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STATUTORY INSTRUMENTS

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**2004 No. 1464**

**CONSUMER PROTECTION**

**<sup>F1</sup>The Recreational Craft Regulations 2004 (revoked)**

<i>Made</i>	- - - -	<i>26th May 2004</i>
<i>Laid before Parliament</i>		<i>28th May 2004</i>
<i>Coming into force</i>		
<i>regulations 1, 2, 12</i>		
<i>and 13</i>		<i>30th June 2004</i>
<i>Remaining regulations</i>		<i>1st January 2005</i>

**THE RECREATIONAL CRAFT REGULATIONS 2004 (REVOKED)**

1. Citation, commencement and revocation
2. Interpretation
3. Application
4. Excluded products
5. Products placed on the market before 1st January 2005
6. Exclusion until 31st December 2005 and 31st December 2006 of specified products complying with national rules in force on 16th June 2003
7. Prohibition on placing on the market
8. CE marking
9. Other markings and inscriptions
10. Conformity assessment
11. Notified bodies
12. Appointment of notified bodies
13. Fees
14. Procedure where a notified body is minded to refuse to issue an EC type-examination certificate
15. Enforcement authorities
16. Enforcement powers
17. Offences and penalties
18. Defence of due diligence
19. Liability of persons other than the principal offender
20. Requirement to give information about any product which does not bear the CE marking or other product not required to bear the CE marking
21. Commencement of proceedings

*Changes to legislation: There are currently no known outstanding effects for the The Recreational Craft Regulations 2004 (revoked). (See end of Document for details)*

Signature

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SCHEDULE 1 — (Annex I of the Directive)  
ESSENTIAL — Preliminary Observation  
REQUIREMENTS

- .....
- A ESSENTIAL SAFETY REQUIREMENTS FOR THE DESIGN AND CONSTRUCTION OF RECREATIONAL...
    - 1. BOAT DESIGN CATEGORIES Design Category Wind force (Beaufort scale) Significant...
      - A Definitions:
      - B OFFSHORE: Designed for offshore voyages where conditions up to, and...
      - C INSHORE: Designed for voyages in coastal waters, large bays, estuaries,...
      - D SHELTERED WATERS: Designed for voyages on sheltered coastal waters, small...
    - 2. GENERAL REQUIREMENTS Products falling under Article 1(1)(a) shall comply with...
      - 2.1 Craft identification Each craft shall be marked with an identification...
      - 2.2 Builder's plate Each craft shall carry a permanently affixed plate...
      - 2.3 Protection from falling overboard and means of reboarding Depending on...
      - 2.4 Visibility from the main steering position For motor boats, the...
      - 2.5 Owner's manual Each craft shall be provided with an owner's...
    - 3. INTEGRITY AND STRUCTURAL REQUIREMENTS
      - 3.1 Structure The choice and combination of materials and its construction...
      - 3.2 Stability and freeboard The craft shall have sufficient stability and...
      - 3.3 Buoyancy and flotation The craft shall be constructed to ensure...
      - 3.4 Openings in hull, deck and superstructure Openings in hull, deck(s)...
      - 3.5 Flooding All craft shall be designed so as to minimize...
      - 3.6 Manufacturer's maximum recommended load The manufacturer's maximum recommended load (fuel,...
      - 3.7 Liferaft stowage All craft of categories A and B, and...
      - 3.8 Escape All habitable multihull craft over 12 metres long shall...
      - 3.9 Anchoring, mooring and towing All craft, taking into account their...
    - 4. The manufacturer shall ensure that the handling characteristics of the...
    - 5. INSTALLATION REQUIREMENTS
      - 5.1 Engines and engine spaces
        - 5.1.1 Inboard engine All inboard mounted engines shall be placed within...
        - 5.1.2 Ventilation The engine compartment shall be ventilated. The dangerous ingress...
        - 5.1.3 Exposed parts Unless the engine is protected by a cover...
        - 5.1.4 Outboard engines starting All boats with outboard engines shall have...
        - 5.1.5 Personal watercraft running without driver Personal watercraft shall be designed...
      - 5.2 Fuel system
        - 5.2.1 General The filling, storage, venting and fuel-supply arrangements and installations...
        - 5.2.2 Fuel tanks Fuel tanks, lines and hoses shall be secured...
      - 5.3 Electrical system Electrical systems shall be designed and installed so...
      - 5.4 Steering system
        - 5.4.1 General Steering systems shall be designed, constructed and installed in...

