



Guide to the NEW Recreational Craft Directive **2013/53/EU**

Spring 2015

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quick guide

test your knowledge

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Guide to the guide

I am a...



Manufacturer or authorised representative



Importer



Distributor



Private importer

The colour code and the icons above will help you recognise the specific sections relevant to you, depending on whether you are a manufacturer, authorised representative, importer, distributor, private importer or an end user.

Sections that are relevant to all readers are left in white.

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Introduction

This simple guide outlines what the main changes are in the new Directive compared to previous directives and takes you through the various obligations you may have, depending on whether you are a manufacturer, commercial or private importer, distributor (dealer) or buyer. It aims at providing you with a good understanding of the EU rules and how to comply with the essential requirements. This guide is also a useful tool for potential buyers who can make sure the product they plan to acquire is safe, clean and compliant with the EU rules.

There are several ways to use this guide:

- The short guide gives a checklist to make sure your product is compliant and safe. It is particularly useful if you are an importer, a distributor or a buyer
- The test will help you assess your knowledge
- The thematic chapters provide more information on the legal framework, the essential requirements and how to comply with them. They should answer most questions that manufacturers, authorised representatives, importers and private importers may have.

After 15 years of enabling the free trade of boats, engines and components on the EU single market, the EU Directive on recreational craft 94/25/EC, as amended by the Directive 2003/44/EC, was replaced by the new Directive 2013/53/EU published on 28 December 2013.

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Since the Directive's first application in 1996, the boating industry has evolved exponentially and a number of product innovations, such as hybrid or electric propulsion, became more common on the various European markets. Big environmental challenges like climate change and air quality influenced, and continue to influence, policy-making in Europe in every sector, including the boating industry.

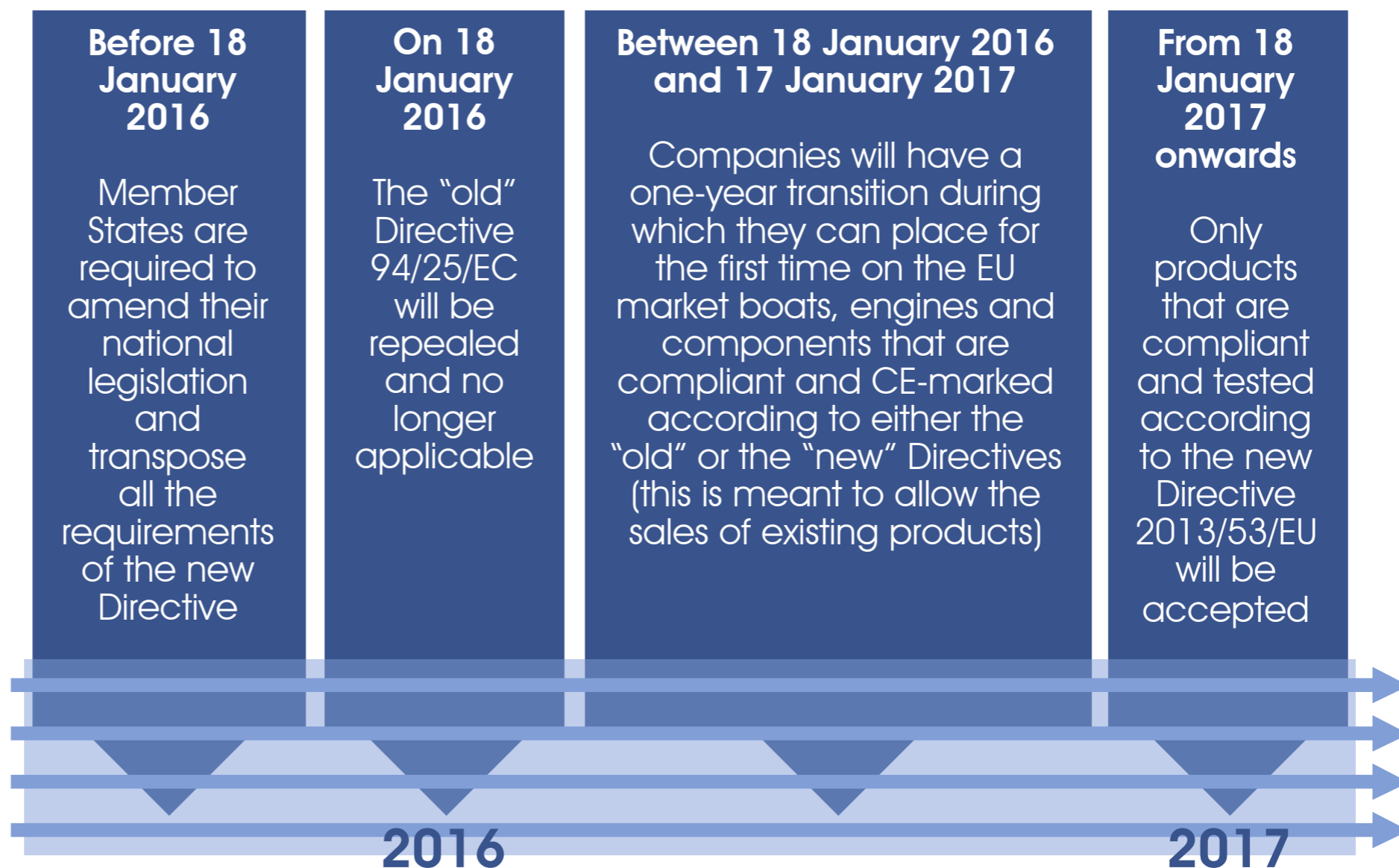
Additionally, the European Union revised its approach to product legislation and adopted the "New Legal Framework" in 2008.

The new Directive includes the changes brought by the New Legal Framework, i.e. all the necessary elements for effective conformity assessment procedures and CE-marking, accreditation of notified bodies (the certifying bodies), and market surveillance including the control of products from outside the Union, creating a more coherent regulation for the EU single market. The Directive's essential requirements were modernised and clarified to reflect the highest state-of-the-art in boatbuilding and equipment manufacturing.

Like the previous Directive, the new text sets all the conditions for the first time sale and putting into service of boats, engines and certain components in Europe. All the Member States of the European Union, as well as the countries of the European Economic Area (Iceland, Liechtenstein, Norway) and Switzerland, apply the same legislation. It will therefore be mandatory to comply with all aspects of the EU Directive 2013/53/EU as this opens doors for the vast European market where products can be freely traded and acquired.

Timeline

Let's look at upcoming milestones:



manufacturer
or authorised
representative

There is one exemption to this calendar: small and medium sized enterprises producing outboard spark ignition (SI) propulsion engines with power equal to or less than 15kW will have an extra three years to adapt to the new EU rules on exhaust emission limits for engines. These companies will be allowed to continue producing and placing engines on the EU market that are compliant with Stage I limits for exhaust emissions until 17 January 2020 included.

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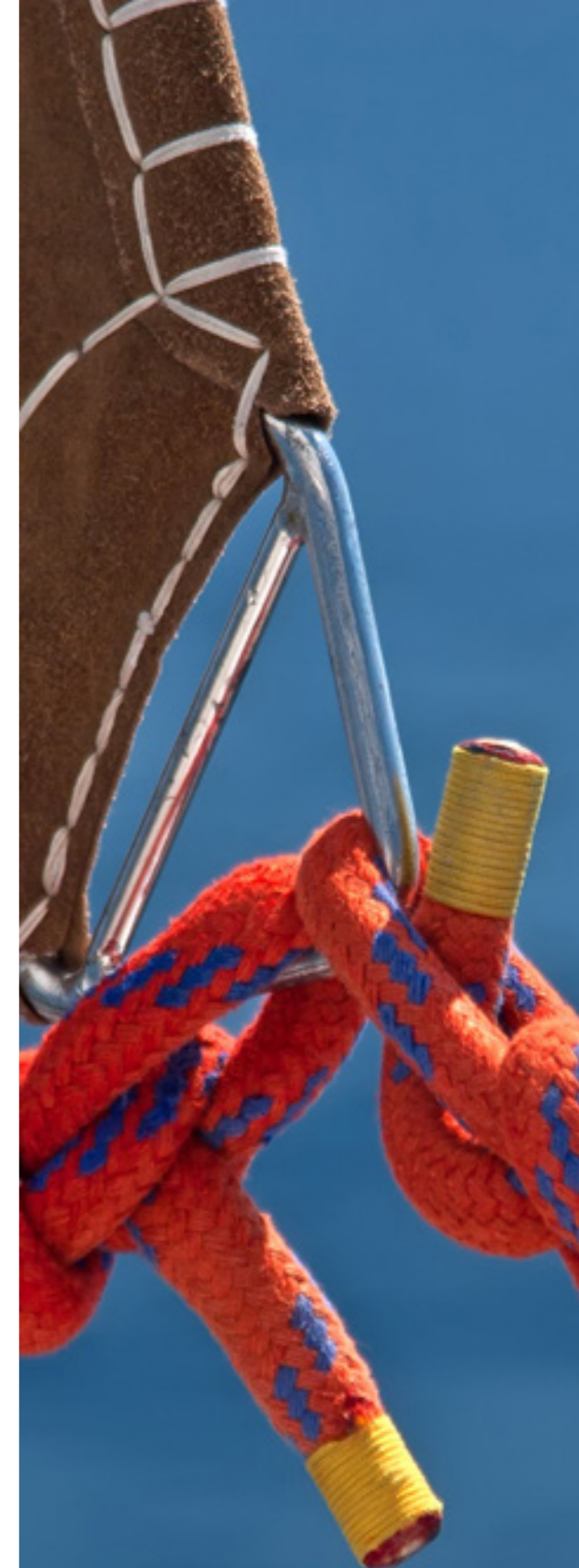
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Quick guide

How to check if the product is compliant and safe

To help you rapidly identify non-compliant products, this short guide gives you information on the documentation and markings to look out for. This is called the 'formal compliance check' and can be performed by anyone, without needing any previous knowledge or expertise.

To ensure that the craft you are importing, distributing or purchasing complies with the Directive, you should check the following items:

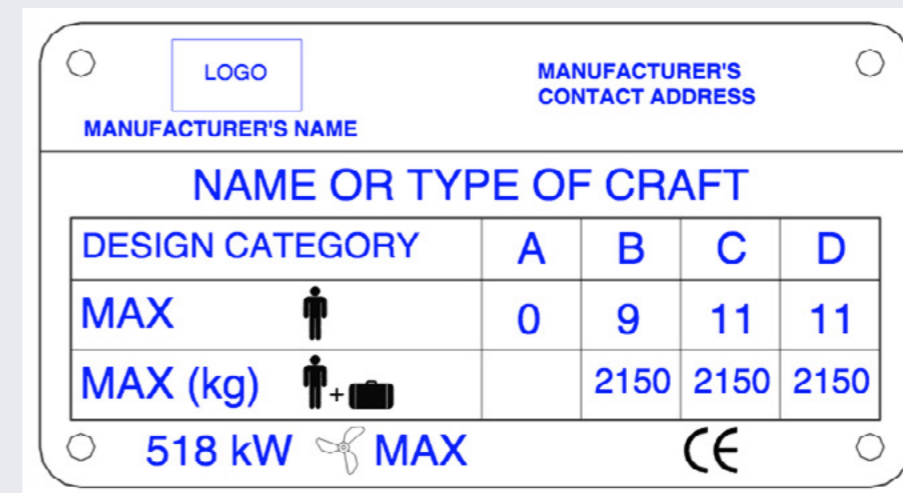
Watercraft builder's plate

Each watercraft (boat and personal watercraft) must carry a permanently affixed builder's plate, which is mounted separately to the watercraft identification number.

The builder's plate should contain the following information:

- Manufacturer's name, registered trade name or registered trademark, contact address
- CE marking
- Watercraft design category
- Manufacturer's maximum recommended load (fuel, water, provisions, miscellaneous equipment and people), excluding the weight of the contents of the fixed tanks when full, this should appear in kilograms.
- Number of persons recommended by the manufacturer for which the watercraft was designed to carry when under way.

The builder's plate is usually found inside the boat, for instance in the cockpit area.



The appearance of the builder's plate can vary according to manufacturers, but it should always display the above-mentioned information.

If the watercraft was not designed and built for the EU market, for instance second-hand imported boats or personal watercraft, it will have to individually undergo a post-construction assessment (PCA) with a notified body to establish whether it meets the Directive's requirements. If so, the builder's plate will contain the words "post-construction assessment" and the contact details of the notified body which has carried out the conformity assessment procedure will be mentioned instead of the manufacturer's details.

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CE marking

The following products are subject to CE marking when they are made available on the market or put into service:

- Watercraft (i.e. boat and personal watercraft)
- Components (as listed in Annex II)
- Propulsion engines (internal combustion engines only)

The CE marking is a key indicator (but not proof) of a product's compliance with the essential requirements of the Directive and the EU legislation requiring the CE marking.

It enables the free movement of products within the European market, whether they are manufactured in the EU or in another country.

