

A03 - Safety Management Manual

This document is the Safety Management Manual for Yachting Concept Monaco. It provides a comprehensive overview of the safety management system, company policies, crew management, emergency preparedness, and other related aspects. For yachts operating under the International Safety Management (ISM) framework, it is essential for the master to strictly adhere to the guidelines and regulations outlined in this manual. Additionally, it clearly defines the specific responsibilities of each individual involved (ashore and onboard) to ensure the safe management of a yacht.

1. Definitions

| Term | Definition |
|---------------------------|--|
| Accidents | When injury to individuals has occurred, or damage has occurred to the yacht or its equipment |
| Action Taken | To correct or prevent a conflict. Will be to a degree appropriate to the magnitude of the problem and relevant to the risks involved |
| Anniversary Date | The day and month of each year that corresponds to the date of expiry of the relevant document or certificate |
| Class | The Classification Society of the Yacht |
| COC | Certificate of Competence |
| Shore Base Company | Yachting Concept Monaco Yacht Management (the Shore Base Company), which has assumed the responsibility for operation of the Yacht from the Owner and who, on assuming such responsibility, has agreed to take over all duties and responsibilities imposed by the Code |
| Corrective Action | Measures taken to put right a situation found to conflict with specified SMS or safety requirements |
| COSWOP | Code of Safe Working Practice for Merchant Seamen |
| D&A Policy | Drugs & Alcohol Policy |
| Director | Director of Yachting Concept Monaco Yacht Management |
| DOC | Document of Compliance; An ISM Certificate awarded by the Flag State to the Company or Operator |
| DMLC Part I | The DMLC part 1 details the national requirements of the flag state for the yacht's compliance with the MLC, including any substantial equivalences, exemptions or yacht-type specific requirements |
| DMLC Part II | The DMLC part 2 is prepared and maintained by the Shipowner, and details how the Shipowner shall ensure compliance with each of the requirements of the DMLC part 1 |

| Term | Definition |
|---|---|
| DPA | Designated Person(s) Ashore |
| FFE | Fire Fighting Equipment |
| Flag Administration | The Government of the State whose Flag the Yacht is entitled to fly |
| GMDSS | Global Maritime Distress Safety System |
| Hazardous Occurrences or Near Miss | On-board operational incidents caused by hazards, failure of procedures in operations, material defects, fatigue and human failures, which have the potential to lead to an accident |
| IHM | Inventory of Hazardous Material |
| HOD | Head of Department |
| IMO | International Maritime Organisation |
| Incidents | Generic term for unspecified accidents, 'near-misses' or occupational diseases |
| ISM Code | The International Management Code for the Safe Operation of Vessels and for Pollution Prevention, as adopted by the Assembly, as may be amended by the Organisation |
| Light Duties | Following an injury to a seafarer, any change from or reduction of their normal role. Usually imposes prompt notification to Flag Administration. |
| LSA | Life Saving Appliances |
| Major Non-Conformity | An identifiable deviation which poses a serious threat to the safety of personnel or the ship, or a serious risk to the environment that requires immediate corrective action, or the lack of effective and systematic implementation of a requirement of this Code |
| MARPOL 73/78 | International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978. ("MARPOL" is short for marine pollution and 73/78 is short for the years 1973 and 1978) |
| Master | The Certificated Officer in command of the Yacht, and who is responsible to the Owner/Management Company for the safety of the yacht, the crew and guests, and protection of the environment |
| MMSI | Maritime Mobile Service Identity |
| NCR | Non-Conformity Report |
| NTVRP | Non-Tank Vessel Response Plan |

| Term | Definition |
|----------------------------|--|
| Objective Evidence | Quantitative or qualitative information, records or statements of fact pertaining to safety or to the existence and implementation of a safety management system element, which is based on observation, measurement or test and which can be verified |
| Occasional Workers | The terms supernumerary and non-operational crew are no longer valid so anyone on-board who is not a passenger must appear on the crew list. Occasional Workers are non-guests on-board that do not form part of the manning of the Yacht i.e. contractors, Guest's employees and representatives. Third parties such as service technicians, nannies, security guards etc. are now crew but clearly not allowed to be assigned muster duties or other duties unless trained and certified. Self-employed contractors will be required to carry proof of contract and an appropriate medical fitness certificate |
| OBS | Observation - A statement of fact made during an audit substantiated by objective evidence. A weakness or potential deficiency in the SMS which, if not corrected, may lead to a non-conformity in the future. |
| Owning Company | The registered Owner of a yacht |
| Position | The role assigned to a person on board |
| Preventative Action | A permanent measure is taken to prevent the recurrence of non-conformity, deficiency or an accident. |
| Procedure | Controlled documentation providing safe operational processes |
| PTW | Permit to Work |
| Repatriation | To your country of residence either on termination of the SEA or for annual leave (flight allowance is no longer mentioned) |
| Rest Hours | Rest Hours is time outside hours of work; this term does not include short breaks |
| Seafarer | A Seafarer means any person, including the Master, who is employed or engaged or works in any capacity on board a seagoing vessel to which MLC 2006 applies. The definition of Seafarer does not apply to those persons whose work is not part of the routine business of the vessel and whose principal place of work is ashore, for example, marine professionals such as harbour pilots, inspectors, or superintendents, scientists, researchers, divers and specialist offshore technicians. Also exempt are those persons working on a seagoing vessel on an occasional and short-term basis, for example, fitters and guest lecturers. – See Occasional Workers. |

2. Introduction

2.1. Overview

The purpose of the International Safety Management (ISM) Code is to provide an international standard for the safe management and operation of ships and for pollution prevention.

The Code establishes safety-management objectives and requires a safety management system (SMS) to be established by "the Company", which is defined as the owner or any other organisation or person, such as the manager, who has assumed responsibility for operating the ship and who, on assuming such responsibility, has agreed to take over all duties and responsibility imposed by the Code.

The Company is then required to establish and implement a policy for achieving these objectives. This includes providing the necessary resources and shore-based support.

Every company is expected to designate a person or persons ashore having direct access to the highest level of management in order to provide a link between the company and those on board.

The procedures required by the Code should be documented and compiled in a Safety Management Manual, a copy of which should be kept on board.

The SMS ensures compliance with all applicable international rules & regulations for safe management of ships and pollution prevention, including the International Safety Management (ISM) Code. Additionally, Codes of Practice, guidelines and standards recommended by Classification Societies and maritime organisations are also considered.

2.2. General

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2.3 Objectives

The objectives of the Yachting Concept Monaco have been established to ensure safety at sea, prevention of human injury or loss of life and to avoid damage to the environment: To this end we endeavour to:

- Provide a safe, efficient, effective and professional yacht management service through the implementation of an appropriately controlled Safety Management System;
- Assess and mitigate all risks to yachts, personnel and the environment;
- Provide for safe practices in yacht operation and a safe working environment;
- Continuously improve the safety management skills of personnel ashore and on board.

2.4 Scope

The scope of this SMM applies to all personnel involved in any activity that concerns the safe operation of the yacht and pollution prevention. This includes all on-board activities and departments of Operations, including Technical, Financial and Administration ashore.

2.3. Working language

The working language is English. The office team, as well as on-board personnel, must have an adequate command of the English language to enable communication on yacht-related technical, operational and safety matters.

The Safety Management System and the Safety Management Manual are developed in English only and should be fully understood by the company personnel and ship crew members.

3. Safety Management System Overview

Clear levels of authority and lines of communication between, and amongst, the office team and on-board personnel enable to:

- Report and deal with near misses, accidents, non-conformities and occupational diseases;
 - Prepare for and respond to emergencies;
 - Ensure effective crew management through appropriate crew employment, support and development;
 - Carry out internal audits and management reviews to drive continual improvement.
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4. Company Policies

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4.1. Overview

The basis of effective and efficient management is a commitment from the top. In matters of safety, health, environmental protection and workplace practices, it is the commitment, competence, motivation and attitudes of individuals at all levels that determine the end result. The following policies will be reviewed every twelve months to ensure that they remain relevant and effective and continue to be appropriate to Yachting Concept Monaco's objectives.

