

Marine Notice No. 10 of 2017

Notice to all Users, Manufacturers, Importers, Distributors, Authorised Representatives, Private Importers and Persons building watercraft for their own use.

Advice on purchasing Watercraft Products coming within
the scope of the
European Union (Recreational Craft and Personal
Watercraft) Regulations 2017
(S.I. No. 65 of 2017)

This Marine Notice supersedes Marine Notices No. 6 of 2005, No. 56 of 2011 and No. 64 of 2013.

The Minister for Transport, Tourism and Sport has made the above Statutory Instrument, which gives effect to Directive [2013/53/EU](#) of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft. ([Marine Notice No.33 of 2015](#) refers).

The purpose of this Marine Notice is to:

1. Outline the main provisions of the Regulations;
2. Draw attention to the issues to consider when purchasing watercraft (i.e. recreational craft and personal watercraft) products;
3. Elaborate on the Watercraft Design Categories.

1. Main provisions of the Regulations

The Regulations outline the obligations of a manufacturer, authorised representative, importer, distributor, private importer and other persons before placing on the market, making available on the market or putting into service, any watercraft products. Such products may only be made available on the market or put into service if they do not endanger the health and safety of persons, property or the environment when correctly maintained and used in accordance with their intended purpose, and only on the condition that they meet the essential requirements applicable to the product.

The Regulations designate the Marine Survey Office of the Department of Transport, Tourism and Sport as the market surveillance authority and the competent authority in Ireland for the purposes of the Regulations.

The Regulations apply to the following persons and watercraft products:

- A manufacturer, established within the European Union (EU) or within a third country (i.e. a country outside of the EU), placing a watercraft product on the EU market;
- An importer established within the EU placing a watercraft product on the EU market;
- A distributor established within the EU before the distributor makes available a watercraft product on the EU market;

- A private importer established within the EU before the private importer puts into service a watercraft product in the EU;
- Any person adapting an engine that will be made available on the EU market or put into service in the EU;
- Any person placing on the EU market or putting into service in the EU -
 - a propulsion engine after a major modification;
 - a watercraft after a major conversion;
 - a watercraft to which the Regulations do not apply but which, following a change of purpose, then falls within the scope of the Regulations;
- A watercraft built for own use that is subsequently placed on the EU market within a period of five years from the date it is first put into service.

Directive [94/25/EC](#), amended by Directive [2003/44/EC](#), continues to apply to recreational craft, personal watercraft, components or propulsion engines placed on the EU market for the first time **before** 18 January 2017.

2. Issues to consider when purchasing watercraft products

Watercraft products coming within the scope of the Regulations (Regulation 3(1)) are:

- Recreational craft of hull length from 2.5 metres to 24 metres;
- Personal watercraft of less than 4 metres in hull length;
- Partly completed watercraft, being a partly completed recreational craft or personal watercraft;
- Components, when placed separately on the Union market (e.g. ignition-protected equipment for inboard and stern drive petrol engines and petrol tank spaces; start-in-gear protection devices for outboard engines; steering wheels, steering mechanisms and cable assemblies; fuel tanks intended for fixed installations and fuel hoses; prefabricated hatches, and port lights);
- Propulsion engines installed or specifically intended for installation in or on watercraft, or subject to major engine modification;
- Watercraft subject to major craft conversion.

A list of watercraft products that do not come within the scope of the Regulations is contained in Regulation 3(2).

Anyone considering purchasing a watercraft product should check for the following:

1. in the case of a watercraft, that it is affixed with a Watercraft Builder's Plate;
2. in the case of a propulsion engine, that it is marked with a Propulsion Engine Identification;
3. in the case of an imported product, that it is labelled with the importer's contact details,

and that all products are:

4. affixed with the CE marking;
5. identified, by a type, batch or serial number, or a Watercraft Identification Number (WIN);
6. accompanied by an Owner's Manual(s), and
7. accompanied by a Declaration.

2.1. Details of the checks to make on a product

• Watercraft Builder's Plate

Each watercraft must carry a permanently affixed plate containing the following information, preferably in the cockpit or near the main steering position of a watercraft:

- Manufacturer's name, registered trade name or registered trade mark, as well as the contact address - this is not necessarily the address where the manufacturer is actually established. The address can be that of the authorised representative or of customer services;
- CE marking;
- Watercraft Design Category/Categories -
 - A, B, C and/or D for recreational craft;
 - C and/or D for personal watercraft;
- Manufacturer's maximum recommended load, excluding the weight of the contents of the fixed tanks when full; If a recreational craft is designed to be fitted with outboard propulsion engine(s), the mass of propulsion engine(s) shall be included;
- Number of persons recommended by the manufacturer for which the watercraft was designed;
- Additional information required depending on the type of watercraft -
 - If a recreational craft is designed to be fitted with outboard propulsion engine(s), the maximum engine(s) power (kW);
 - If an inflatable recreational craft, the recommended working pressure (Bar or psi);
 - If a sail kit is provided with a recreational craft, the maximum sail area (m² or ft²).

