

## TECHNICAL REQUIREMENTS FOR THE ISSUE OF A CERTIFICATE OF COMPLIANCE (THAMES BYELAW 16)

The Port of London Authority (PLA) requires that power driven vessels navigating within port limits comply with the speed limits as outlined in [Thames Byelaw 16](#). This includes the provision that where the Harbour Master has issued a Certificate of Compliance, vessels may navigate to an increased limit between Wandsworth Bridge and Lambeth Bridge and/or St Saviour's Dock and Margaretness,

This document identifies the criteria for any vessel, commercial or pleasure, seeking a PLA Certificate of Compliance and the standards that must be met.<sup>1</sup>

### **1. Standards and Requirements**

In order obtain and maintain a Certificate of Compliance, vessel operators and or owners will need to meet the following requirements:

#### **1.1 Construction standards**

1.1.1 All vessels should normally be constructed to the requirements of:

- a) High Speed Craft Code; or
- b) Small Commercial Vessel Code; or
- c) Recreational Craft Directive; or
- d) Certification under the PLA's Thames Freight Standard, Inland Waters Small Passenger Boat Code or another equivalent standard recognised by the PLA.

#### **1.2 Safety Management System**

1.2.1 Commercial vessels must implement a robust operational and vessel management regime, including an appropriate Safety Management System (SMS) developed using the principles described in Chapter 18 of the HSC Code (2000) and the ISM Code. In particular ISM Code Chapters:

- a) Safety Management System;
- b) Designated Person(s);
- c) Development of Plans for Shipboard Operations;
- d) Emergency Preparedness; and
- e) Reports and Analysis of Non-Conformities, Accidents and Hazardous Occurrences.

1.2.2 Pleasure vessels seeking a Certificate of Compliance must implement an SMS. A model template can be found in Annex 2.

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<sup>1</sup> The criteria were initially developed following exhaustive and objective risk assessment, and encompass the relevant principles and elements of the *High Speed Craft (HSC) Code (2000)*, *International Safety Management (ISM) Code*, the *Small Commercial Vessel Code – MGN 280 (SCV Code)*, *Voluntary Code of Practice on Passenger Safety on Small Commercial High Speed Craft & Experience Rides* and where appropriate, the *Inland Waters Small Passenger Boat Code (IWSPBC)*.

### 1.3 SMS Audit Requirements

- 1.3.1 All Safety Management Systems must be audited by either a recognised body or a third party independent qualified auditor. A third-party auditor should hold one of the following recognised qualifications:
- a) ISM Lead Auditor; or
  - b) ISO Lead Auditor in any of the following standards:
    - a. ISO 9001;
    - b. ISO 14001;
    - c. ISO 45001; or
  - c) another qualification acceptable to the PLA, assessed on a case-by-case basis.
- 1.3.2 For initial issue, evidence from an approved auditor that the SMS is compliant to the standards laid down in a recognised marine standard (e.g. ISM / DSMC) or equivalent must be provided to the PLA.
- 1.3.3 For renewal, evidence of annual auditing or ongoing compliance to the standards laid down in a recognised marine standard (e.g. ISM / DSMC)<sup>2</sup> must be provided to the PLA during each annual renewal.

### 1.4 Port Passage Plans

- 1.4.1 All operators shall develop and include in the vessel's SMS documentation, a detailed generic Port Passage Plan as per General Direction 4.4.
- 1.4.2 The Passage Plan must be submitted to the Harbour Master for approval prior to the issue of a Certificate of Compliance. Failure to adhere to the requirements of the Passage Plan may result in the withdrawal of the vessel's Certificate of Compliance.

### 1.5 Additional Equipment

- 1.5.1 In addition to the above requirements, each vessel must:
- a) meet the requirements of Thames Byelaw 12 *Thames AIS Carriage Requirements* and any associated technical guidance; and
  - b) utilise the PLA approved Persons on Board Reporting System; and
  - c) be provided with an all-round yellow flashing light as prescribed by Rule 23 (b) of the International Collision Regulations, operated in accordance with the requirements of Thames Byelaw 31.

Procedures should reference the use of this equipment; particularly the regular update of persons on board numbers.

### 1.6 Crew Numbers

- 1.6.1 Every vessel shall be navigated by two crew members for high-speed watch keeping and emergency response purposes. Specifically, when operating at high speed, the steering position must be manned at all times by two crew.

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<sup>2</sup> To meet an equivalent standard of ISM/DMSC, vessels shall provide:

- written declaration that a documented annual internal audit has taken place; and
- evidence of at least three external audits in any 5 year period; specifically, an initial audit in year one, an intermediate audit between the second and third anniversaries, and a renewal audit.

