

Marine Notice No. 23 of 2017

This Marine Notice is addressed to Manufacturers, Importers, Distributors, Authorised Representatives, Private Importers of Recreational Craft / Personal Watercraft and persons building such craft for their own use

European Union (Recreational Craft and Personal Watercraft)(Procedures for Watercraft Identification) Regulations 2017
(S.I. No. 217 of 2017)

This Marine Notice supersedes Marine Notice No. 64 of 2013.

The Minister for Transport, Tourism and Sport has made the above Statutory Instrument, which gives effect to [Commission Implementing Regulation \(EU\) 2017/1](#) on procedures for watercraft identification, under [Directive 2013/53/EU](#) of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft. Directive 2013/53/EU was transposed into Irish law on 3rd March 2017 by way of [S.I. No. 65 of 2017](#) (*Marine Notices [No. 33 of 2015](#) and [No. 10 of 2017](#)*).

This Marine Notice draws attention to the making of S.I. No. 217 of 2017, the purpose of which is to:

- Amend [S.I. No. 65 of 2017](#) as regards the rules on the assignment and administration of the Unique Code of the Manufacturer (UCM), *formerly known as the Manufacturer's Identification Code (MIC)* and to
- formally appoint the Marine Survey Office (MSO) as the competent authority for assigning the UCM.

1. Background to Commission Implementing Regulation 2017/01

Commission Implementing Regulation (EU) 2017/1 on procedures for watercraft identification under Directive 2013/53/EU¹ was officially adopted by the European Commission on 3rd January 2017. The Implementing Regulation took direct effect in Member States of the European Union on 24th January 2017.

The main provisions of the Commission Implementing Regulation are that it explains in detail:

- the particular elements of the watercraft identification number;

¹ OJ No. L354, 28.12.2013, p. 90

- the procedure for assignment of the unique code of the manufacturer to a manufacturer in the European Union and to a manufacturer in a third country; and
- the procedure in the case of post-construction assessment.

The onus is on a manufacturer of recreational craft and personal watercraft to demonstrate to the MSO, on request, that the requirements of Commission Implementing Regulation 2017/1 and S.I. No. 217 of 2017 do not apply to its products.

2. Elements of the Watercraft Identification Number

The Watercraft Identification Number (WIN) contains the following information:

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

- IE Country Code of the manufacturer indicating where the manufacturer is established;
- ABC² Unique Code of the manufacturer – assigned by the national authority of a Member State. In Ireland, unique codes of the manufacturer are assigned by the Marine Survey Office of the Department of Transport, Tourism and Sport;
- 12345³ Unique Serial Number assigned by the manufacturer;
- D Month of Manufacture (A= January, B= February etc.);
- 16 Year of Manufacture (2016);
- 14 Model year (2014).

3. Procedure for the assignment of the Unique Code of the Manufacturer (UCM)

Every manufacturer of recreational craft and personal watercraft established in Ireland must agree a UCM with the MSO of the Department of Transport, Tourism and Sport, with whom the UCMs are registered. An Irish manufacturer should not use a proposed UCM until the MSO has acknowledged registration. Failure to register a UCM with the MSO is a prosecutable offence under Regulation 47(3) of [S.I. No. 65 of 2017](#). The UCM is assigned only once to a manufacturer and can be used throughout the EU market, i.e., a separate UCM is not needed from each national authority of every EU country on whose markets products are being placed by an Irish manufacturer.

A manufacturer in Ireland who previously registered a MIC with the Department of Transport, Tourism & Sport does not need to take any further action, as that Code is valid under [S.I. No. 65 of 2017](#) unless the production of recreational craft and personal watercraft up to 24 metres in length, has ceased. In that case, the UCM is not to be used. Manufacturers which produce watercraft with a hull length in excess of 24 metres do not need to register a UCM with the MSO for such craft.

Third country⁴ manufacturers, or their authorised representatives⁵, must apply to a national authority or national body of an EU Member State to obtain a UCM for their watercraft

² May consist of numerals and/or letters, except for the numerals 0 and 1.

³ May consist of numerals and/or letters, except for the letters I, O and Q

⁴ "Third country" means a non-EU and non-EEA country or jurisdiction

products, before the first placing of those products on the EU market. The application is usually made to the national authority of the Member State into which products are first being imported. That Member State then registers the UCM with the European Commission for inclusion in the Register of Manufacturers established in Third Countries.

4. Procedure in the case of Post-Construction Assessment

It should be noted that for a watercraft for which equivalent conformity has been assessed under Annex V to Directive 2013/53/EU on recreational craft and personal watercraft through post-construction assessment (PCA), the country code of the manufacturer shall be the country of establishment of the notified body, and the UCM in the watercraft identification number should be the identification code of the notified body that has carried out the PCA (as in this case there is no manufacturer assuming the responsibility for the conformity of the watercraft).

The fields in the watercraft identification number for the month and year of production and for the model year shall be used to indicate the month and year of the post-construction assessment.

5. Private Importers and post-construction assessment

A private importer must comply with Regulation 12 of the 2017 Recreational Craft and Personal Watercraft Regulations ([S.I. No. 65 of 2017](#)), if importing any product coming within the scope of the S.I. into Ireland from a third country.

A private importer means a person established within the Union who imports, in the course of a non-commercial activity, a product from a third country into the Union with the intention of putting it into service for his/her own use. In the case of a post-construction assessment for the product, if neither the manufacturer nor their authorised representative established within the Union fulfils the responsibilities for the product's conformity to the Regulations, these are assumed by the private importer who intends putting the product into service, under his/her own responsibility.

In such a case, the private importer, who intends putting the product into service, must lodge an application for a post-construction report with a notified body, and provide the notified body with any available document and technical file referring to the first placing on the market of the product, in the country of origin. The notified body must examine the individual product, and carry out calculations and other assessments to ensure its equivalent conformity with the relevant requirements of Annex I to Directive 2013/53/EU on recreational craft and personal watercraft. The notified body will draw up a Report of Conformity concerning the assessment carried out, and must inform the private importer of his/her obligations.

⁵ An authorised representative is any person within the European Union who has received a written mandate from the manufacturer to act on their behalf in relation to specified tasks.

The private importer, who has similar responsibilities to those of a manufacturer, may then mark the product with the WIN, following the procedure outlined in Section 4 of this Marine Notice.

A private importer who fails to comply with Regulation 12 of S.I. No. 65 of 2017 commits a prosecutable offence under Regulation 47(6).

The European Union (Recreational Craft and Personal Watercraft) (Procedures for Watercraft Identification) Regulations 2017 (S.I. No. 217 of 2017) will be available at www.dttas.ie.

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

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Department of Transport, Tourism and Sport,
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Ireland.

02/06/2017

Written and general enquiries concerning Marine Notices should be addressed to:
Maritime Safety Policy Division, Department of Transport, Tourism and Sport, Leeson Lane, Dublin 2,
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For any technical assistance in relation to this Marine Notice, please contact:
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