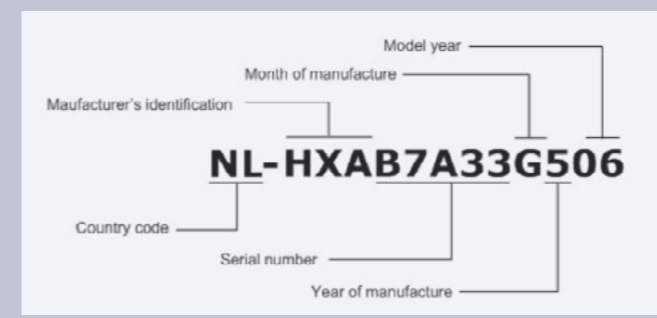


For more information see the "Legal changes" section.

Watercraft identification

Each watercraft must be marked with a Craft Identification Number (CIN). This number is unique to each craft and identifies the manufacturer, where it is established and when the craft was built.

The CIN must be 14 characters in length and look like this:



The CIN is found in 2 places: one is visible, whilst the second CIN is placed in a hidden part of the craft as a security check.

On boats, the visible CIN can be found on or near the transom, starboard side, near the top, or on the stern. On inflatable boats, it can be found on the rigid aft cross-beam or on the console assembly. On personal watercraft, it is usually found within 300 mm of the stern.

In case of a PCA, the CIN will be different. You should refer to the "Special Cases" section for more details.

For more information see the "Legal Changes" section.

Propulsion engine identification

Propulsion engines must comply with the Directive's exhaust and noise emissions limits. Each engine must be clearly marked with the following information:

- Engine manufacturer's name, registered trade name or trademark and contact address
- If applicable, the name of the person adapting the engine
- If applicable, the engine type and engine family
- Unique engine serial number
- CE marking (internal combustion engines only)



The appearance of the engine identification can vary according to manufacturers, but it should always display the above-mentioned information.

For more information see the "Legal Changes" section.

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Owner's manuals

All watercraft (boat and personal watercraft) as well as certain propulsion engines (outboard and sterndrive engines with integral exhaust) must come with an individual owner's manual, in a language that can be easily understood by consumers and other end users.

In the case of inboard and sterndrive engines without integral exhaust, the relevant information is included in the watercraft owner's manual. The owner's manuals must always be accompanied by an important legal document called the EU Declaration of Conformity.

The watercraft owner's manual must include all the information necessary for safe use of the product, drawing particular attention to set up, maintenance, regular operation, prevention of risks and risk management.

The propulsion engine's manual must provide instructions for the installation, use and maintenance needed to assure the proper functioning of the engine to meet the durability requirements. It must also specify the engine power measured according to the harmonised standard EN ISO 8665 which should be used in conjunction with ISO 15550.

For more information see the "Essential Requirements" section.

Written EU Declaration of Conformity

The EU Declaration of Conformity is the document stating that the product satisfies the essential requirements of the Directive. By drawing up and signing the EU Declaration of Conformity, the manufacturer assumes responsibility for the compliance of the product.

The written EU Declaration of Conformity must always accompany the watercraft (boat and personal watercraft), the components listed in Annex II when placed on the market separately, and the propulsion engines (see Article 15 and Annex IV of the Directive). The EU Declaration of Conformity accompanies the owner's manual for watercraft and engines.

The Declaration must be accessible in the languages of the countries where the product is made available or put into service. The Directive does not specify who has the obligation to translate. Logically, this should be the manufacturer or the economic operator making the product available.

A recommended template for the EU Declaration of Conformity can be found in the "Conformity Assessment" section.



Test your knowledge

This series of 15 questions will help you assess your knowledge of the new Directive. All the answers can be found in this guide.

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Take our quiz!

How well do you know the new Watercraft Directive 2013/53/EU?

1. Which countries are covered by the Directive?

- A) All European countries
- B) Any country wishing to apply the Directive
- C) 28 EU Members States + European Economic Area countries (Iceland, Lichtenstein, Norway) + Switzerland
- D) 28 EU Member States only

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Changes brought by the New Legal Framework

The recent adoption of the New Legal Framework in Europe has triggered a series of legal changes and obligations with reference to the products sold on the EU internal market.

This chapter highlights the main changes relating to:

1. The scope of the Directive
2. The definitions
3. The new responsibilities for economic operators
4. The concept of placing a product on the market vs. making it available
5. The improved traceability requirements
6. The CE marking and other marking requirements



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1. Scope of the Directive

The EU Directive 2013/53/EU on recreational craft and its Article 4.1 sets minimum requirements for the design and construction as well as the trade of boats, personal watercraft, propulsion engines and components. In particular, this Directive sets out minimum safety and environmental requirements for recreational craft between 2.5m and 24m and personal watercraft, which guarantee their suitability for sale or use in Europe.

Under the new Directive, any boat falling within its scope (whether new or second-hand) that is placed on the EU market for the first time must comply with the essential requirements as set out in the Annexes to the Directive. These cover technical, safety and environmental specifications.

The new Directive has restricted the range of products excluded from its scope. Article 2.2 provides the list of excluded products. It is worth noting that although canoes and kayaks were not in scope with the previous Directive, it has been specified that only those propelled by human power be excluded. Similarly, only surfboards designed to be propelled by wind are excluded.

2. Definitions

Many terms and concepts used under the new Directive have been revised compared to the terminology used under the previous Directive. For more information, please refer to the definitions provided by Article 3 of the Directive.

For the purpose of this guide and to keep the language simple, the word “boat” is often used, although the expression used in the Directive is “recreational craft”. The term “watercraft” in the sense of the Directive refers to both recreational craft (boat) and personal watercraft (water scooter).

3. New responsibilities for economic operators

The New Legal Framework takes into account all the economic operators in the supply chain – manufacturers, authorised representatives, importers and distributors – and their respective roles in relation to the product. Products manufactured in the EU and products from non-EU countries are treated alike.



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The importer now has clear obligations in relation to the compliance of products, and where a distributor or an importer modifies a product or markets it under their own name, they become the equivalent of the manufacturer and must take on the latter's responsibilities in relation to the product. The private importer is a new concept that was introduced in the Directive. It relates to non-commercial imports of products covered by the Directive.

The obligations of economic operators and private importers are described in Chapter II of the Directive.

Obligations	Manufacturer	Authorised representative	Importer	Distributor	Private importer
Ensure products are designed and manufactured according to the Directive	X				X
Only place compliant products on the market			X	due care	
Draw up technical documentation	X		check		X
Carry out applicable conformity assessment procedures	X		check		X
Ensure notified body's name and address is marked on product					X
Draw up EU Declaration of Conformity	X		check	check	X
Affix CE marking	X		check	check	X
Draw up the owner's manual	X		check	check	X
Keep technical documentation and copy of Declaration for 10 years	X	X	X		X
Ensure series production remains in conformity, taking into account changes in design and standards	X				
Identify products with type, batch or serial number	X		check	check	
Indicate name, registered trade name/mark, address	X		X	check	
Ensure products are accompanied by instructions, safety information in owner's manual	X		X	X	X
Ensure storage and transport conditions don't jeopardize compliance			X	X	
In doubt of compliance, carry out sample testing	X		X	no sale	
In doubt of compliance, take necessary corrective measures	X		X	check	
On request, provide information to market surveillance authorities	X	X	X	X	X
On request, cooperate with market surveillance authorities	X	X	X	X	X
On request, identify from and to whom products were supplied for last 10 years	X	X	X	X	X



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manufacturer
or authorised
representative

3.1 Manufacturer's obligations

The manufacturer is any natural or legal person who manufactures a product or has a product designed or manufactured, and places it on the market under his own name or trademark. The manufacturer is responsible for the conformity assessment of the product and is subject to a series of obligations including traceability requirements. When placing a product on the Union market, the responsibilities of a manufacturer are the same whether he is established outside the European Union or in a Member State. The manufacturer must cooperate with the competent national authorities in charge of market surveillance in case of a product presenting a risk or being non-compliant.

Article 7 provides the detailed list of the manufacturer's obligations, key points are highlighted below. The manufacturer must:

- Ensure the products are designed and manufactured in accordance with the essential requirements
- Draw up the technical documentation (Article 25 and Annex IX)
- Carry out the applicable conformity assessment procedures (Articles 19 to 22 and 24)
- Draw up an EU Declaration of Conformity (Article 15)
- Mark and affix the CE marking (Articles 17 and 18)
- Keep the technical documentation and a copy of the Declaration of Conformity for 10 years after the product has been placed on the market
- Ensure procedures are in place for series production to remain in conformity
- Properly identify the products (e.g. affix the CIN on watercraft)
- Ensure the product is accompanied by instructions and safety information in the owner's manual in a language or languages which can be easily understood by consumers and other end users, as determined by the Member State concerned
- When in doubt of the product's conformity, immediately take the necessary corrective measures to bring the product into



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manufacturer
or authorised
representative

- conformity by withdrawing it or recalling it, if appropriate
- Where the product presents a risk, immediately inform the competent national authorities of the Member States in which the product is made available

Although not required by the Directive, manufacturers should consider the option to CE mark products covered by this Directive, even if sold outside the EU market. Import procedures for the EU market will be easier and cheaper for a second-hand product if it has been CE-marked by its original manufacturer.

3.2 Authorised representative's obligations

The authorised representative is any natural or legal person established within the European Union who has received a written mandate from the manufacturer to act on his behalf in relation to specified tasks.

The authorised representative cannot substitute him/herself for the manufacturer (e.g. he/she cannot issue the Declaration of Conformity nor have a Manufacturer Identification Code (MIC)).

Article 8 provides the detailed list of the authorised representative's obligations. The minimum tasks to be specified by the manufacturer in a written mandate are:

- Keeping a copy of the EU Declaration of Conformity and the technical documentation at the disposal of the market surveillance authorities for 10 years after the product has been placed on the market
- Further to a reasoned request from a competent national authority, provide all the information and documentation necessary to demonstrate conformity of a product
- Cooperate with the authorities, at their request, on any action taken to eliminate the risks posed by products covered by their mandate

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importer

3.3 Importer's obligations

The importer is any natural or legal person established in the European Union who places a product from a third country on the EU market. The importer now has important and clearly defined responsibilities, which build on the responsibilities that any manufacturer is subjected to.

Article 9 provides the detailed list of the importer's obligations. An importer must ensure the manufacturer has correctly fulfilled his obligations. The importer is not a simple re-seller of products, but has a key role to play in guaranteeing the compliance of imported products with the EU Directive.

As a number one rule, the importer must only place compliant products on the EU market.

Before placing a product on the market, the importer must ensure that:

- The appropriate conformity assessment procedure has been carried out by the manufacturer
- The technical documentation is drawn up by the manufacturer
- The product bears the CE marking as referred to in Article 17
- It is accompanied by the required documents: EU Declaration of Conformity, owner's manual in the right language for the craft and the engines if installed
- It meets the requirements for product identification and traceability, and the manufacturer's identification. (e.g. CIN and builder's plate)

Importers also have to indicate their name, registered trade name or registered trademark, and address on the product. In case of small components where this is not possible, the information should be on the packaging or in a document accompanying the product.



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While the product is under the importer's responsibility, storage and transport conditions must not jeopardise the product's compliance.

Once the product is placed on the market, the importer must:

- Keep the technical documentation and a copy of the Declaration of Conformity for 10 years after the product has been placed on the market
- If in doubt of the product's conformity, carry out sample testing, investigate and if necessary keep a register of complaints of non-conforming products and product recalls, and keep the distributors informed of such monitoring
- If in doubt of the product's conformity, immediately take the necessary corrective measures to bring the product into conformity, to withdraw it or recall it, if appropriate
- Where the product presents a risk, immediately inform the competent national authorities of the Member States in which the product is made available

SPECIAL CASE: Importer selling under own name or trademark

Distributor selling under own name or trademark Where the importer or the distributor places a product on the market under his name or trademark, or modifies a product already placed on the market in such a way that compliance with the Directive's requirements may be affected, he will be considered a manufacturer (Article 11) and will have to fulfill the manufacturer's obligations (Article 7). In this special case, the importer or the distributor will issue the EU Declaration of Conformity.



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distributor

3.4 Distributor's obligations

The distributor is any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes the product available on the market. Distributors have a key role to play in the context of market surveillance.

A distributor must act with due care and their obligations are detailed in Article 10 of the Directive.

Before making a product available on the market, the distributor must verify that:

- The product bears the CE marking as required in Article 17
- It is accompanied by the following documents: EU Declaration of Conformity, instructions and safety information, the owner's manual in the appropriate language for the craft and the engines if installed
- It meets the product identification and traceability requirements, the manufacturer's identification or the importer's identification if applicable

Where the distributor has reason to believe that a product is not in conformity, he must not make the product available on the market until it has been brought into conformity. Where the product presents a risk, the distributor must inform the manufacturer or the importer as well as the relevant market surveillance authorities.

While the product is under the distributor's responsibility, storage and transport conditions must not jeopardise the product's compliance.

Once the product is sold, where the distributor has reason to believe that the product was not in conformity, he should immediately take the necessary corrective measures to bring the product into conformity, to withdraw it or recall it, if appropriate.



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Where the product presents a risk, immediately inform the competent national authorities of the Member States in which the product is made available.

