

Recreational Craft Directive RYA Compliance Guide

Appendix 11



Secondhand Boats Imported from outside the EEA - Post Construction Assessment

Secondhand recreational boats imported into the European Economic Area (see Appendix 3) are subject to the RCD. These boats will need to be assessed by a Notified Body, such as the RYA, under the category of *Post Construction Assessment*. The main section of the Directive dealing with this states:-

In the case of post-construction assessment for recreational craft, if neither the manufacturer nor his authorised representative established within the Community fulfils the responsibilities for the product's conformity to this Directive, these can be assumed by any natural or legal person established within the Community who places the product on the market, and/or puts it into service, under his own responsibility.

In such a case, the person who places the product on the market or puts it into service must lodge an application for a post-construction report with a notified body. The person who places the product on the market and/or puts it into service must provide the notified body with any available document and technical file referring to the first placing on the market of the product in the country of origin. The notified body shall examine the individual product and carry out calculations and other assessment to ensure its equivalent conformity with the relevant requirements of the Directive. In this case, the Builder's plate described in Annex I, 2.2 shall include the words "(Post-construction certificate)". The notified body shall draw up a report of conformity concerning the assessment carried out and shall inform the person who places the product on the market and/or puts it into service of his obligations. That person shall draw up a declaration of conformity (see Annex XV) and affix, or cause to be affixed, the CE mark accompanied by the distinguishing number of the relevant notified body on the product.

The requirements fall into three general parts:-

- Ensure the boat physically complies with the RCD Essential Safety Requirements
- Make sure the Technical File, Owner's Manual, Declaration of Conformity and Builder's plate are satisfactory
- Notified Body *Post Construction Assessment (PCA)* assessment and certification.

In the case of a secondhand boat imported into the EEA the responsibilities for conformity to the RCD is usually the importer or the person within the Community who places the boat on the market and/or puts it into service. This person is often known as – “the responsible person”.

Ensure the boat physically complies with the RCD Essential Safety Requirements

All recreational boats imported into the EEA, except exemptions (see Appendix 2), between 2.5 and 24m in length will need to comply with the essential safety requirements of the RCD.

These are not always the same as the requirements of other non-EEA countries e.g. a boat built to the U.S. fuel tank and fuel system standards may need to be changed to comply with the RCD standards.

Details of the RCD essential safety requirements and the RCD supporting standard are given in the main section of this guide and the Standards may be purchased from the RYA via the RYA/BMF joint website www.rcdweb.com

Make sure the Technical File, Owner's Manual, Declaration of Conformity and Builder's plate are satisfactory

To comply with the RCD secondhand boats imported into the EEA shall each have an individual Technical File (see Appendix 7), an Owner's Manual (see Appendix 8) including a Declaration of Conformity (see Appendix 9) and the responsible person shall have a Builder's plate made and affixed, or caused to be affixed, to the boat. In addition to the normal information, such plate shall be marked *Post Construction Assessment* and display the distinguishing number of the relevant Notified Body.

Notified Body *Post Construction Assessment (PCA)* assessment and certification

The responsible person shall provide the Notified Body with any available document and technical file referring to the boat when first placing on the market in the country of origin. The Notified Body shall examine the individual boat and carry out calculations and other assessment to ensure its equivalent conformity with the relevant requirements of the Directive.

In the case of RYA Notified Body operations this assessment will be in accordance with the RSG Guidelines which currently involves “full” assessment against the RCD Essential Safety Requirements irrespective of the boat size or intended Design Category.

In the case of a boat that qualifies for noise testing (see Appendix M) the RSG require either

- the boat undertake a physical sound test undertaken under the responsibility of a Notified Body

or

- be supplied with documentation showing equivalent standards to the satisfaction of the Notified Body. These equivalents are determined by and specified in the RSG Guidelines.

The RYA is unable to assess engines for exhaust emissions. Where this is a requirement (see the RCD) the responsible person should contact a Notified Body authorised for this type of work.

For the fees and application forms for RYA Notified Body services see Appendix 1