECTIONS AND CERTIFICATION.** (1) Every ship shall, before registration, be surveyed to ascertain its compliance with the applicable provisions of the Act and these Regulations.

(2) Thereafter, the survey of a Saint Christopher and Nevis pleasure vessel shall be carried out annually.

(3) The survey shall be such as to ensure that the requirements for the construction of the vessel as applicable in the Act, as well as these regulations, are complied with.

(4) The survey may be carried out without the removal of the vessel from the water, the underwater parts being inspected by an approved diver, and the inspection being as directed by the surveyor.

(5) Subject to a satisfactory survey, a Pleasure Vessel Certificate of Compliance may be issued on completion of the survey.

6. **MARKING.** A vessel is to be marked as follows:

- (a) the official number, any other identifying numbers or letters assigned to the vessel by the Registrar and gross tonnage are

- (i) to be marked on the main beam or, if there is no main beam, on a readily accessible visible permanent part of the structure of the ship either by cutting in, centre punching or raised lettering, or
 - (ii) to be engraved on plates of metal, wood or plastic, secured to the main beam or, if there is no main beam, to a readily accessible visible permanent part of the structure with rivets, through bolts with the ends clenched, or screws with the slots removed.
- (b) the name and port of registry, are to be marked on a conspicuous and permanent part of the stern on a dark ground in white or yellow letters, or on a light ground in black letters, the letters being not less than 5 centimetres high and of proportionate breadth, or, where this is not possible by the alternative methods given below
- (i) by engraving on plates of metal or of plastic or by cutting in on a shaped wooden chock,
 - (ii) notwithstanding paragraph (i) where a shaped wooden chock is used it should be secured to the hull through bolts, the ends being clenched, or
 - (iii) by individual glass reinforced plastic letters and numbers approximately 2mm in thickness,
 - (iv) glass reinforced plastic letters and numbers are to be fixed to the hull with epoxy adhesive, and painted with suitable paint and coated with translucent epoxy resin,
 - (v) where metal or plastic plates have been used these must be fixed by the use of epoxy adhesives,
 - (vi) metal or plastic plates secured by adhesives should be coated with translucent epoxy resin after they have been fixed in position.

7. **DOCUMENTS.** (1) There shall be carried on board every vessel to which these regulations apply, the following documents:

- (a) Certificate of Registry as a Saint Christopher and Nevis Pleasure Vessel;
- (b) Tonnage Certificate;
- (c) Radio Station Licence;
- (d) Pleasure Vessel Certificate of Compliance issued in accordance with these regulations;
- (e) other certificates or documents as may be required by the Registrar from time to time;

(2) These documents should at all times be available for inspection as requested.

8. **MANNING.** The number of officers and crew on board shall be in accordance with the Training, Certification, Safe Manning, Hours of Work and Watchkeeping Regulations as applied to the type and size of vessel.

9. **CONSTRUCTION.** (1) All vessels shall be of accepted sound marine design and construction.

(2) Hull arrangements, materials used, scantlings of structure, bulkheads, main and auxiliary machinery, electrical installations, propulsion and steering system are to be of approved type.

(3) All vessels shall be of accepted sound marine design and construction so as to have at all times sufficient stability, whether under power or sail propulsion.

(4) An efficient bilge pumping system is to be fitted to all vessels, having suction and means of drainage so arranged that any water that may enter any compartment, can be pumped overboard

(a) Sailboats and motorboats are to be equipped with efficient bilge pumping system of manual or electric type;

(b) Motor vessels must have at least one independent bilge pump of sufficient capacity.

(5) Exposed hatches and doors, are to be of approved construction and be efficiently connected to the adjoined structure.

(6) Portlights, windows and other openings, are to be of approved type for pleasure vessels.

(7) A sufficient number of freeing ports or scuppers are to be provided to free the weather decks of water.

(8) Anchoring and mooring equipment for motor vessels is to be sufficient, depending on the type and size of vessel, as per these regulations.

(9) The anchors and anchor size of chain cable ropes, hawsers and warps must be of approved type.

(10) The minimum weight of anchors used in motor boats and sail boats is to be in accordance with table 1 and 2 of the First Schedule;

(11) All vessels must have bulwarks or guard rails on weather decks that are accessible to passengers and crew.

(12) The masts, the standing and running rigging and sail arrangements of sailing vessels are left to the judgment of the owner, builders and designers and do not constitute part of these rules.