SPECIAL CASE: Distributor selling under own name or trademark

Where the importer or the distributor places a product on the market under his name or trademark, or modifies a product already placed on the market in such a way that compliance with the Directive's requirements may be affected, he will be considered a manufacturer (Article 11) and will have to fulfill the manufacturer's obligations (Article 7). In this special case, the importer or the distributor will issue the EU Declaration of Conformity.

3.5 The end user

The end user is not defined in the EU legislation, however it is certain that the term covers both professional users and consumers. End users are not subject to obligations under the Directive.

This concept is closely linked to the one of "intended use" for which the product is designed, built and sold. Article 2.3 of the Directive clarifies that the same craft, where used privately or for charter, sports or leisure training is covered by this Directive when placed on the Union market for recreational purposes.

The end user or buyer will want to have a product that is compliant, safe and not harmful to the environment. This guide will help ensure real value for money is achieved and the purchase conforms to the European legislation and standards for safety and environmental protection. It is worth remembering that a compliant product keeps a better resale value as a second-hand product.



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private
importer

3.6 Private importer's obligations

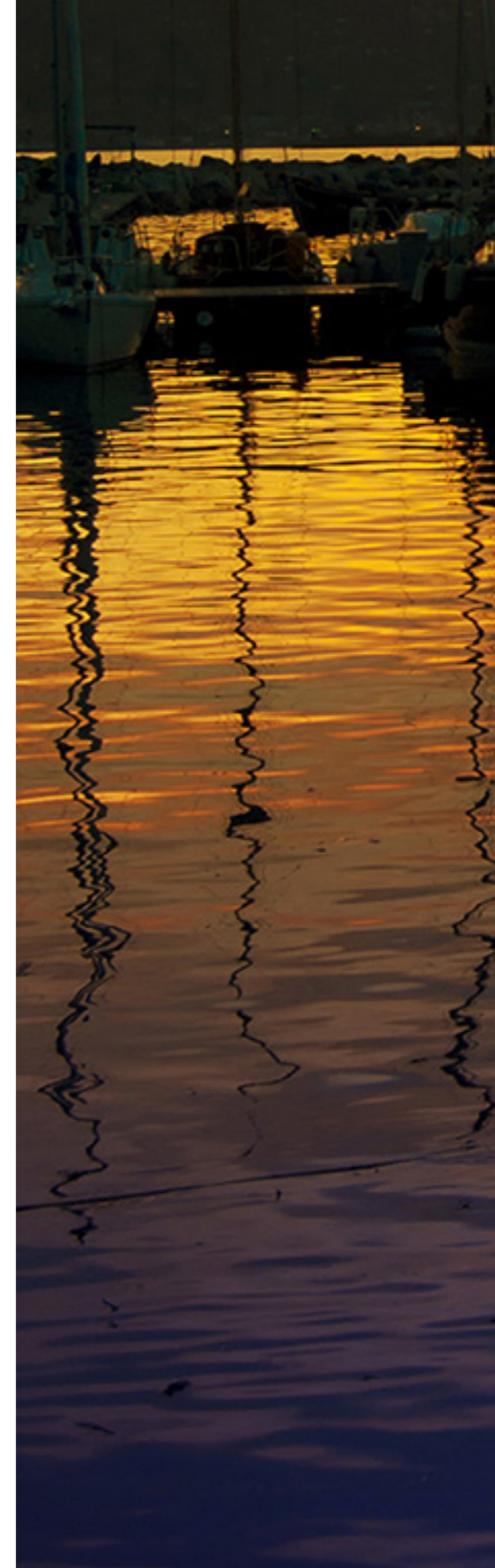
The private importer is a concept that did not exist under the previous Directive and that was added to ensure that private individuals importing a boat, a personal watercraft, an engine or any other product covered by the Directive are granted the same level of protection and obligation as commercial importers. The private importer is defined as any natural or legal person established in the European Union who imports in the course of a non-commercial activity a product from a third country into the EU with the intention of putting it into service for his own use.

A private importer, who imports a product for his own use in European waters, must also ensure the craft, engine or components are compliant with the EU Directive.

Article 12 provides the detailed list of the private importer's obligations. As a start, we recommend that private importers favour products for which the original manufacturer has fulfilled his responsibilities for the conformity of the product with the EU Directive. Not only will it save a lot of time and hassle for the private importer, it guarantees he/she will acquire a safe and compliant product, thereby ensuring a higher resale value in Europe.

In the event that the original manufacturer located outside of the EU has not fulfilled his responsibilities nor carried out the conformity assessment procedures, the private importer must ensure, before putting the product into service, i.e. using it, that:

- The product has been designed and manufactured in a way that meets the essential requirements of the EU Directive
- The following requirements for manufacturers have been carried out: the technical documentation has been drawn out and must be kept for 10 years; the product is accompanied by instructions and safety information in the owner's manual



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in a language or languages which can be easily understood by consumers and other end users, as determined by the Member State concerned (i.e. the country of residence)

- The private importer must cooperate with the competent national authority and provide all information and documentation necessary to demonstrate the product's conformity

In case the technical documentation is not available from the manufacturer, the private importer will have to draw it up using the appropriate expertise.

Annex V of the Directive provides the details of the post-construction assessment (PCA). This module is the procedure to assess the equivalent conformity of a product for which the manufacturer has not assumed the responsibility but also in cases where the importer or the distributor places a product on the market under his name or trademark, or modifies a product already placed on the market in such a way that compliance with the Directive's requirements may be affected. The private importer must ensure that the name and address of the notified body which has carried out the post-construction assessment (PCA) of the product is marked on the product itself.

For more information about the PCA see the "Special Cases" section.

4. Placing a product on the market vs. making it available

While the "old" Directive considered the action of "placing on the market and/or putting into service", the new Directive broadens the scope to the action of "making available". All three concepts are now defined by the Directive. A product is made available on the market when supplied for distribution, consumption or use on the Union market in the course of a commercial activity, whether in return for payment or free of charge.



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The concept of making available refers to each individual product and implies that all economic operators in the supply chain have traceability obligations and need to have an active role in ensuring that only compliant products circulate on the Union market. A product is placed on the market when it is made available for the first time on the Union market. The operation is reserved either for a manufacturer or an importer as the manufacturer and the importer are the only economic operators who place products on the market.

5. Improved traceability requirements

The traceability requirements are strengthened in order to trace the history of the product and support market surveillance in Europe. Traceability allows market surveillance authorities to find the liable economic operators in the distribution chain and obtain evidence of the product compliance.

Article 13 says that, on request, economic operators and private importers must identify to the market surveillance authorities their suppliers and/or customers. They must be able to present the information for a period of 10 years. Although the end user has no obligation to do so, it is recommended they retain all the product documentation as this will add value to the product resale.

Articles 7.6 and 9.3 respectively require manufacturers and importers to indicate on the product their names, registered trade name or registered trademark, and the address at which they can be contacted. Where that is not possible, the information may be placed on its packaging or in a document accompanying the product. This information has to be the same on the Declaration of Conformity and in the technical documentation.

The way to comply with this requirement is not defined in the Directive, but it must be noted that market surveillance authorities can for instance ask for relevant documents, such as invoices, allowing the origin of the product to be traced. Hence, it would be useful to keep invoices for a longer period than envisaged in accounting legislation to comply with the requirements on traceability (i.e. 10 years).





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Where the manufacturer is established in the EU, the product will bear one name and address (even if the product is manufactured outside of the EU as the company is considered the one that places it on the market). An imported product will bear two names and addresses, one for the manufacturer established outside of the EU and another for the importer established in the EU.

The manufacturer has to comply with this obligation regardless of his location (within or outside the EU). This provision implies that products sold without packaging or any accompanying documents, must bear the name and address of the manufacturer on the product itself. The address must indicate one single contact point in the EU at which the manufacturer can be contacted. This is not necessarily the address where the manufacturer is actually established. This address can, for example, be the one of the authorised representative or of the customer services.

The importer has to comply with the same requirements. The additional information from the importer shall not hide the information put on the product by the manufacturer.

5.1 Identification requirements for watercraft

The new Directive contains the following identification requirements for watercraft:

- Craft Identification Number: CIN or “watercraft identification”
- Watercraft builder’s plate

Craft Identification Number – CIN

Annex I, Part A Point 2.1 of the Directive gives the requirements for the watercraft identification, which applies to both recreational craft and personal watercraft. Each watercraft must be marked with a Craft Identification Number (CIN). This number is unique to each craft and identifies the manufacturer, where it is established and when the craft was built.



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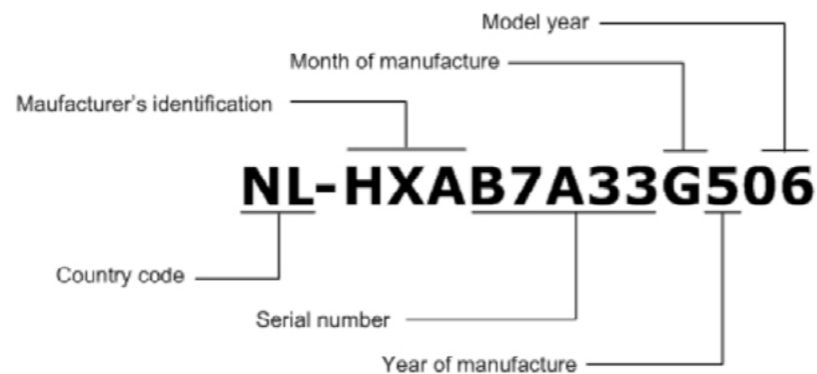
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The CIN is 14 characters in length and contain the following information:

- Country code of the manufacturer, i.e. the country of the national authority that delivered the manufacturer's unique code
- Unique manufacturer's code assigned by the national authority of the EU Member State
- Unique serial number
- Month and year of production
- Model year

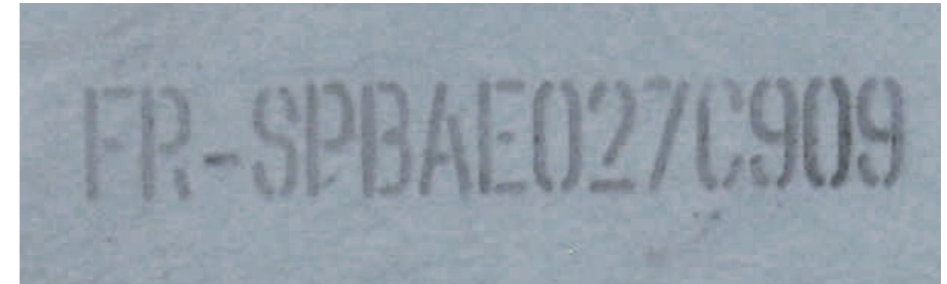


The CIN is found in 2 places: one is visible, whilst the second CIN is placed in a hidden part of the craft as a security check. On boats, the visible CIN can be found on or near the transom, starboard side, near the top, or on the stern. On inflatable boats, it can be found on the rigid aft cross-beam or on the console assembly. On personal watercraft, it is usually found within 300 mm of the stern.

The harmonised standard EN ISO 10087 Craft identification – Coding system gives details on these requirements. If the watercraft was not designed and built for the EU market, for instance a second-hand imported boat or personal watercraft, it will have to individually undergo a post-construction assessment (PCA)

with a notified body. During this process, the Craft Identification Number will be affixed by the notified body, under their responsibility.

For more information see Annex V of the Directive and the "Special Cases" section of the guide.



Watercraft builder's plate

Annex I, Part 1 Point 2.2 of the Directive gives the requirements for the watercraft builder's plate. Each watercraft (boat and personal watercraft) must carry a permanently affixed builder's plate, which is mounted separately to the watercraft identification number.

The builder's plate should contain the following information:

- Manufacturer's name, registered trade name or registered trademark, contact address in the EU
- CE marking
- Watercraft design category
- Manufacturer's maximum recommended load (fuel, water, provisions, miscellaneous equipment and people), excluding the weight of the contents of the fixed tanks when full, this should appear in kilograms
- Number of persons recommended by the manufacturer for which the watercraft was designed to carry when under way

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The builder's plate is usually found inside the boat, for instance in the cockpit area.

On a personal watercraft, it is usually found near the driver's position, separate from the craft identification number. The appearance of the builder's plate can vary according to manufacturers, but it should always display the above-mentioned information.

If the watercraft was not designed and built for the EU market, for instance a second-hand imported boat or personal watercraft, it will have to individually undergo a post-construction assessment (PCA) with a notified body to establish whether it meets the Directive's requirements. If so, the builder's plate will contain the words "post-construction assessment" and the contact details of the notified body which has carried out the conformity assessment procedure will be mentioned instead of the manufacturer's details.