- 1.6.2 Where a crew member is required to vacate the steering position for any reason, the vessel's speed must be reduced to a speed below 12 knots through, on or over the water while the steering position is manned by a single person.

## 1.7 Crew Qualifications

- 1.7.1 Crew should be qualified as outlined in the table below:

	Master	Lookout/Deckhand
<b>Commercial</b>	The Master must hold as minimum: a) MCA Boatmasters' Licence (BML) Tier 1, Level 2 or equivalent qualification; <sup>3</sup> or b) Royal Yachting Association (RYA) Advanced Power Boat Certificate of Competency (with a commercial endorsement); c) Thames Local Knowledge Endorsement (MCA or PLA, as appropriate); and d) A valid ML5 or ENG1.	The second crew member of either Commercial or Pleasure vessels should, as a minimum, be qualified as follows:  a) Hold a valid RYA Powerboat Level 2 Certificate or be deemed competent under the requirements of a High Speed Craft Code type rating training syllabus; and b) Sufficiently familiar with the vessels machinery to understand its proper functioning and be able swiftly, to recognise and respond to a defect or malfunction; and c) Sufficiently competent to keep a proper lookout as required by Rule 5 of the International Regulations for the Prevention of Collisions at Sea, 1972, and to take over the conning of the vessel from the Master in an emergency.
<b>Pleasure</b>	The Master must hold, as a minimum: a) Royal Yachting Association (RYA) Advanced Power Boat Certificate of Competency (with a coastal endorsement); or b) RYA Powerboat Instructor Certificate of Competency (with a coastal endorsement); and c) a PLA Thames Local Knowledge Endorsement.	

- 1.7.2 In the case of training operations conducted by RYA Recognised Training Centres, the requirement for a qualified second crew member (1.7.1 above) does not apply, provided that a trainee on board is sufficiently experienced and briefed to be capable of keeping a proper lookout, able to respond to a defect or malfunction or to take over from the Master in the event that the Master is incapacitated.

## 1.8 Seating

- 1.8.2 Seating must be provided for all passengers and crew on the vessel in accordance with current MCA regulations and guidance.<sup>4</sup> Any deviation from this standard should be fully risk assessed and highlighted to the harbour master.
- 1.8.3 Sitting or riding on side tubes or on parts of the vessel not designated as approved seats, is not permitted.<sup>5</sup>

<sup>3</sup> as defined in MSN 1853 – *Boatmasters' Qualifications, Crew and Hours of Work*

<sup>4</sup> MAIB Report: Seadogz -December 2024, Report No 10/2023

<sup>5</sup> MAIB Report: Celtic Pioneer – May 2009 & Marine Guidance Notice 436

## **1.8 Passenger Safety**

- 1.8.4 For any vessel carrying passengers in addition to the crew, the operator and vessel master are required to endorse and formally adopt the *Passenger Safety on Small Commercial High Speed Craft & Experience Rides - A Voluntary Code of Practice* (Issue 3. April 2019).

## **1.9 Emergency Engine Cut-off (Kill Cord)**

- 1.9.1 All open boats that achieve planing speed must be fitted with a kill-cord or wireless equivalent, to be used at all times during navigation.
- 1.9.2 A spare kill cord, or emergency override shall be provided on board open boats to affect a recovery in the event the Master falls overboard.

## **1.10 Night Navigation**

- 1.10.1 Certificates of Compliance for open passenger vessels (i.e. those not totally enclosed by a rigid structure) will be restricted to operations between one hour before sunrise and one hour after sunset, as per the times published in PLA tide tables.
- 1.10.2 Night operations by open passenger vessels during controlled events, such as filming, may be considered on a case-by-case basis by the Harbourmaster. In such cases express written permission will be given.
- 1.10.2 Operators of all other vessels must be satisfied that their personnel are appropriately trained and experienced for night navigation. Submission of an application will be taken as acceptance of their satisfaction. If the operator is not satisfied with their personnel's training, they must notify the Harbour Master at the time of application, and a daytime restriction will be imposed.

## **1.11 Navigation outside the authorised channel**

For the purposes of *General Direction 19 Requirements to Use the Authorised Channel* all vessels operating at high speed under a certificate of compliance are considered to have a LOA of greater than 13.7m. High speed operations are therefore limited to the authorised navigational channel for all vessels, irrespective of size.

## **1.12 Cargo**

Vessels which carry cargo, either as their primary function or in addition to passengers, must be provided appropriate stowage or securing arrangements to prevent the shifting cargo whilst operating at high speed.

