



**REPUBLIC OF  
THE MARSHALL ISLANDS**

**Marine Guideline**

**MARITIME ADMINISTRATOR**

**No. 1-11-2**

**10/15**

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**TO: COMMERCIAL AND PRIVATE YACHT MASTERS, OWNERS, YACHT MANAGERS, AGENTS, CLASSIFICATION SOCIETIES AND APPOINTED REPRESENTATIVES**

**SUBJECT: Yacht Engaged in Trade**

**Reference:** (a) **RMI Maritime Act 1990, as amended ([MI-107](#))**  
(b) **RMI Maritime Regulations ([MI-108](#))**  
(c) **RMI Yacht Code ([MI-103](#))**

**PURPOSE:**

The purpose of the guideline is to delineate the processes to be followed for a private yacht flagged in the Republic of the Marshall Islands (RMI) to obtain a Yacht Engaged in Trade (YET) Compliance Certificate and a Temporary Certificate of Registry for Yacht Engaged in Trade (Temporary COR YET) authorizing the yacht to charter for up to 84 days per calendar year in European Union (EU) waters (currently limited to France and Monaco).

**APPLICABILITY:**

This Guideline applies to all RMI private-registered yachts that seek to charter in EU waters, provided that they comply fully with the requirements for commercial yachts of the RMI Yacht Code (MI-103) and all other applicable national and international requirements.

**DEFINITIONS:**

**“Appointed Representative (AR)”** means an Administrator appointed agent or representative who conducts statutory surveys of unclassified yachts for the issuance of statutory certificates; initial, annual and renewal surveys and Compliance Verifications; and other services in accordance with written agreement.

**“Compliance Verification”** means an initial, annual, or renewal inspection carried out by an AR to verify that the qualifications and certification of the crew and the actual condition of the yacht and the certificates issued to it are in compliance with the requirements of the RMI Yacht Code and any international conventions, as applicable.

**“Customs Broker”** means a person who is licensed by the local customs authorities to act as a professional-agent for an Importer/Exporter, prepares and submits all documents for clearing goods through customs, and is paid customs-brokerage.

**“Importer/Exporter”** means a local entity established in an EU territory that may represent the yacht for customs purposes. A yacht owner may not serve as an Importer/Exporter.

**“Private Yacht”** means any yacht 12 meters (m) or more in length not carrying passengers for hire, not engaged in trade or commerce, and being used solely for pleasure or recreational purposes of its owner, which, at the time it is being used, is:

- a) in the case of a yacht owned by a corporate entity, one on which the persons on the yacht are employees, officers, directors, or beneficial owners of the corporate entity, or their immediate family or friends; or
- b) in the case of other ownership arrangements, one on which the persons on board the yacht are beneficiaries under the trust or the employees, officers, beneficial owners, or persons with similar designations of the ownership arrangement, or their immediate family or friends; or
- c) in private use.

**“Recognized Organization (RO)”** means an entity: 1) delegated authority to act on behalf of the Administrator with respect to statutory certification and services; and 2) if a Classification Society, has been assessed by the Administrator and found to comply with the RO Code or if an Appointed Representative, has been assessed by the Administrator and found to substantially comply with the RO Code.

**“Yacht Engaged in Trade (YET)”** means a private yacht registered as per Chapter 2, Part V, of the RMI Maritime Act that is eligible to obtain a valid Temporary COR YET and which maintains a valid YET Compliance Certificate, and therefore may be engaged in temporary chartering for no more than 84 days in a calendar year, which shall carry no more than 12 passengers and is 24 m or more in load line length.

**“Yacht Engaged in Trade Compliance Certificate (YETCC)”** means a national certificate that confirms that the yacht meets the applicable requirements in the RMI Yacht Code for a YET.