LOGO	MANUFACTURER'S CONTACT ADDRESS			
MANUFACTURER'S NAME				
NAME OR TYPE OF CRAFT				
DESIGN CATEGORY	A	B	C	D
MAX	0	9	11	11
MAX (kg)		2150	2150	2150
518 kW		MAX		CE

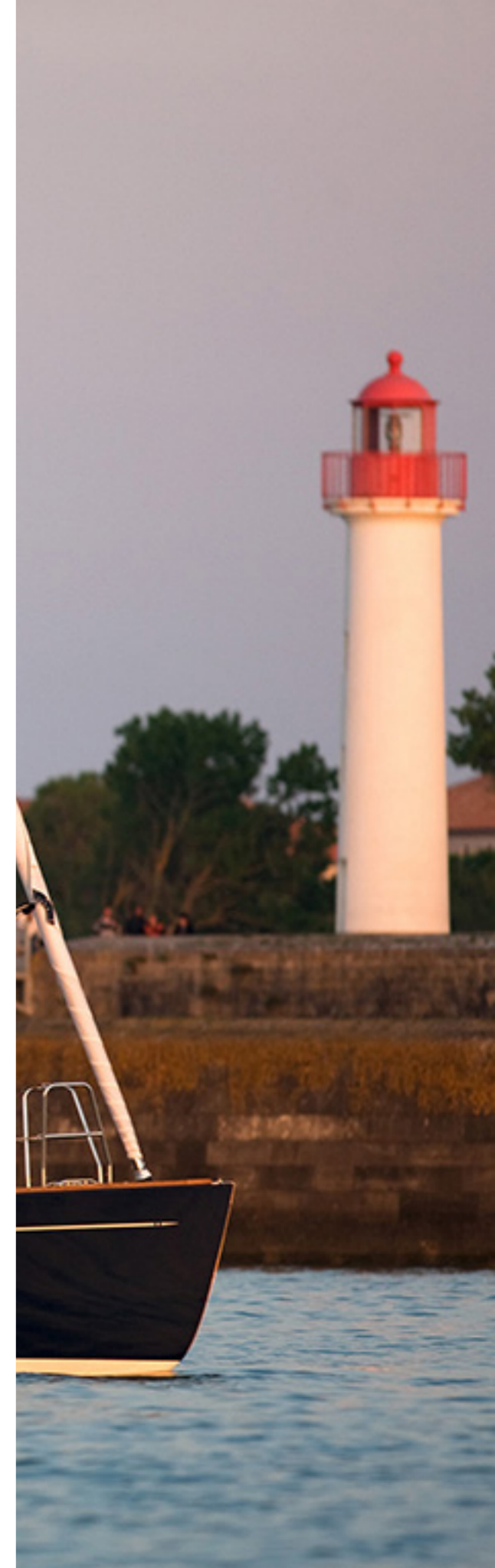
For more information about the PCA see the "Special Cases" section.

5.2 Identification requirements for engines

Annex I, Part B Point 1 link of the Directive explains the identification requirements for propulsion engines. Each engine must be clearly marked with the following information:

- Engine manufacturer's name, registered trade name or trademark, contact address in the EU
- If applicable, the name of the person adapting the engine
- If applicable, the engine type and engine family
- Unique engine serial number
- CE marking (combustion engines only)

The appearance of the engine identification can vary according to manufacturers, but it should always display the above-mentioned information.



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The identification data must be marked in a durable manner, clearly legible and indelible. If labels or plates are used, they must be attached or placed so they cannot be removed without destroying or defacing them.



The marks must be placed on an engine part necessary for normal engine operation and not normally requiring replacement during the engine life. They must be located as to be easily visible.

5.3 Identification requirements for components

Only the components listed in Annex II of the Directive must meet the identification requirements below when sold separately. Every time the guide refers to components, it only refers to the list of products below which are regulated by this Directive.

Components listed in Annex II are:

1. Ignition-protected equipment for inboard and sterndrive petrol engines and petrol tank spaces
2. Start-in-gear protection devices for outboard engines
3. Steering wheels, steering mechanisms and cable assemblies
4. Fuel tanks intended for fixed installations and fuel hoses
5. Prefabricated hatches, and port lights

Articles 7.6 and 9.3 respectively require manufacturers and importers to indicate on the components their names, registered trade name or registered trademark, and the address at which they can be contacted in the EU. Where that is not possible, the information may be placed on the packaging or in a document accompanying the product. This information has to be the same on the Declaration of Conformity and in the technical documentation.

They must bear the following information on the product itself:

- Manufacturer's and if applicable importer's names, registered trade



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- name or trademark and contact addresses in the EU
- Type, batch, serial number or other element allowing their identification. Where the size or nature of the product does not allow it, the required information is provided on the packaging or in a document accompanying the product

They must bear the following information on the product itself:

- Manufacturer's and if applicable importer's names, registered trade name or trademark and contact addresses in the EU
- Type, batch, serial number or other element allowing their identification. Where the size or nature of the product does not allow it, the required information is provided on the packaging or in a document accompanying the product

6. CE marking and other marking requirements

As explained in Articles 16 to 18, the following products are subject to CE marking when they are made available on the market or put into service:

- Watercraft (boat and personal watercraft)
- Components (as listed in Annex II)
- Propulsion engines (internal combustion engines only)

The CE marking is a key indicator (but not proof) of a product's compliance with the essential requirements of the Directive and the EU legislation requiring the CE marking. It enables the free movement of products within the European market, whether they are manufactured in the EU or in another country.

Where products are subject to several Union legislations, which provide for the affixing of the CE marking, the marking indicates that the products are declared to conform to the provisions of all these acts.

The CE marking does not indicate that a product was made in the European Union. The CE marking indicates conformity with the requirements laid down by the EU legislations in question. Therefore, it is to be considered as essential information to authorities and other parties like distributors.





The CE marking will appear in a visible, legible and indelible form on:

- The builder's plate for the watercraft (recreational craft and personal watercraft)
- The components themselves (or the packaging and accompanying documents if not recommended by the product size and nature)
- The propulsion engines (no matter the type of internal combustion engines)
- Where relevant, the CE marking should be accompanied by the identification number of the notified body that carried out the conformity assessment procedures or the post-construction assessment

LOGO		MANUFACTURER'S CONTACT ADDRESS			
MANUFACTURER'S NAME					
NAME OR TYPE OF CRAFT					
DESIGN CATEGORY		A	B	C	D
MAX		0	9	11	11
MAX (kg)			2150	2150	2150
518 kW		MAX		CE	

The CE marking may be followed by a pictogram or any other mark indicating a special risk or use, provided they fulfil a different function from that of the CE marking, are not liable to cause confusion with it, and do not reduce its legibility and visibility.

It is important to remember that partly completed watercraft must not be CE marked since they are not completed and as such cannot meet all the essential requirements of the Directive. For more information about partly completed watercraft see the "Special Cases" section.

In summary, the CE marking must be affixed to:

- All newly manufactured watercraft, components and propulsion engines, whether manufactured in the Member States or in third countries
- All used and second-hand products listed above when imported from third countries and placed on the EU market for the first time
- Modified products that, as new, are subject to this Directive and which have been modified in a way that could affect the safety or the compliance of the product with the EU legislation

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The Directive's essential requirements

The new Directive maintains the same approach as the EU Directive on recreational craft 94/25/EC as amended by the Directive 2003/44/EC.

It outlines the essential requirements defining results to be attained or the hazards to be dealt with, but does not specify the technical solutions for doing so.

This section will inform you on:

1. What essential requirements are
2. The main changes in essential requirements
3. The use of harmonised standards
4. Harmonised standards and presumption of conformity
5. Other ways to comply with the essential requirements

To assist manufacturers and especially smaller companies in staying up to date with standard changes, a [CD-ROM](#) containing all the required harmonised standards for boatbuilding is now available in English and French at an attractively low price.



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1. What essential requirements are

Essential requirements are designed to provide and ensure a high level of protection and can be found in the Article 4 and the Annex I of the Directive. They must be applied as a function of the hazard inherent to a given product. Therefore, manufacturers have to carry out risk analysis and determine the essential requirements applicable to the product.

This analysis has to be documented and included in the technical documentation, unless risk assessment is included in the harmonised standard and the manufacturer has chosen to use the harmonised standard. If only part of the harmonised standard is used, the technical documentation should contain explanations on how risks not covered by the partly applied standard are dealt with.

Essential requirements do not specify the technical solutions for meeting them. The precise technical solution may be provided by a standard or by other technical specifications at the discretion of the manufacturer. This flexibility allows manufacturers to choose the way to meet the requirements.

The new Directive also introduces the concept of “continued conformity” although not defined in the legislation. Manufacturers must ensure that changes in product design or characteristics as well as changes in the harmonised standards to which conformity of a product is declared, are adequately taken into account during the design and production phases, year after year. It does not mean that manufacturers must necessarily use the harmonised standards. However, they will need to stay informed of the new developments in the field of technical standardisation to avoid unpleasant situations relating to the evolution of harmonised standards.

[link: List of EU harmonised standards](#)





In the recreational marine sector, harmonised standards are developed at international level by the ISO Technical Committee 188 on Small Craft. This international cooperation is based on the mandate given by the European Commission to the European standardisation bodies (the sector's CEN) to produce harmonised standards that support the essential requirements of the Directive.

2. Main changes in the essential requirements

One of the objectives of the Directive's revision was to update and modernise the essential requirements defined in the early 1990s that did not reflect the evolution of products in the boating industry.

The comparative table of Annex I can be found in the Appendix II of this guide. It provides, for each essential requirement, the wording of the old Directive, the new wording (which in some cases did not change) and the corresponding harmonised standard which fully or partially covers the essential requirement.

The list below highlights the main changes but does not present all of them. The full list is provided in Annex I of the Directive.

The main changes are:

- New definitions of watercraft design categories
- Risk of falling overboard and means of reboarding
- Visibility from the main steering position
- Owner's manuals
- Buoyancy and flotation of multihull craft
- Escape on habitable multihull craft in the event of inversion
- Outboard engines
- Electrical systems
- Prevention of sewage discharge
- Lower limits for engine exhaust emissions

It is worth noting that the limits for engine noise emissions remain unchanged.



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2.1 New definitions of watercraft design categories

Over 15 years of experience under the previous Directive and the huge work accomplished by international experts in the field of international standardisation for small craft brought the nautical community to the conclusion that the wording of the design categories needed to be improved and made technically accurate to reflect the current state-of-the-art.

In the process of the revision of the Directive, the European Parliament commissioned a study on the “Design Categories of Watercrafts” in order to better understand the need for a revision of the design category definitions. The study indicated that using design category names (like “Ocean”, “Offshore”, “Inshore” or “Sheltered Waters”) was found misleading by indicating an area and type of navigation. Indeed, the parameters to be taken into account by the user should be the environmental conditions, i.e. the wind force and the sea state (wave heights).

Annex I, Part A Point 1 of the new Directive contains revised definitions of the watercraft design categories. The design categories are now referred to as A, B, C or D. The elements to be taken into account by the manufacturer and the end user remain the meteorological conditions, i.e. the wind force expressed using the Beaufort scale and the significant wave height expressed in meters.

Watercraft must be designed and constructed to withstand the design category parameters in respect of stability, buoyancy and other relevant essential requirements, and have good handling characteristics. The values for the wind force and the significant wave height were not modified. However, design category A now defines abnormal conditions as storm, violent storm, hurricane, tornado and extreme sea conditions or rogue waves.

The new definitions should give economic operators and the end user a better understanding of the conditions that the watercraft can withstand, while the upper limit for the category A brings additional legal certainty to both the manufacturers and the end users.

More on the Beaufort scale and the significant wave height

It is worth remembering the wind force expressed by the Beaufort scale is not a real force but a scale showing how strong the wind is. It is based on an average of wind speeds. Each “force” corresponds to a range of wind speeds. The wind speed concerned is the average speed measured during a period of ten minutes.

Because of the variable nature of wind, this means that the wind speed can have huge variations around this average value.

[link: Design Categories of Watercrafts](#)



Wind gust speed will commonly be 40% or 50% stronger. This last precision is of huge importance, because physical forces generated by wind (on sails, hull etc.) are linked to the square of wind speed. This means that when you double the speed, you multiply effort by 4. The speed increase from one Beaufort force to the following is not linear, but higher at the beginning of the scale and reducing after.

The significant wave height is an expression referring to mean wave height (trough to crest) of the highest third of the waves (H1/3) that occur in a given period. Here again it is an average number, which means that in reality individual waves can be much higher.

2.2 Risk of falling overboard and means of reboarding

The essential requirement Point 2.3 of Annex I, Part A of the new Directive has been strengthened. Not only must the watercraft be designed to minimise the risks of falling overboard and facilitate reboarding (as in the old Directive), but means of reboarding (e.g. a ladder) must be accessible to or deployable by a person in the water unaided.

2.3 Visibility from the main steering position

The essential requirement Point 2.4 of Annex I, Part A of the new Directive has been extended to all types of boats. Applicable to motorboats only under the old Directive, it is now required for any boat that the main steering position gives the operator, under normal conditions of use (speed and load), good all-around visibility.

2.4 Owner's manuals

All watercraft (i.e. boat and personal watercraft) as well as certain

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propulsion engines (outboard and sterndrive engines with integral exhaust) must always be accompanied by an individual owner's manual, in a language that can be easily understood by consumers and other end users. In the case of inboard and sterndrive engines without integral exhaust, the relevant information is included in the watercraft owner's manual. The owner's manuals must always be accompanied by an important legal document called the EU Declaration of Conformity. The harmonised standard EN ISO 10240 gives details on the content of the owner's manual.

