

GUIDANCE NOTE 04/2022 (Rev 02)

THE CARRIAGE OF ADDITIONAL GUESTS ON YACHTS

To: OWNERS, MANAGERS, OPERATORS AND MASTERS OF CAYMAN ISLANDS YACHTS AND YACHT BUILDERS

1. BACKGROUND

- 1.1 The Cayman Islands Shipping Registry (CISR) frequently receives inquiries on the carriage of additional guests on large yachts and passenger yachts, ranging from near coastal cruising in private use to events alongside.
- 1.2 The purpose of this guidance notice is to set out CISR's regulatory framework, policy and our expectations on the scope of the operator's risk assessment.
- 1.3 For the purposes of this notice, the term 'additional guests' means persons embarked above the number of passengers that a Large Yacht (i.e. REG Code Part A or CI CCA¹) is certified to carry in commercial use (i.e. 12 pax) or that a Passenger Yacht (i.e. REG Code Part B) is certified to carry in either private or commercial use (i.e. 36 pax).
- 1.4 Included in the number of 'additional guests' are security, catering and entertainment personnel required for the event. It does not include 'occasional workers' (as defined in REG Yacht Code Annex E Section E2) who are accommodated onboard.

2. REGULATORY FRAMEWORK

- 2.1 For Large Yachts that wish to cruise with up to 36 guests in private use on an occasional basis CISR may, under the authority conferred by regulation 9 of the Merchant Shipping (Pleasure Yachts Carrying Passengers) Regulations, 2011, exempt a yacht from full compliance with those regulations, provided that an alternative provision is applied which "*is at least as effective as that required by these Regulations or the PY Code.*" These regulations apply to both Private Passenger Yachts and Passenger Yachts. The

¹ CI CCA means certified to the alternative "Cayman Islands Caribbean Cruising Area" standard for yachts <500GT, as per [CISN 02/2016 Part B](#)

dispensation for equivalent provision is time limited, for a defined cruising area, and voyages are normally limited to within 60nm from a safe haven.

- 2.2 For Passenger Yachts, cruising with additional guests is not permitted even in private use.
- 2.3 For Large Yacht and Passenger Yacht events at anchor CISR accepts equivalent provisions under regulation 9 of the Merchant Shipping (Pleasure Yachts Carrying Passengers) Regulations, 2011. For large private events at anchor or any commercial event at anchor a draft dispensation with the Company's supporting Risk Assessment is normally submitted to the local authorities for review/comment before being issued as final.
- 2.4 For events alongside, agreement from CISR is not required but a Letter of No Objection (LONO) can be provided if requested by the Harbour Master/Port Authority, insurer or by the Master or ISM Company.
- 2.5 It should be noted that compliance with CISR regulations and policy does not obviate the requirement to comply with any national or local regulations and policy of the Administration or Authority that has jurisdiction over the waters or harbour/marina that the yacht is operating in.
- 2.6 The Captain/Management Company (where applicable) is responsible for compliance with the latest local requirements. By way of example, the Harbour Master of the Port of Cannes, is currently requiring a LONO from Flag for events alongside and the local authority in Naples has recently rejected a yacht owner's request for cruising with additional guests in private use and required a dispensation from Flag for the yacht to receive additional guests at anchor.
- 2.7 A summary of the maximum number of guests (i.e. the number certified to carry plus 'additional guests') that can be embarked for the various scenarios is provided in **Appendix A**.

3. APPLICATIONS

- 3.1 Applications for a CISR dispensation letter or LONO for the carriage of additional guests are to be sent with a detailed Risk Assessment and completed [Request for Services](#) form to technical@cishipping.com.

4. PRE-REQUISITES

- 4.1 The yacht must meet the following criteria: -
 - Large Yacht of 500GT and above - hold a valid Large Yacht Certificate or Statement of Compliance (only ISPS and MLC may be excluded for pleasure yachts in private use).
 - Large Yacht <500GT - hold a valid Large Yacht Certificate or Statement of Compliance (only MLC may be excluded for pleasure yachts in private use) or a valid CCA Statement of Compliance¹.
 - Passenger Yacht - hold a valid Passenger Ship Safety Certificate or Passenger Yacht Safety Certificate.

5. RISK ASSESSMENT

- 5.1 The ISM Company, when provided, should submit their approved Risk Assessment after development with the Master. In the case of a yacht that is not managed by a Company holding a Cayman Islands DOC, additional supporting information on the Mini-ISM and manning is also to be submitted.
- 5.2 Since events are often arranged at short notice it is highly recommended that a pre-populated risk assessment, with all foreseeable hazards and likely control measures is developed as part of the Safety Management System. This risk assessment should meet the expected standard and can be readily tailored for a specific event.
- 5.3 If the Risk Assessment is properly carried out the exemption letter issued by CISR need only reference the latest revision of the Risk Assessment tailored for the specific event in addition to the key conditions/limitations (i.e. nature of the event, date(s), location/cruising area, number of persons).