The Safety, Health & Environmental Protection Policy statements are signed by the Director of Yachting Concept Monaco, and are to be displayed on-board the yacht and in the office ashore.

Yachting Concept Monaco recognises the overriding authority of the Master and his responsibility to make decisions with respect to safety and pollution prevention, and will provide resources to assist the Master discharge his duties.

4.2. Safety policy

The safe operation of managed yachts and the safety, health and security of all those on-board is paramount to Yachting Concept Monaco. It operates a Safety Management System in compliance with the ISM Code and has appointed a Designated Person Ashore (DPA) to provide a link between the company's highest levels of management and those on-board the yacht. The DPA will encourage dialogue and feedback from all those involved in and affected by the Safety Management System, with the aim of continual improvement.

This safety policy is driven by the Yachting Concept Monaco objectives to reduce the risks of accidents, incidents and cases of work-related ill health. It makes all efforts to ensure that every individual involved in the management and operation of yachts within the fleet is provided with adequate training to ensure competence. At all times the intention is to prevent incidents and accidents from occurring but, where

this is not possible, our Safety Management System enables all parties to respond efficiently during emergencies and to return to safe working practices at the earliest opportunity.

4.3. Environmental protection policy

Yachting Concept Monaco recognises the adverse impact that pollution from ships has had on the marine environment. We will encourage all Masters and Crew to adopt a responsible attitude to the environment, comply with appropriate MARPOL and all other applicable laws and regulations and take the utmost care to prevent pollution. In the event of a pollution incident involving any of its managed yachts, Yachting Concept Monaco will offer all appropriate assistance at its disposal to the yacht and the Flag and Port States to minimise the effects of the pollution, and will assist as requested with clear-up efforts. At all times waste products will be disposed of using only approved procedures and waste treatment facilities. Environmental protection is the responsibility of every individual involved in the management and operation of yachts and is to be practised in every operational task.

Yachting Concept Monaco is committed to managing yachts to the highest Health, Safety, and Environmental standards. It will strive to meet all the duties and obligations imposed on Yacht Managers from Flag State and other international legislation.

4.4. Drugs and alcohol

Yachting Concept Monaco recognises that all those employed on yachts have a safety and security-related role. Excessive use, misuse, or abuse of drugs or alcohol by any member of the crew jeopardises the safety and security of the yacht. Whilst on duty crew shall not be under the influence of drugs or alcohol. It follows that excessive use, misuse or abuse of drugs or alcohol will be considered a disciplinary offence which may lead to instant dismissal.

The use, possession or distribution of illegal drugs and substances is a crime. We will assist any appropriate drug law enforcement agency to fulfil its functions. Unannounced drug testing of the crew could be carried, out on a random basis, by a third party appointed by Yachting Concept Monaco.

4.5. Fatigue

Yachting Concept Monaco recognises the dangers when fatigued personnel are involved in the operation of yachts. It will assist Owners and Masters to ensure the yacht is adequately manned with sufficiently trained and appropriately qualified crew, such that all legislation, guidance and advice relating to hours of work and rest periods are complied with and/or followed.

Yachting Concept Monaco expects all on-board personnel to follow the requirements of Hours of Work and Rest regulations. On-board personnel are required to complete each month, the day-by-day record of hours of rest to be verified by the Master, to allow monitoring of compliance with the minimum requirements.

4.6. Harassment and bullying

Harassment or bullying can be defined as acts of intimidation, coercion, and interference with the work of other seafarers, and Conduct based on gender affecting the dignity of women and men at work, which is unwanted, unreasonable and/or offensive to the recipient. Yachting Concept Monaco will not tolerate such acts. Cyber Bullying is the use of modern communication technologies to harass,

embarrass, humiliate, threaten, or intimidate an individual in an attempt to gain power and control over them. The use of the yacht's or company's communication systems for such purposes will be treated as a serious breach of the company code of conduct and result in disciplinary action against the perpetrators.

Yachting Concept Monaco will treat all complaints of harassment and bullying seriously and in strict confidence. You may approach either the Senior Officer on-board or a manager ashore to report any incident you have suffered.

If you do not feel comfortable raising a complaint yourself, you may ask a friend or colleague to do so on your behalf. You will not be penalised by the company for making a complaint, provided it is not vexatious or made maliciously.

4.7. Code of Conduct

The Code of Conduct for the Merchant Navy defines acceptable and unacceptable conduct and provides the framework for disciplinary action. A copy is available on board.

4.8. Implementation

Yachting Concept Monaco will ensure that all policies are implemented and maintained throughout all levels of the organisation, both onboard and ashore, by engaging in a schedule of audits and checks to verify that the policies are displayed in relevant locations, are understood by crew and relevant procedures are being followed.

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5. Responsibility and authority

5.1. Master

Master's Responsibility

It is the Master's responsibility at all times to take all necessary steps and precautions to prevent accidents, incidents and hazardous occurrences. The Master is responsible for the safety of life on board and for the yacht, marine operations and the protection of the environment as well as actively encouraging the crew to observe those policies.

The Master has the responsibility for issuing appropriate orders and instructions in a clear and simple manner and for ensuring the accuracy of the controlled documentation on board.

The Master is responsible for notifying Yachting Concept Monaco as soon as possible of any failures or deficiencies that may affect Class or Statutory Certification. Notification can be made using normal line of communication with the yacht manager.

The Master is responsible for the prompt reporting of incidents and the collation and preservation of evidence pending investigation by Yachting Concept Monaco and Flag State.

It is the Master's responsibility that a full and proper handover to an authorised and suitably qualified individual is carried out.

The Master is responsible for making sure that original valid (in date) documents are on-board for each crew member to demonstrate compliance with the Minimum Safe Manning Document, STCW Convention and other regulations, and that digital copies are available online.

The Master is responsible for maintaining the vessel's full certification at all times and ensuring that the certification section of Deepblue© is updated with the latest versions of the certificates. This includes the expiry dates and conditions of the certificates. Should any certificate become outdated or invalid for any reason, the company's DPA must be immediately notified

Master's Authority

The Master has overriding authority to take any steps and issue any orders, whether or not they are in accordance with any instructions he has been given, which the Master considers are necessary for the preservation of life, the safety of the yacht or the prevention of pollution. The Company shall assist the Master and provide appropriate resources and the Master can call upon Yachting Concept Monaco for assistance at any time.

The Master has full authority to delegate to any crew member specific duties for which they are qualified.

5.2. Director / Deputy Director

The Director is responsible for:

- Ensure that an Assignment of Responsibilities Under the ISM Code is signed between the owner and the company;
- Ensure that persons who accept the role of DPA and CSO are duly qualified and certified as per IMO resolutions;
- Designate a person or persons with direct access to the highest level of management who should monitor the safe operation of each yacht;
- Ensuring that adequate resources and office support are supplied for the safe operation of the yacht;
- Define and document the master's responsibility with regard to reviewing the safety management system and reporting its deficiencies to the shore-based management;
- Organise internal audits to verify whether safety management activities comply with the requirements of the safety management system.

5.3. Designated Person Ashore (DPA)

DPA's Responsibility

The DPA has direct access to the highest levels of authority within Yachting Concept Monaco, to ensure the safe operation of each yacht and provide a link between Yachting Concept Monaco and the yacht. The DPA is listed on Yachting Concept Monaco contact details sheet.

The DPA reports to the Director and is responsible for:

- Monitoring the safety and pollution prevention aspects of the operation of the yacht;
- Implementation of the Safety Management System on-board with the crew;

- Continuously monitor the yacht's certification on Deepblue© to ensure its permanent validity and compliance with mandatory rules and regulations;
- Amendment and version control of all documents in the Safety Management System;
- Ensuring that adequate resources and office support are supplied for the safe operation of the yacht;
- Receiving information from the yacht or Yacht Manager regarding any item of concern in safety aspects of the yacht's operation;
- Acknowledging and acting upon this information, informing senior management if appropriate;
- Monitoring action taken to rectify the item;
- Verifying that all corrective and preventive action is completed correctly;
- Reporting to the Director and/or Owner's Representative;
- Overseeing that Procedures, Forms & Checklists are being followed;

Roles of DPA

The Master, Safety Officer or office team will report to the DPA when an operational activity is not complying with acceptable safety standards, either due to an act or by error.