## **2. Initial Issue of a Certificate of Compliance**

- 2.1 Where a vessel has not previously held a Certificate of Compliance, the operator will be required to submit for consideration by the Harbour Master:
- a) Generic Port Passage Plan; and
  - b) Navigational Risk Assessment; and
  - c) Safety Management System.
  - d) Supply vessel wash curves to the Harbour Master and/or undergo an assessment of the wash generation characteristics of a vessel on request.

- 2.2 The vessel will be required to undergo an inspection to verify:
- a) The overall condition and stability of the vessel (unless valid MCA or PLA certification is provided); and
  - b) The adequate provision and operation of on-board equipment, including (but not limited to) navigational equipment, seating and passenger safety arrangements; and
- 2.3 Applications should be made in writing to [harbourmaster@pla.co.uk](mailto:harbourmaster@pla.co.uk) using the form in Annex A.

### **3. Annual Certificate of Compliance Renewal**

- 3.1 Vessels already holding a Certificate of Compliance will be subject to an annual renewal process. As part of this renewal process the vessel must provide:
- a) Evidence of continuing commercial vessel certification or, in the case of a pleasure vessel, an inspection; and
  - b) Evidence of third party or recognised body auditing (as referred to in Section 1.2 of this document) of the safety management system manual, including (but not limited to), manning requirements, risk assessment, training, effective passage planning, and management of passenger embarking, disembarking and containment; and
  - c) Evidence of an appropriate vessel maintenance program; and
- 3.2 As required by the PLA, this may also include a review of the Generic Port Passage Plan, Navigational Risk Assessment, Safety Management System, provision of wash curves and/or undergoing a wash assessment. If not held, updated documents may be requested by the harbourmaster.
- 3.3 Applications for renewal should be submitted in writing to [harbourmaster@pla.co.uk](mailto:harbourmaster@pla.co.uk) at least 10 working days before expiry of the existing certificate, using the form in Annex A.

### **4. 'For Cause' Inspection and Temporary Suspension of Certificate of Compliance**

- 4.1 Where a vessel in receipt of a Certificate of Compliance issued in accordance with Thames Byelaw 16 has been involved in an incident in which the safety of navigation may have been compromised, the Harbour Master reserves the right to undertake an inspection of the vessel and all associated documentation required for the issue of a Certificate of Compliance for any vessel or, fleet of vessels operated by a single company.
- 4.2 In the event that a 'For Cause' inspection is required, the harbour master may temporarily suspend a vessels Certificate of Competency or those of an associated fleet, restricting their use to below 12 knots until it can be determined the conditions of the Certificate of Compliance have not been breached.
- 4.3 In the event of wash complaints a 'For Cause' wash assessment may be required by the Harbour Master. Failure to comply with this requirement may result with a special direction in line with 4.2.

## **5. Permanent Revocation of a Certificate of Compliance**

- 5.1 In the event of non-compliance with any of the core requirements detailed Section 1 the Certificate of Compliance may be fully revoked.
- 5.2 The PLA reserves the right not to issue a Certificate of Compliance in accordance with Thames Byelaw 16 to a vessel operator and/or owner if the vessel operator or owner (or a connected person to either the vessel operator or owner):
  - a) has had another Certificate of Compliance revoked; or
  - b) has been subject to any action taken by the PLA pursuant to clause 4 of this document in the past 3 year period.
- 5.3 The 3 year period for these purposes shall be a period of 3 years prior to the date of application for the new Certificate of Compliance.
- 5.4 A connected person for these purposes is a company or body in which either the vessel operator or owner has an interest which includes, but is not limited to, a directorship, a partnership stake or a shareholding.

## **6. Restrictions on Certificates of Compliance**

- 6.1 The PLA reserves the right to restrict the number of certificates available, or to impose restrictions on the hours of operation of Certificates of Compliance issued to all or certain categories of vessel in the interests of Navigational Safety

## Annex A

### **Applying for an initial Certificate of Compliance or renewal**

Applications for Certificate of Compliance are to be completed by the applicant and submitted to the Harbour Master in writing at [harbourmaster@pla.co.uk](mailto:harbourmaster@pla.co.uk).

Applications for renewal should be submitted at least 10 working days before expiry of the existing certificate, and the timeframe of initial applications will vary on a case by case basis.

