



Marine Notice No. 44 of 2023

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

European Union (Recreational Craft and Personal Watercraft) (Amendment) Regulations 2023 (S.I. No. 288 of 2023)

The purpose of this Marine Notice is to draw attention to the European Union (Recreational Craft and Personal Watercraft) (Amendment) Regulations 2023 ([S.I. No. 288 of 2023](#)) which were made on 6 June 2023.

The Regulations provide for amendments to the European Union (Recreational Craft and Personal Watercraft) Regulations 2017 ([S.I. No. 65 of 2017](#)), as amended, which transposed into Irish law [Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft](#) and gave further effect to [Regulation \(EC\) No. 765/2008 of the European Parliament and of the Council of 9 July 2008](#) setting out the requirements for accreditation and market surveillance relating to the marketing of products.

[Marine Notice No.10 of 2017](#) and [Marine Notice No. 23 of 2017](#) provide information on the earlier regulations and advice on purchasing watercraft products coming within the scope of the regulations. The 2017 regulations outline the obligations of a manufacturer, authorised representative, importer, distributor, private importer and other persons before placing or making available on the market any watercraft products. The new Regulations give effect to amendments arising from [Regulation \(EU\) 2019/1020 of the European Parliament and of the Council of 20 June 2019 on market surveillance and compliance of products](#). Further information on the EU Regulation is available at the [EU Commission website](#).

The main changes introduced in S.I. No. 288 of 2023 include updates to some definitions and additional actions that may be taken by the Marine Survey Office as the relevant market surveillance authority in relation to products that present a risk or serious risk to the health and safety of the public, to property or to the environment. These include the ability to:

- require the relevant economic operator to affix suitable warnings of the risks to the product or to alert end users at risk immediately in an appropriate form, including by publication of special warnings;
- require the removal of content referring to the related products from an online interface or the explicit display of a warning to end users when they access an online

interface, or where such a request is not complied with, to require the information society service provider to restrict access to the online interface.

The powers of authorised officers are also being expanded to enable them to require an economic operator or any person to provide relevant information on the supply chain or distribution network of a product or to provide information on the ownership of websites. The sampling powers under the regulations have also been expanded and include the power to acquire product samples, including under a cover identity in a public place, to inspect those samples and to reverse-engineer them in order to identify non-compliance and to obtain evidence.

The new Statutory Instrument may be purchased by mail order from Government Publications, Mountshannon Road, Kilmainham, Dublin 8, D08 XA06, Tel: (046) 942 3100. The regulations are also available online at: www.irishstatutebook.ie.

Note: Marine Notices are issued purely for maritime safety and navigation reasons and should not be construed as conferring rights or granting permissions.

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

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For any technical assistance in relation to this Marine Notice, please contact:
The Marine Survey Office, email: MSO@transport.gov.ie.
For general enquiries, please contact the Maritime Safety Policy Division, email:
MaritimeSafetyPolicyDivision@transport.gov.ie.
Written enquiries concerning Marine Notices should be addressed to:
Dept. of Transport, Maritime Safety Policy Division, Leeson Lane, Dublin 2, D02 TR60, Ireland.
email: MarineNotices@transport.gov.ie or visit us at: www.gov.ie/transport.