The DPA will log the information and investigate the circumstances of each occurrence. The DPA has the right to expect all those ashore and on-board personnel to assist in establishing root cause where required. The DPA must establish what must be done, by whom and when, to rectify the situation.

Incidents of a technical nature may be investigated by the Technical Manager, or another qualified individual. If necessary, the DPA will contact senior management and use their authority to ensure corrective or preventive action is taken.

5.4. Yacht Manager (YM)

The yacht manager is responsible for:

- Receipt and review of reports and documents as per Appendix D.
- Verifying certification is maintained for the Yacht and Crew. Liaison with Crew, DPA and TM to coordinate execution of procedures required under the Safety Management System. (i.e. Reports, Audits, Training, close out).
- Assisting crew in liaison with external bodies regarding certification.
- Administration of employment documentation as required by MLC.
- Close liaison with Master to ensure purchasing, ordering and funds for safety and critical items.
- Ensuring that relevant policies, activities and procedures are carried out according to the objectives of Yachting Concept Monaco.

5.5. Technical Manager (TM)

The technical manager is responsible for:

- Assisting in the initial implementation of, or review of existing, on-board Planned Maintenance System as part of the implementation of the Safety Management System.
- Reviewing reports as per Appendix D with regard to SMS-related technical issues. Monitoring the correct execution of the Planned Maintenance System.

- Conducting at last one annual on-board inspection relating to maintenance and compliant functionality of equipment referenced in the Safety Management System.
- Annual review of the Critical Equipment list for the yacht.
- Liaison with the yacht to ensure the satisfactory resolution of technical issues noted via the Safety Management System. Provision of advice on actions and support with emergency repair works.
- Assisting crew in liaison with external bodies regarding technical issues arising under the Safety Management System.
- Ensuring that relevant policies, activities and procedures are carried out according to the objectives of Yachting Concept Monaco.

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6. Crew management

6.1. On-board personnel

It is Yachting Concept Monaco's responsibility to ensure that the vessel is manned in line with the Minimum Safe Manning Document and with qualified crew who are conversant with the Yachting Concept Monaco Safety Management System, as required by the ISM code and MLC. The Yacht Manager and the DPA will give the Master necessary support to carry out their responsibilities.

It is the responsibility of the Master and Yacht Manager to ensure that all officers employed on the vessel (whether they are sourced by Yachting Concept Monaco or the Master) are in possession of a valid Certificate of Competence with appropriate endorsement. They shall also ensure all crew to be employed have valid certification for their role, including such certificates as Seafarer's Medical Certificate or STCW Basic Training, and other requirements of the Flag State.

Crew are responsible for ensuring that their individual certificates and travel documents are kept up-to-date at all times and that originals of each are always carried on joining, or returning to, the yacht.

Before a Master leaves the yacht, it is his responsibility to ensure that a full and proper handover to an authorised and suitably qualified individual is carried out. Wherever possible, especially in the case of Senior Officers, periods of handover are to be facilitated.

Safety Officer and Ship Security Officer

As soon as possible after joining, the Master, on behalf of Yachting Concept Monaco, shall appoint a suitably experienced crew-member as Safety Officer. The Master shall also appoint a suitably qualified crew-member as Ship Security Officer.

Crew Representatives

As soon as possible after joining, the Master shall ensure the crew are allowed to appoint one, or more, Safety Representatives and a Responsible Person. If this is not achieved the Master shall appoint them, in time for the first Safety Committee Meeting

For individual on-board job descriptions, duties and responsibilities see 'Job Descriptions.'

Safe Manning in Port

Unless specifically agreed by Flag State, the local port/marina, Yachting Concept Monaco, Owners and insurers, minimum alongside safe manning requirements still apply whenever in port. For extended periods at berth, dispensations may be sought following sound risk assessment and appropriate contingencies being established.

6.2. MLC Key Requirements

Responsible Person

To assist crew in understanding the On-Board Complaints Procedure issued by Yachting Concept Monaco, a crew member will carry out the role of Responsible Person. This role is not to decide what complaints are valid or to encourage a complaining culture on-board, but to ensure any crew with a formal complaint has their complaint addressed properly using the defined channels established within the On-Board Complaints Procedure. The identity of the Responsible Person shall be posted in the crew area.

Recruitment and Placement Agencies

Under the MLC, crew Recruitment and Placement Agencies are required to be surveyed and certified by recognised organisations i.e. Classification Societies, on an annual basis. As a result, the Master and Yacht Manager, if using such services, shall verify such agencies are so certified before using them by following the flowchart below.

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6.3. Recruitment Process

Yachts to which the Maritime Labour Convention (MLC) applies shall follow the recruitment and employment requirements of the DMLC parts I and II, approved by their Flag Administration, and the yacht-specific Seafarer Employment Agreements (SEAs).

To ensure compliance with the MLC and to ensure the crew member is properly employed, there is a specifically revised employment process which must be adhered to. It includes allowing crew time to review and get advice on the seafarer employment agreement before signing.

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6.5. Records of Seagoing Personnel

The master is responsible for making sure that crew data in DeepBlue© are completed and verified, including:

- Crew Details
- Financial data and bank account
- Medical information
- Next of Kin

The Master is also responsible for making sure that original, valid, and in date documents are onboard for each crew member to demonstrate compliance with the Minimum Safe Manning Document, STCW and other requirements, and that digital copies are available online, uploaded on DeepBlue© server.

These documents include but may not be limited to:

- Valid Passport and associated visa
- Qualifications and COCs with any limitations
- STCW Basic 4 (Personal Survival, Fire Prevention and Fire Fighting, Elementary First Aid & Personal Safety and Social Responsibility); Personal Survival Techniques and Fire prevention and Fire Fighting courses must have been taken within last 5 years or updated.
- Proficiency in Medical Care onboard Ship is required to be held by the Master and anyone else delegated for medical care and use of the medical supplies. This must be updated every five years in order to remain valid.
- Security training certification; Proficiency in Security Awareness/Designated Security Duties or SSO certificates. It should be emphasised, any crew member with specific duties on the security muster must hold the certificate Proficiency in Designated Security Duties.
- Medical fitness certificate such as ENG 1 Medical Certificate or equivalent, in English.
- If available; CV, references or sea service testimonials

All crew joining must still be entered into the yacht's Official Log Book in accordance with the Administration's requirements, and be entered onto the Port and Flag State required Crew List.

Crew are responsible for ensuring that their individual certificates and travel documents are kept up-to-date at all times, and that originals are always carried.

6.6 On-Board complaints procedure

The On-board Complaints Procedure is set down by Yachting Concept Monaco as approved by the Flag Administration of the yacht. A copy of this is provided to each crew member on joining and posted in the crew mess for ongoing reference.

Young Seafarers

Seafarers under the age of 18 will be prohibited from any employment aboard.

Medical certificates

Medical certificates must be in English, they may also be in another language provided that an English translation exists. If a medical certificate expires while the Seafarer is on-board, the employer shall pay for the re-examination.

Annual leave

The rate of annual leave is prescribed by the MLC to be a minimum of 2.5 days per month or pro rata thereof but is specified within each crew member's SEAs. If a public holiday of the Flag State falls within the Seafarers' annual leave then this day must not be deducted from the Seafarers' leave.

The employer cannot force the Seafarer to take leave in the following examples:

- maternity leave cannot be counted as annual leave; any maternity leave is in addition to the Seafarers' annual leave;
- absence from work to attend maritime vocational training courses approved by the employer cannot be counted as annual leave;
- justified absences from work (such as full-time illness);

However, Seafarers cannot remain on-board continuously for more than 46 weeks without taking any leave. A Seafarer taking annual leave should be recalled only in cases of extreme emergency and with the Seafarer's consent.

Termination

The notice period for termination of employment must be written into the SEA and the minimum period in any case is 7 days, although usually longer, and this must be written into the SEA. This length of notice required to terminate the agreement shall be the same for both the Employer and the Seafarer.