For the **watercraft owner's manual** (boat and personal watercraft), the essential requirement Point 2.5 of Annex I, Part A of the new Directive has been substantially modified. Manufacturers and importers must ensure that the watercraft is accompanied by instructions and safety information in the owner's manual in a language which can be easily understood by consumers and other end users. The contents of the owner's manual have been expanded too: the manual now has to provide all the information necessary for safe use of the product, drawing particular attention to set up, maintenance, regular operation, prevention of risks and risk management.

In case the boat has **inboard engines or sterndrive engines without integral exhaust** and in case of **personal watercraft**, the essential requirement Point 2 link of Annex I, Part C remains identical: the watercraft owner's manual must include the necessary information to maintain the craft and the exhaust system in a condition that will ensure compliance with the noise limit values in normal use.

For the **propulsion engine(s) owner's manual**, the essential requirements Point 4 of Part B and Point 2 of Annex I of the new Directive were not modified. The language requirement remains and applies as explained above for the watercraft owner's manual. The manual must provide instructions for the installation, use and maintenance needed to assure the proper functioning of the





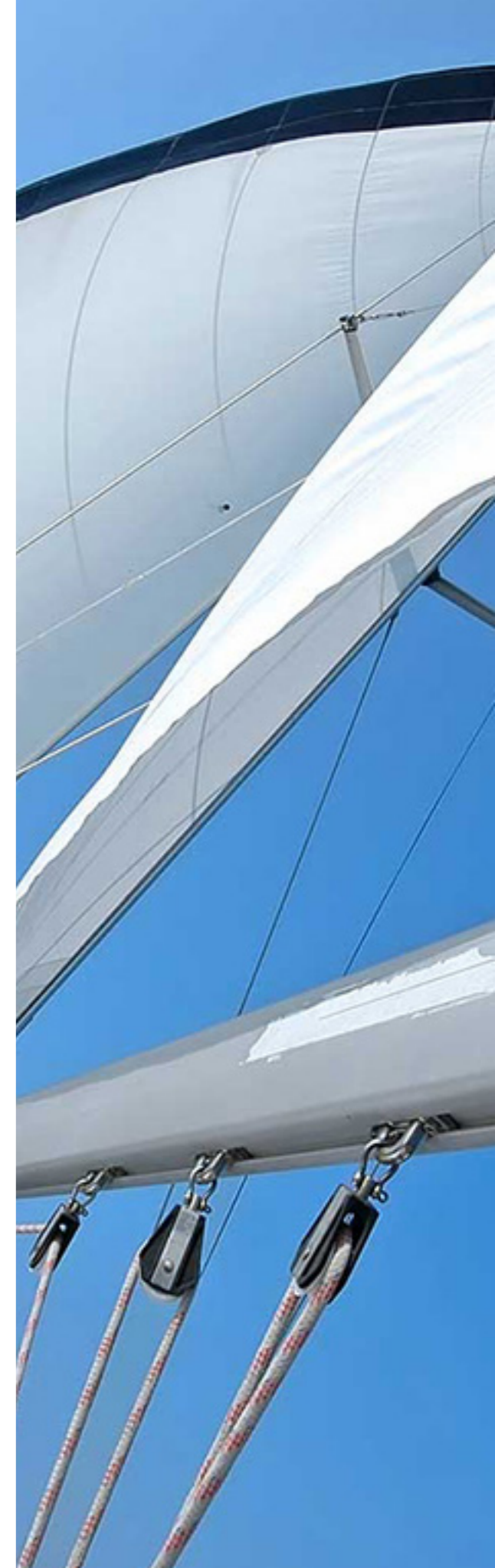
engine to meet the durability requirements. It must also specify the engine power measured according to the relevant harmonised standard EN ISO 8665 which should be used in conjunction with ISO 15550.

In case of **outboard engines and sterndrive engines with integral exhaust**, the engine owner's manual must provide the necessary instructions to maintain the engine in a condition that will ensure compliance with the noise limit values in normal use.

The **language requirement** implies translation work so that the manufacturers and importers can provide the distributor and the end user with the right language version of the owner's manual, for both the watercraft and/or the propulsion engines, according to the country where it is placed on the market (i.e. the first time it is sold on the EU market). Market surveillance authorities usually require a printed version of the owner's manual to be available on board in case of inspection or for the standard watercraft registration procedure. This does not prevent manufacturers from using electronic versions of the owner's manual in the various languages within the distribution network and asking the importer or the distributor to provide the printed version to the end user. In some EU Member States, there is a voluntary practice whereby the end user signs a receipt to acknowledge he has received the owner's manual(s).

2.5 Buoyancy and flotation of multihull craft

The state-of-the art in evaluating watercraft stability improved significantly thanks to the most recent developments in the international standardisation arena and the application of the Directive for the last 15 years. The nautical community widely supported the modifications brought to the requirements for multihull craft at the occasion of the Directive's revision. The essential requirement Point 3.3 of Annex I, Part A of the new Directive introduces the notion of "risk of inversion" for multihull



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buoyancy and flotation. The new harmonised standard on stability EN ISO 12217 provides the procedure to follow to evaluate the risk of inversion for each type, model and design of multihull craft. The essential requirement to have sufficient buoyancy to remain afloat in the inverted position will now only apply to the habitable multihull craft susceptible to inversion.

2.6 Escape on habitable multihull craft in the event of inversion

Linked to the modification of the essential requirement Point 3.3 on buoyancy and flotation, the essential requirement Point 3.8 of Annex I, Part A of the new Directive contains an improved and corrected wording. The essential requirement for viable means of escape now applies to all habitable multihull craft (the limit of 12 meters being deleted) that are susceptible to inversion. Furthermore, it is specified that where the means of escape are provided for use in the inverted position, it must not compromise the structure, stability point or buoyancy of the multihull craft, whether it is upright or inverted.

2.7 Outboard engines

The essential requirement Point 5.1.4 of Annex I, Part A of the new Directive was reworded. It requires every outboard propulsion engine fitted on any watercraft to have a device to prevent the engine being started in gear, except for engines producing less than 500

Newton's (N) of static thrust or when engines have a throttle limiting device set at 500 N at the time of starting the engine.

A new essential requirement Point 5.1.6 was introduced in Annex I, Part A of the new Directive. Tiller-controlled outboard propulsion engines have to be equipped with an emergency stopping device which can be linked to the helmsman, for instance a kill cord.

2.8 Electrical systems

The essential requirement Point 5.3 of Annex I, Part A of the new Directive is now expanded. In addition, the essential requirement says that all electrical circuits, except engine starting circuits supplied from batteries, must remain safe when exposed to overload.

Electric propulsion circuits must not interact with other circuits in a way that would fail to operate as intended.

2.9 Prevention of sewage discharge

The essential requirement Point 5.8 of Annex I, Part A of the new Directive is substantially strengthened in order to prevent the discharge of sewage from toilets. With most EU Member States having adopted national rules on black waters, the new Directive provides a welcome common rule across Europe for all watercraft equipped with toilets. Any toilet fitted in a boat must be connected solely to a holding tank system or a water treatment system. The

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current harmonised standard EN ISO 8099 (2000) – Toilet waste retention systems - is being revised to include the water treatment systems that meet this essential requirement.

2.10 Lower limits for engine exhaust emissions

The exhaust emission requirements for the propulsion engines are substantially modified in the Part B of Annex I of the new Directive. The reference to the standard ISO 8178-1 was partly deleted and replaced by new wording. The harmonised standard ISO 18854 will be replacing this ISO standard by the beginning of 2015.

The exhaust emission limits consider the same four substances according to the type of engine: particulates, hydrocarbons and nitrogen oxides for diesel engines; carbon monoxide, hydrocarbons and nitrogen oxides for petrol engines.

The exhaust emission limits applying from 18 January 2016 are mentioned in two tables for compression ignition (diesel) engines (table 2) and spark ignition (petrol) engines (table 3). These new values are aligned on the exhaust emission limits adopted by the US Environment Protection agency (EPA). This transatlantic alignment for engine exhaust emissions means greater regulatory convergence and simplified trade between the EU and the US.

For the test cycles, the requirements defined in the harmonised standard EN ISO 8178-4:2007 should be taken into account in conjunction with the table under Point 2.3 of Annex I, Part B of the Directive. It should be noted that notified bodies may accept tests carried out on the basis of other tests cycles as specified in a harmonised standard and as applicable for the engine duty cycle.

Point 3 of Part B on the durability was revised in the new Directive. The normal life of the engine now distinguishes diesel from petrol engines with different hours of operation required, while personal watercraft and outboard engines remain on the same hours or years of operation,





whichever occurs first. Moreover, petrol engines are divided into three different categories: less than or equal to 373 kW (480 hours), above 373 kW, up to and including 485 kW (150 hours) and above 485 kW (50 hours).

SPECIAL CASE: Three-year delay for small outboard engines

Outboard spark ignition (petrol) engines with power equal or less than 15 kW which comply with Stage I exhaust emission limits (i.e. the limits in place in the old Directive) and which are manufactured by small and medium-sized companies were given an extra three-year period to comply with the new exhaust emission limits. As a result, these engines can be placed on the EU market until 17 January 2020 inclusive. From 18 January 2020 onwards, all engines will have to comply with the exhaust emission limits of the new Directive.

2.11 Identical limits for engine noise emissions

The essential requirement Part C of Annex I of the new Directive was partly modified. The noise emission levels applying to boats with inboard or sterndrive engines without integral exhaust, personal watercraft, outboard engines and sterndrive engines with integral exhaust remain unchanged, ranging from 67 dB to 75 dB according to the rated engine power (Point 1 of Part C). An allowance of 3 dB may be applied for twin-engine or multiple-engine units.

Recreational craft with an inboard engine configuration or sterndrive engine configuration, without integral exhaust will be considered as complying with the table of the Point 1.1 of Part C in Annex I if they have a Froude number calculated as less than or equal to 1.1. The equation used to calculate the Froude Number can be found under the Point 1.3 of Part C, Annex I.

3. Using the harmonised standards

The term “harmonised standard” refers to a standard developed on the request of the European Commission for the application of Union legislation, in this case the EU Directive 2013/53/EU.

With a few exceptions explained below, the new Directive does not impose the use of harmonised standards or specific technical solutions. Only essential requirements are legally binding and manufacturers may apply whatever standards and technical specifications they wish – although only harmonised standards provide a presumption of conformity. Harmonised standards provide a presumption of conformity with the essential requirements they aim to cover, if their references have been published in the Official Journal of the European Union (OJEU) and until the date indicated in the OJEU. References of harmonised standards are published as Commission Communications in the C series of the OJEU.

EU definition of small and medium-sized companies

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To benefit from the presumption of conformity, products need to be placed on the market before the date of cessation of conformity. In the case of components, if they are acquired by the manufacturer before the date of cessation of conformity, they can be fitted in the final product after the date of their cessation of conformity. This is meant to enable manufacturers to use their existing stock.

In few cases, the new Directive makes a mandatory reference to the harmonised standards as they provide the methodology for measurements and testing procedures. For instance, the following harmonised standards must be used for the measurement of the hull length (EN ISO 8666), the watercraft identification number (EN ISO 10087), the propulsion engine's test cycles (EN ISO 18854) and test fuels (EN ISO 18854), the measurement of propulsion engine's power (EN ISO 8665 in conjunction with ISO 15550).

The comparative table in Appendix II provides, for each essential requirement, the wording of the old Directive, the new wording (which in some cases did not change) and the corresponding harmonised standards which fully or partially covers the essential requirement.

A harmonised standard must match the relevant essential or other legal requirements of the Directive. In addition to the specifications relating to the essential requirements, a harmonised standard may also contain specifications dealing with other non-regulated issues. In such a case, these specifications are to be clearly distinguished from those covering the essential requirements.

The relevant essential or other legal requirements aimed to be covered by the harmonised standard are usually indicated in a separate informative annex to a harmonised standard (often called 'Annex ZA').

[link: List of EU harmonised standards](#)



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A harmonised standard does not necessarily have to cover all essential requirements but it must be always clear which requirements are “aimed to be covered” as otherwise a manufacturer complying with a harmonised standard, referenced in the OJEU does not know against which requirements a “presumption of conformity” will apply and public authorities do not know against which essential requirements they must accept a presumption of conformity.

Manufacturers must ensure that changes in product design or characteristics and changes in the harmonised standards by reference to which conformity of a product is declared are adequately taken into account (see Article 7.4 of the Directive).

4. Harmonised standards and presumption of conformity

Harmonised standards provide a presumption of conformity with the essential requirements they aim to cover, as stated by Article 14 of the Directive. The relevant essential or other legal requirements aimed to be covered by the harmonised standard are usually indicated in a separate informative annex to a harmonised standard (often called Annex ZA).

A clear distinction must be made between “conformity with a standard” and “presumption of conformity (when applying a harmonised standard)”. Conformity with a standard usually makes a reference to a situation where a standard is fully applied. For instance, this is the case of voluntary certification against a standard.

