

**REGULATION**  
**No. 1005/2010**  
**on Pleasure Fishing Vessels and their Safety**

*Article 1*  
*Scope and purpose*

This Regulation applies to vessels registered on the Icelandic register of ships as pleasure fishing vessels.

The objective of the Regulation is to lay down condition for the registration of vessels operating as pleasure fishing vessels and provide for the applicable rules on their safety.

*Article 2*  
*Definitions*

A pleasure fishing vessel is a vessel, registered as a pleasure fishing vessel according to the Registration of Ships Act, leased for pleasure fishing for commercial purposes.

Near-coastal voyages are voyages within 50 nautical miles from a coast.

A boat rental is a legal entity holding a relevant operation licence, registered as the operator a pleasure fishing vessel and is responsible for the operation.

*Article 3*  
*The size, type and engine power of pleasure fishing vessels*

Pleasure fishing vessels shall be subject to registration according to the provisions of The Registration of Ships Act No. 115/1985 but shall not be of more than 8.0 metres in registered length. They shall fulfil the provisions of the Ship Survey Act No. 47/2003 and the provisions of Regulation No. 1017/2003 on the Survey of Ships and their Equipment, as amended.

The registered engine power of pleasure fishing vessels shall not exceed 100 kW.

Pleasure fishing vessels can either be open decked boats or decked vessels.

*Article 4*  
*Areas of operation of a pleasure fishing vessel*

The area of operation of pleasure fishing vessels is limited to near-coastal voyages and the sea area where receiving conditions for radio communication equipment and AIS monitoring equipment of the vessels are adequate. Where receiving conditions of radio communication and monitoring equipment are limited due to radio communication conditions or the type of radio communication and monitoring

equipment carried on board the vessels, the vessel operator shall ensure that the areas are excluded from the areas of operation of pleasure fishing vessels and ensure that direct radio communication and monitoring contact can at all times be maintained between the pleasure fishing vessel and shore.

The area of operation of open-decked pleasure fishing vessels is limited to the sea area up to 3 nautical miles from the coast.

The operation of open-decked pleasure fishing vessels shall be limited to the period from 1 April to 1 October.

The Icelandic Maritime Administration can lay down more detailed conditions for areas of operation of pleasure fishing vessels with regard to seasons, light conditions, sea state and restrictions in the ability of or requirements made for skippers to ensure safety of the vessel and those on board.

#### *Article 5*

##### *Construction and live-saving and safety appliances of pleasure fishing vessels*

Regarding construction and equipment, pleasure fishing vessels shall fulfil the provisions on work boats contained in Regulation No. 592/1994 on Construction and Equipment of Boats of up to 15 Metres in Length, as amended. The Icelandic Maritime Administration may grant general exemptions from specific provisions of the Regulation if the provisions are considered unnecessarily onerous with regard to size or type of the ship and restrictions in the area of operation of the ship concerned.

With regard to safety and lifesaving appliances of pleasure fishing vessels, the provisions on fishing vessels in Regulation 189/1994 on Rescue and Safety Equipment of Icelandic Ships shall apply. However, it is not obligatory to carry floatation work suits provided for in those regulations when the area of operation of pleasure fishing vessels is restricted to a sea area within 3 nautical miles from the coast.

The provisions on fishing vessels in the Icelandic Ships Radio Communication Equipment and Radio Communications Regulation No. 53/2000 shall apply to pleasure fishing vessels.

Pleasure fishing vessels may be operated as fishing vessels during that part of the year which it is not operated as pleasure fishing vessel provided that the vessel fulfils all other requirements for fishing vessels.

#### *Article 6*

##### *Boat rental*

The person responsible for the operation of a pleasure fishing vessel shall be a holder of a pleasure fishing vessel operation licence issued by the Icelandic Maritime Administration. The application for operation licence shall include the following information:

1. Name of the applicant and the intended operator.
2. Place of operation and name of contact person.
3. Scope of the activities including the number of vessels.
4. The company responsible for operations, the operator and administrative board of the company.
5. The safety management system established by the company and its content.
6. Education and training of employees.
7. The general instruction given to the skippers of the vessels before they commence the voyages on the vessels, their equipment and their use.
8. Control procedures of the operator and the operator's options to interfere or assist in case the drivers of the boat encounter difficulties.
9. Response plans and information on the assistance which can possibly be provided quickly in order to search for and rescue those who might be in distress.
10. Procedures for controlling the vessels between individual voyages and before a new crew comes on board.

The operation of boat rentals shall be carried out pursuant to a safety management system set up by the boat rental and which is subject to approval by the Icelandic Maritime Administration.

The boat rental shall draw the skipper's attention to the obligations of a skipper according to Icelandic legislation and on his/her obligations to comply with regulation and instructions.

The boat rental shall ensure a continuous watchkeeping on the spot to monitor the vessel and its voyages, assist those who are on board as far as possible and be able to respond in case of distress situation.

The boat rental shall be able to maintain continuous radio communication with the vessel at all times.

Every week, the boat rental shall check the hull of the ship, machinery, electrical installations and control installations to ensure that the hull and equipment are in perfect order and operate normally.

The boat rental shall ensure that those who are permitted to command pleasure fishing vessels hold the compulsory certificates of competency and are capable of attending sufficiently to the safety of the vessel and those who are on board. The operator shall prohibit those who are under the influence of substances or drugs to command the vessel. The same applies to any person who, due to the lack of rest or due to illness, is not considered able to fulfil the requirements on adequate health to engage in the

position of skipper. The operator shall inform the police of any infringement of law and regulations.

A boat rental shall keep any documents pertaining to the certificate of competency of the skipper and certification for a period not under one year, except where in the case of accident or incident, the preservation of documentation is important.

*Article 7*  
*Skipper's certificate of competency and responsibilities*

A lawful holder of a certificate for operators of pleasure boats on near-coastal or ocean voyages, or a holder of other equivalent foreign certificates of competency to the satisfaction of the Icelandic Maritime Administration, is entitled to operate a pleasure fishing vessel, providing that he has also received proper instructions regarding the vessel pursuant to Article 8.

The skipper is fully responsible for the use of a pleasure fishing vessel. He/she shall conduct the navigation of the vessel according to conditions and ensure that all relevant precautions are observed. The skipper shall comply with all instructions by the boat rental. Each voyage shall not be longer than 14 hours in any 24 hour period.

*Article 8*  
*Training in ship-handling at a boat rental*

The skipper of a pleasure fishing vessels shall, prior to leaving a port, receive proper instructions from an employee of a boat rental, who is a holder of a skipper's certificate of competency of a small vessel (<12 metres in registered length), and instruction in the use and command of the ship in question, e.g. on the vessel's rescue and safety equipment, control equipment, navigational equipment, positioning device, radio installations and the use of AIS and STK equipment, as applicable, navigation charts, transmitting distress calls and responses to emergency situations. The employee shall also check whether the skipper has knowledge of the basics of navigation and the collision regulations.

Furthermore, it is necessary that other crew members are instructed in the use of rescue and safety equipment, transmission of distress calls and responses to emergency situations.

Fishing operations and catch handling are provided for in rules adopted by the Ministry of Fisheries and Agriculture. A boat rental is responsible for familiarizing the crew of a pleasure fishing vessel with the content of these rules.

*Article 9*  
*Entry into force*

This regulation is adopted pursuant to the provisions of Article 7a of Act No. 30/2007 on Crews of Icelandic Fishing Vessels, Coast Guard Vessels and Pleasure Fishing

Vessels and other Ships, as amended, and is hereby ratified and shall enter into force immediately for all those concerned to comply with.

The Ministry of Transport, 2 December 2010.

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