10. LIFE SAVING APPLIANCES. (1) Every vessel to which these Regulations apply, shall carry

(a) one lifejacket of an approved type for every person on board is to be carried;

(b) lifejackets are to be suitable for the size of persons onboard;

(c) if children are to be carried, a lifejacket for each child is to be carried, in addition to adult lifejackets;

(d) lifejackets are to be stored in a dry storage box or compartment, away from engine heat and in a location where they are readily accessible in the case of an emergency that requires their use.

(2) Any vessel proceeding more than 30 miles from shore is to carry a life raft of sufficient capacity for those onboard and

- (a) vessels more than 24 meters but below 50 meters in length must carry at least one life raft of approved type, of sufficient aggregate capacity to accommodate the total number of persons on board;
 - (b) pleasure vessels over 50 meters in length, shall carry at least two of such life rafts;
 - (c) life rafts may be substituted by rescue boats of approved type provided they can accommodate all persons onboard;
 - (d) inflatable life rafts should be serviced on an annual basis and carry a valid test or service certificate;
 - (e) all pleasure vessels of any size are to have a means of boarding from sea for man overboard situations.
- (3) Vessels must carry lifebuoys as follows:
- (a) vessels up to 10 metres in length must carry at least one (1) lifebuoy;
 - (b) vessels over 10 metres in length but less than 20 metres must carry at least two (2) lifebuoys;
 - (c) vessels over 20 metres in length must carry at least four (4) lifebuoys;
 - (d) lifebuoys should be of the approved type, suitable for yachts and could be circular or horseshoe type;
 - (e) at least one of the lifebuoys required by the above paragraphs must have a 25 meter buoyant line and a selfigniting light.
- (4) Vessels must carry as a minimum the following number of flares and distress signals of approved type suitable for yachts as follows:
- (a) motor Vessels must carry as a minimum of 4 parachute signals, 6 hand flares, 2 orange smoke signals;
 - (b) motorboats and sailboats must carry as a minimum of 4 parachute signals, 4 red hand flares, 4 white hand flares 2 orange smoke signals;
 - (c) all distress signals should be kept in a dry waterproof container and be stowed away from engine heat and not in a locker with sharp or heavy objects.

11. FIRE PROTECTION AND EXTINGUISHING. (1) Every vessel to which these rules apply shall carry

- (a) fire buckets and motorboats or sailboats should have onboard, 2 buckets with suitable length lanyards attached, exclusively for the use as fire buckets;
- (b) fire pumps
 - (i) motor vessels are to be equipped with at least one fire pump either independently driven or driven by the propelling machinery,
 - (ii) bilge, ballast or general service pumps, are accepted as fire pumps, provided that they are not used for pumping oil,
 - (iii) the pump must be of adequate capacity for fire fighting purposes and not less than 65% of the capacity of the bilge pump suitably sized to deliver at least one jet of water to any part of the vessel,

- (iv) the pump should be situated outside the machinery space or a second manually operated pump must also be provided;
- (c) hydrants, hoses and nozzles
 - (i) motor vessels are to have hydrants, hoses and nozzles of sufficient number and so located that any part of the vessel may be reached with an effective stream of water,
 - (ii) the hydrants, hoses and nozzles are to be of approved design and constructed of suitable material;
- (d) fire extinguishers
 - (i) in machinery spaces of motor vessels there shall be one (1) fire extinguisher of suitable type, for every 1000 HP of main propulsion and machinery used for auxiliary purposes, but not less than two,
 - (ii) the size of extinguishers should be not less than 5 lbs of CO₂ or 2.5 lbs of dry chemical,
 - (iii) other spaces of motor vessels are to be provided with a sufficient number of fire-extinguishers of suitable type, depending on the space concerned in accordance with table 3 of the First Schedule,
 - (iv) where fixed CO₂ fire-extinguishing method is used, the number of lbs of CO₂ shall be based on the gross volume in cubic feet of the space divided by the appropriate factor in accordance with table 4 of the First Schedule;
- (e) where bilges are open or communicating, the total number of such open or communicating bilges, shall be added to the volume of the space being protected;
- (f) motorboats and sailboats should have onboard portable fire extinguishers of sufficient numbers in accordance with table 5 of the First Schedule;
- (g) all extinguishers shall be of approved design and construction and should be checked annually.

12. **SAFETY OF NAVIGATION.** (1) All vessels must be equipped with navigation lights, sound signals, daylight shapes and distress signals.

(2) Owners, operators or masters, are responsible for compliance with the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs).

(3) Every vessel must be equipped with up to date charts and other relevant publications for its sailing or trading area as to assist in safe and prudent navigation.