The following is a non-exhaustive list of matters to be considered in the risk assessment:

Events alongside

- harbour master agreement
- insurer agreement
- agreement of adjacent vessels, particularly if designated as a secondary means of escape in an emergency
- impact on stability
- state of tide during event
- forecast weather conditions
- guest counting, ship and shoreside
- guest and staff briefing
- limitations on smoking
- risk from temporary entertainment or outside cooking equipment
- control of guests wandering outside designated event areas
- crew compliance with hours of work and rest
- additional security and catering staff
- the need for crowd control training
- widely separated points of egress
- gangway overloading
- evacuation time
- secure assembly station shoreside

Events at anchor/river buoy

As per events alongside, plus: -

- port authority agreement
- garbage management
- sewage management
- liferaft capacity for 100%
- lifejackets sufficient for 110% of the total number of persons carried on board including child lifejackets or infant lifejackets for each child or infant onboard.
- muster station 'loadings'; taking into account the need for 'virtual crew corridors' and ample space for crew to undertake emergency duties unimpeded (i.e. fire team dressing, flaking out fire hoses, preparations for evacuation).
- maximum significant wave height for safe guest transfer.
- estimation of the total evacuation time, ship to shore*.

**in many cases for large events we require a local passenger vessel to be on standby in close proximity to yacht capable of accommodation all additional guests, rather than relying on multiple tenders.*

The additional guests should not be provided with overnight accommodation.

Large Yachts cruising with up to 36 guests on an occasional basis

As per events alongside and at anchor/river boy, plus: -

- coastal state agreement
- proximity of search and rescue services.
- Safety Equipment Certificate and Large Yacht Code Certificate/Statement covering the total number of persons.
- International Sewage Pollution Prevention Certificate covering the total number of persons.

5.4 See **Appendix B** for an example Risk Assessment based upon the Code of Safe Working Practices for merchant seafarers (COSWOP) format.

Appendix A

The maximum number of guests (i.e., number of persons certified to carry plus 'additional guests')	Private Use		Commercial Use	
	Large Yacht	Pax Yacht	Large Yacht	Pax Yacht
At anchor within port/harbour authority limits	36 ²	120 ²	36 ³	99 ³
At anchor outside port/harbour authority limits	36 ⁴	36 ⁴	12	36
Near Coastal Cruising	36	36	12	36
Cruising inland waterways	36 ⁵	36	12	36

²Harbour Master/Port Authority acceptance of a draft exemption to be confirmed if more than the above numbers are being proposed.

³Harbour Master/Port Authority acceptance of a draft exemption to be confirmed

⁴Coastal State acceptance of a draft exemption to be confirmed if more than the above numbers are being proposed.

⁵Responsible authority acceptance of a draft exemption to be confirmed if more than the above numbers are being proposed.

NB. Included in the number of 'additional guests' are security, catering and entertainment personnel required for the event.

Appendix B

Ship Name: SAUCY SUE

Risk Assessment no.: RA036

Work Activity: Carriage of 28 Guests in Private Use whilst Cruising in the Mediterranean

Current Assessment Date: 01.05.23

Last Assessment date: 01.05.22

Hazard no.	Description of Identified Hazard	Existing Control Measure
1.	Event not permitted by Authorities that have jurisdiction	a) Harbour Master Agreement is always sought b) Coastal State Agreement is always sought c) Flag State Agreements is always sought
2.	Event not permitted under Insurer standard terms	a) Insurer Agreement is always sought
3.	Inadequate stability	Master judgment only; not supported by calculations.
4.	Gangway Overloading	a) warning sign of maximum working load posted
5.	No Search and Rescue Services	a) Vessel operation will be limited to the Mediterranean and 60nm from a safe haven
<i>Etc.</i>		

Assessment of Risk Factor

Likelihood of Harm	Severity of Harm			Hazard no.	Likelihood of Harm	Severity of Harm	Risk Factor
	Slight Harm	Moderate Harm	Extreme Harm				
Very Unlikely	Very Low Risk	Very Low Risk	High Risk	1.	Unlikely	Slight Harm	Very Low Risk
Unlikely	Very Low Risk	Medium Risk	Very High Risk	2.	Very Unlikely	Slight Harm	Very Low Risk
Likely	Low Risk	High Risk	Very High Risk	3.	Likely	Extreme Harm	Very High Risk
Very Likely	Low Risk	Very High Risk	Very High Risk	4.	Likely	Moderate Harm	High Risk
				5.	Unlikely	Moderate Harm	Medium Risk
				6.	<i>Etc.</i>		

NB. If the Risk Factor is Medium or above, additional control measures should be implemented.

Additional Control Measures

Hazard no.	Further Risk Control Measures	Remedial Action Date	Review Date
3.	a) Naval Architect to produce a load case for 28 guests on uppermost deck and submit to Class for approval	31.05.23	N/R
4.	b) To be covered in guest pre-boarding briefing c) Crew member to be always posted at gangway.	01.05.23	01.05.24
5.	b) The availability of SAR services to be checked as part of the passage planning; shipboard checklist to be update accordingly	01.05.23	01.05.24
<i>Etc.</i>			