

## Marine Notice No. 33 of 2015

*Manufacturers, Importers and Distributors, Authorised Representatives and Persons building watercraft for their own use.*

### **Revised EU Directive for Recreational Craft and Personal Watercraft – advance notice of revised requirements**

#### **Introduction and Scope of Revised EU Directive**

The Department of Transport, Tourism and Sport wishes to draw attention to the revised and enhanced EU Directive which applies to recreational watercraft and personal watercraft.

Directive 2013/53/EU on recreational craft and personal watercraft, repeals the current Directive 94/25/EC on recreational craft, and is applicable from 18 January 2016. The revised Directive is currently in the process of being given legal effect in Ireland.

The revised Directive lays down requirements for the design and construction, exhaust emissions and noise emissions of the following products, and also establishes rules regarding their free movement in the European Union:

- Recreational craft, and partly completed recreational craft;
- Personal watercraft, and partly completed personal watercraft;
- Components, when separately placed on the Union market;
- Propulsion engines installed in or on watercraft, or subject to major engine modification;
- Watercraft subject to major craft conversion.

Additional information and guidance on the Directive is available at a number of weblinks set out at the end of this Marine Notice.

It should be noted that the Directive does not apply to some watercraft products, intended for sports and leisure purposes (*see Article 2(2) of the revised Directive for a full list*). However, particular products are required to be labelled as specified in the Directive.

If economic operators (i.e. manufacturers, importers, distributors, authorised representatives), private importers and persons building watercraft for their own use consider that the Directive does not apply to particular watercraft products of relevance to them, the onus is on those persons to so demonstrate to the Marine Survey Office of the Department of Transport, Tourism and Sport. This obligation is particularly relevant (but not exclusive) to the following types of watercraft: watercraft intended solely for racing, original historical watercraft and individual replicas thereof, experimental watercraft and watercraft built for own use.

## Definitions

Specific product definitions for 'watercraft', 'recreational craft', 'personal watercraft', 'watercraft built for own use', 'propulsion engine', 'means of propulsion', 'hull length', and 'making available on the market' are contained in the revised Directive.

## CE marking

All watercraft, designated components and propulsion engines are subject to CE marking, indicating that a product complies with the relevant EU legislation. CE marking must be affixed on the watercraft builder's plate, (mounted separately from the watercraft's identification number) and directly on a propulsion engine.

## The Unique Code of the Manufacturer

Currently, under Directive 94/25/EC, each manufacturer is allocated a Manufacturer's Identification Code (MIC) by the national authority of the Member State (in Ireland, the Department of Transport, Tourism & Sport). Under the revised Directive, each manufacturer established in Ireland will continue to be assigned a Code, which will be known as the unique code of the manufacturer. (See Annex 1, part A, paragraph 2.1(2) of the revised Directive).

## Obligations of private importers

The revised Directive clarifies the obligations of private importers, being in principle harmonised with those of manufacturers, except that a private importer, by definition, may only import product with the intention of putting it into service for their own use, in the course of a non-commercial activity.

Importers of products from third countries that place products on the Union market are obliged to mark the product with their name and address.

## Economic Operators

All economic operators intervening in the supply and distribution chain must take appropriate measures to ensure that products within the scope of the Directive do not endanger the health and safety of persons, property or the environment when correctly constructed and maintained.

## Post-construction assessment procedure clarification

The choices of conformity assessment modules generally remain unchanged from the current Directive. The revised Directive clarifies the obligations of persons who may apply the post-construction assessment procedure to existing products, modified products or when intended purpose of products falls within the scope of the Directive.

## Essential Requirements

The following are the major changes to the essential design and construction requirements (See Annex 1, Part A, of the revised Directive):

- The four watercraft design categories A, B, C and D only specify the ranges of wind force and of significant wave height with **no reference to geographical limits**;
- Discharge prevention: any toilet fitted in a recreational craft **must be solely connected** to a holding tank system or sewage treatment system;

- Means of reboarding shall be accessible to or **deployable by a person in the water unaided**.
- There must be good all-round visibility for the craft operator, under normal conditions **for recreational craft**;
- A written manual must accompany **each product** providing all the information necessary for safe use;
- There must be an **emergency stopping device** fitted for all tiller-controlled outboard propulsion engines.

Changes to the exhaust emission essential requirements (See *Annex I, Part B, of the revised Directive*) reflect the technical development of cleaner marine engine technologies which allow progress towards the harmonisation of exhaust emission limits worldwide. The noise emission essential requirements remain unchanged (See *Annex I, Part C of the revised Directive*).

### **Transitional period**

Directive 2013/53/EU shall be applied and repeals [Directive 94/25/EC](#) with effect from 18 January 2016.

Only products covered by and in conformity with Directive 94/25/EC, placed on the market or put into service before 18 January 2017 may continue to be made available on the market. Manufacturers must comply with the revised Directive 2013/53/EU by 18 January 2017.

### **Specific provision in relation to outboard spark ignition propulsion engines**

During the period from 18<sup>th</sup> January 2016 to 17<sup>th</sup> January 2020, outboard spark ignition propulsion engines with power equal to or less than 15kW which comply with the stage 1 exhaust emission limits laid down in the revised Directive and which were manufactured by small and medium-sized enterprises, may be placed on the market (See *Annex I, Part B, point 2.1) of the revised Directive*).

### **Additional Information:**

Additional information is available at the weblinks below:

- [Directive 2013/53/EC](#):
- [European Union Recreational Craft Directive Guide by European Boating Industry /ICOMIA, Autumn 2014](#):
- The “Blue Guide” on the implementation of EU rules – 2014, which can found by following the link below.  
[http://ec.europa.eu/enterprise/sroom/cf/itemdetail.cfm?item\\_id=7326](http://ec.europa.eu/enterprise/sroom/cf/itemdetail.cfm?item_id=7326)

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