- (4) Every vessel, to which these rules apply, shall be equipped with:
 - (a) a Magnetic Compass;
 - (b) a Hand Bearing Compass;
 - (c) an Echo-sounding device or leadline;
 - (d) one pair of dividers for distance measuring on the chart;

- (e) one pair of binoculars;
- (f) parallel rulers;
- (g) a table of life saving signals;
- (h) signaling lamp suitable for Morse code signaling;
- (i) a Saint Christopher and Nevis flag;
- (j) illustrated table of Life saving signals;
- (k) radar reflector.

(5) In addition to the nautical instruments and equipment listed in subsection (4), vessels that are sailing more than 30 miles from the nearest shore, shall be equipped with the following approved type of instruments;

- (a) GPS or Satnav;
- (b) A suitable type of radar.

(6) All vessels shall have onboard and exhibit navigation lights, shapes and sound signaling devices consistent with the vessel's length, type and operational circumstances.

(7) Navigation lights shall be fitted and used if the vessel is to operate in the hours of darkness.

13. RADIO INSTALLATION. (1) All pleasure vessels shall have radio communication equipment, for the sea area they will be operating in, manufactured as suitable for marine use in accordance with table 6 of the First Schedule.

(2) Such equipment must be equipped with a Call Sign as assigned by the Registrar.

(3) The above equipment is the minimum that is to be fitted to a pleasure vessel sailing within the distance from shore indicated in table 6 of the First Schedule.

(4) EPIRB and SART shall comply with the following and shall be:

- (a) the Emergency Position Indicating Radio Beacon (EPIRB), is to be installed to automatically float free and activate if the vessel sinks;
- (b) installed in an easily accessible position;
- (c) ready to be manually released and capable of being carried by one person into a survival craft;
- (d) capable of floating free if the ship sinks and of being automatically activated when afloat;
- (e) capable of being activated manually; and
- (f) to be registered with the National Database of 406 EPIRB's.

(5) The Search and Rescue Radar Transponder (SART) is to be so stowed that it can be easily utilized.

(6) Additional or equivalent radio and telecommunication equipment installations

- (a) owners may install radio equipment above these minimum requirements or telecommunication equipment in addition to these requirements.
- (b) the use of mobile telephone equipment including satellite telephone equipment may be allowed on application, provided such equipment is demonstrated to the satisfaction of the attending surveyor be a means of communication to shore authorities, equivalent or superior to the radio telecommunication equipment listed in table 6 of the First Schedule.
- (c) additional or equivalent installations referred to in paragraph (6) shall be fitted in accordance with the instructions of the manufacturer and comply with the requirements of the Act, where necessary.

(7) Notwithstanding the sea area in which they will operate, pleasure vessels over 300GT must comply with the appropriate provisions of the Safety of Life at Sea Convention (SOLAS) for compliance with the requirements of the Global Marine Distress and Safety System (GMDSS).

14. **GENERAL EQUIPMENT.** All vessels must have the following general equipment:

- (a) a first aid kit, which should contain items as instructed by current medical authorities;
- (b) an engine tool kit that should include essential spares and tools;
- (c) one boat hook;
- (d) a fog horn or other means of making sound;
- (e) two lines of the buoyant type;
- (f) one jack knife;
- (g) suitable number of hull wood plugs;
- (h) one bucket with a minimum capacity of 1 litre.

15. **TONNAGE MEASUREMENT.** (1) All vessels must possess a Tonnage Certificate in accordance with the Tonnage Regulations of Saint Christopher and Nevis issued by a Recognized Organization, surveyor of ships or the Administrator.

(2) A Certificate of Measurement or previous National Tonnage Certificate issued by an Administration may be accepted, on first registration, as equivalent to that for a Saint Christopher and Nevis vessels pending issuance of a National Tonnage Certificate by Saint Christopher and Nevis.

16. **REQUIREMENTS FOR THE PREVENTION OF POLLUTION BY OIL.** (1) All Motor Vessels over 400 gross tons (GT) must comply with the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78).

(2) An International Oil Pollution Prevention Certificate must be retained onboard.

17. **REQUIREMENTS FOR THE PREVENTION OF POLLUTION BY GARBAGE.** All pleasure vessels are to comply with the International Convention for the

Prevention of Pollution from Ships, 1973, MARPOL Annex V, Prevention of Pollution by garbage from ships.

18. **ACCIDENTS AND CASUALTIES.** (1) In the case of a collision, fire or other casualty, it is the owner's responsibility to report all facts of the case to the Director immediately.

(2) A report from the operator will be taken as being made by the owner unless the owner states otherwise.

19. **INSURANCE.** All vessels shall carry insurance cover against risk of loss or damage to third parties according to the relevant provisions of the Act.

20. **EXEMPTIONS.** The Director may issue exemptions in accordance with his powers within the Act from any of the provisions of these Regulations, on terms and conditions as are appropriate.

