



# The Bahamas Maritime Authority

## BMA INFORMATION BULLETIN No. 102

### TECHNICAL PROCEDURES FOR REGISTRATION OF YACHTS

**Guidance and Instructions for Ship-owners, Managers, Masters,  
Bahamas Recognised Organisations and Bahamas Approved Nautical  
Inspectors**

*Note: This Bulletin replaces Instruction to Classification Societies No. 8*

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#### 1. Introduction

This Bulletin gives guidance on the technical requirements for yachts registered, or proposed for registration, under The Bahamas flag.

#### 2. Background

Following an extensive review of technical requirements for the registration of yachts in The Bahamas and the subsequent impact on a yacht's eligibility for registration or continued registration, the BMA has produced a comprehensive guide, "Technical Procedures for Registration of Yachts", which is attached to this Bulletin or available for download from the BMA website at [www.bahamasmaritime.com](http://www.bahamasmaritime.com)

### **3. Important pre-requisites**

- 3.1. All yachts over 24 meters in length will be required to be classified with one of our Recognised Organisations (RO). Failure to maintain class will result in the vessel being removed from the register.
- 3.2. All yachts are required to carry and maintain certain statutory certification which denotes compliance with relevant International Conventions. This will require the yacht to fulfil various safety and operational requirements, as detailed in the Technical Procedures.
- 3.3. All Recognised Organisations (ROs) are authorised to examine plans, perform surveys and issue certification on behalf of The Commonwealth of the Bahamas. It is important to note that the RO may only certify vessels that are constructed to the standards of the International Association of Classification Societies (IACS).

## APPENDIX

### Registration of Yachts in The Bahamas

#### Guidance on Registration and Technical Requirements

#### 1. Introduction

- 1.1. This document is intended to provide the Owners of yachts, their agents, legal representatives, Managers, Masters, and designers and builders of such craft with guidance on the technical requirements for registration in, or being registered, with The Bahamas.
- 1.2. The Merchant Shipping Act, a copy of which is available from The Bahamas Maritime Authority (hereinafter referred to as the BMA), governs the registration of yachts in The Bahamas, and this Guidance Note provides guidance on meeting the requirements of the Act.
- 1.3. The purpose of these requirements is to ensure that yachts registered in The Bahamas, are built, maintained and operated in accordance with suitable standards of construction, safety and pollution prevention, to safeguard life, property and the environment.
- 1.4. The Merchant Shipping Act does not define the term 'yacht' but for the purposes of this guidance, a yacht is taken to mean a vessel that does not carry cargo, does not carry fare-paying passengers on pre-defined routes or itineraries and is intended for sport or pleasure. A yacht is to be defined as being operated:
  - i Commercially for hire, to carry onboard a charterer and their party; or
  - ii Non-commercially for the private use of its owner and their party.
- 1.5. The following categories of yacht may be registered subject to compliance with the required technical standards:
  - 1.5.1. Yacht, irrespective of its size, operational status or intended operating area owned by:
    - i citizens of The Bahamas,
    - ii bodies corporate established under the laws of The Bahamas and having their principal place of business in The Bahamas, and
    - iii persons having permanent residence in the Bahamas.
  - 1.5.2. Yachts owned by a foreign national or entity on the proviso that the yacht is either:

- i. Commercial yacht of less than 24 meters in length<sup>1</sup> operating within the Caribbean Trading Area<sup>2</sup>, OR
  - ii. Commercial yacht of 24 meters in length<sup>1</sup> or over and intended to operate internationally, OR
  - iii. Non-commercial yacht of 24 meters in length<sup>1</sup> or over and intended to operate internationally.
- 1.6. Commercial yachts of less than 24 meters in length operating outside of the Caribbean Trading Area may not be registered. However commercial yachts, irrespective of size, operating exclusively in the waters of The Bahamas maybe considered for licence to operate in the Bahamas under the Boat Registration Act and Boat Registration (Yacht) Rules. This scheme is administered by the New Providence Port Authority, and provides a licence to operate within Bahamian waters, but does not confer nationality status.
- 1.7. Registered commercial yachts are not permitted to carry more than 12 passengers, and non-commercial yachts are not permitted to carry more than 36 passengers. Commercial yachts intended to carry more than 12 passengers, and non-commercial yachts intended to carry more than 36 passengers, will be regarded as passenger ships and required to fulfil all applicable technical, operational and certification requirements of the SOLAS Convention. The definition of 'non-commercial yacht' is given in Annex 1 and the definition of 'passenger' is given in Annex 2.
- 1.8. In order to ensure that yachts will be found suitable for registration in The Bahamas on delivery, it is recommended that Owners, designers and builders take these standards and requirements into account during the initial design and in the specifications for the vessels. In addition, it is recommended that Owners determine at an early stage if the yacht is to be operated commercially or non-commercially, as this will have a direct bearing on the design and technical requirements. They are also recommended to notify the BMA of their intention to register their yacht in The Bahamas, to determine applicable technical requirements.

