

Large Commercial Yacht Standards 'LY2' Code

Guidance for Yacht Owners and Managers

As mentioned in our Information Bulletin No.209, BMSR is moving towards compliance with the Large Yacht Code 'LY2, ' which was drawn up by the Maritime Coastguard Agency (MCA) and applies to Large Commercial yachts over 24m. in load line length and less than 3000gt.

It is planned to achieve full compliance for new yachts by the end of 2013, by which time the appropriate legislation should have been approved by the Barbados Government.

In setting this standard for large commercial yachts, we are aware that the move towards LY2 implies quite a lot of changes for new vessels particularly. However, the LY2 Code is practical in that it allows for equivalent standards, exemptions and allowances for existing vessels by the flag state as may be seen by the following extracts from the Code.

3.2.1 Equivalent standards

Proposals for the application of alternative standards considered to be at least equivalent to the requirements of the Code should be submitted to the Administration for approval. Equivalence may be achieved by incorporating increased requirements to balance deficiencies and thereby achieve the overall safety standard.

3.2.2 Exemptions

Exemptions should be granted only by the Administration. Applications for exemption should be made to the Administration and be supported by justification for the exemption. The granting of exemptions will be limited by the extent to which international conventions allow and should be regarded as exceptional.

3.2.3.2 Existing vessels

When an existing vessel does not meet the Code safety standard for a particular feature and it can be demonstrated that compliance is neither reasonable nor practicable, proposals for alternative arrangements should be submitted to the Administration for approval. In considering individual cases, the Administration should take into account the vessel's service history and any other factors which are judged to be relevant to the safety standard which can be achieved.

We are also aware that MCA has produced an update to the LY2 Code which is known as the LY3 Code. MCA planned to introduce this simultaneously with MLC on 20th August 2013 (the MLC Convention and LY3 Code are supposed to be complementary). However, there have been difficulties with LY3 implementation which are not expected to be resolved soon. It is our view that LY2 will remain the more practical standard for large commercial yachts under the Barbados flag until at least October 2015.

Owners of any planned new-buildings, however, should apply the LY3 Code to those new-buildings as will be done by any classification society that may oversee the building. The main differences between the LY2 and LY3 Codes involve new-buildings.

Privately Operated Yachts

A privately operated yacht, operated without any commercial charter hire whatsoever, will not need to comply with any Barbados legislation with respect to the LY2 Code, manning or operations. The BMSR policy however is to strongly recommend that private yachts comply with the Large Yacht Code.

The reason for this recommendation is essentially to provide greater safety, by virtue of the construction, equipment, operation and manning requirements of the Large Yacht Code.