FIRST SCHEDULE

TABLE 1
Anchorage

(Regulation 9)

Length of Vessel (Metres/Feet)		Weight Kg/Lbs
6/20	10/33	14/30
10/33	12/39	18/40
12/39	14/46	23/50
14/46	16/52	25/55
16/52	18/59	27/60
18/59	20/66	34/75
20/66	And over	43/95

TABLE 2
Mooring Equipment

(Regulation 9)

Length of Vessel (M)	Length of rope (M)	Size of Rope (mm)	Length of Chain (M)	Size of Chain (mm)
6.0-8.0	40	13	5	6.5
8.0-10.0	50	13	5	8.0
10.0-12.0	60	15	6	10.0
12.0-14.0	70	16	7	11.0
over 14.0		18	7	13.0

TABLE 3
Suitable Number of fire-extinguishers

(Regulation 11)

Space/Room	Minimum Number of Extinguishers
Gallery	1
Radio Room Navigation	1
Bridge Steering Gear	1
Accommodation Spaces	1

TABLE 4
Lbs of CO₂ in fire-extinguisher

(Regulation 11)

Over (ft ³)	Not Over (ft ³)	Factor
	500	15
500	1.600	16
1.600	4.500	18
4.500	50.000	20
50.00		22

TABLE 5
Number of fire-extinguishers on motor boats and sail boats

(Regulation 11)

Type of Boat	No. of Extinguishers
Outboard (open)	1
Outboard Motor Boats	2
Motor Boats under 10m	2
Motor Boats over 10m length but not over 15m	3
Motor Boats 15m in length and over	4
Sailboats under 10m length	1
Sailboats 10m length and over but not over 15m	2
Sailboats 15m length and over	3

TABLE 6
Pleasure Craft Minimum requirements for Radio Installations

(Regulation 13)

Distance from shore Equipment	Up to 5 nautical miles	Up to 30 nautical miles	Up to 60 nautical miles	Up to 150 nautical miles	Global
Portable VHF	✓	✓	✓	✓	✓
VHF Base + DSC	X	✓	✓	✓	✓
406 EPIRB	X	✓	✓	✓	✓
MF Base + DSC	X	X	X	✓	✓
Satcom System (GMDSS Compliant)	X	X	X	X	✓
Navtex	X	X	X	✓	✓
SART	X	X	✓	✓	✓

In table 6:

- (a) ✓ means the equipment is required;
(b) X means the equipment is not required.

SECOND SCHEDULE

CONVERSION CHART

For the purpose of these Regulations, the following is to be used in the case of conversions between measurement units. Imperial Units are referred to here below

Inches		Millimetres	Feet		Metres
0.039	1	25.40	3.281	1	0.305
0.079	2	50.80	6.562	2	0.610
0.118	3	76.20	9.843	3	0.914
0.157	4	101.60	13.123	4	1.219
0.197	5	127.00	16.404	5	1.524
Yards		Metres	Miles		Kilometres
1.094	1	0.914	0.621	1	1.609
2.187	2	1.829	1.243	2	3.219
3.281	3	2.743	1.864	3	4.828
4.375	4	3.658	2.485	4	6.437
5.468	5	4.572	3.107	5	8.047
Sq. Feet		Sq. Metres	Sq. Yards		Sq. Metres
10.764	1	0.093	1.196	1	0.836
21.528	2	0.186	2.392	2	1.672
32.292	3	0.279	3.588	3	2.508
43.056	4	0.372	4.784	4	3.345
53.819	5	0.465	5.980	5	4.181

Cu. Feet		Cu. Metres	Cu. Yards		Cu. Metres
35.315	1	0.028	1.308	1	0.765
70.629	2	0.057	2.616	2	1.529
105.943	3	0.085	3.924	3	2.294
141.258	4	0.113	5.232	4	3.058
176.572	5	0.142	6.540	5	3.823
Pints		Litres	Gallons		Litres
1.761	1	0.568	0.220	1	4.546
3.521	2	1.136	0.440	2	9.092
5.282	3	1.704	0.660	3	13.638
7.043	4	2.272	0.880	4	18.184
8.804	5	2.840	0.101	5	22.730
Ounces		Grams	Pounds		Kilograms
0.035	1	28.350	2.205	1	0.454
0.071	2	56.699	4.409	2	0.907
0.106	3	85.049	6.614	3	1.361
0.141	4	113.398	8.819	4	1.814
0.176	5	141.748	11.023	5	2.268

Made the 18th day of September, 2007.

EARLASIM MARTIN
Minister responsible for Maritime Affairs