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- 5.4.2 Emergency arrangements Sailboat and single-engined inboard powered motor boats with...
- 5.5 Gas system Gas systems for domestic use shall be of...
- 5.6 Fire protection
- 5.6.1 General The type of equipment installed and the layout of...
- 5.6.2 Fire-fighting equipment Craft shall be supplied with fire-fighting equipment appropriate...
- 5.7 Navigation lights Where navigation lights are fitted, they shall comply...
- 5.8 Discharge prevention and installations facilitating the delivery ashore of waste...
- B ESSENTIAL REQUIREMENTS FOR EXHAUST EMISSIONS FROM PROPULSION ENGINES Propulsion engines...
- 1. ENGINE IDENTIFICATION
- 1.1 Each engine shall be clearly marked with the following information:...
- 1.2 These marks must be durable for the normal life of...
- 1.3 These marks must be secured to an engine part necessary...
- 1.4 These marks must be located so as to be readily...
- 2. EXHAUST EMISSION REQUIREMENTS Propulsion engines shall be designed, constructed and...
- Table 1
- .....
- .....
- .....
- 3. DURABILITY The manufacturer of the engine shall supply engine installation...
- 4. OWNER'S MANUAL Each engine shall be provided with an Owner's...
- C ESSENTIAL REQUIREMENTS FOR NOISE EMISSIONS Recreational craft with inboard or...
- 1. NOISE EMISSION LEVELS
- 1.1 Recreational craft with inboard or stern drive engines without integral...
- Table 2
- .....
- .....
- .....
- 1.2 As an alternative to sound measurement tests, recreational craft with...
- 1.3 "Froude number" shall be calculated by dividing the maximum boat...
- 1.4 As a further alternative to sound measurement tests, recreational craft...
- 1.5 "Certified reference boat" shall mean a specific combination of hull/inboard...
- 2. For recreational craft with inboard engine or stern engines with...

SCHEDULE 2 — (Annex II of the Directive)  
— COMPONENTS

- 1. Ignition-protected equipment for inboard and stern drive engines.
- 2. Start-in-gear protection devices for outboard engines.
- 3. Steering wheels, steering mechanisms and cable assemblies.
- 4. Fuel tanks intended for fixed installations and fuel hoses.
- 5. Prefabricated hatches and portlights.

SCHEDULE 3 — (Annex III of the Directive)

DECLARATION BY — (Article 4(2) and (3))  
THE BUILDER OR  
HIS AUTHORISED

*Changes to legislation: There are currently no known outstanding effects for the The Recreational Craft Regulations 2004 (revoked). (See end of Document for details)*

REPRESENTATIVE  
ESTABLISHED IN  
THE COMMUNITY  
OR THE PERSON  
RESPONSIBLE FOR  
PLACING ON THE  
MARKET

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SCHEDULE 4 — (Annex IV of the Directive)  
— CE MARKING

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SCHEDULE 5 — (Annex V of the Directive)  
INTERNAL — (module A)

PRODUCTION  
CONTROL

1. The manufacturer or his authorised representative established within the Community,...
2. The manufacturer shall establish the technical documentation described in paragraph...
3. Technical documentation shall enable the conformity of the products with...
4. The manufacturer or his authorised representative shall keep a copy...
5. The manufacturer shall take all measures necessary in order that...

SCHEDULE 6 — (Annex VI of the Directive)  
INTERNAL — (module Aa, option 1)

PRODUCTION  
CONTROL PLUS  
TESTS

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- A Design and construction On one or several boats representing the...
- B Noise Emissions For recreational craft fitted with inboard or stern...

SCHEDULE 7 — (Annex VII of the Directive)  
EC TYPE- — (module B)

EXAMINATION

1. A notified body ascertains and attests that a specimen, representative...
2. The application for the EC type-examination shall be lodged by...
3. The technical documentation shall enable the conformity of the product...
4. The notified body shall:
  - 4.1 examine the technical documentation, verify that the type has been...
  - 4.2 perform or have performed the appropriate examinations and necessary tests...
  - 4.3 perform or have performed the appropriate examinations and necessary tests...
  - 4.4 agree with the applicant the location where the examinations and...
5. Where the type meets the provisions of the Directive, the...
6. The applicant shall inform the notified body that holds the...

7. Each notified body shall communicate to the other notified bodies...
8. The other notified bodies may receive copies of the EC...
9. The manufacturer or his authorised representative shall keep with the...

SCHEDULE 8 — (Annex VIII of the Directive)

CONFORMITY TO — (module C)

TYPE

1. The manufacturer or his authorised representative established within the Community...
2. The manufacturer shall take all measures necessary to ensure that...
3. The manufacturer or his authorised representative shall keep a copy...
4. With regard to the assessment of conformity with the exhaust...