There are three exceptions to the minimum period which are indicated below. If the SEA is terminated earlier than 7 days due to these reasons, evidence of compliance must be retained by Yachting Concept Monaco:

That all parties agree to a shorter notice period at the time resignation/dismissal

In the case of misconduct of the Seafarer

If the Seafarer has need to terminate the agreement for compassionate or other urgent reasons without penalty to the Seafarer

Termination of employment on compassionate grounds without penalty to the Seafarer includes the death of Next of Kin, spouse or child, and in the case of a single person, their parent. Compassionate grounds should also be considered in the event of these people becoming seriously ill.

A record of the Seafarer's service on board must also be given to them upon termination. The severance and termination letter will reflect this requirement.

Payslips

A statement of account for wages should be provided to the crew member monthly. Payslips must be made available to crew each month and they are liable for inspection by Port State Control for the preceding 3 months.

Keel Laying Date

The keel-laying date has an important bearing on the extent of which the MLC applies to the yacht. Yachts where the keel was laid before the entry into force date – 20th August 2013 – are not required to comply with the new requirements laid out concerning the accommodation and galley spaces. This distinction will be made on each DMLC part 2 document. All other aspect of the MLC will apply to existing yachts.

Training

Effective training and crew development are required;

- By legislation;
- Due to changes in technology and operations;
- Change of role including promotion;
- To support a successful and developmental SMS
- When an assessment, evaluation, non-conformity, accident or incident has occurred which has highlighted training needs;

The Master will report any identified additional training requirements to the Yacht Manager or DPA, as appropriate, via the minutes of the On-Board Safety meetings. On-board training should include the requirements of the SOLAS Safety Training Manual, which shall be available to all crew. All drills and training (including familiarisation) must be recorded in either a log book or a training file on-board.

Yachting Concept Monaco is proactive in encouraging training and is able to offer support and guidance on performance review and development.

On-board Training, Familiarisation and Exercises

All Officers and crew joining the yacht for the first time will receive formal familiarisation, using the Crew Familiarisation and Training Checklist(s), which shall include essential safety and survival information, prior to the yacht sailing.

The Master additionally, shall undergo familiarisation according to the Master's Induction and Familiarisation check sheet upon joining.

The Master is responsible for holding a series of realistic emergency drills and exercises to ensure all crew are fully prepared to deal with shipboard emergencies. These drills and exercises are to be scheduled to comply with the minimum requirements, as set by the relevant codes (SOLAS, MARPOL, and ISPS etc.), and Yachting Concept Monaco notified by transmitting an updated yacht Drill Schedule, each month, to the office. It is the responsibility of the Master to ensure that all personnel understand the full details of emergency preparedness on-board and that all relevant personnel participate in drills and exercises throughout the year, as per the drill schedule.

At the minimum, each crew member must participate in at least one abandon ship drill and one fire drill every month. These drills must be held within 24 hours of leaving port if more than 25% of the crew have not taken part in drills on board the ship in the previous month.

Crew re-joining after a period of more than six months are to undergo training and be scheduled to participate in planned drills as per a new joiner.

The Master, together with the Senior Officers and Safety Officer, will evaluate the performance of crew during drills. If there are any concerns with emergency preparedness, they will initiate training and further unscheduled drills until such concerns have been eliminated, and Yachting Concept Monaco notified.

Each year a full and extended exercise is carried out with Yachting Concept Monaco to test the system in its entirety. These drills each recreate an emergency scenario and enable crew and staff to assume various roles and to work through the processes involved in reaching a successful resolution. In doing so

the emergency procedures are put to the test and required improvements in both crew/staff performance and the system itself can be identified and implemented.

6.7. Crew and Personnel Procedures

Crew and Guest Lists

A message must be sent to the Office (either DPA or Yacht Manager) on departure from each port or location, which identifies the exact number of people on-board prior to departure from the dock, and can form part of the pre-departure checklist. Emergency contact or N.O.K. details must be held by Yachting Concept Monaco for all crew on-board (charterer agents will hold guest details). A Position Report message should be sent each day, preferably at midday, when the yacht is at sea, unless automatically reported by Pole Star Platform or similar.

Non-operational crew carried on-board

All non-operational crew should be contracted for the nature of their employment and hold a medical certificate suitable for their role. (The contract need not be directly with the yacht and could be between e.g. the non-operational crew member and the charterer or beneficial owner). The Master must ensure that all non-operational crew on-board are familiarised with the yacht's emergency and fire alarms, escapes, muster point, life jacket donning and life-raft boarding procedures, by providing easily understood instructions, either prior to or immediately after leaving port. All instruction of non-operational crew should be recorded. In case of an emergency, non-operational crew are not to be given responsibility under the muster list.

Crew accommodation & services

The Master must ensure that the crew and guest accommodation is kept clean and tidy by its occupants or catering and housekeeping crew as necessary.

Checks should be carried out by the Master or a suitably delegated person, including the galley and this should be noted in the official log book each week. All areas should be furnished and equipped to a decent and comfortable standard and should enable seafarers to make productive use of their leisure time. Seafarers will be provided with adequate bedding, mess equipment, food and potable water to meet their daily needs.

Visitors

It is at the absolute discretion of the Master and/or Owner to agree or refuse requests to receive visitors on board while in port, and subject to additional flag administration requirements, for permitted occasional voyages.

Medical Requirements

Sufficient medical supplies for all non-passengers must be carried, in compliance with Flag State regulations. An MCA approved medical kit appropriate to the category and area of operations must be on board at all times. It is the Master's responsibility to ensure that this is checked monthly.

The on-board distribution of medicines (other than over-the-counter medicines) within territorial waters of some nations require additional controls under that nation's 'Misuse of Drugs Regulations', and advice should be sought before administering anything more than first aid.

Private yachts voluntarily complying with commercial ISM standards may not be permitted to carry controlled drugs across international borders, even if properly restricted and managed, as this is identified as importing controlled substances by some nations.

Personnel SOPs

Yachting Concept Monaco has determined that the following written procedures, forms or checklists, as a minimum, must be available for the training and familiarisation of crew in duties as required by their job descriptions:

- DeepBlue© Crew information forms or Personal Information Form
- Crew Familiarisation - Induction & Familiarisation
- Crew Familiarisation – With Tenders
- Crew Familiarisation
- Deck Crew Familiarisation
- Bridge Crew Familiarisation
- Engineering Crew Familiarisation
- Interior Guest Familiarisation
- Hours of Rest
- Crew List
- Guest List
- Masters Handover
- Chief Engineer's Handover
- Chief Officer's Handover
- Master Familiarisation
- Induction & Familiarisation
- Crew Familiarisation - Galley

6.8. Hours of Rest

All seafarers shall be provided with rest in accordance with Section A-VIII/1 of the STCW Code. The Master is required to draw up a "Table of Shipboard Working Arrangements" showing the maximum watch periods and minimum rest periods to be observed by seafarers. It can only be changed after consultation with the Master. Yachting Concept Monaco has a duty to ensure that sufficient personnel are provided so that the rest periods can be complied with, and that this is monitored through yacht inspections and audits.

The "Table of Shipboard Working Arrangements" shall be posted in a place accessible to everyone. Any deviations causing a departure from the requirements of Hours of Rest regulations must be recorded in the official log book with an explanation for the deviation and when compensatory rest will be provided.

A record of rest periods must be maintained - Rest Periods for Watchkeepers or agreed equivalent.

6.9. The Management of Complaints from Non-Crew On-Board

Any non-crew member raising a complaint of a safety issue should be advised to submit this to the office for the attention of the DPA. Where necessary the Yacht Manager and/or DPA will arrange for an investigation of the complaint with the appropriate personnel and respond accordingly.

7. Plans for shipboard operations

All yachts should have standard ways of working for tasks carried out. These instructions should be considered as the minimum requirement and are not exhaustive. Appendix D should be referred to for a more detailed description of reporting and handling requirements for documents required by this system.

Operations should be reviewed in line with the Master's Annual Review, or as the situation dictates.

7.1. Standing Orders

Master's Standing Orders

The Master, having the overall responsibility of everything on board, is required to ensure the functioning of the entire yacht. It is therefore necessary for him to delegate and promulgate his requirements with respect to the safety of navigation and other operations carried out on the ship. The Master puts these instructions into writing to avoid any confusion in the matter, and to make it clear where Officer's and other crew's authority to act end and where the Master expects to be called. All crew shall become familiar with the Master's Standing Orders by signing the latest instructions.