A Watercraft Builder's Plate should not be affixed to a partly completed watercraft. In the case of post-construction assessment, the contact details of the notified body that has carried out the conformity assessment are included on the builder's plate, in place of those of the manufacturer, and the words '*post-construction assessment*' are also included.

• Propulsion Engine Identification

Every engine must be clearly and durably marked with the following information:

- Engine manufacturer's name, registered trade name or registered trade mark, as well as contact address and, if applicable, the name and contact address of the person adapting the engine. This is not necessarily the address where the manufacturer is actually established. This address can for example be that of the authorised representative or of customer services;
- Engine type, engine family, if applicable;
- A unique engine serial number;
- CE marking.

• Importer's plate

The plate must indicate the importer's name, registered trade name or registered trade mark, as well as contact address, preferably in the cockpit or near the main steering position, but not on the Watercraft Builder's Plate.

2.2. CE marking

In the case of a watercraft, the CE mark shall be affixed to the Watercraft Builder's Plate. In the case of any other watercraft product, the CE mark shall be affixed to the product, but in the case of a component, where that is not possible or not warranted on account of the size

of the component, it shall be affixed to the packaging and to the accompanying documentation.

CE marking does not indicate that a product was made in the EU. The CE marking indicates conformity with the requirements laid down by the Union harmonisation text(s) in question.

2.3. Product Identification

In the case of a propulsion engine, a unique engine serial number must be permanently marked on the engine.

In the case of a watercraft, a Watercraft Identification Number (WIN) must be marked in two positions:

- watercraft exterior: top of transom, starboard side, and
- watercraft interior: in a position that is not visible.

The WIN contains the following information:

"IE ABC 12345 D 16 14" – *(Example of how the identification number is formatted by a manufacturer established in Ireland).*

IE Country Code of the manufacturer indicating where the manufacturer is established;
ABC Manufacturer's Identity Code – unique code of the manufacturer assigned by the national authority of a Member State. In Ireland, unique codes of the manufacturer are assigned by the Marine Survey Office of the Department of Transport, Tourism and Sport;
12345 Unique Serial Number assigned by the manufacturer;
D Month of Manufacture (A= January, B= February etc.);
16 Year of Manufacture (2016);
14 Model year (2014).

2.4. Owner's Manual

Each product listed in Regulation 3(1) must be accompanied by an Owner's Manual providing information essential to the safe use of the product, drawing particular attention to the set-up, maintenance, regular operation of the product, and the prevention of risks and risk management. It should also contain all the instructions and manuals for any equipment fitted.

For propulsion engines, the maximum rated engine power must be declared in the Owner's Manual. Every propulsion engine must be provided with an Owner's Manual, referred to in Part B of Annex I to Directive 2013/53/EU. Every recreational craft and personal watercraft with inboard engine(s) or stern drive engine(s) without integral exhaust(s) must have an Owner's Manual that includes information necessary to maintain the product in order to ensure compliance with the noise limits.

For every outboard engine and stern drive engine with integral exhaust, the Owner's Manual accompanying a propulsion engine must include information necessary to maintain the product in order to ensure compliance with the noise limits.

2.5. Declaration

Each individual product must be accompanied by an EU Declaration of Conformity or, in the case of a partly-completed watercraft, by a Declaration by the manufacturer or the importer of the partly-completed watercraft. This is an important document, particularly if the watercraft is to be used in or brought into other Member States, as market surveillance authorities can ask to see it.

3. Watercraft design categories in Part A of Annex 1 to Directive 2013/53/EU

Each watercraft design category (A, B, C and D) covers a range of wind forces and significant wave heights as follows -

- **Category A –**
Recreational craft designed for winds that may exceed wind force 8 (Beaufort scale) and significant wave height of 4 m and above but excluding abnormal conditions, such as storm, violent storm, hurricane, tornado and extreme sea conditions or rogue waves.
- **Category B –**
Recreational craft designed for a wind force up to and including 8, and significant wave height up to and including 4 m.
- **Category C –**
Watercraft designed for a wind force up to and including 6, and significant wave height up to and including 2 m.
- **Category D –**
Watercraft designed for a wind force up to and including 4, and significant wave height up to and including 0.3 m, with occasional waves of 0.5 m maximum height.

The European Union (Recreational Craft and Personal Watercraft) Regulations 2017 (S.I. No. 65 of 2017) will be available at www.dttas.ie.

Please note that this Marine Notice is designed to provide basic guidance and does not purport to be a legal interpretation.

Irish Maritime Administration,
Department of Transport, Tourism and Sport,
Leeson Lane, Dublin 2, D02 TR60,
Ireland.

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Written and general enquiries concerning Marine Notices should be addressed to:
Maritime Safety Policy Division, Department of Transport, Tourism and Sport, Leeson Lane, Dublin 2,
D02 TR60, Ireland. e-mail: marinenotices@dtas.ie or visit us at: www.dttas.ie

For any technical assistance in relation to this Marine Notice, please contact:
The Marine Survey Office, Department of Transport, Tourism and Sport, Leeson Lane, Dublin 2,
D02 TR60, Ireland. Tel: +353-(0)1-678 3400, e-mail: mso@dtas.ie.