



## **To Import or Not To Import – Not Such a Bargain The Hidden Costs Which You May Need to Know About.**

Buying a boat is always exciting, whether new or second-hand, and current exchange rates make boats bought outside the EU potentially seem an unbelievable bargain. Owners are being drawn by attractive offers, cheap flights abroad to view the boat and relatively inexpensive shipping, to purchase vessels from further afield and are totally unaware that their problems are likely to start once their new acquisition hits the shores of the EU.

Money is really the key issue here as costs may well mount up for the unsuspecting new owner. Any imported vessel must comply with the requirements of the Recreational Craft Directive (RCD) – it is a myth that private imports or for “personal use” provide an exemption, or indeed if the boat is sold on within five years.

So what exactly does the RCD mean? In short, any craft, with few exceptions, needs to be CE Marked for compliance from when it is either first put on the EU market or put into service within the EU after 16<sup>th</sup> June 1998. Conformity would be the norm for craft currently manufactured within the EU, but imported vessels, however, are subject to a Post Construction Assessment by a Notified Body\*, such as the RYA.

What does the assessment involve that is likely to be costly? The first part of the assessment requires that the boat must conform to the RCD Essential Safety Requirements in terms of construction. If the vessel is found to be lacking, a major rebuild programme may have to be undertaken, before the boat can be used or sold on. A boat with a US fuel tank for example, may need to be changed to comply with respect to fuel system standards.

In addition, there must be a Technical File, an Owner’s Manual, a Declaration of Conformity and Builder’s Plate attached to the boat, which are all found to be satisfactory by the assessor. In the case of Post Construction Assessment, a CE mark must be affixed to the boat accompanied by the distinguishing number of the relevant Notified Body to signify such an assessment has been undertaken.

Exhaust emission limitations are a factor that most people would understand with respect to a motor vehicle. They also exist for boats and if an engine does not meet the requirements, the only option may be to remove the engine for testing or the worst case could be to completely replace the engine. Sound emissions are another matter for concern; these are required to be measured. It may be as simple as providing documentation with equivalent

sound emission standards to comply with the RCD. However, this might not always be the case.

Responsibility lies with the person who imports the vessel into the EU, whoever places it on the second-hand market or whoever puts the boat in service in the EU. If you are that person, you are responsible for the vessel to conform and to rectify any areas, which may be found to be lacking. It may prove costly and it is worth working out whether or not the boat is likely to conform before importing it or you could end up with a boat that you are unable to use or sell on.

END

\* = There are some 20 Notified Bodies which can assess conformity as a third party independent organisation.

The RYA Notified Body will carry out Post Construction Assessment in accordance with the RSG Guidelines, which currently involves full assessment against the RCD Essential Safety Requirements, irrespective of boat size or intended design category.

It should be noted that the RYA is unable to assess engines for exhaust emissions. If this is a requirement, a Notified Body should be contacted who is authorised to carry out this type of work.

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