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<sup>1</sup> The length of a yacht is to be determined in accordance with Regulation 3 of the International Convention on Load Line, 1966, as amended.

<sup>2</sup> The Caribbean Trading Area means an area bounded by a line from a point on the east coast of the United States of America in latitude 35° 00' north, to a point 5° 00' south, 33° 00' west; thence to a point 10° 00' south, 33° 00' west; thence to a point on the coast of Brazil in latitude 10° 00' south; thence northward along the coast of Continental America to a point in latitude 35° 00' north, on the east coast of the United States of America.

- 1.9. This guidance replaces the existing guidance dated 5 May 1999, and applies from 01 January 2007 to new registrations and to vessels currently registered in The Bahamas. The Owner of an existing vessel should note that registration may be terminated for any vessel that fails to meet the prescribed requirements by 1 January 2008.
- 1.10. Details of the initial and annual registration fees may be obtained from the Registrar.

## **2. Application for Registration**

- 2.1. The requirements and procedures for the registration of a yacht in The Bahamas are generally the same as for any other type of vessel, though some additional requirements are applicable. Owners and their representatives are advised to become familiar with the BMA's general requirements for registration by contacting the BMA and referring to the contents of its web site, which is [www.bahamasmaritime.com](http://www.bahamasmaritime.com).
- 2.2. Yachts that are more than 20 years of age are not normally eligible for registration in The Bahamas.
- 2.3. All yachts are to be reviewed by the Technical Department of the BMA for their compliance with the technical standards prior to provisional or permanent registration, and irrespective of age. If any deficiencies are identified during the review, Owners will be informed and be requested to rectify them before registration can be granted.
- 2.4. It will be assumed that yachts are intended for commercial use unless the BMA is notified otherwise. Owners of yachts to be used exclusively for their private pleasure and deemed to be 'non-commercial yachts' are required to complete the 'Declaration of Non-Commercial Use', as contained in Annex 3, and to adhere to the obligations contained in the Declaration. Failure to adhere to the obligations may result in cancellation of the registration.
- 2.5. On achieving permanent registration commercial yachts will be provided with a Certificate of Registry that has an indefinite validity. Non-commercial yachts will be issued with a Certificate of Registry valid for one year and renewable annually at the end of each calendar year.

- 2.6. If an owner wishes to change the use of a yacht from 'non-commercial' to 'commercial', or visa versa, the Owner must notify the Registrar and apply for a replacement Certificate of Registry. The existing Owner shall also advise the Registrar where there is a change of ownership. If the new Owner wishes to retain its registration in the Bahamas, the conditions for registration contained in paragraph 1.5 above will apply.

### 3. Technical Requirements – Yachts 24 meters in length or more

- 3.1. All new and existing yachts of 24 meters in length or over, operating commercially or non-commercially, are to be built and maintained in accordance with the Rules of one of the Bahamas Recognised Organisations (RO):

Full details of the Recognised Organisations (RO) to which the Bahamas has entrusted statutory survey, audit and certification under the provisions of the relevant Regulations of the Conventions to which the Commonwealth of the Bahamas is a party can be found in [BMA Information Bulletin no. 03](#)

- 3.2. A new yacht is one that has had its keel laid on or after 1 January 2007 for the purposes of this Guidance. An existing yacht is one that had its keel laid before 1 January 2007.
- 3.3. In addition to being classified, all new and existing, commercial and non-commercial yachts that are 24 metres in length or over, are to comply with the United Kingdom Maritime and Coastguard Agency's "The Large Commercial Yacht Code (LY2)"<sup>3</sup>.
- 3.4. A Certificate of Compliance with the Code is to be obtained and maintained. The RO specified in Section 3.1 are authorised to approve plans and perform surveys for the issue of Certificate of Compliance required for all yachts.
- 3.5. Vessels, dependent on their gross tonnage and usage, are also required to have the applicable certificates as per Annex 4. With the exception of the Safe Manning Document that is issued by the BMA, all certificates are issued by the authorised RO.