Vessel Name			
Vessel Operator			
Named Contact		Position	
Telephone		Email	
Application Type	<i>Initial or Renewal</i>		
Document submission	The following documents have been submitted with this application: - Generic Port Passage Plan - Navigational Risk Assessment - Wash curves and/or undergo an assessment of the wash generation characteristics of a vessel acceptance to undergo an assessment of the wash generation characteristics of a vessel if deemed necessary by the harbourmaster. - Letter/evidence from an approved auditor stating the vessel SMS is compliant to the standards laid down in a recognised marine standard (or equivalent standard for pleasure vessels).		
Declaration	I declare that the "Technical Requirements for The Issue Of A Certificate Of Compliance (Thames Byelaw 16)" have been satisfied.		
Signed		Date	

To be filled in by the Harbour Master or nominated deputy:

	Received*	Notes (if applicable)
Generic Port Passage Plan		
Navigational Risk Assessment		
Safety Management System		
Wash Curves/Assessment		
Certificate of Compliance Inspection issued by surveyors or confirmation this is not applicable		

\* All documents should be filed in the relevant SharePoint location.

**Where the required standard has been met, a Certificate of Compliance should be issued for the vessel.**

A copy shall be sent to the operator, a copy saved to SharePoint and any other relevant PLA database updated.

## **Annex B**

### **Model Template for Pleasure Vessel Safety Management System**

1. Introduction
2. Purpose
3. Rules and Regulations for Navigation
4. Automatic Identification System (AIS)
5. Passage Planning
6. Reporting Accidents or Incidents
7. Vessel Maintenance
8. Emergency Procedures
9. Operational Procedures



## **Annex C**

### **Relevant Legislations and Guidance**

The principles of the Codes listed below have informed the Certificate of Compliance criteria. Vessel operators should consider incorporating the relevant elements into their Safety Management Systems.

#### **Small Commercial Vessel Code (MGN280): Section 11**

- Intact Stability All Vessels **(11.1.1.11)**
- Damage Survivability **(11.2)**
- Damage tests - Inflatable boats **(11.5.2)**
- Swamp test **(11.5.3)**
- Person recovery stability test **(11.5.4)**

#### **International Safety Management Code: Chapter 5**

- Safety management objectives and requirements **(1.2.2.) (1.2.3.)**
- Functional requirements for a Safety Management System **(1.4.)**
- The Company should ensure that the policy is implemented and maintained at all levels of the organization, both ship based as well as shore based. **(2.2.)**
- Company Responsibilities and Authority **(3.)**
- Designated Person(s) **(4.)**
- Resources and Personnel **(6.)**
- The Company should ensure that the ship's personnel are able to communicate effectively in the execution of their duties related to the Safety Management System. **(6.7)**
- The Company should establish procedures to identify describe and respond to potential emergency shipboard situations. **(8.1)**
- Reports and Analysis of Non-conformities, Accidents and Hazardous Occurrences. **(9.)**
- The Company should establish procedures in its SMS to identify equipment and technical systems the sudden operational failure of which may result in hazardous situations. The SMS should provide for specific measures aimed at promoting the reliability of such equipment or systems. These measures should include the regular testing of stand-by arrangements and equipment or technical systems that are not in continuous use. **(10.2.) (10.3.)**

#### **High Speed Craft Code 2000: Chapter 18**

- The Administration shall issue a Permit to Operate High-Speed Craft when it is satisfied that the operator has made adequate provisions from the point of view of safety generally, including the following matters specifically, and shall revoke the Permit to Operate if such provisions are not maintained to its satisfaction. **(18.1.3)**
- Craft operating manual **(18.2.1.)**
- Maintenance and servicing manual/system **(18.2.4.)**
- Information on passengers **(18.2.5.)**
- The Administration shall specify an appropriate period of operational training for the master and each member of the crew and, if necessary, the periods at which appropriate retraining shall be carried out. **(18.3.2)**
- The Administration shall issue a type rating certificate to the master and all officers having an operational role following an appropriate period of

operational/simulate or training and on the conclusion of an examination including practical test commensurate with the operational tasks on board the particular type and model of craft concerned and the route followed. **(18.3.3.)**

- The Administration of the country in which the craft is to operate shall be satisfied with the training, experience and qualifications of the master and each crew member. A valid certificate of competency or a valid license appropriately endorsed. **(18.3.8.)**
- Manning of survival craft and supervision. **(18.4.)**
- Emergency instructions and drills. **(18.5)**
- On-board instruction and operation of the craft's evacuation, fire and damage control appliances and systems shall include appropriate cross-training of crew members. **(18.5.5.)**
- Damage control drills. **(18.5.10.)**

#### **Passenger Safety on Small Commercial High Speed Craft & Experience Rides.**

**BS EN ISO 11591 Small craft. Field of vision from the steering position**

**MGN 436 (M+F) Amendment 4 whole body vibration**