For the purposes of presumption of conformity it is sufficient to apply only those provisions in the



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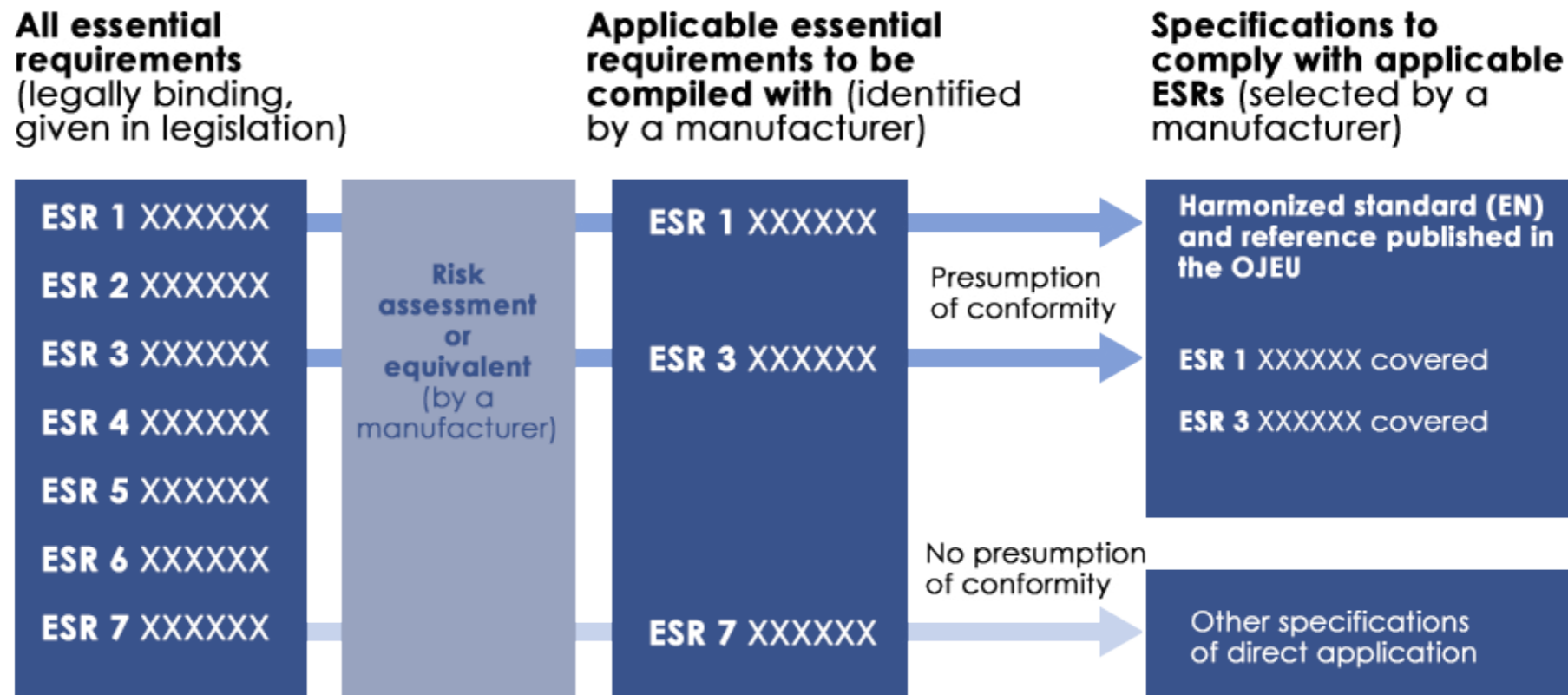
harmonised standard relating to the essential or other legal requirements aimed to be covered.

Harmonised standards never replace legally binding essential requirements. A specification given in a harmonised standard is not an alternative to a relevant essential or other legal requirements but only a possible technical means to comply with it. So a manufacturer always, even when using harmonised standards, remains fully responsible for assessing all the risks of his product in order to determine which essential (or other) requirements are applicable.

This picture illustrates the relationship between essential requirements, harmonised standards and presumption of conformity.

Where harmonised standards fail to indicate clearly the essential requirements aimed to be covered, they may become less useful for manufacturers as there is less legal certainty on the real scope of presumption of conformity. An unclear or incorrect indication of the essential requirements aimed to be covered may also lead, in some cases, to formal objections against harmonised standards.

Occasionally standards may contain errors or leave room for interpretation. If a manufacturer finds such an error or uncertainty, he should first make contact with his national standardisation body, his marine industry association, a notified body and/or the market surveillance authority to seek clarification.



Source: "Blue Guide" on the implementation of EU product rules (2014), page 35

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5. Other ways to comply with the essential requirements

The application of harmonised standards is not the only means to demonstrate the conformity of a product. However only harmonised standards, after publication of references in the Official Journal of the EU (OJEU), may provide an automatic presumption of conformity against essential requirements covered by such standards.

With the exception of the Directive's mandatory reference to some harmonised standards (see Point 3), the manufacturer can choose whether or not to apply and refer to harmonised standards. However, if the manufacturer chooses not to follow the harmonised standards, he has the obligation to demonstrate that his products are in conformity with essential requirements by the use of other means that provide for at least an equivalent level of safety or protection.

These can be technical specifications such as national standards, European or international standards which are not harmonised, i.e. not published in the OJEU, rules of notified bodies or the manufacturer's own specifications. In these cases the manufacturer does not benefit from the presumption of conformity, but has to demonstrate the conformity himself. This implies that he demonstrates, in the technical documentation of a relevant product, in a more detailed manner how the technical specifications he uses provide conformity with the essential requirements.

Manufacturers are advised to stay informed about the developments in international standardisation. Even if the manufacturer has not used harmonised standards, a change in the relevant harmonised standard could mean a change in the state of the art that implies that his product may not be compliant.



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Conformity assessment

The new Directive does not modify the applicable conformity assessment procedures for the evaluation of the watercraft and the propulsion engine.

Unlike the old one, the new Directive offers a differentiated choice of modules for the conformity assessment depending if the harmonised standards are used or not. Chapter IV (from Article 19 to 25) of the Directive provides the details of the conformity assessment.

This section of the guide includes the following information:

1. Conformity assessment procedures
2. Overview of modules and procedures available
3. The technical documentation
4. The EU Declaration of Conformity
5. New responsibilities for notified bodies



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1. About conformity assessment procedures

Conformity assessment is the responsibility of the manufacturer, although the Directive provides for the involvement of a notified body in certain cases. It is the responsibility of the Member States to notify those third party conformity assessment bodies (known as “notified bodies”) within their jurisdiction that they consider technically competent to assess the compliance of products with the requirements of the Directive.

With the new EU Directive, Member States will have to notify those bodies to the European Commission and the list of notified bodies is kept up to date on a public website called the NANDO Information System.

As of 18 January 2016, products complying with and accompanied by new certificates drawn on the basis of the new Directive 2013/53/EU can be sold on the EU market. As of 18 January 2017, only products compliant with the new Directive and accompanied by new certificates will be accepted.

The only exemption to this rule concerns outboard spark ignition (petrol) engines with power equal or less than 15 kW which comply with the Stage I exhaust emission limits (i.e. the limits in place in the old Directive) and which are manufactured by small and medium-sized companies.

These engines accompanied by new certificates are granted additional three years and can be placed on the EU market as Stage 1 compliant until 17 January 2020. A reference to Article 55(2) granting an additional transitional period must be included in the Declaration of Conformity. From 18 January 2020 onwards, all engines will have to comply with the exhaust emission limits of the new Directive.



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2. Overview of modules and procedures available

The manufacturer must apply the procedures set out in the modules referred to in Articles 20 (design and construction), 21 (engine exhaust emissions) and 22 (noise emissions) of the new Directive before placing the products on the market.

Where required by the Directive, the third-party conformity assessment can only be carried out by notified bodies, as the Directive does not allow in-house accredited bodies. Article 24 also defines the supplementary requirements applying to the conformity assessment procedures.

The post-construction assessment (PCA) procedure described in Article 23 and Annex V of the Directive must be applied in the following cases:

- By the private importer before putting into service the product, if the manufacturer has not carried out the conformity assessment (Article 19.2)
- By any person placing on the market or putting into service a propulsion engine or a watercraft after a major modification or conversion, or any person changing the intended purpose of a vessel so that it falls under the scope of the EU Directive (Article 19.3)
- By any person placing on the market a watercraft built for own use before the end of the 5-year period from putting into service (Article 19.4)

For more information about the PCA see the “Special Cases” section.

EU accredited notified bodies





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2.1 Modules for design and construction of recreational craft (boats)

Article 20.1 of the Directive allows the following procedures depending on the category and length of the recreational craft.

More information about conformity assessment modules can be found in the Annex II of Decision No 768/2008/EC.

Design category	Length from 2.5m to less than 12m	Length from 12m to 24m
A and B	<p><u>Modules available:</u> A1 (internal production control + supervised product testing) B + C, D, E or F (EU type-examination) G (unit verification) H (full quality assurance)</p>	<p><u>Modules available:</u> B + C, D, E or F (EU type-examination) G (unit verification) H (full quality assurance)</p>
C	<p><u>Modules available:</u> A (internal production control) if using harmonised standard for stability A1 (internal production control + supervised product testing) B + C, D, E or F (EU type-examination) G (unit verification) H (full quality assurance)</p>	
D	<p><u>Modules available:</u> A (internal production control) A1 (internal production control + supervised product testing) B + C, D, E or F (EU type-examination) G (unit verification) H (full quality assurance)</p>	

2.2 Modules for design and construction of personal watercraft

Article 20.2 of the Directive allows the following procedures for personal watercraft:

Personal watercraft	<p><u>Modules available:</u> A (internal production control) A1 (internal production control + supervised product testing) B + C, D, E or F (EU type-examination) G (unit verification) H (full quality assurance)</p>
----------------------------	---

2.3 Modules for design and construction of components

Article 20.3 of the Directive allows the following procedures for components listed in the Annex II:

Components	<p><u>Modules available:</u> B + C, D, E or F (EU type-examination) G (unit verification) H (full quality assurance)</p>
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2.4 Modules for engine's exhaust emissions

Article 21 of the Directive allows the following procedures for exhaust emissions of the propulsion engine:

Propulsion engine

Modules available if tests are conducted using the harmonised standard EN ISO 18854 (available as of early 2015)

B + C, D, E or F (EU type-examination)
G (unit verification)
H (full quality assurance)

Modules available if tests are conducted without using the harmonised standard

B + C1 (EU type-examination)
G (unit verification)

2.5 Modules for noise emissions

Article 22.1 of the Directive allows the following procedures for noise emissions in the following cases:

Boats with:

- Sterndrive propulsion engines without integral exhausts
- Inboard propulsion engine
- Following major craft conversion

Modules available if tests are conducted using the harmonised standard for noise measurement EN ISO 14509

A1 (internal production control + supervised product testing)
G (unit verification)
H (full quality assurance)

Module available if tests are conducted without using the harmonised standard for noise measurement EN ISO 14509

G (unit verification)

Modules available if Froude number and power displacement ratio method is used:

A (internal production control)
G (unit verification)
H (full quality assurance)

Article 22.2 of the Directive allows the following procedures for noise emissions in the following cases:

Personal watercraft

Outboard propulsion engines

Sterndrive propulsion engines with integral exhausts

Modules available if tests are conducted using the harmonised standard for noise measurement EN ISO 14509

A1 (internal production control + supervised product testing)
G (unit verification)
H (full quality assurance)

Module available if tests are conducted without using the harmonised standard for noise measurement

G (unit verification)

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3. Technical documentation

Article 25 of the Directive defines the requirements for the technical documentation. The manufacturer must draw up technical documentation containing all relevant data and details of the means used to demonstrate the conformity of the product to the applicable essential requirements listed in the Annex I. The technical documentation is intended to provide information on the design, construction, operation and assessment of conformity of the product. The contents of the technical documentation are laid down in Annex IX.

The technical documentation also contains the risk analysis carried out by the manufacturer. A manufacturer always, even when using harmonised standards, remains fully responsible for assessing all the risks of his product in order to determine which essential (or other) requirements are applicable. It is not necessary to draw up additional documentation if the risk analysis and related risk reduction measures are already specified in the harmonised standard that he has chosen to apply.

In the case where a product has been subject to re-designs and re-assessment of the conformity, the technical documentation must reflect all versions of the product; describing the changes made, how the various versions of the product can be identified and information on the various conformity assessments. This is to avoid situations where, during the whole life of a product, a market surveillance authority could be faced with previous versions of the product for which the current version of the technical documentation it is presented with, is not applicable.

The technical documentation must be kept for 10 years from the date of placing the product on the market. This is the responsibility of the manufacturer or the authorised representative established within the Union. Since the concept of “placing on the market” refers to each individual product, the time period needs to be calculated from the moment when the individual product that is covered by the technical documentation is placed on the market.



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4. The EU Declaration of Conformity (DoC)

The EU Declaration of Conformity (DoC) is the document stating that the product satisfies the essential requirements of the Directive. By drawing up the Declaration, the manufacturer, the private importer or the person adapting the engine (Article 15.3) assumes responsibility for the compliance of the product.

The Declaration must always accompany the watercraft (boat and personal watercraft), the components listed in Annex II when placed on the market separately, and the propulsion engines (Article 15.4). The Declaration accompanies the owner's manual for watercraft and engines.

The Declaration must be translated into the languages of the countries where the product is made available or put into service. The Directive does not specify who has the obligation to translate. Logically, this should be the manufacturer or the economic operator making the product available.