Chief Engineer's Standing Orders

Likewise, the Chief Engineer has overall responsibility to the Master for all technical spaces, machinery and equipment. The Chief Engineer shall so instruct engineering crew under his responsibility, on the required standards of work and activities under his control. Engineering crew are required to sign such instructions to confirm they are understood.

7.2. Monthly Master's and Chief Engineer's Yacht Reports

Two reports must be completed, one by the Master and one by the Chief Engineer. DeepBlue© portal contains controlled templates for both of these reports, which should be used to ensure that all elements of routine action and reporting are covered. Both of these reports should be submitted in DeepBlue© each month. The Yacht Manager, DPA and Technical Manager will review and provide prompt feedback as necessary.

7.3. Completed Drill Schedule

In order the yacht can verify with the office that all statutory drills have been conducted as required, the Master and/or Chief Officer shall maintain log of the drills into DeepBlue© as a part of recursive task based on the schedule of the drills. The yacht should review and adjust when the annually scheduled drills will be conducted at the beginning of each year, to ensure these do not impose extra burden during a busy charter season, for instance.

Additional requirements for yachts entering US Waters, having to also comply with NTVRP regulations, have been noted upon the schedule.

7.4. On-Board Health and Safety Reporting

Safety Committee

For yachts with five or more crew, a monthly on-board Safety Committee Meeting must be convened. This meeting must be chaired by the Master and members will include the Safety Officer and the elected Safety Representative(s).

The crew shall be given the opportunity to elect a Safety Representative at the first safety meeting. This must be recorded in the Official Log Book, together with details of who (if anyone) has been elected, and for what period of time. The crew's elected Safety Representative is there to raise safety concerns of crew members who are unable to attend Safety Committee Meetings, and shall ensure that the topics discussed in the meeting are fed back to the crew.

Safety Committee Meetings should be used to review all elements of health and safety prevention and improvement, and reported to the Yachting Concept Monaco using the On-board Safety and Security Committee Minutes report on DeepBlue©.

This ensures that all relevant areas are covered and that identified actions are followed up, both on board and by Yachting Concept Monaco. If practical, all crew should be invited to attend. However, where this is not possible, the Crew Safety Representative is responsible for cascading all appropriate information back to non-attendees.

Quarterly Safety Officer's inspections

It is required that Safety Officers shall conduct a full inspection of the yacht every three months. Whether this is completed all in one go, or periodically over the three months period, it shall be recorded when completed on-board.

Any contrary conditions identified during these inspections shall be, at the least, raised and noted during Safety Committee Meetings in the relevant section, to be reported to Yachting Concept Monaco. Found deficiencies of a more serious nature shall also be immediately reported as required by Defect/Reportable Item, Incident Report forms or as NCRs/Observations as described in Appendix D.

7.5. Purchasing

The Heads of Department on-board the yacht, with the approval of the Master, are responsible for raising shipboard purchase requests. This is to ensure that the yacht is stored and equipped with the items necessary for its proper upkeep, and safe and efficient operation, whilst at the same time ensuring that stock levels/spares are kept at reasonable levels. The request, order and supply documentation are competently completed to avoid delay and missed delivery.

Requests for purchasing should be documented where possible.

7.6. Deck Department

The Master and Senior Officers are responsible for the implementation of specific Standard Operating Procedures (SOPs), which contain detailed information on the running of the yacht's departments from a functional perspective, and include detailed arrangements for voyages with and without guests.

Fire Rounds must be carried out in all accommodation by the Watch Officer at the end of each duty, unless covered by crew working in the area. While in port, sufficient crew should be available to provide a minimum firefighting cover.

In addition to Standard Operating Procedures a Garbage Management Plan and, depending upon the yacht, a Ballast Water Management Plan should be implemented.

Voyage Planning

The Master is responsible for issuing a nominated Deck Officer with details of forthcoming voyages and outlining any special requirements for the routing the vessel. The nominated Deck Officer is responsible for the planning of passages and submitting the completed passage plan to the Master for approval. The Master is responsible for the final authorisation of a passage plan by countersigning it.

The Master is responsible for ensuring the Engine Room is informed of the Passage Plan, especially any areas where engine movements might be involved.

Prior to planning any passage, the nominated Deck Officer must gain as much information on the proposed route as possible. This should include but is not limited to the following sources:

- All charts for the voyage including routing charts - the latest edition, corrected up to date and of suitable scale
- Sailing Directions/Ocean Passages of the World
- List of Lights
- List of Radio Signals
- Current atlases
- Current Tide
- Tables Weather
- Charts Weather
- Forecasts
- Latest Navigation Warnings
- The proposed draught (and air-draught) of the vessel and ballast condition, if appropriate
- Any additional requirements of the Master or client

Passage planning

Details of the passage plan shall be entered on the Voyage Planning Checklists. These shall be completed for each section of the itinerary. When planning a passage, it shall be consistent with the guidance contained in the ICS Bridge Procedures Guide and due regard shall be had for the following:

- Submerged dangers en route
- Unlit dangers
- The availability of fixed navigational marks for navigating in confined waters
- Weather, tidal and visibility dangers
- Areas of high-density traffic
- Any "Vessel Traffic Control" reporting points
- Traffic Separation Schemes
- Height restrictions
- Pilot boarding/unboarding areas

All courses shall be clearly laid on the charts and must show the following information, true course directions, alter course positions, reporting points on passage and dangers close to the vessel while en route.

When electronic charts have been approved, ENC's should be used where available, else RNC's with paper back-up should be provided for navigation.

Prior to going to sea, the yacht manager shall have been informed of changes of Crew, non- operational Crew and Guests and total number of persons on-board (PoB).

For voyages over 48 hours, the master shall ensure the Yacht Manager is notified of the passage plan by uploading the passage plan into DeepBlue®.

Bridge Log Book

It is the Master's responsibility to ensure completion of the Bridge Log Book at least at the end of every watch. The Master should inspect the Deck Officers' / Navigational Log Book daily and sign the bottom of each page. As a minimum, the following should be entered:

Times and positions when altering course, and of passing navigational marks or waypoints

Names of Watch Officer / look outs

Details and times for berthing, sailing or anchoring

Details on tests of navigational equipment (if not recorded elsewhere)

The following shall, as a minimum, be posted on the bridge:

Emergency steering changeover procedures

The Yacht's call sign, IMO and Maritime Mobile Service Identity numbers

GMDSS and SOLAS distress procedure cards and posters

Deck SOPs

Yachting Concept Monaco has determined that the following written procedures, forms or checklists, as a minimum, must be available for operations, and that the responsibilities be clearly defined. New crew expected to conduct these operations shall be trained and familiarised beforehand:

Passage Planning

Pre-departure Planning

Arrival in Port

Anchoring

Use of Water sports Equipment

Tender Operations

Maintenance

Drydocking

Undocking

Key operations that have been established with a checklist should be documented as being completed in the deck or navigational logbook if the completed checklist is not being retained for records.

7.7. Engineering Department

The Chief Engineer is responsible for ensuring that

The Engine Room, its machinery and equipment are fully maintained and operational,

The Engine Room personnel are informed of planned movements and voyage requirements,

The Watch-keeping Engineers are responsible for maintaining an Engine Room Watch

The Chief Engineer's Standing Orders are completed, signed and left in the Engine Control

Room by all engineers.

A "Night Order Book", the Engine Room Log Book (or similar) and Oil record book is completed and countersigned by the Master as appropriate.

Engineering SOPs

Yachting Concept Monaco has determined that the following written procedures, forms or checklists, as a minimum, must be available for operations, and that the responsibilities be clearly defined. New crew expected to conduct these operations shall be trained and familiarised beforehand:

Pre-Departure (Engine Room)

Watch keeping at port (Engine Room)

Watch keeping at sea (Engine Room)

Arrival (Engine Room)

Bunkering (Engine Room)

Operation of the Generator

General Service Pumps (fire and bilge)

Transfer of Electrical Power

Testing and Inspection of Critical Equipment

Key operations that have been established with a checklist should be documented as being completed in the Engine Room logbook or PMS if the completed checklist is not being retained for records.