SCHEDULE 9 — (Annex IX of the Directive)

PRODUCTION — (module D)

QUALITY  
ASSURANCE

1. The manufacturer who satisfies the obligations of point 2 ensures...
2. The manufacturer shall operate an approved quality system for production,...
3. Quality system
  - 3.1 The manufacturer shall lodge an application for assessment of his...
  - 3.2 The quality system shall ensure compliance of the products with...
  - 3.3 The notified body shall assess the quality system to determine...
  - 3.4 The manufacturer shall undertake to fulfil the obligations arising out...
    4. Surveillance under the responsibility of the notified body
      - 4.1 The purpose of surveillance is to make sure that the...
      - 4.2 The manufacturer shall allow the notified body entrance for inspection...
      - 4.3 The notified body shall periodically carry out audits to make...
      - 4.4 Additionally the notified body may pay unexpected visits to the...
    5. The manufacturer shall, for a period ending at least 10...
    6. Each notified body shall give the other notified bodies the...

SCHEDULE 10 — (Annex X of the Directive)

PRODUCT — (module F)

VERIFICATION

1. This module describes the procedure whereby a manufacturer or his...
2. The manufacturer shall take all measures necessary in order that...
3. The notified body shall carry out the appropriate examinations and...
- 3a. The manufacturer or his authorised representative shall keep a copy...
4. Verification by examination and testing of every product
  - 4.1 All products shall be individually examined and appropriate tests as...
  - 4.2 The notified body shall affix, or cause to be affixed,...
  - 4.3 The manufacturer or his authorised representative shall ensure that he...
    5. Statistical verification
      - 5.1 The manufacturer shall present his products in the form of...
      - 5.2 All products shall be available for verification in the form...
      - 5.3 The statistical procedure shall use the following elements: — the...
      - 5.4 In the case of accepted lots, the notified body shall...
      - 5.5 The manufacturer or his authorised representative shall ensure that he...

SCHEDULE 11 — (Annex XI of the Directive)

UNIT VERIFICATION — (module G)

**Changes to legislation:** There are currently no known outstanding effects for the The Recreational Craft Regulations 2004 (revoked). (See end of Document for details)

1. This module describes the procedure whereby the manufacturer ensures and...
2. The notified body shall examine the individual product and carry...
3. The aim of the technical documentation is to enable conformity...

SCHEDULE 12 — (Annex XII of the Directive)

FULL QUALITY — (module H)

ASSURANCE

1. This module describes the procedure whereby the manufacturer who satisfies...
2. The manufacturer shall operate an approved quality system for design,...
3. Quality system
  - 3.1 The manufacturer shall lodge an application for assessment of his...
  - 3.2 The quality system shall ensure compliance of the products with...
  - 3.3 The notified body shall assess the quality system to determine...
  - 3.4 The manufacturer shall undertake to fulfil the obligations arising out...
4. EC surveillance under the responsibility of the notified body
  - 4.1 The purpose of surveillance is to make sure that the...
  - 4.2 The manufacturer shall allow the notified body entrance for inspection...
  - 4.3 The notified body shall periodically carry out audits to make...
  - 4.4 Additionally the notified body may pay unexpected visits to the...
5. The manufacturer shall, for a period ending at least 10...
6. Each notified body shall forward to the other notified bodies...

SCHEDULE 13 — (Annex XIII of the Directive)

— TECHNICAL DOCUMENTATION SUPPLIED BY THE MANUFACTURER

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.....  
.....

SCHEDULE 14 — (Annex XV of the Directive)

— WRITTEN DECLARATION OF CONFORMITY

1. The written declaration of conformity to the provisions of the...
2. The written declaration of conformity shall include the following (\*):...
3. With regard to: — inboard engines and stern drive propulsion...

SCHEDULE 15 — (Annex XVI of the Directive)

— PRODUCT QUALITY ASSURANCE (MODULE E)

1. This module describes the procedure whereby the manufacturer who satisfies...
2. The manufacturer must operate an approved quality system for final...
3. Quality system
  - 3.1 The manufacturer must lodge an application for assessment of his...
  - 3.2 Under the quality system, each product must be examined and...
  - 3.3 The notified body must assess the quality system to determine...
  - 3.4 The manufacturer must undertake to fulfil the obligations arising from...
4. Surveillance under the responsibility of the notified body
  - 4.1 The purpose of surveillance is to make sure that the...
  - 4.2 The manufacturer must allow the notified body entrance for inspection...
  - 4.3 The notified body must periodically carry out audits to ensure...
  - 4.4 Additionally, the notified body may pay unexpected visits to the...
5. The manufacturer must, for a period ending at least 10...

6. Each notified body must forward to the other notified bodies...

SCHEDULE 16 — (Annex XVII of the Directive)

— CONFORMITY OF PRODUCTION ASSESSMENT FOR  
EXHAUST AND NOISE EMISSIONS

1. For verifying the conformity of an engine family, a sample...
2. The arithmetical mean  $\bar{X}$  of the results obtained from the...

SCHEDULE 17 — ENFORCEMENT

1. For the purposes of providing for the enforcement of these...
2. An enforcement authority shall, where action has been taken by...

Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Recreational Craft Regulations 2004 (revoked).