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<sup>3</sup> The Code maybe obtained from:  
The Stationary Office, PO Box 29, St Crispins House, Duke Street, Norwich, NR3 1GN, United Kingdom  
Tel: +44 870 600 5522, Fax: +44 870 600 5533, Email: [esupport@theso.co.uk](mailto:esupport@theso.co.uk)  
Web: <http://www.the-stationary-office.co.uk>

- 3.6. All statutory certificates are to be obtained from one of the Bahamas ROs specified in Section 3.1 who have been authorised to examine plans, perform surveys and issue certificates on behalf of The Bahamas.
- 3.7. Applications for exemption from, extension to or acceptance of equivalent arrangements with respect to any statutory requirements are to be made directly to the ROs, who will review the applications before forwarding them, together with their comments and recommendations, to the BMA for review and approval. Further guidance is contained in [BMA Information Bulletin no. 8](#)
- 3.8. All commercial yachts over 24 metres in load line length are required to undergo an annual inspection that is to be performed by a Bahamas Approved Nautical Inspector, who will issue a Certificate of Inspection on satisfactory completion of the inspection. A list of Bahamas Approved Nautical Inspectors is available on the BMA web site [www.bahamasmaritime.com](http://www.bahamasmaritime.com).
- 3.9. The annual inspection is to take place within the period from 3 months before to three months after the anniversary date, which is determined adding three months to the first date of Provisional Registration. For vessels already registered in The Bahamas that have not to date been subject to annual Bahamas inspections, the anniversary date will be 1 January. Please refer to [BMA Information Bulletin no. 66](#) for additional information.
- 3.10. Non-commercial yachts over 24 metres in load line length are not required to undergo an annual Bahamas inspection. However, the annual re-issue of the Certificate of Registry is conditional upon the Owner supplying to the BMA a copy of valid class and statutory certificates for the vessel, confirming that surveys for their maintenance have taken place.

#### 4. Technical requirements – Yachts of less than 24 meters in length

- 4.1. All new yachts constructed on or after 01 January 2007, commercial and non-commercial, yachts of less than 24 meters in length are to be built and maintained in accordance with **Small Commercial Vessels & Pilot Boat Code of Practice**, which are published by the United Kingdom Maritime and Coastguard Agency and available from The Stationary Office. (tel. +44 870 600 5522, fax +44 870 600 5533, email: [esupport@thso.co.uk](mailto:esupport@thso.co.uk), web site: <http://www.tsoshop.co.uk>)
- 4.2. The Code is intended for yachts that operate commercially. For non-commercial yachts of less than 24 meters in length considered for registration on The Bahamas international register, those sections of the Code applicable to commercial operation, such as manning and chartering, are not applicable.
- 4.3. The ROs specified in Section 3.1 above are also authorised to issue a Certificate of Compliance under the Codes, and to perform annual surveys for the maintenance of the certification.
- 4.4. All existing vessels built before 1 January 2007 for initial operation under another registry, and which were not built to comply with the above Code, are to comply with the Code as far as practicable. The RO will notify The BMA of areas where full compliance is not possible.
- 4.5. All existing vessels registered with The Bahamas, which complied with the previous “**Small Commercial Sailing Vessels - A Code of Practice**” or “**Small Commercial Power Vessels - A Code of Practice**” shall comply with the Code outlined in Section 4.1 at the next renewal survey.
- 4.6. Vessels built and maintained in accordance with other national, regional or international standards of construction and safety will be considered for registration, provided they achieve an equivalent level of safety as that provided by the Code referenced above.
- 4.7. Prior to the renewal of the Certificate of Registry, all yachts in this category are to be reviewed by the Technical Department of the BMA for their compliance with the technical standards. When deficiencies are identified, Owners will be informed and required to rectify the matter if registration is to be maintained.



