



Rev. 0

**REPUBLIC of SAN MARINO
MARITIME AUTHORITY**

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San Marino Policy Letter

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San Marino Ship Register SMSR

Guidelines for the Static Chartering of Commercial Yachts

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

Rev. n	Date	Changes	Initials
0	1 March 2024	1 st issue	nc

1. Foreword

The guidelines for the Static Chartering of Commercial Yachts are provided by the San Marino Maritime Authority in order to present a practical, safe, and homogeneous approach to this specific market sector.

These guidelines are applicable to Commercial Yachts flying the San Marino Flag.

2. Responsibilities

The Master / Owner is fully responsible at all times for all the persons on board the yacht.

The Master / Owner is fully responsible at all times to notify the local Port Authorities of the intention to employ the yacht for a static charter activity.

In the same way the Master / Owner is fully responsible to comply with the local Port Authority indications, including refrain from the static charter in case a formal authorization is not received from the local Port Authorities.

3. Scope

In the event that the commercial yacht will remain static – berthed or anchored at sea – the yacht may be allowed to carry more than 12 passengers in line with the requirements and the process set out in these guidelines.

4. Authorization

For a commercial yacht to be able to be chartered on a static base as per paragraph 3, the yacht shall be provided with a statement issued by the San Marino Maritime Authority authorizing static charters to be held on board.

The validity of such authorization shall not exceed 12 months of duration and may be renewed upon request.

5. Authorization criteria

5.1 It is necessary to identify the maximum number of persons planned to be carried onboard during the static charter.

5.2 It is necessary to identify the number of crew and other staff (non-passengers) planned to be carried onboard during the static charter.

5.3 It is necessary that a specific formal risk assessment is carried out. Said risk assessment shall be carried out by a San Marino Recognized Organization, or, in alternative, by the Owners or their consultants and approved by a San Marino Recognized Organization. The Risk Assessment shall identify all risks associated with the yacht being chartered on a static basis, when berthed and when anchored at sea and shall include recommendations about any necessary mitigating measures.

5.4 A San Marino Recognized Organization shall carry out an assessment relevant the yacht decks strength loaded with the weight relevant the maximum number of persons on board as per points 5.1 and 5.2.

5.5 A San Marino Recognized Organization shall carry out a stability calculation with a loading condition that takes into account the maximum number of persons carried onboard and any additional ancillary equipment utilised during the static charter.

This loading condition shall also include the possible shifting of all persons to one side of the highest deck of the yacht altogether at the same time and shall comply with the stability provisions of the relevant applicable yacht code.

The aforementioned stability calculation must be in the form of an addendum to the yacht stability booklet or yacht stability calculations.

5.6 An adequate insurance coverage shall be available with the clear indication of the activity (static charter) and the maximum number of persons on board.

5.7 The Master / Owner / Manager shall confirm that the yacht complies with the following conditions and requirements whenever a static charter is planned to be carried out:

a. The necessary lifesaving appliances, namely lifejackets and liferafts, are provided for the total number of persons onboard during a static charter when the yacht is anchored at sea.

b. At least two means of escape shall be available from the yacht during a static charter held alongside at berth.

c. The crew shall be adequately trained and an evacuation drill shall be carried out prior to the commencement of the static charter.

d. The local Port Authorities shall be notified about the event, beforehand.

e. The yacht shall remain static throughout the event and shall not navigate / cruise if more than 12 passengers are onboard (tender boats may be used to convey any additional persons).

f. Static charter at anchor shall only be undertaken in good weather conditions and the yacht shall remain static within 1 mile form the coast and within 5 miles form a safe haven

g. During static charter at sea any tender boats shall remain standby for the full duration of the charter.

6. Documents

Subsequent to the satisfactory review of the static charter application, the yacht will be issued with a statement by the San Marino Maritime Authority allowing static charters to be held onboard.

The statement will have a maximum validity of 12 months subject the conditions and requirements set out in this document remain unchanged and subject the validity of the Yacht Safety Certificate.

7. Notification

Whenever a static charter is planned the master/owners/managers shall inform the local Port Authorities as well as this Administration (flagstate@smsr.sm). The static charter shall take place upon receipt of the local Port Authorities authorization.