A single declaration of conformity is required whenever a product is covered by several pieces of Union harmonisation legislation requiring an EU Declaration of Conformity. The single declaration of conformity can be made up of a dossier containing all relevant individual declarations of conformity.

Annex IV defines the contents of the Declaration:

- Name and address of the manufacturer, the authorised representative or the private importer; the authorised representative must also give the business name and address of the manufacturer
- Object of the declaration: description of the product to allow its traceability, e.g. brand, type, model, serial number, picture if appropriate
- References to the relevant harmonised standards used, alternatively, references to the other technical specifications on which conformity is based, can be used
- Where applicable, the name, number and address of the



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notified body, which carried out the conformity assessment procedures (with a description of the intervention)

- Where applicable, reference to the certificate number issued by a notified body
- Where appropriate, there should be references to any other EU directives applied
- Identification of the person empowered to sign on behalf of the manufacturer or his authorised representative established within the Union
- Additional information is required when the propulsion engine is installed in the watercraft

Like the technical documentation, the copy of the EU Declaration of Conformity must be kept by the various economic operators for 10 years from the date of placing the product on the market. This is the responsibility of the manufacturer or his authorised representative established within the Union, the private importer or the person who modifies the engine. For imported products, the importer must take on this responsibility.

We recommend the use of this approved template for drawing up the EU Declaration of Conformity.

SPECIAL CASE: Partly completed watercraft

The new Directive applies to both partly completed recreational craft (boats) and partly completed personal watercraft (Articles 2.1 and 6.2). Therefore, partly completed watercraft must be accompanied by a Declaration (Article 15.5) drawn up by the manufacturer or the importer.

The Declaration must be translated into the languages of the countries where the partly completed craft is made available.

Annex III defines the contents of the Declaration:

- The name and address of the manufacturer

[link: Template for EU Declaration of Conformity](#)



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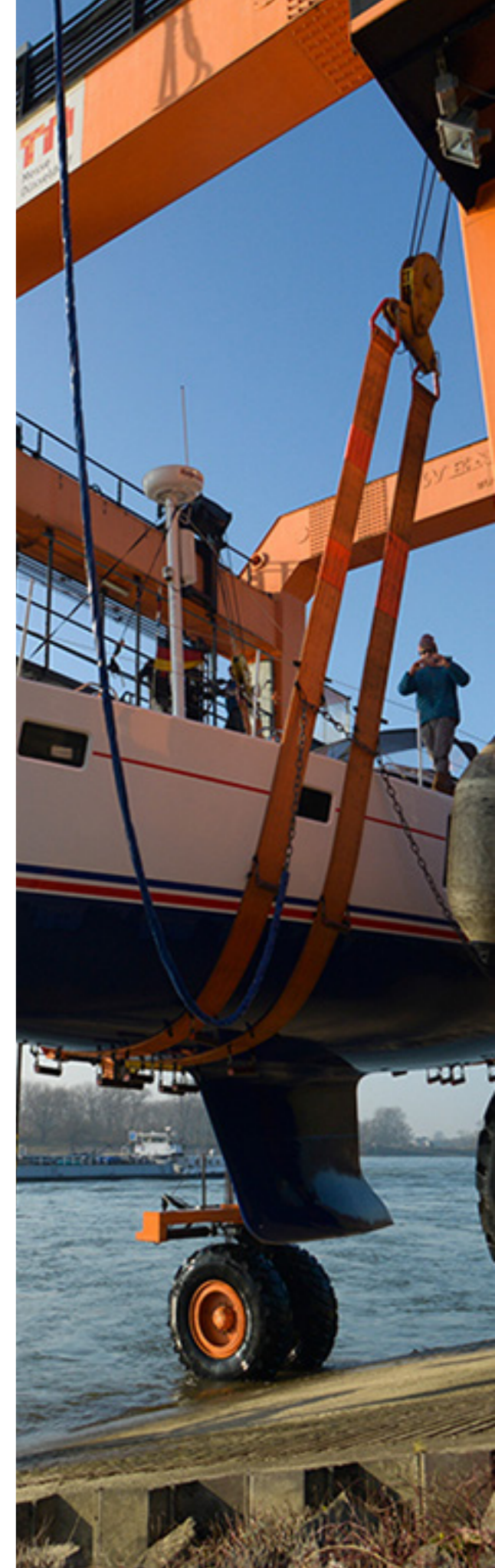
- The name and address of the representative of the manufacturer or if appropriate of the person responsible for the placing on the market
- A description of the partly completed watercraft
- A statement that the partly completed watercraft complies with the essential requirements that apply at this stage of construction: this includes references to the relevant harmonised standards used, or references to the specifications in relation to which compliance is declared at this stage of construction
- A statement that the partly completed watercraft is intended to be completed by others in full compliance of this Directive

Completed craft, whether by a professional or an amateur, must be CE marked before being put into service or placed on the market.

In some cases, boats can be delivered to the distributor with some parts (like consoles or tanks) to be assembled by the distributor according to the technical specifications provided by the manufacturer. In such case, the boat is considered CE marked by the manufacturer. A similar situation exists where the engine is considered CE marked once mounted and installed on board the watercraft according to the technical specifications established by the manufacturer.

5. New responsibilities for notified bodies

Notified bodies perform one or several elements of conformity assessment, including one or several of the following activities: calibration, testing, certification and inspection. They are officially designated by their national authority to carry out the conformity assessment procedures under the EU Directive. They take responsibilities in areas of public interest and, therefore, must remain accountable to the competent national authorities.



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As of 18 January 2016, only the notified bodies that have been accredited under the Directive 2013/53/EU will be able to deliver valid certificates.

Chapter V of the Directive is a novelty and describes the notification of these conformity assessment bodies. Notified bodies now have obligations and responsibilities that are extensively described in the new Directive under Articles 26 to 42. They are free to offer their conformity assessment services, within their scope of notification, to any economic operator established either inside or outside the Union. They may carry out these activities also on the territory of other Member States or third countries. They must provide relevant information to their notifying authority, the market surveillance authorities and other notified bodies. They must operate in a competent, non-discriminatory, transparent, neutral, independent and impartial manner. They must employ the necessary personnel, which has sufficient and relevant knowledge and experience to carry out conformity assessment in accordance with the Directive.

Notified bodies must participate in, or ensure that they are informed of, the relevant standardisation activities and the activities of the notified body coordination group (RSG). They must make adequate arrangements to ensure confidentiality of the information obtained in the course of conformity assessment, and must be adequately insured to cover their professional activities, unless liability is assured under the national legislation of the notifying Member State. They may demonstrate their competence through accreditation, which is the preferred way to assess their technical competence.

Conformity assessments must be carried out in a proportionate manner, avoiding unnecessary burdens for economic operators and private importers. Notified bodies must perform their activities taking due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of the product technology in question and the mass or serial nature of the production process. In doing so, they must respect the degree of rigour and the level of protection required for the product compliance with the Directive.

[link: EU accredited notified bodies \(NANDO website\)](#)



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Strengthening the market surveillance in Europe

The most important change brought by the New Legal Framework to the legislative environment of the EU was the introduction of a comprehensive policy on market surveillance.

This has considerably changed the balance of EU legislative provisions from being fundamentally oriented at setting product related requirements (e.g. essential safety and environmental requirements set in the Directive) to be met when products are placed on the market to an equal emphasis on enforcement aspects during the whole life-cycle of products. In short, it means that more checks and inspections will take place in the future.

Market surveillance in Europe consists of a series of procedures which are defined by the New Legal Framework and described under the Chapter VI of the Directive (Articles 43 to 46).



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It starts when an initial event suggesting to market surveillance authorities that a product presents a risk to the health or safety of persons or to other aspects of public interests may trigger the need for closer scrutiny of the product. It may be an accident, the reception of complaints, ex officio initiatives of market surveillance authorities (including custom authorities' control of products entering the EU) as well as information from economic operators on products presenting a risk.

When there are sufficient reasons to believe that a product presents a risk, market surveillance authorities carry out an evaluation of compliance with the requirements of the EU Directive. They have to perform appropriate checks (both documentary and physical/ laboratory checks, as necessary) on the characteristics of the products, duly taking into account the reports and conformity assessment certificates provided by the economic operators.

Market surveillance authorities carry out a risk assessment in order to verify if products present a serious risk.

In case the risk is deemed to be "serious", market surveillance authorities must adopt a rapid intervention as described in the EU law.

If a product is liable to compromise the health or safety of persons, market surveillance authorities must request without delay to relevant economic operators to:

1. Take corrective action (to bring the product into compliance with the applicable requirements laid down in the Directive) and/or
2. Withdraw the product and/or
3. Recall the product and/or
4. Stop or restrict supplying the product within a reasonable period



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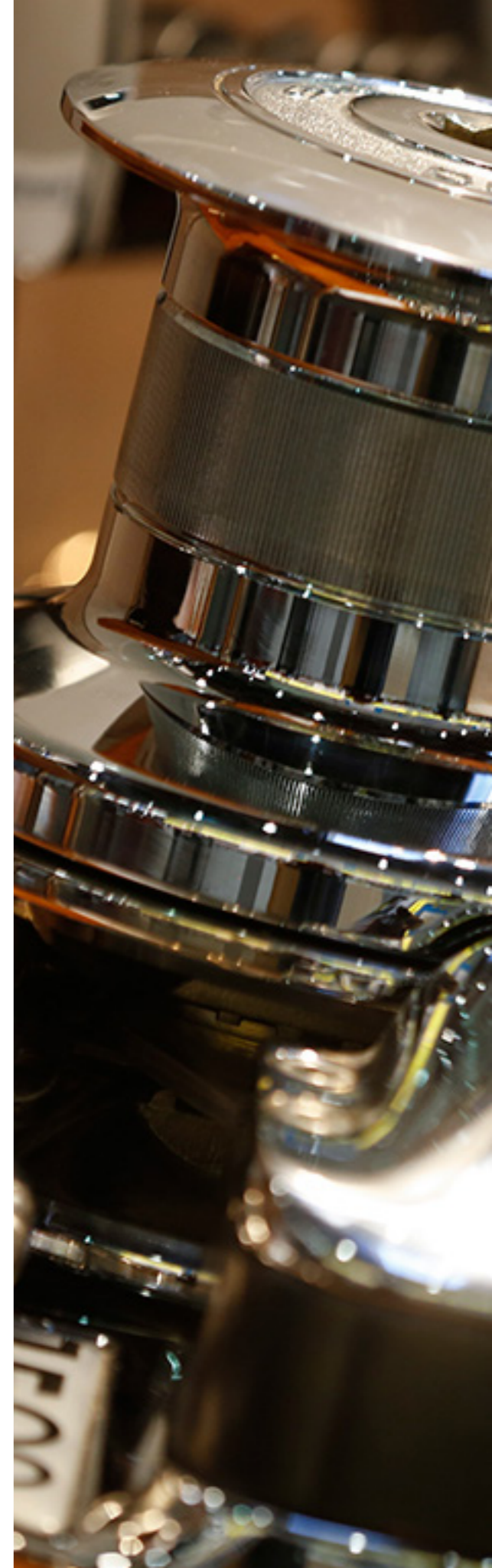
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The measures adopted by market surveillance authorities have to be proportionate and communicated to the relevant economic operator without delay. The market surveillance authorities must also consult the economic operator prior to the adoption of the measures and, if such consultation is not possible because of the urgency of the measures to be taken, the operator must be given the opportunity to be heard as soon as possible. The market surveillance authorities must withdraw or amend the measures taken if the economic operator demonstrates that he has taken effective action.



The **economic operators** must ensure that the corrective action is taken throughout the EU. The market surveillance authorities must also inform the relevant notified body (if any involved) on the decision taken. In case of serious risk requiring a rapid intervention, the market surveillance authority may adopt restrictive measures without waiting for the economic operator to take corrective action to bring the product into compliance.

In order to facilitate communication, the economic operators must provide all the information and documentation necessary to demonstrate the conformity of the product, in a language that can be easily understood by that authority. The idea is that the national authority might accept a language they understand and which is different from the national language(s). The language chosen is subject to negotiation with the authority and could be a third language, if accepted by the authority.



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Possible consequences of non-compliance

Failure to comply with the requirements of the Directive or to provide the relevant documentation to the customs and/or market surveillance authorities, should they request it, could result in the watercraft, the engine or the component being suspended from free circulation in the EU single market.

Most non-compliant products can be made to comply but there is a cost involved that will be at the owner's expense (i.e. economic operator or end user).

A non-compliant boat or engine is not worth as much as a compliant one provided with full documentation and it will lose its resale value in the future. The insurance cover of both end users (private or professional ones) and economic operators may be invalid if it is found that the products in question were non-compliant.

When considering the import of second-hand products from outside the EU that will be placed on the EU market for the first time, please bear in mind that the requirements of the new EU Directive 2013/53/EU will apply as of 18 January 2016, with exhaust emission limits further reduced.