A duty engineer shall be appointed at all times machinery is running. While in port on shore power the duty engineer may be permitted close shore leave if provided with effective communication such as mobile phone.

7.8. Relevant to All Departments

Risk Assessments

Yachting Concept Monaco has identified key operations on board which require risk assessments.

Risk Assessments are to be completed by the Safety Officer, Heads of Departments or other responsible crew under their supervision. Risk Assessments should be conducted with reference to the Yachting Concept Monaco Fleet Notice and industry standards and guidelines, such as MCA Code of Safe Working Practices for Merchant Seaman, and Flag Shipping Notices.

The individuals conducting risk assessments should have a clear understanding of the following terminology.

Hazard

Something with the potential to cause harm

Risk

The likelihood or likely result of that harmful situation

Controls

Measures put in place to reduce the chance of the harmful situation occurring or to reduce the effects of that situation to an acceptable level.

Controls required by the assessment to reduce risks to acceptable levels may result in changes in work practices, training, procedures and other documentation within the SMS.

Any currently established yacht specific procedure has already been developed through some form of Risk Assessment, whether it be fully documented or through individuals' knowledge, experience and good judgement. Therefore, existing procedures may not require full new risk assessment. If, after review, these procedures are considered satisfactory and require no change, this is to be noted on the assessment form.

Risk Assessments should be organised. Each assessment has a review date, usually 12 months after the last assessment. It is recommended that all reviews for each or all areas are completed at the same time, either during the off-season or just prior to the Master's Annual review.

All current Risk Assessment records should be grouped in such a way that a specific task or area assessment can be readily located and the current validity status quickly confirmed. Ideally, there should be a reminder set or log of the expiry date of the assessment for reference. Collectively, these can be referred to as the Risk Assessment Library.

Annual reviews of risk assessments should identify any changes to the physical environment or equipment involved, crew experience and manning structure or areas of operation. Should subsequent

reviews find that no changes are required, the review process should be noted and the next review date identified

More critically, should an incident occur while carrying out procedures or in one of the work areas previously assessed, a review of the relevant risk assessments is required under Flag Administration and Yachting Concept Monaco's requirements. This should occur before that work activity is restarted, and the results should contribute to any accident investigation undertaken.

The Risk Assessment Forms can be found in DeepBlue© under ISM/Procedures/Safe Working Practices/

Reporting risk assessments

There is no requirement to report all risk assessments to the Yachting Concept Monaco office. However, should the Safety Officer or responsible person conducting the risk assessment be unable to reduce risks of hazards identified to an acceptable level (Low or Very-Low Risk Factor) by additional control measures, they are required to notify the Master and DPA.

On-board risk assessment process

(image)Permit to Work (PTW)

Yachting Concept Monaco has determined that written procedures, forms or checklists must be available for the following operations, as a minimum, and that the responsibilities of all crew involved be clearly defined:

- Permit to Work – Entry into Enclosed Spaces
- Permit to Work – Hot Work
- Permit to Work – Working Aloft and over the side
- Permit to Work – Diving or In-Water Operations
- Permit to Work – Machinery and Equipment
- Permit to Work – Electrical

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8. Maintenance of the yacht and equipment

8.1. Operational Maintenance Routine

The Chief Engineer and Chief Officer are responsible to the Master for maintenance of the yacht and its equipment, within their areas of control. The Chief Engineer is responsible to the Master for the execution of the machinery maintenance programme and for ensuring such work carried out on board is completed satisfactorily, as reported in the Chief Engineer's monthly reports.

The Chief Officer is responsible for the maintenance of the yacht's safety and lifesaving equipment, as reported ashore in the Master's monthly report.

The Technical Manager is responsible to the Director and DPA for monitoring the progress and effectiveness of maintenance during regular yacht inspections, and for the office-related aspects of planned maintenance, repairs and dry-docking.

8.2. Critical Equipment

Yachting Concept Monaco has reviewed equipment and technical systems, on-board an example yacht, in order to identify 'Critical Equipment': only those items of equipment and technical systems, the sudden operational failure of which may result in a hazardous situation. Hazardous situations include pollution incidents. The flow chart used in the process is attached as Appendix C.

The criteria used are based on a single-point failure of equipment and do not extend down to the component level; a failed component is just considered as failure of the equipment as a whole. The criteria also assume that the yacht is operated by competent individuals and normal operating conditions at sea, anchor, harbour or whilst manoeuvring.

Yachting Concept Monaco has identified the following equipment and systems, where sudden failure could result in a hazardous situation (unless redundant or back-up systems exist).

- All launching appliances, lifting equipment and associated loose gear. Failure of any lifting or lowering mechanism is inherently dangerous and exposes the yacht and crew to additional risks. This equipment includes chain blocks and other portable lifting devices.
- Quick closing valves. It was considered one of the purposes of quick closing valves is in an emergency situation and the failure of such is inherently dangerous.
- Fire Dampers (where no backup or remote function exists).
- Oily Water Separator (OWS). The ISM Code has a strong pollution prevention element.
- Failure of the OWS places the environment at increased risk.
- Fuel Piping System. The criterion Yachting Concept Monaco has followed finds any failure of the fuel piping to be inherently dangerous.

This list is not definitive and it is to be considered as a minimum level. The Yacht's Chief Engineer in cooperation with the Yacht's Technical Manager will identify, if required, any additional equipment and system to be included into the yacht specific critical equipment list. A list of Critical Equipment is to be kept on DeepBlue© and on board and to be available for inspection.

Any defect relating to the above equipment and procedures will be reported in the first instance to the Chief Engineer and recorded in the Engine Room Log Book. If the defect is repairable on-board, the Chief Engineer is to ensure corrective measures are immediately taken. If the defect is not repairable on-board, Yachting Concept Monaco should be contacted at the earliest opportunity, giving an indication of the defect and initiating remedial action.

8.3. Reportable Items Form

Yachting Concept Monaco has also designated certain equipment and technical systems that are considered important for Class, Flag or PSC compliance, where their absence or inoperative state may result in the yacht failing inspection or being detained. These are listed as follows:

- Steering Gear
- Main Engine(s) and propulsion chain
- Generators, emergency power
- Exhaust treatment (if fitted)
- Mooring Equipment

- Anchors and Chains
- Fixed Fire Fighting systems (including pumps, components) and Fire Detection systems
- Portable Fire Fighting equipment if unable to be immediately replaced from spares
- Oil Pollution Clean-up equipment (SOPEP kit)
- Sewage reception, treatment and discharge systems
- Potable water systems
- Main Fridges/Freezers
- Basic ventilation system (excluding A/C units)
- Fuel/Ballast/Bilge/Oily Water transfer system (including pumps/separator)
- Lifting equipment/cranes/davits (including rescue boat launching, gangways, lifts)
- Min required outfit of Safety of Navigation and Communication equipment (including EPIRBS)
- Fire Dampers
- Life Saving Appliances and MOB recovery equipment (unless immediately replaced from spares)
- Watertight doors
- Hull penetration fittings

These items are to be reported to Yachting Concept Monaco without delay by email, and phone if urgent, with details of repairs or any contingency already in place.

If the schedule of the yachts requires it to go to sea, the Master shall also verify the yacht is in a state of compliance before it departs berth. Where longer term repairs are enforced, relevant bodies such as Flag, Class or Port State Control shall have agreed the yacht to leave, or the Master shall request assistance from Yachting Concept Monaco to achieve this.

8.4. Defect Report Form

Deficiencies of Critical Equipment and Systems must be reported to Yachting Concept Monaco the same day using the Defect Report Form. Deficiencies cover all failures of Critical Equipment to operate, or operate as intended.

Should the deficiency be quickly remedied on board without additional assistance, a Defect Report Form is still required to be completed, to assist all parties in preventing recurrence.

8.5. Other Technical Failures

Yachting Concept Monaco should be notified of other equipment failures through the usual channels of PMS reporting or Master's and Chief Engineer's reports, but these failures do not need to be submitted as formal Defects or as urgent failures of Reportable Items.

