



Run-up to new EU rules on watercraft What you need to know

Last update: 30 December 2015

On 18 January 2016 the new EU rules defined by the Directive 2013/53/EU on watercraft (i.e. boats, personal watercraft, engines and certain listed components) will start applying in the 28 EU Member States, the European Economic Area (EEA being Iceland, Liechtenstein and Norway) and Switzerland.

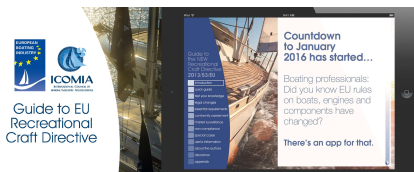
Here is some key information to help you master the transition smoothly:

Take our quiz!

How well do you know the new Watercraft Directive 2013/53/EU?

Test your knowledge with our quiz

<http://www.europeanboatingindustry.eu/quiz/>



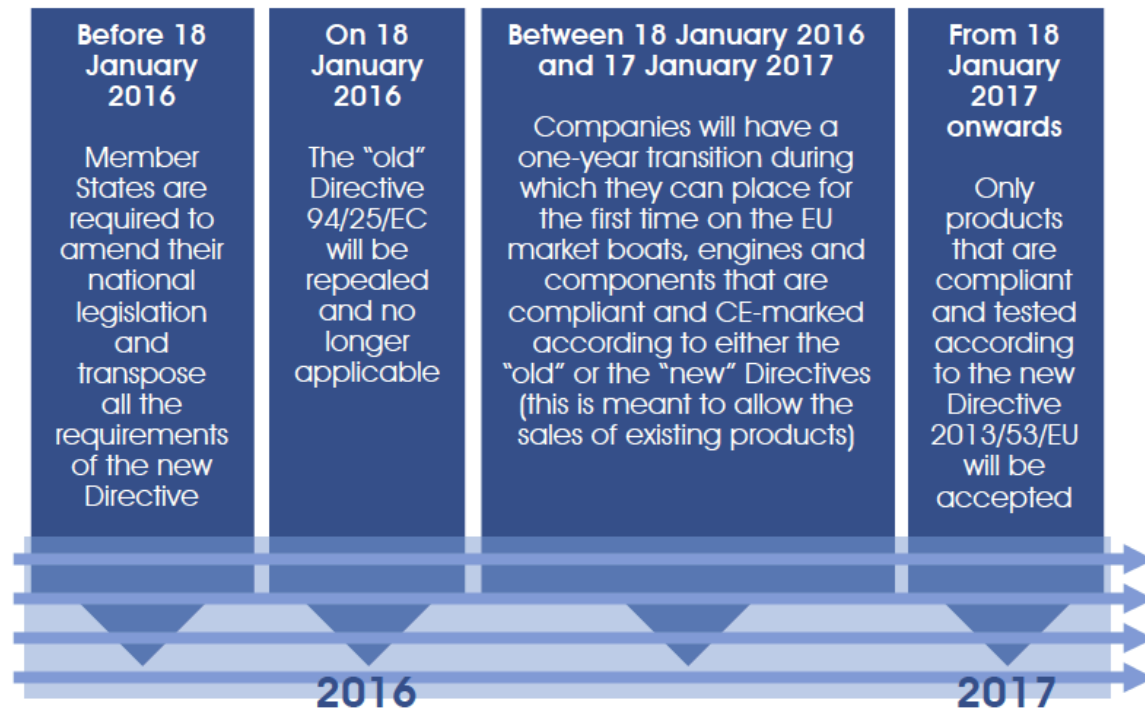
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This factsheet provides some additional information regarding:

- A. Timeline for the Directive's application and transition period
- B. Non-EU manufacturers: attribution of the Manufacturer Identification Code (MIC)
- C. Main steps to assess an existing product
- D. Main changes when assessing a new product
- E. Harmonised standards and the presumption of conformity
- F. Water treatment system for sewage
- G. Templates for the Declaration of Conformity (DoC)

A. TIMELINE FOR THE DIRECTIVE'S APPLICATION AND TRANSITION PERIOD



From 18 January 2016, it is possible for manufacturers to assess and CE-mark their products according to the new Directive 2013/53/EU.

To do so, they must meet the requirements of that Directive and when required use the services of a conformity assessment body (Notified Body) that has been notified under the new Directive.

The list of such Notified Bodies is regularly updated and published on the [NANDO](#) website.

Notified Bodies that are notified under the old Directive 94/25/EC as amended by Directive 2003/44/EC can only assess products meeting the "old" requirements until the end of the transition period, i.e. before 18 January 2017.

From 18 January 2017, all products placed on the EU market for the first time and falling under scope of the new Directive 2013/53/EU must meet its requirements.



There is one exemption to this calendar: small and medium sized enterprises producing outboard spark ignition (SI) propulsion engines with power equal to or less than 15kW will have an extra three years to adapt to the new EU rules on exhaust emission limits for engines. These companies will be allowed to continue producing and placing engines on the EU market that are compliant with Stage I limits for exhaust emissions until 17 January 2020 included.

B. NON-EU MANUFACTURERS:

ATTRIBUTION OF THE MANUFACTURER IDENTIFICATION CODE (MIC)

The new Directive 2013/53/EU has modified the general requirements for watercraft identification (commonly known as CIN – Craft identification Number).

Under the new rules, the unique code of the manufacturer (commonly known as MIC – Manufacturer Identification Code) can solely be assigned by the national authority of a EU/EEA Member State.

For EU-based manufacturers, there is no change. The MIC will continue to be assigned by the national authority where the company has its headquarters.

