

Conditions for the issuing of the proof of registration and its continuation

1. General

Boats that have only limited seaworthiness due to their construction cannot be registered as seagoing yachts in the Swiss Yacht Register. These are boats that, due to their construction and equipment, must be designated as 'coastal boats' (in particular, coastal vessels according to CE design category C). On request, such boats can be issued with a confirmation of flag registration instead of a certificate of flag registration. This entitles and obliges the holder to fly the Swiss flag in coastal waters and on foreign inland waterways. The relevant regulations and forms are available on the SMNO website. The commercial transport of persons or goods on Swiss coastal boats is prohibited. Within the scope of the Yachts Ordinance, the commercial transport of persons or goods is deemed to occur if any form of remuneration is paid for such transport which is intended to cover more than the proportional ordinary costs of operation during the period of transport. Any kind of compensation, including, but not limited to, a payment in cash or benefit in kind, shall be deemed to be remuneration.

A Swiss coastal boat may be lent to foreign users on an occasional basis, as long as the regulations regarding the domicile of owners are not circumvented by this. Commercial letting is prohibited. Commercial letting is deemed to occur if a payment (rent) is made in any form intended to cover more than the ordinary costs of operation during the period of letting. Owners remain responsible and liable for all operations. They shall be liable in accordance with the provisions of the Navigation Act and the Yachts Ordinance.

2. Proof of third-party liability insurance

Owners of a coastal boat must provide proof of third-party liability insurance coverage for the whole duration of registration. The relevant provisions and references can be downloaded from the SMNO's website.

3. Proof of ownership

Proof of the boat's ownership must be provided to the SMNO by documentary evidence such as e.g. the bill of sale, contracts, heritage and/or gift declarations etc. In the case of self-built craft, the corresponding SMNO references will be taken into consideration; these are available for download from the SMNO's website.

In cases of co-ownership, proof of the relevant share of ownership must be provided to the SMNO, along with the form 'Co-ownership agreement and power of representation'. These can be downloaded from the SMNO's website.

4. Ownership

Owners must be natural persons with Swiss citizenship, natural persons domiciled in Switzerland, or legal entities based in Switzerland. Legal entities must also have their actual administration in Switzerland and be entered in the commercial register.

5. Foreign influence or foreign registration

In submitting an application for registration or renewal, owners declare to the SMNO that the boat is not registered in any other foreign official registry, nor such registration is currently or shall in the future be initiated during the period of registration with the SMNO and that no foreign influence is hidden.

6. Limited seaworthiness, equipment and measurement

Proof of the coastal boat's limited seaworthiness must be provided. Therefore, the relevant form ("Safety certificate for proof of registration" or "Safety certificate in case of renewal of the proof of registration"; available on the SMNO website) must be completed/endorsed by the ship owner and an independent expert; inspections must be done on-site for first-time registrations, but can be done virtually in the case of a renewal.

If the coastal boat already has a confirmation of flag registration in the name of the previous owner, the SMNO can use the safety certificate from that confirmation, either from its original issue or its most recent renewal. The validity period of the new confirmation of flag registration is based on the five-year validity of the existing safety certificate. If this expires at the time of the change of ownership, a safety certificate when renewing the confirmation of flag registration is sufficient for pre-registration.

A safety certificate is not required for boats that are already in the cantonal register, so long as a valid sailing licence is provided.

For a new coastal boat, the type certificate and the builder's certificate can be presented at the shipyard as an alternative to the safety certificate (must be at least CE design category C).

Alternatively to the safety certificate, a corresponding survey statement by a classification society recognised by the SMNO may be provided. For boats with a tonnage of **150 GT or more this is mandatory.** In special cases, the SMNO may also require a survey statement by a recognised classification society for boats under 150 GT. The list of classification societies recognised by the SMNO can be downloaded from the SMNO's website.

For coastal boats, the regulations of the corresponding countries and categories are applicable regarding the equipment. As a minimum, the safety equipment required by the Swiss Inland Navigation Act must be carried (Art. 132 or Annex 15 of the Ordinance of 8 November 1978 on Navigation on Swiss Waters; SR 747.201.1).

For seagoing coastal boats with a total length of 24 metres or more (length overall), the SMNO must be provided with a tonnage measurement conducted by an independent expert that confirms a tonnage length under 24m (boat length in line with Art. 2 no. 8 of the Tonnage Convention¹); or a tonnage certificate issued in accordance with international rules.

The corresponding ship measurement in accordance with international rules along with issuance of the associated tonnage certificate is provided by all classification societies recognised by the SMNO and by various foreign port and maritime authorities, including the German Federal Maritime and Hydrographic Agency (www.bsh.de).

The list of classification societies recognised by the SMNO is available on the SMNO website.

7. Certificate of Registry

Every change in particulars mentioned in the certificate of registry must be reported and the certificate sent to the SMNO immediately. Amendments may only be made by the SMNO. The certificate cannot be transferred to new owners. In case of change(s) in ownership a new certificate must be applied for.

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¹ International Convention on Tonnage Measurement of Ships

8. Maritime radio communication

Although transmitting and/or receiving equipment is not obligatory for seagoing Swiss coastal boats under 150 GRT, they are recommended by the SMNO as they improve safety and are useful in emergencies. The Federal Office of Communications (OFCOM) of the Federal Department of the Environment, Transport, Energy and Communications (DETEC) is responsible for the telecommunications regulations for maritime navigation under the Swiss flag. If a boat is equipped with appropriate transmitting and/or receiving equipment (e.g. VHF radio, radar, AIS, EPIRB, etc.), an application for a ship station licence or allocation of a maritime radio identification (call sign, MMSI or Atis) must be submitted (see also https://www.bakom.admin.ch/ under Frequencies and antennas > Frequency use with or without licences > Maritime radiocommunication).

9. VAT and customs

Information regarding VAT and customs declaration and clearances for coastal boats can be obtained directly from the relevant foreign authorities and the Swiss representations abroad.

10. Fees

The costs for an initial registration amount to CHF 800.00 (checking of all documentation, issuance of the proof of registration for five years) plus postage.

The costs for a renewal of the proof of registration amount to CHF 100.00 per year. The certificate may be extended upon application for a maximum period of five years (= CHF 500.00).

11. Submission of the application and processing time

Applications for the issuance or renewal of a proof of registration must be submitted electronically via the <u>SMNO's online portal</u>. An account must be created for this purpose. Instructions are available on the SMNO's website (<u>www.smno.ch</u> under <u>Leisure and sport > Coastal boats > Issue of a confirmation of flag registration for coastal boats</u>).

Electronic submissions by email will not be processed. Incomplete applications will not be processed or will be rejected.

The usual processing time is approximately two weeks.

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