



Rev. 0

**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

MAIN CONTACT: SAN MARINO SHIP REGISTER

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San Marino Policy Letter

SMPL – 2021-REG-018

08 November 2021

San Marino Ship Register SMSR

**Special cases in the registration of pleasure yachts
temporarily engaged in trade (dual use)**

TO: Recognised Organisations, Shipowners, Managers, Masters, Seafarers, SMSR partners, SMSR brokers, Surveyors, and the general public.

Special cases in the registration of pleasure yachts temporarily engaged in trade (dual use)

1. Purpose

This Policy Letter provides instructions on switching between private and commercial registration for yachts temporarily engaging in chartering activities with crew (dual use).

San Marino-registered pleasure yachts below 500GT in possession of a Certificate of Registry as Commercial Yacht, may be considered yachts temporarily engaged in trade (YET), when wishing to temporarily suspend chartering activities.

2. Background

A Certificate of Registry for Commercial Yacht shall be issued to yachts in compliance with standards set for commercial registration by the San Marino Small Yacht Safety Code for yachts under 24m in Load Line length, the San Marino Large Yacht Safety Code for yachts equal or above 24m in Load Line length, and all applicable International Conventions.

In order to allow owners to temporarily change their registration status to reflect private use, yachts in possession of a San Marino Certificate of Registry as Commercial Yacht, can downgrade their registration status to Private Yacht for a maximum of 120 days per calendar year, while remaining commercially compliant.

Yachts wishing to maintain the status of a pleasure yacht temporarily engaged in trade, must meet the following requirements:

- i. Yachts engaged in chartering activities with crew and a maximum of 12 passengers, shall maintain statutory certification for commercial registration. Statutory certification must remain valid at all times, including during the periods of downgrading to registration as private yacht.
- ii. Full compliance with the harmonised standards for survey and certification¹, which may include annual, periodic, and intermediate visits to ascertain adherence with standards for commercial registration, irrespective of whether the yacht is engaged in trade at that moment.
- iii. Should the appropriate visits not be carried out within the mandated windows for surveys and audits, statutory certification shall cease to be valid.
- iv. Should the vessel cease to be in compliance with such standards at any time, including during temporary downgrading to private registration, statutory certification shall cease to be valid.

¹ IMO resolution a.1120(30) adopted on 6 December 2017, Survey Guidelines Under the Harmonized System of Survey and Certification (HSSC), 2017.

- v. In such cases, the Administration reserves the right to issue a notice of cancellation from the Registry.

3. Procedure

Generally, yachts in full compliance with the provisions of the San Marino Small or Large Yacht Safety Code shall be issued a certificate of registry for commercial yacht.

A Minimum Safe Manning Document shall be issued against the yacht temporarily engaged in trade and the crew shall possess certification in compliance with the STCW convention, as amended, and San Marino Policy Letter SMPL – 2021-STCW-007.

Yachts must undergo compliance verification by an authorised surveyor or an RO.

Dual use shall be reflected in the San Marino Yacht Safety Certificate of Compliance.

A request to obtain a Certificate of Registry as Private Yacht for a maximum of 120 days per calendar year can be submitted to the Administration via the application form in Annex 1 to this Policy Letter.

A Certificate of Registry for yachts in private use shall be issued by the Administration for the period of time requested by the owners, within the limits set by this Policy Letter.

Copies of charter agreement must be submitted with the application form.

The Certificate of Registry for commercial yacht shall be restored at the termination of the requested period of status change to private registration, with no alteration to the original anniversary date.

Should annual/periodical/renewal endorsements for flag and statutory certification not be carried out within the survey windows, during either commercial or temporary registration as private yacht, the certificates shall cease to be valid and the vessel considered as not in compliance with standards of commercial registration as set in the San Marino Yacht Safety Codes.

The owner remains responsible for customs, port state control, and fiscal formalities. When trading within the EU, the yacht must be either:

- i. In possession of VAT paid certificate; or
- ii. For non-EU residents and non-EU ownership, enter the EU under temporary admission for a period of up to 18 months.

Guidelines for private yachts wishing to temporarily engage in charter without crew (bareboat charter) are defined in San Marino Policy Letter SMSR-2021-REG-017.

For further details, please contact San Marino Ship Register at registration@smsr.sm



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San Marino Ship Register – Form 04 – Temporary Permission request

<i>Vessel name</i>	
<i>Official number</i>	
<i>Port of registry</i>	
<i>Gross Tonnage</i>	
<i>Load Line length</i>	
<i>IMO number</i>	

The Administration is hereby informed that with regard to the ship identified above, the following has been reported:

<i>Please specify the issue or request you would like to report to the Administration</i>

Temporary permission for special cases of pleasure yachts temporarily engaged in trade (bareboat charter or chartering with crew):

Proposed issue date	
Proposed expiry date	

Additional information to be submitted to the Administration:

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Name of the signatory	Role of the signatory
Date	Signature

Notes by the Administration

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