## Annex 1

### ***Definition of the term 'Non-Commercial Yacht'***

1. A 'non-commercial yacht' may be owned and used by one of these three groups:
  - i wholly owned by an individual or individuals and used only for the sport or pleasure of the owner or their immediate family or friends
  - ii owned by a body corporate and used by employees or officers of the body corporate, or their immediate family or friends;
  - iii wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure
2. For vessels owned within groups i and ii above, any voyage or excursion must be one for which the owner does not receive money for or in connection with operating the vessel or carrying any persons, other than as a contribution to the direct costs of the operation of the vessel incurred during that voyage or excursion and no other payments are made by or on behalf of the users of the vessel, other than by the owner.
3. For vessels owner within group iii above, which, at the time is used only for the sport or pleasure of members of that club or their immediate family, any charges levied are paid into club funds and applied for the general benefit of the club.

## Annex 2

### ***Definition of the term 'passenger'***

In accordance with paragraph 27 of 'The Large Commercial Yacht Code (LY2)'

"Passenger" means any person carried in a vessel except:

- (a) a person employed or engaged in any capacity on board the vessel on the business of the vessel;
- (b) a person on board the ship either in pursuance of the obligation laid upon the master to carry shipwrecked, distressed or other persons, or by reason of any circumstances that neither the master nor the owner nor the charterers (if any) could have prevented; and
- (c) a child under one year of age

"A person employed or engaged in any capacity on board the vessel on the business of the vessel" i.e. crew, includes:

- (i) bona-fide members of the crew over 16 years of age who are properly employed by the owner in the operation of the vessel;
- (ii) person(s) employed by the owner in connection with business interests of the owner and providing service to all passengers: and
- (iii) person(s) employed by the owner in relation to social activities on board and providing a service available to all passengers

It should be noted that whether a person on board a vessel should be considered as a 'passenger' or as a member of the 'crew' is determined by their employment status. Recognising that not all members of the crew are directly employed by the owner, the term '*employed by the owner*' maybe elaborated to mean 'employed by the owner, or employed by a Company, who under contract, is required to provide the owner with personnel to be engaged onboard'.

*The above persons engaged on the business of the vessel are to be provided with accommodation that has been approved for the use of crew and, are to be included in the crew Articles of Agreement, which is required for the vessel. Also, they are to be provided with familiarisation and training when joining the vessel, appropriate their duties, and are under the command of the master, or an assigned officer, when on board.*

*Further, all persons onboard the vessel who are not crew are therefore passengers. When in commercial use, persons employed by the charterer are to be regarded as passengers, even if they possess maritime qualifications.*

**Annex 3**

***Declaration of Non-Commercial Use***

I, \_\_\_\_\_, the Owner/prospective Owner\* of the yacht -  
\_\_\_\_\_ to be registered in The Commonwealth of The  
Bahamas under Official Number \_\_\_\_\_ declare:

1. That the yacht will not be used for the commercial purpose of carrying passengers or cargo, or made available for hire through a bareboat or crewed charter agreement for which payment is received.
2. That the yacht will be maintained and operated, at all times, in accordance with the technical standards for yachts of The Bahamas Maritime Authority, or approved equivalents, and will not proceed to sea with more persons onboard than for which lifesaving appliances have been provided onboard.
3. That in the event of the sale of the yacht, the purchaser will not have an automatic right to re-register the yacht in their ownership or continue registration under The Bahamas flag.
4. That I understand that if it is determined after registration of the yacht that this Declaration has been deliberately and fraudulently filed with The Bahamas Maritime Authority, it will result in the termination of the Certificate of Registry and the removal of the yacht from the Registry.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

\* Omit as applicable

## Annex 4

**YACHTS – Documents required for registration**

Certificate/Document	Issuing body (See note 1)	Commercial		Non-commercial	
		L < 24 m	L > 24 m	L < 24 m	L > 24 m
Certificate of Compliance 1) >24mtrs - The Large Commercial Yacht Code (LY2) 2) < 24mtrs – MCA Code of Practice for the Safety of <b>Small</b> Commercial Sailing & Motor Vessels	Recognised Organisations (RO) / Class		✓		✓
Declaration of non-commercial use	Registered Owner submits to BMA			✓	✓
Bahamas Safety Inspection Certificate	BMA Nautical Inspector	✓	✓		
Safe Manning Document	BMA	✓	✓(See note 2)	✓	✓
International Tonnage Certificate	(RO) / Class	✓	✓	✓	✓
International Load Line Certificate	(RO) / Class		✓		✓
Safety Construction Certificate	(RO) / Class		✓(See note 2)		
Safety Equipment Certificate	(RO) / Class		✓(See note 2)		
Safety Radio Certificate	(RO) / Class		✓(See note 4)		
International Oil Pollution Prevention Certificate	(RO) / Class	✓	✓(See note 3)	✓	✓
ISM Safety Management Certificate	(RO) / Class		✓(See note 2)		✓(See note 2)
International Ship Security Certificate	(RO) / Class		✓(See note 5)		✓(See note 5)
International Air Pollution Prevention Certificate	(RO) / Class	✓(See note 3)	✓(See note 3)	✓(See note 3)	✓(See note 3)
Engine International Air Pollution Prevention Certificate	(RO) / Class	✓(See note 6)	✓(See note 6)	✓(See note 6)	✓(See note 6)