## **GUIDELINES:**

### **1.0 CRITERIA FOR YET QUALIFICATION**

- 1.1 The yacht must be 24 m or more in load line length.
- 1.2 The yacht must be in possession of an RMI Private Yacht Certificate of Registry (COR).
- 1.3 The yacht must comply fully with the requirements of Chapters I (General), II (Commercial Yachts), and V (YETs) of the RMI Yacht Code and all other applicable national and international requirements. Compliance with the RMI Yacht Code (MI-103) requires all YETs to be fully commercially compliant at all times, whether engaged in trade or not,

including full commercial compliance with all applicable RMI requirements and international conventions such as the Maritime Labour Convention, 2006 (MLC, 2006), the International Convention for the Safety of Life at Sea (SOLAS), the International Convention for the Prevention of Pollution from Ships (MARPOL), the International Safety Management (ISM) Code, and the International Ship and Port Facility Security (ISPS) Code, among others.

1.4 The yacht must successfully undergo an initial Compliance Verification by an AR.

1.5 The yacht will carry no more than 12 passengers while engaged in trade.

## **2.0 PROCEDURE**

2.1 The registered owner of the yacht must submit a Declaration of Private Use with the Intent to Request a Temporary Certificate of Registry for a Yacht Engaged in Trade to the RMI Maritime Administrator (the “Administrator”).

2.2 The yacht must undergo and successfully complete a Compliance Verification by an AR in accordance with RMI Maritime Regulations.

2.3 EU customs formalities must be addressed by the Importer/Exporter.

2.3.1 The yacht must either:

.1 be in possession of Valued Added Tax (VAT) paid certificate; or

.2 enter the EU under Temporary Admission in accordance with EU customs regulations, which allows the yacht to enter EU waters for up to 18 months. This option is available only to yachts of non-EU ownership and ultimately owned by a non-EU resident. A Customs Broker will be required to carry out the appropriate customs formalities on behalf of an Importer/Exporter. This includes the placement of the yacht under Temporary Admission for commercial activity and for the issuance of relevant import/export forms to provide clearance in and out for the yacht during the period it is chartered.

2.3.2 The yacht owner, yacht manager, or their agents and representatives, must provide the Administrator with a copy of either the VAT paid certificate or the Importer/Exporter must provide the Administrator with the appropriate EU Customs documentation (Déclaration d’Importation: IM A) that states the period for which the yacht will be engaged in trade while under Temporary Admission if the yacht is not VAT paid.

2.4 The Administrator will issue a Temporary COR YET reflecting the dates outlined on the EU Customs documentation for the period the yacht is chartered provided the criteria in section 1.0 are met and the procedures outlined in sections 2.1-2.3, above are successfully completed. See also section 3.1.5, below.

### **3.0 CONDITIONS FOR MAINTAINING YET ELIGIBILITY**

#### **3.1 A YET must:**

- .1 not be used by the beneficial owner during the period of validity of the Temporary COR YET;
- .2 maintain a valid YETCC by complying at all times with the RMI Yacht Code and all other national and international requirements, as applicable to a YET, irrespective of whether or not it is engaged in trade. This includes undergoing Annual Compliance Verifications to verify that the qualifications and certification of the crew and the actual condition of the yacht and the certificates issued to it are in compliance with the requirements of the RMI Yacht Code and any international conventions, as applicable;
- .3 maintain on board the yacht the original Acknowledgement From Master wherein the Master has acknowledged his/her understanding of the Declaration of Private Use with Intent to Request a Temporary Certificate of Registry for a Yacht Engaged in Trade; and
- .4 carry on board the Temporary COR YET issued by the Administrator for the entire duration of the charter. While operating under the Temporary YET COR, all other certificates of registry are invalid for the time period stated on the Temporary YET COR.

### **4.0 PORT STATE CONTROL (PSC)**

- 4.1 Private yachts holding a YETCC and operating under a Temporary COR YET should expect to be considered by EU PSC authorities (i.e., within the Paris Memorandum of Understanding) as a commercial yacht for the purposes of compliance and inspection.

### **5.0 QUESTIONS**

- 5.1 Please contact [Yachts@register-iri.com](mailto:Yachts@register-iri.com) for questions about YETs.