

## GUIDANCE NOTE 06/2022 (Rev 01)

### REDUCED MANNING ON COMMERCIAL YACHTS IN PORT

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

#### 1. BACKGROUND

- 1.1 The Cayman Islands Shipping Registry (CISR) frequently receives inquiries on the reduced manning of commercial large yachts and passenger yachts when alongside for extended periods of time (i.e. more than 1 month), typically outside the charter season. It should be emphasised, that in such periods the vessel must remain in full compliance with commercial requirements in all other respects and be prepared for a port state control inspection at any time. Reduced manning, if being considered, should be covered by the vessel's safety management system.
- 1.2 The purpose of this guidance notice is to set out CISR's regulatory framework, policy and expectations on the scope of the operator's risk assessment.
- 1.3 Following a recent Port State Control detention due to conditions in a Letter of Non-Objection (LONO) not being followed, additional steps have been introduced into the procedure.
- 1.4 It should be noted that a PSC detention not only has an impact on the Cayman Islands' ranking in the major PSC Regional MOUs, it also effects the PSC risk profile for the vessel and the ISM management company.

#### 2. REGULATORY FRAMEWORK

- 2.1 It is the policy of CISR that yachts registered as 'Commercial Vessels' or 'Passenger Ships' or otherwise engaged in commercial activities are manned in accordance with the Minimum Safe Manning Document (MSMD) at all times.
- 2.2 Recognizing that yachts often spend extended periods in a single port where no voyages are undertaken or expected, CISR has no objection to the manning levels of the yacht being reduced from that specified in the MSMD, subject to certain conditions. In these circumstances CISR will issue a Letter of No Objection (LONO) to this effect which may be required by the Harbour Master/Port Authority or by the vessel's insurer.
- 2.3 It should be noted that the master remains responsible for the safety of the yacht at all times and the reduced manning should take both normal operational requirements and potential emergency situations into account. At no time should the master allow reduced manning levels onboard to compromise the safety of the yacht, those onboard or the wider environment.
- 2.4 Furthermore, a LONO does not fully safeguard the risk of Port State Control intervention but may help to mitigate the risk if the Risk Assessment is comprehensive.

### 3. APPLICATIONS

- 3.1 Applications for a LONO are to be sent with a detailed Risk Assessment, a revised Muster List and a completed [Request for Services](#) form to [technical@cishipping.com](mailto:technical@cishipping.com).
- 3.2 Please note that for yachts ≥500GT the ISM Company must have approved both the Risk Assessment and the revised Muster List and be included in the email communications, if the application is initiated by the master.
- 3.3 If satisfied with the submission, a draft LONO will be issued for transmission to Harbour Master/Port Authority by the master for their information/feedback.
- 3.4 A final LONO will only be issued after the Harbour Master/Port Authority has confirmed receipt and a suitable entry has been made in the Official Log Book (i.e. 'Reduced manning as per Cayman Islands LONO for period xx/xx/xx to xx/xx/xx').

### 4. RISK ASSESSMENT (RA)

- 4.1 The following is a non-exhaustive list of matters to be considered in the risk assessment:
  - any Harbour Master/Port Authority requirements
  - insurer agreement
  - planned maintenance
  - fire
  - flooding
  - security
  - hour of works and rest
  - the need to move vessel in an emergency

### 5. THE MASTER

- 5.1 During such periods of reduced manning, it is common for the master to take leave.
- 5.2 In Cayman Islands law, the master of a ship is defined as follows –

*“**master**” includes every person (except a pilot) having command or charge of a ship and, in relation to a fishing vessel, means the skipper;*<sup>1</sup>
- 5.3 When the regular master leaves a yacht and proceeds on leave, the legal duties, responsibilities and authority of the master pass to the most senior officer left on board.
- 5.4 It is important that the person who becomes “in charge” of the yacht fully understands the legal duties, responsibilities and authority they now hold and that the transfer of command is recorded in the Official Log Book.

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<sup>1</sup> Section 2 of the Merchant Shipping Act (2021 Revision).