



Virgin Islands Shipping Registry

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Marine Circular No. 3 / 2016

To: Owners, Operators, Brokers, Charterers, Shipping Agents, Masters, Officers and Crew Members, Inspectors, Surveyors and Managers of Bareboat Charter Vessels and Crewed Yachts.

1. The Merchant Shipping Act, 2001 (No. 13 of 2001);
2. The Merchant Shipping (Safety of Commercial Sailing and Motor Vessels) Regulations, 2004;
3. United Kingdom Safety Codes:
 - “The Safety of Small Commercial Sailing Vessels – A Code of Practice” (*Blue Code*)
 - “The Safety of Small Commercial Motor Vessels – A Code of Practice” (*Yellow Code*)
 - “The Code of Practice for Safety of Large Commercial Sailing and Motor Vessels” (*LY2*)
 - Small Vessels in Commercial Use for Sport or Pleasure, Workboats and Pilot Boats (SCV Code) – Alternative Construction Standards, (*MGN 280 (M)*);
4. Blue and Yellow Code Guidance Note (BVI)

PLEASE BE ADVISED, A SMALL COMMERCIAL VESSELS SHALL NOT PROCEED OR ATTEMPT TO PROCEED TO SEA OR ON A VOYAGE OR EXCURSION UNLESS ITS CERTIFICATE OF INSPECTION IS CURRENTLY IN FORCE AND THE VESSEL COMPLIES WITH THE REQUIREMENTS OF THE RELAVANT CODE.

The VISR would like to remind all mariners operating in BVI waters that:

1. Vessels registered as a “Pleasure Vessel” cannot be sent out on charter.
2. Only vessels registered as a “Commercial Vessel” can be sent out on charter.
3. Commercial vessels need a Certificate of Inspection issued by VISR which remains valid subject to the vessel passing all annual inspections within the validity period.
4. Small Commercial vessels should be manned by qualified personnel as required on the vessel’s Certificate of Inspection.(Bare Boat Charters of these commercial vessels need not be manned by qualified persons).
5. The necessary applications requesting an inspection of a vessel for commercial certification and Seafarer qualifications are available at the VISR office and our website www.vishipping.gov.vg.

VISR recognises that many owners and operators have made the effort to have their vessels inspected and certified and encourages all owners and operators to do the same.

The VISR enforcement officers will board commercially operated vessels including pleasure vessels going out on charters and check for the following documents in order to verify that the vessel is compliant:

- **Vessel's registration documents**
- **Small Commercial Vessel Certificate of Inspection**
- **Stability Letter or Stability Information Booklet**
- **Skipper's Qualification and Certificate (with STCW & Commercial Endorsement)**
- **Crew Certification**
- **Company/vessel's trade licence**

On completion of inspection, a Report of Inspection will be issued to each vessel by the boarding Enforcement Officer.

In circumstances where a vessel fails to provide correct and valid documents, she may be subject to enforcement actions as provided in the Merchant Shipping Act.

The enforcement actions may include; issuance Prohibition Orders, Detention of the vessel, and legal action against the owner and master by the Attorney General.

All parties are requested to be guided accordingly.

Director,
Virgin Islands Shipping Registry
10th October 2016