



Rev. 1

**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

MAIN CONTACT: SAN MARINO SHIP REGISTER

PH: +378 (0549) 960075 | FAX: +378 (0549) 941305 | EMAIL: registration@smsr.sm

San Marino Policy Letter

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San Marino Ship Register SMSR

Temporary private use of yachts engaged in trade.

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

Rev. n	Date	Changes	Initials
	08/11/21	n/a	Ma
1	19/05/23	Annex I; 84 days duration streamlined; procedure clarification	Ma

Special cases in the registration of pleasure yachts: temporary private use

Purpose

San Marino-registered pleasure yachts below 500GT in possession of a Certificate of Registry as Commercial Yacht, may temporarily suspend chartering activities and switch to private use.

1. 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 84 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 yacht in private use.
- ii. Full compliance with the harmonised standards for survey and certification¹ shall be maintained, 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.
- v. In such cases, the Administration reserves the right to issue a notice of cancellation from the Registry.

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

2. Procedure

Yachts in full compliance with the provisions of the San Marino Small or Large Yacht Safety Code are issued a certificate of registry for commercial yacht. A Minimum Safe Manning Document shall be issued against the yacht, 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 Recognised Organisation. The status of Yacht Temporarily Engaged in Trade 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 84 days per calendar year can be submitted to the Administration via the application form in Annex I 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. Moreover, a statement by the Administration shall be issued for the duration of the switch to private registration.

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

Annex I

San Marino Ship Register – Form 04 – Temporary Permission request

Vessel name	
Official number	
Gross Tonnage	
Length (Art. 2(8))	
IMO number	

Request for temporary permission:

1. **Private yacht temporarily engaged in bareboat charter**

1.1 *A copy of the bareboat charter agreement has been attached to this request.*

2. **Temporary private use of commercially registered yacht**

Proposed start 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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