**Notes**

1. Details of the Classification Societies that are the only Recognised Organisations accepted by The Bahamas can be found in [BMA Information Bulletin no. 3](#)
2. Applies to yachts of 500 GT and over. The “Company” requires Document of Compliance. See [BMA Information Bulletin no. 23](#)
3. Applies to yachts of 400 GT and over
4. Applies to yachts of 300 GT and over
5. Applies to yachts of 500 GT and over. See [BMA Information Bulletin no. 70](#)
6. Applies to diesel engines > 130kw in yachts constructed or that undergo a major conversion after 01 January 2002
7. Applies to yachts of 400 GT and over or less than 400 GT but carrying more than 15 persons

**Annex 5**

Certificate of Compliance for a Yacht  
Issued under the authority of the Government of The Commonwealth of the Bahamas

Name of Vessel	Port of Registry	Official Number <sup>4</sup>	IMO Number Call Sign	Gross Tonnage
	<b>NASSAU</b>			
Usage	Maximum Number of persons on board	Year of Build	Load Line Length	Length Overall
Commercial/ Non-commercial*				

***THIS IS TO CERTIFY***

1. that the vessel is not permitted to carry cargo or more than 12 passengers;
2. that the vessel has been found to comply with the requirements of the United Kingdom Maritime and Coastguard Agency's:-
  - The Large Commercial Yacht Code (LY2)\*
  - The Safety of Small Commercial Vessels & Pilot Boat -- The Code of Practice\* (The Code of Practice) as applied in The Bahamas by The Bahamas Maritime Authority;
3. that the vessel has been surveyed in accordance with the provisions of the International Convention on Tonnage Measurements on Ships 1969 and :-
  - Chapters II-1, II-2 and III of the International Convention for the Safety of Life at Sea 1974 as amended; and\*
  - Chapter IV of the International Convention for the Safety of Life at Sea 1974 as amended;\*
4. that the hull was surveyed on \_\_\_\_\_

This certificate will remain in force, unless previously cancelled, until the \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_\_ subject to the vessel, its machinery and equipment being efficiently maintained and annual surveys in accordance with The Code of Practice, and the manning complying with The Code of Practice/Safe Manning Document\*, and to the following conditions: -

The permitted area of operation is: -

Issued at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_\_

Signed \_\_\_\_\_ Name \_\_\_\_\_ Date \_\_\_\_\_

<sup>4</sup> Obtained from Registrar

\* Delete as appropriate

**ENDORSEMENT FOR ANNUAL SURVEYS<sup>5</sup>**

**This is to certify that** at the survey required by The Code of Practice, the ship was found to comply with the relevant provisions of the Code and the conditions as recorded overleaf.

1<sup>st</sup> Annual Survey  
Place \_\_\_\_\_

Official Stamp                      Date \_\_\_\_\_

Surveyor \_\_\_\_\_

2<sup>nd</sup> Annual Survey  
Place \_\_\_\_\_

Official Stamp                      Date \_\_\_\_\_

Surveyor \_\_\_\_\_

3<sup>rd</sup> Annual Survey  
Place \_\_\_\_\_

Official Stamp                      Date \_\_\_\_\_

Surveyor \_\_\_\_\_

4<sup>th</sup> Annual Survey  
Place \_\_\_\_\_

Official Stamp                      Date \_\_\_\_\_

Surveyor \_\_\_\_\_

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<sup>5</sup> Note: Annual survey should be carried out within a three month period either side of the anniversary of the date on which the hull was surveyed as recorded at .4 overleaf.