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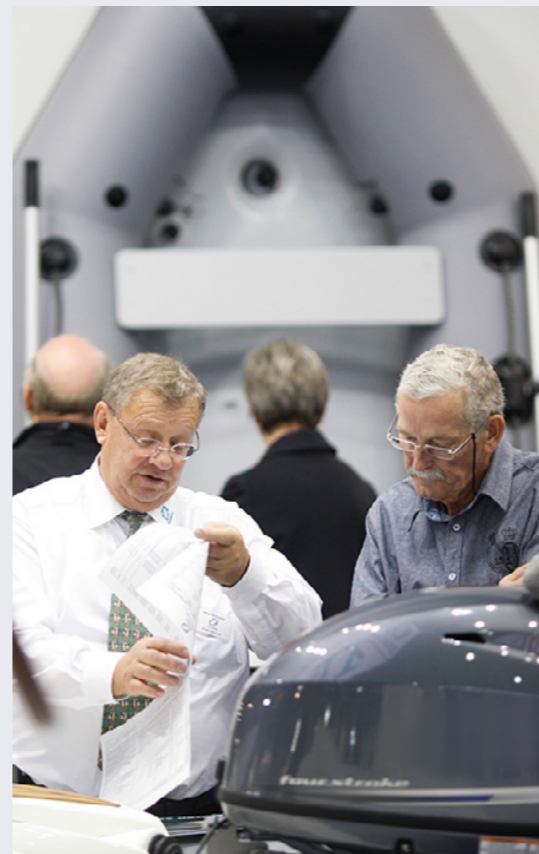
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Special cases

Although special cases are by definition “special” and require a case-by-case approach, this section highlights the most frequent ones.

1. Importer or distributor selling under own name or trademark

Where the importer or the distributor places a product on the market under his name or trademark, or modifies a product already placed on the market in such a way that compliance with the Directive’s requirements may be affected, he will be considered a manufacturer (Article 11) and will have to fulfil the manufacturer’s obligations (Article 7).



2. Watercraft sold with its trailer

It may happen that the boat or the personal watercraft is offered for sale together with its trailer. In such case, it is important that both the watercraft and the trailer be compliant with the applicable EU legislation.

For the watercraft, this guide provides the necessary explanation and how to check conformity. For the trailer, the manufacturer, importer and distributor should ensure the trailer carries a Certificate of Conformity as required by the EU Whole Vehicle Type Approval system (Directive 2007/46/EC) before offering it for sale.



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3. Partly completed craft

The new Directive applies to both partly completed recreational craft (boats) and partly completed personal watercraft as stated in Articles 2.1 and 6.2.

As explained in Article 15.5 and Annex III of the Directive, a Declaration must accompany partly completed watercraft as explained under Point 4 of “Conformity assessment” chapter of this guide.

The Declaration must be translated into the languages of the countries where the partly completed craft is made available.

It is important to remember that:

- A partly completed watercraft must not be CE marked since it is not completed and as such cannot meet all the essential requirements of the Directive
- Once completed, whether by a professional or an amateur, the watercraft must be CE marked before being put into service or placed on the market

4. Craft built for own use

Watercraft built for one’s own use are excluded from the scope of the Directive provided that they are not placed on the EU market within five years of first being put into service.

Also, the craft must have been predominately built by its future user for his/her own use.



5. Exempted watercraft changing its intended purpose

Some types of watercraft are exempted from the Directive’s requirements, like racing boats or fishing vessels.

However, if an exempted watercraft changes its intended purpose in a way that causes it to then fall under the scope of this Directive, all of the requirements of this Directive are most likely to apply to it and the craft will have to be assessed.

The circumstances surrounding each individual craft will determine whether or not it should be CE marked. If this is the case, Article 19.3 of the Directive requires the watercraft undergoes the post-construction assessment (PCA).

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6. Major engine modification or craft conversion

The Directive defines a “major engine modification” as the modification of a propulsion engine which could potentially cause the engine to exceed the exhaust emission limits set out in Part B of Annex I of the Directive or increase the rated power of the engine by more than 15%.

The Directive defines a “major craft conversion” as the conversion of a watercraft (boat and personal watercraft), which changes the means of propulsion, involves a major engine modification, or alters the watercraft to such an extent that it may not meet the essential requirements of the Directive.

Any person placing on the market or putting into service a propulsion engine or watercraft after a major modification or conversion must apply the post-construction assessment procedure (Articles 19.3 and 23).



7. Post-construction assessment

Annex V of the Directive provides the details of the post-construction assessment (PCA). This module is the procedure to assess the equivalent conformity of a product for which the manufacturer has not assumed the responsibility but also in the cases defined by Article 19 of the Directive.

The PCA procedure must be applied in the following cases:

- By any person placing on the market or putting into service a propulsion engine or a watercraft after a major modification or conversion, or any person changing the intended purpose of a vessel so that it falls under the scope of the EU Directive
- By any person placing on the market a watercraft built for own use before the end of the 5-year period from putting into service
- By the private importer before putting into service the product, if the manufacturer has not carried out the conformity assessment

Typically, watercraft not designed and built for the EU market and imported privately from a third country as new or second-hand products will have to individually undergo a PCA with a notified body to establish whether it meets the Directive’s requirements.

During this process, the Craft Identification Number (CIN) will be affixed by the notified body. Also, the builder’s plate must contain the words “post-construction assessment” and the contact details (name and address) of the notified body which has carried out the conformity assessment procedure must be mentioned instead of the manufacturer’s details.

Useful information

EU Directive on recreational craft and personal watercraft

The text of the EU Directive 2013/53/EU is available in English in the [Appendix I](#). It is also available in all [EU languages](#) on this website.

Comparative table for essential requirements

For each essential requirement, the [comparative table](#) provides you with the text from the old Directive 94/25/EC, the new Directive 2013/53/EU and the corresponding harmonised standard if you want to benefit from the presumption of conformity.

Harmonised standards

Many of the essential requirements contained in the Directive can be fulfilled by applying the relevant harmonised standards. In order to support the use of harmonised standards, European Boating Industry and the French Federation of Nautical Industries (FIN – Fédération des industries nautiques) released a CD-Rom containing the main EN ISO standards used in boatbuilding under the EU Directive 2013/53/EU (available in English or French).

You can order it online here: [CD-ROM](#)

National competent authorities

Each Member State applying the Directive, i.e. the 28 EU Member States, the EEA States (Iceland, Liechtenstein, Norway) and Switzerland,

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has to appoint a competent authority for the implementation of the Directive into national legislation and for the market surveillance.

Click here for the [list of national competent authorities](#)

Notified bodies for conformity assessment

Under the Directive, Member States are responsible for designating conformity assessment bodies that can carry out the procedures outlined in the Directive. These organisations called “notified bodies” are listed on the [NANDO website](#).

The New Legal Framework

The [New Legal Framework](#) provides more details on the implementation of EU product rules.

[The “Blue Guide”](#) (available in English, French and German) is an important source of guidance for the marketing of products on the EU single market.

General Product Safety Directive

The [EU Directive 2001/95/EC on general product safety \(GPSD\)](#) will be soon replaced by a new EU Regulation on consumer product safety. This EU legislation is intended to ensure a high level of product safety throughout the EU for consumer products that are not covered by sector-specific EU harmonisation legislation like the EU Directive on watercraft. It also complements the provisions of sector legislation in some aspects. The key provision is that producers are obliged to only place products on the market which are safe for consumers.

Linked to that is the EU-wide rapid alert system called [RAPEX](#) that facilitates the quick exchange of information between Member States and the European Commission on measures taken to prevent or restrict the marketing or use of products posing a serious risk to health or safety of consumers. RAPEX alerts are published on a weekly basis.



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Consumer Rights Directive

On 13 June 2014, the new EU Consumer Rights Directive 2011/83/EU entered into force, strengthening the position of over 500 million customers on the continent, whether they shop online or at boat shows. These rules cover domestic and cross-border trade, combat unfair practices and give consumers the right to cancel the purchases they made online or which they have made on the high street. The new Directive gives consumers the same rights across the EU, while striking the right balance between consumer protection and business competitiveness.

[This factsheet](#) provides key information. The full text of the [directive](#) is available in all EU languages.

Legislation on product liability

It is worth noting that the concept of manufacturer in the EU Directive on watercraft is different from that under the Directive on [consumer product liability 85/374/EEC](#). In the latter case, the concept of producer covers more and different persons than the concept of manufacturer under the New Legislative Framework. Liability, the responsibility to pay damages, is placed on the producer.

A producer is either a manufacturer of a finished product or a component part of a finished product, producer of any raw material, or any person who presents himself as a manufacturer (for example by affixing a trademark). Importers placing products on the EU market from third countries are all considered to be producers under the Directive on product liability.

If the producer cannot be identified, each supplier of the product becomes liable, unless he informs the injured person within a reasonable time of the identity of the producer, or of the person who supplied him with the product. When several persons are liable for the same damage, they are all jointly and severally liable.



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European Boating Industry represents the leisure marine industry at EU level. It covers all sectors relating to boating and watersports, including boatbuilders, equipment manufacturers, infrastructure builders and operators, and service providers. For more information about our work, please visit www.europeanboatingindustry.eu or contact us directly.

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The International Council of Marine Industry Associations

(ICOMIA) is the international trade association representing the global marine industry since 1966. With the help of its members throughout the world ICOMIA acts internationally on behalf of the recreational marine industry. Further details regarding the work that is undertaken by various committees within ICOMIA can be found on www.icomia.com

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Disclaimer

This guide is intended to contribute to a better understanding of the new EU rules on watercraft, engines and components. It applies to the 28 EU Member States but also to Iceland, Liechtenstein and Norway as signatories of the Agreement on the European Economic Area (EEA), as well as Switzerland. Some special cases are described at the end of the guide. However, it is recommended that you refer the individual special cases to the Member State competent authorities.

This guide is intended purely as a guidance document – only the text of the European Union Directive itself has legal force and the guide will point you at the relevant Articles and Annexes of the Directive. The binding interpretation of EU legislation is the exclusive competence of the Court of Justice of the European Union. Neither European Boating Industry nor ICOMIA is responsible for the use that might be made of the preceding information.

As this guide reflects the state of the art at the time of its drafting, the guidance offered may be subject to subsequent modification.

Appendix I: EU Directive

[link to appendix II: Comparative Table](#)

[link to appendix I online](#)

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Appendix II: Comparative table

[Link to appendix I: The EU Directive](#)

[link to appendix II online](#)

COMPARATIVE TABLE OF ESSENTIAL REQUIREMENTS – Updated on 23 March 2015

OLD Directive 94/25/EC as amended by Directive 2003/44/EC

NEW Directive 2013/53/EU

Harmonised standard

ANNEX I

ESSENTIAL REQUIREMENTS

PRELIMINARY OBSERVATION

For the purposes of this Annex the term 'craft' shall cover recreational craft and personal watercraft.

A. Essential safety requirements for the design and construction of craft

1. BOAT DESIGN CATEGORIES

Design category	Wind force (Beaufort scale)	Significant wave height (H 1/3, metres)
A "Ocean"	exceeding 8	exceeding 4
B "Offshore"	up to, and including, 8	up to, and including, 4
C "Inshore"	up to, and including, 6	up to, and including, 2
D "Sheltered waters"	up to, and including, 4	up to, and including, 0,3

Definitions

A. OCEAN: Designed for extended voyages where conditions may exceed wind force 8 (Beaufort scale) and significant wave heights of 4 m and above but excluding abnormal conditions, and vessels largely self-sufficient.

B. OFFSHORE: Designed for offshore voyages where conditions up to, and including, wind force 8 and significant wave heights up to, and including, 4 m may be experienced.

C. INSHORE: Designed for voyages in coastal waters, large bays, estuaries, lakes and rivers where conditions up to, and including, wind force 6 and significant wave heights up to, and including, 2 m may be experienced.

D. SHELTERED WATERS: Designed for voyages on sheltered coastal waters, small bays, small lakes, rivers and canals when conditions up to, and including, wind force 4 and significant wave heights up to, and including, 0,3 m may be experienced, with occasional waves of 0,5 m maximum height, for example from passing vessels.

Craft in each Category must be designed and constructed to withstand these parameters in respect of stability, buoyancy, and other relevant essential requirements listed in Annex I. and to have good handling

ESSENTIAL REQUIREMENTS

A. Essential requirements for the design and construction of products to in Article 2(1)

1. WATERCRAFT DESIGN CATEGORIES

Design category	Wind force (Beaufort scale)	Significant wave height (H 1/3, metres)
A	exceeding 8	exceeding 4
B	up to, and including, 8	up to, and including, 4
C	up to, and including, 6	up to, and including, 2
D	up to, and including, 4	up to, and including, 0,3

Explanatory notes:

A. A recreational craft given design category A is considered to be 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.**

B. A recreational craft given design category B is considered to be designed for a wind force up to, and including, 8 and significant wave height up to, and including, 4 m.

C. A watercraft given design category C is considered to be designed for a wind force up to, and including, 6 and significant wave height up to, and including, 2 m.

D. A watercraft given design category D is considered to be 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.

Watercraft in each design category must be designed and constructed to withstand the parameters in respect of stability, buoyancy, and other relevant essential requirements listed in this Annex, and to have good handling characteristics.

EN ISO 8666:2002
Principle data

EN ISO 12217:2013
Stability and buoyancy assessment

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