For manufacturers with headquarters located in third countries, it means that the companies will have to request the assignment of a MIC by one of the national authorities in the EU/EEA.

Milestone: February 2016 – Implementing Act

The details of this new procedure for the assignment of the MIC will be described in an official EU document called Implementing Act. Its adoption and publication are planned in February 2016.

Once adopted, non-EU based manufacturers are advised to start the administrative procedure for the assignment of a MIC under the new Directive and not wait for the last moment.

During the transition period (i.e. until 17 January 2017), the old system will remain available to non-EU based companies in order not to disrupt the commercial activities of the economic operators.

C. MAIN STEPS TO ASSESS AN EXISTING PRODUCT

For existing products, we recommend that manufacturers follow the steps below in addition to the changes described under point D:

1) Carry out a preliminary assessment of the products

2) Identify the major evolutions or changes compared to the requirements of the new Directive

The EU RCD guide contains the Comparative Table (see chapter on Useful information) that helps you identify the changes for essential requirements from the old and new directives.

In addition, harmonised standards have their own revision schedule and they will change although the essential requirement hasn't been modified in the Directive itself.

Manufacturers are encouraged to stay up-to-date with standardisation work and the evolution of harmonised standards in order to ensure that their products remain in conformity.

A CD-ROM containing all the required harmonised standards for boatbuilding is available in English and French at an attractively low price. You can purchase it online from the FIN website on www.fin.fr

3) Examine how to meet these requirements in order to maintain the conformity

4) Implement the necessary changes and modifications on the products

5) Draw up the related technical documentation in accordance with Article 25 of the Directive

6) Carry out the conformity assessment procedure applicable or have it carried out by a Notified Body that is notified under the new Directive (Articles 19 to 22 and 24)

How to know under which Directive the Notified Body can operate?

Under EU law, all third party conformity assessment bodies must be notified to the European Commission by the competent authority of the Member State in which they are established to carry out conformity.

There are currently 2 lists available:

- One for the notified bodies operating under the old Directive 94/25/EC
- The new list for notified bodies operating under the new Directive 2013/53/EU

The lists include the identification number of each notified body as well as the tasks for which it has been notified, and are subject to regular update.

Check the [NANDO](#) Information System

D. MAIN CHANGES WHEN ASSESSING A NEW PRODUCT

The new Directive requires particular attention on the following points:

1) New legal terms and concepts

The New Legal Framework introduces detailed definitions, obligations and responsibilities for all economic operators (manufacturers, authorised representatives, importers, distributors) and private importers.

The traceability requirements are strengthened in order to trace the history of the product and support market surveillance in Europe. They require changes to the information provided on the products.

See the chapter on Legal Changes in the EU RCD Guide

2) Modified essential requirements for safety and environment

Over 10 essential requirements applying to boats, personal watercraft, engines and components have been modified in the new Directive.

See chapter on Essential requirements

3) Harmonised standards and presumption of conformity

Manufacturers need to ensure that procedures are in place for series production to remain in conformity. Changes in product design or characteristics as well as changes in the harmonised standards by reference to which conformity of a product is declared must be adequately taken into account.

The European Commission announced the publication of a set of harmonised standards to the EU Official Journal before 18 January 2016.

See the [list of harmonised standards](#) and chapter on Essential requirements

4) Components and parts

Manufacturers need to check that their suppliers will provide components, parts and the related documentation that are meeting the requirements and are CE-marked according to the new Directive.

5) Propulsion engines

Manufacturers need to check that their suppliers will provide engines and the related documentation that are meeting the requirements and are CE-marked according to the new Directive.

6) Owner's manuals

All manuals will need to be updated according to the new Directive, the minimum changes being the design category definitions and the reference to the new Directive.

E. HARMONISED STANDARDS AND PRESUMPTION OF CONFORMITY

As mentioned under Point C, the use of harmonised standards provides a presumption of conformity with the essential requirements they aim to cover.

The relevant essential or other legal requirements aimed to be covered by the harmonised standard are usually indicated in a separate informative annex to a harmonised standard (often called Annex ZA).

Harmonised standards never replace legally binding essential requirements. A specification given in a harmonised standard is not an alternative to a relevant essential or other legal requirements but only a possible technical means to comply with it. So a manufacturer always, even when using harmonised standards, remains fully responsible for assessing all the risks of his product in order to determine which essential (or other) requirements are applicable.

Harmonised standards have their own revision schedule and they will change although the essential requirement hasn't been modified in the Directive itself.

Manufacturers are encouraged to stay up-to-date with standardisation work and the evolution of harmonised standards in order to ensure that their products remain in conformity.

The application of harmonised standards is not the only means to demonstrate the conformity of a product. However only harmonised standards, after publication of references in the Official Journal of the EU (OJEU), may provide an automatic presumption of conformity against essential requirements covered by such standards.



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F. WATER TREATMENT SYSTEM FOR SEWAGE

Under the new Directive, any toilet fitted in a recreational craft shall be connected solely to a holding tank system or water treatment system.

At present, there is no harmonised standard describing the water treatment systems that can be fitted and therefore deemed in conformity with the new rules.

European Boating Industry has asked the European Commission and the Member States to provide some guidance to the industry regarding which systems can be used or not.

It is most likely that these requirements will be described in the future in a guidance document or via an Implementing Act.

G. TEMPLATES FOR THE DECLARATION OF CONFORMITY (DoC)

European Boating Industry, its members and ICOMIA are currently working on a series of templates for the Declaration of Conformity to be drawn up for recreational craft, personal watercraft and propulsion engines.

The templates as well as translated versions will be made available via the EU RCD Guide in the near future.