8.6. Routine Operations

Interior

The Chief Engineer and Chief Steward(ess)/Purser are responsible for ensuring that the health and hygiene aspects of safety of the yacht are covered. This will include the cleaning schedules for areas under their responsibility, which could harbour viruses and germs, such as shower heads, AC Units and Forced Air Systems filter and condensate areas.

Galley and food storage areas must be maintained to the highest health standards by Interior Crew and Galley Crew, to a prepared schedule. Reports of deficiencies should be forwarded to the Office on a monthly basis, via the on-board safety meetings or Master's report.

Any crew preparing or handling crew food shall be appropriately qualified or have been trained on-board by someone who has been, using the Galley Familiarisation Checklist.

Planning Maintenance

Planning of yacht repair and maintenance must be carried out to ensure proper work allocation, efficient manpower utilisation and that no part of the machinery is overlooked or neglected. Routine maintenance for cosmetic and material preservation, as well as health, safety and environmental control standards, should be agreed on-board and a copy of the planned maintenance records should be sent to the Technical Manager.

Template Planned maintenance schedules for the SOLAS LSA FFE are provided; Crew can replace these with schedules in an alternative preferable format with approval of the DPA.

Records

The Chief Engineer shall maintain the Chief Engineer's Technical Monthly Report of all work completed and planned for the next period.

8.7. Annual Servicing of LSA and FFE

As stated by SOLAS and statutory notices, LSA and FFE must be examined at least annually by either an approved service provider "an approved servicing station authorised by flag administration or recognised organisation and approved by the manufacturer", or a Competent Person "... an individual certified and trained by the manufacturer."

The Competent Person may be a crew-member on-board, subject to the same certification and training, in accordance with relevant standards, if permitted by the flag administration.

8.8. Surveys of Hull and Machinery Items

Prior to surveys of hull and machinery items, crew should ensure that all equipment is properly functioning, well maintained and prepared for survey, and that spare parts are available. Crew should notify the Technical Manager of any problems with equipment operation and maintenance, and consult with the Technical Manager as required.

8.9. Technical Visits On-board

It is planned that a Technical Manager conduct an inspection on-board regularly, preferably once every six months, but at least once every twelve months, within a 3 months window either side of the anniversary date agreed as a minimum. During the visit the Technical Manager will consider and report on the condition, operation and suitability of the following items (as a minimum):

- Equipment Documentation and Records;
- Life Saving Appliances;

- Fire Fighting Appliances;
- Navigation and Safety Communication Equipment;
- Machinery and Electrical Equipment;
- Deck Equipment;
- Accommodation as per MLC requirements;
- Pollution Prevention arrangements.

Where it is considered that any of the above fails to meet the required standard for safe operating practice, remedial action on board will be discussed, planned and implemented. These actions will be recorded ashore and their subsequent completion noted.

8.10. Port State Control and Other Inspections

All yachts may be subject to unannounced Port State Control or Flag State inspection with little or no warning. Authorised Officials of any government cannot be refused entrance to the yacht but they should announce the nature of the inspection being carried out. Unless given grounds for a more extensive inspection, the visit should be relatively short. Private yachts, even if voluntarily complying with commercial standards should show the private certificate of registry to reduce the scope of any PSCI.

Yachting Concept Monaco should be advised of any unannounced inspection as soon as possible and the attendance report with any findings should be transmitted to the office without delay. In most instances, Flag State will expect to be advised of any significant PSC deficiencies.

8.11. Inventory of Hazardous Material (IHM)

As requested by the 2009 Hong-Kong convention, the shipmaster should ensure the initial assessment, the continuous update of the Inventory on board and understand that the Inventory is an essential part of the certificate on IHM.

Yachting Concept Monaco designates the chief engineer as responsible for maintaining and updating the Inventory for the ship, using the PDF live document and latest version updated in Deepblue®, and entrust the duty to him on shore. The DPA establishes and supervises that the live document is in order to ensure that the Inventory on board is properly updated and maintained. The master and the chief engineer should refer to the manual developed by the Yachting Concept Monaco for the maintenance procedures of the inventory for the correct usage of the IHM convention.

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9. Emergency Preparedness

9.1. Responsibility

Yachting Concept Monaco has established comprehensive procedures/checklists ashore and onboard, which identify, describe and respond to potential and real emergency situations. In the event of an emergency, Yachting Concept Monaco should refer to the Emergency Response Manual (ERM).

Should an emergency occur, the Master shall take immediate action as considered necessary to minimise the danger to all persons on-board, and to protect and preserve the yacht and the

environment. In doing so, the Master should keep Yachting Concept Monaco advised of any decisions and actions at the most appropriate time after making them. The Master should seek Yachting Concept Monaco's assistance at any time in order to maximise the effectiveness of those decisions and actions, and to minimise the consequences of any accident or incident that affects the yacht, personnel on-board, the operation and the environment.

9.2. Families of Crew, Non-Operational Crew and Passengers on-board

A full list of all crew & non-operational crew currently on-board and their next of kin details must be transmitted to Yachting Concept Monaco.

When a yacht is on charter, confirmation as to whom to contact for the guests in an emergency should also be made available.

9.3. Emergency Procedures

Yachting Concept Monaco has determined that Emergency Procedures, Forms or Checklists must be available for the following scenarios, as a minimum, and that the responsibilities be clearly defined:

- Fire
- Flooding
- Abandon Ship
- Collision
- Grounding
- Power Failure
- Steering Gear Failure
- Main Engine Failure
- Man Overboard (MOB) – Seen
- Man Overboard (MOB) – Unseen
- Medical Emergency
- Helicopter Evacuations
- Salvage of Own Yacht
- Piracy
- Oil Pollution
- Recovery of Persons from the Water
- Recovery of Persons from an Enclosed Space
- Rig Failure (Sailing vessels only)

It is the responsibility of the Master to ensure that all personnel on-board understand the full details of emergency preparedness, and that all relevant personnel participate in drills and exercises.

9.4. Fire and Safety Plans

Fire and Safety Plans, in addition to their role in an emergency, are an important instruction and training tool and must be accurate and kept up to date. They are required to be posted in prominent locations on board for reference by the crew. These locations are marked on the plans.

The plans are required to be approved by Flag State to verify the equipment and systems indicated on-board follow applicable rules and regulations. Changes to locations or type of equipment must be immediately reflected on all plans and a new revision of the drawing logged. Minor changes may be verified and stamped on-board by a Surveyor, however, more significant changes should be sent away for formal approval.

Subject to the approval of the Flag State, some Fire and Safety Plans may be replaced, providing Fire Control Booklets for all senior crew.

9.5. Emergency Towing Procedures

As required by SOLAS, yachts should be assessed and develop Emergency Towing Procedures for use in emergency towing situations. Copies of the plans or booklets should be kept on the Bridge, close to the forward mooring station and the Ship's Office. A copy should be provided for Yachting Concept Monaco on DeepBlue©

9.6. Shipboard Oil Pollution Emergency Plan (SOPEP)

In the event of oil pollution or threat of oil pollution the Master should consult the SOPEP, which must be complied with at all times. The list of emergency numbers shall be kept printed on the bridge and updated twice a year.

The DPA should provide the emergency numbers to the yacht.

9.7. Ship Security Plan (SSP)

In the event of any security-related situations, the Master should consult the SSP.

9.8. Summary Flowchart of Emergency Situation

(image)

9.9. Emergency Notification

Serious Incidents

When there is an accident/incident which threatens the life of any person on, or involved with, the yacht, the Master must inform the Port State Authorities and other vessels immediately by distress message, SOS or MAYDAY, and take appropriate action to save life. Yachting Concept Monaco should be informed at the earliest opportunity

Contact Details

Copies of the current Company contact details (SMS - A09) are to be displayed on the bridge and on relevant crew notice boards. In the event of an accident/incident, the Master must ensure that all persons on-board are notified of the emergency, and any action that is taken or intended.

Less Serious Accidents/Incidents

For other accidents, incidents or near misses, the Master must contact the DPA, providing the following information:

- The essential details of the incident
- The degree of danger to people on-board, the yacht and the environment
- What action was/has been taken
- What authorities have been informed

When the less serious accident/incident has moderated, shore personnel and/or crew should provide a written report of accidents, incidents and hazardous occurrences (near misses), so that lessons are learnt from the experience.

The Incident/Accident Report Form should be used when reporting all accidents and incidents. When a medical complaint requires the assistance of a Doctor, a report should be raised.

9.10. Contingency Plans

The procedures above apply during normal working conditions, both in and out of the office, but do not include exceptional times when the office premises are not 100% accessible. These times contingency plans will be issued to ensure that proper emergency cover is in place.

9.11. Fire and Safety Training Manual

In conjunction with the Fire and Safety Plan, the Fire and Safety Training Manual is an important familiarisation and training tool for emergency preparedness.

9.12. Cyber Security Plan

IMO Resolution MSC. 428(98) request the company to ensure that cyber risks are appropriately addressed in the safety management systems (SMS) not later than January 1st of 2021.

Yachts are increasingly using systems that rely on digitalisation, integration, and automation, which call for cyber risk management on board. As technology continues to develop, information technology (IT) and operational technology (OT) onboard ships are being networked together – and more frequently connected to the internet.

Each vessel under safety management is required to developed a specific Ship's Cyber Security Plan that identifies information sources that may aid in establishing policies and procedures for mitigating maritime cyber risks. This plan is developed by Yachting Concept Monaco in conjunction with the team responsible for IT and Entertainment onboard to establish safeguards against cyber-attack.

The captain will be responsible to nominate a CySO (Cyber Security Officer) which will accept his responsibility signing a CySO job description Form.

The vessel master, assisted by the CySO, is responsible for maintaining good practices onboard, developing risk assessments and procedures. After the onboard audit, Yachting Concept Monaco may require additional technical equipment to protect the vessel against cyber-attacks and cyber critical operational failures.

All the ISM related operations are executed using Deepblue© Management Software and rely on a cloud-based system using daily backups.

The company Yachting Concept Monaco will maintain a Cyber Security Plan and will be audited against Cyber Security that will impose high level policy and good practices such but not limited to:

Up to date operating systems on personal computer;

Installation of dedicated firewall in the office;

Personal computers protected by strong passwords and timed auto-lock out;

No other usage (personal, social media, gaming, ...) will be used on company's computers.

The DPA is in charge of maintaining cyber security good practices and training at the company level.

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10. Reporting, investigation and analysis of incident

10.1. Responsibility

It is the responsibility of all office staff and crew personnel to report non-conformities, accidents and hazardous occurrences, and to bring any situation that conflicts or potentially conflicts with specified requirements to the attention of the DPA and Master. This enables corrective or preventive action to be taken.

The Master is to address safety problems and ensure where necessary that prompt, effective and durable corrective or preventive action is taken. The Shore team will support and assist the Master in this.

In addition to immediate corrective action, suitable preventative measures must be put in place to prevent occurrence. Root Cause Investigation is an excellent tool to establish actual underlying causes, and to ensure appropriate action.

10.2. Non-Audit raised NCRs and Observations

All office staff and crew personnel are obliged to report non-conformities at the earliest opportunity. While immediate corrective action is important, suitable preventative measures must be put in place to prevent re-occurrence. Non-audit items are tracked and closed in the same way as those identified during audit – as outlined in 13.3.

10.3. Accidents, Near Misses and Occupational Diseases

An accident is an unforeseen and unplanned incident that results in injury, illness, or damage. It implies a generally negative outcome, which may have been avoided or prevented had circumstances leading up to the accident been recognised, and acted upon, prior to its occurrence.

A near miss is an unplanned incident that did not result in injury, illness, or damage – but had the potential to do so. Only a fortunate break in the chain of events or prompt action taken by crew prevented an injury, fatality or damage; in other words, a miss that was nonetheless very nearby.

An occupational disease is any chronic sickness that occurs as a result of work or occupational activity, usually from long exposure to a noxious substance or from continuous repetition of certain acts.

All attempts should be made to prevent accidents, near misses and occupational diseases from occurring. To this end the yacht will agree with Yachting Concept Monaco a number of standard operating procedures for routine activities. Where an activity creates a heightened risk, this will be risk assessed and may lead to the creation of a bespoke Safe System of Work. This system of work is implemented and cancelled by issuance of a Permit to Work.

It is the responsibility of all office staff and crew personnel to report accidents, incidents and near misses. Further guidance is given on the report template.

A record of accident, near miss and occupational disease reports must be kept, with details of actions taken (both emergency and immediate) by the yacht, Company, National Authorities etc., messages sent and received, and any other relevant information using the ISM module of DeepBlue. The records and supporting documentation, including copies of log entries, medical log, photographs, witness statements and accident / incident report form are to be filed, as appropriate.

10.4. Monitoring Incidents and Defects

All reports filled in DeepBlue© are automatically kept and forwarded to the Yacht Manager even the issue is considered on-board to have been dealt with. DeepBlue© maintain a summary of all reports raised/received under the Safety Management System as described in accordance with Appendix D. The system shows the status of reported issues, such as if further action is required, by whom and by when as required by the ISM Code.

This record should be referred to during Safety Meetings and when completing the monthly Masters report. The Master is responsible for liaising with Yachting Concept Monaco to ensure items are "closed" within the time scale agreed.

10.5. Conditions of Class

Where the Surveyor has imposed a "Condition" for monitoring a particular item or situation, the crew are to notify the Yacht Manager or Technical Manager immediately of any deterioration.

Yachting Concept Monaco will also monitor and note the condition of the item during the routine inspections of the yacht. Continued Reporting and Closure.

For all accidents, defects etc., the yacht crew must keep Yachting Concept Monaco fully advised of any related subsequent events and actions. The ongoing progress (with the person(s) responsible) of agreed actions from such incidents will be communicated between Master, Yacht and Yacht Manager (or others) and documented.

Records of the status of each incident or defect report are to be maintained. This should identify who has completed the actions and when. When satisfied the DPA and Master shall close report by signing and dating, recording the actions taken on the incident or defect. Any changes to agreed requirements of the report, including the target date for closure, shall also be documented.

10.6. Investigation, root cause and preventive action

An investigation will be conducted after any reported accident, incident or hazardous occurrence to identify the facts related to the event. All recorded details of the incident must be available for the investigation and, if necessary, witnesses may be invited to attend.

Even for small incidents, there is a requirement to investigate to try and establish Root Causes. Causes may be immediately apparent, but by using investigative tools, such as "Five Whys" or "Fishbone Diagram" it is more likely the root of the problem be identified. With Root Causes established, measures can be agreed between the yacht and the office, so to prevent recurrence. It is important these Preventative Actions are well defined, with a clear goal, so the evidence needed to demonstrate effective remedy can be easily established.

A deadline for implementation of Corrective and Preventative Actions should be agreed, as well as the timescale for ongoing monitoring, before final closure can be agreed.

10.7. Serious incidents and casualty investigations

The Master has the responsibility of collating and preserving all and any evidence following serious incidents. Masters are also reminded that accidents may give rise to investigations conducted by Flag or Port States. Any incidents involving the navigation of the yacht must be documented along with evidence including charts, electronic charts, logbooks and other manoeuvring records, including that from the Engine Room.

Depending on the exact nature of the accident, the following details should be considered appropriate for inclusion by the Master:

- Date, time, location and/or position
- Weather and visibility and whether light or dark
- Names and contact details of witnesses
- Details of any other vessels involved
- Nature and severity of injury or illness
- Details of any damage sustained by the yacht or equipment
- Details of any damage sustained by any other vessel or structure
- Type, amount and clean-up of any pollution
- The identification of any hazard or risk and any precautions taken
- The use of any Life Saving Appliances or Fire Fighting Equipment.
- Whenever possible, relevant photographs should be taken.

Yachting Concept Monaco has a responsibility to attend the yacht following a serious accident as soon as possible to assist in the preservation and collation of evidence, and to start the investigation process.

The DPA, along with the relevant Yacht and/or Technical Manager(s), will examine and analyse the facts relating to the incident. If necessary, other experienced or qualified personnel should also take part in this process. If deemed necessary, an action plan of events and items to be addressed should be developed, to rectify the deficiencies and/or minimise the possibilities of the incident reoccurring. The plan should also include areas of responsibilities and identify those personnel to act and the period of time to complete the agreed action.