
STATUTORY INSTRUMENTS

2017 No. 737

The Recreational Craft Regulations 2017

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Recreational Craft Regulations 2017 and come into force on 3rd August 2017 (“the commencement date”).

Commencement Information

II Reg. 1 in force at 3.8.2017, see [reg. 1](#)

Interpretation **E+W+S**

2.—(1) In these Regulations—

“the 1987 Act” means the Consumer Protection Act 1987⁽¹⁾;

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“adaptor” means a person who adapts an engine for use in watercraft;

[^{F3}“approved body” has the meaning given to it in regulation 55 (approved bodies);]

“authorised representative” means a person appointed in accordance with regulation 39;

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“Commission” means the Commission of the European Union;

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“components” means the components of watercraft listed in Schedule 2 when placed on the
^{F6}... market separately and when intended for installation in watercraft;

“conformity assessment” means the process demonstrating whether the essential requirements relating to a product have been fulfilled;

“conformity assessment body” means a body that performs conformity assessment activities including calibration, testing, certification and inspection;

[^{F7}“declaration of conformity” means the declaration required to be drawn up in accordance with regulation 10;

“designated standard” has the meaning given to it in regulation 2A;]

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the “Directive” means [Directive 2013/53/EU](#) of the European Parliament and of the Council on recreational craft and personal watercraft repealing [Directive 94/25/EC](#)^{F9}(as it had effect immediately before IP completion day);

“distributor” means a person in the supply chain, other than the manufacturer or the importer, who makes a product available on the market;

“district council” means a district council within the meaning of the Local Government Act (Northern Ireland) 1972⁽⁴⁾;

“economic operator” means a manufacturer, an authorised representative, an importer or a distributor;

“enforcing authority” means any person enforcing these Regulations under regulation 66;

“engine family” means the manufacturer’s grouping of engines which, through their design, have similar exhaust or noise emission characteristics;

“essential requirements” means the requirements set out in regulation 6;

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“hull length” means the length of the hull measured in accordance with the [^{F12}designated] standard;

[^{F13} “importer” means a person who—

- (a) is established in the United Kingdom and places a product from a country outside of the United Kingdom on the market; or
- (b) is established in Northern Ireland and places a product on the market that has been supplied to them for distribution, consumption or use in the course of a commercial activity, whether in return for payment or free of charge, from an EEA state;]

“major craft conversion” means a conversion of a watercraft which—

- (a) changes the means of propulsion of the watercraft;
- (b) involves a major engine modification; or
- (c) alters the watercraft to such an extent that it may not meet the applicable essential requirements;

“major engine modification” means the modification of a propulsion engine which—

- (a) could potentially cause the engine to exceed the emissions limits set out in Part B of Schedule 1; or
- (b) increases the rated power of the engine by more than 15%;

“making available on the market” means any supply for distribution, consumption or use on the [^{F14}market of Great Britain] in the course of a commercial activity, whether in return for payment or free of charge and related expressions must be construed accordingly;

“manufacturer” means a person who—

- (a) manufactures a product or has such a product designed or manufactured; and
- (b) markets that product under that person’s name or trademark;

“market surveillance authority” has the meaning set out in regulation 65 (designation of market surveillance authorities);

(3) OJ No L 354, 28.12.2013, p.90.

(4) 1972 c.9.

“means of propulsion” means the method by which the watercraft is propelled;

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“personal watercraft” means a watercraft intended for sports and leisure purposes of less than 4 metres in hull length which uses a propulsion engine having a water jet pump as its primary source of propulsion and designed to be operated by a person or persons sitting, standing or kneeling on, rather than within the confines of, a hull;

“placing on the market” means the first making available of a product on the [F17]market of Great Britain], and related expressions are to be construed accordingly;

[F18]“private importer” means a person who—

- (a) is established in the United Kingdom; and
- (b) imports in the course of a non-commercial activity a watercraft from a country outside of the United Kingdom into the United Kingdom with the intention of putting it into service for the person's own use;]

“product” means a product to which these Regulations apply, in accordance with regulation 3;

“propulsion engine” means any spark or compression ignition internal combustion engine used directly or indirectly for propulsion purposes;

“putting into service” means the first use of a product in the [F19]market of Great Britain] by its end-user and related expressions are to be construed accordingly;

“RAMS” means Regulation (EC) 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) 339/93(6);

“recall” means any measure aimed at achieving the return of a watercraft that has already been made available to the end-user and related expressions must be construed accordingly;

“recreational craft” means any watercraft of any type, excluding personal watercraft, intended for sports and leisure purposes of hull length from 2.5 metres to 24 metres, regardless of the means of propulsion;

“relevant conformity assessment procedure” means a conformity assessment procedure referred to in regulation 42 (applicable conformity assessment procedures);

“small or medium-sized enterprise” has the same meaning as in Commission Recommendation 2003/361/EC(7);

“technical documentation” has the meaning given in regulation 9 (technical documentation and conformity assessment);

[F20]“technical specification” means a document that prescribes technical requirements to be fulfilled by a product;

“UK marking” means the marking in the form set out in Annex 2 of RAMS;

“UK national accreditation body” means the body appointed by the Secretary of State in accordance with Article 4 of RAMS;]

“watercraft” means any recreational craft or personal watercraft;

“watercraft built for own use” means any watercraft predominantly built by its future user for that user’s own use; and

(6) OJ No L 218, 13.8.2008, p.30.

(7) OJ No L 124, 20.5.2003, p.36.

“withdrawal” means any measure aimed at preventing a watercraft in the supply chain from being made available on the market and related expressions must be construed accordingly.

- (2) In these Regulations, a reference to a product being “in conformity with Part 2” means that—
- (a) the product is in conformity with the essential requirements;
 - (b) each economic operator has complied with the obligations imposed on them by Part 2 of these Regulations which must be satisfied at or before the time at which the product is made available on the market.

- (3) In these Regulations, except regulation 34 (monitoring) and Schedule 1, “risk” means a risk to—
- (a) human health;
 - (b) the safety of consumers; or
 - (c) the environment.

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^{F21}(5)

Extent Information

E1 This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

Textual Amendments

- F1** Words in **reg. 2(1)** omitted (E.W.S.) (31.12.2020) by virtue of **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(a)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Words in **reg. 2(1)** omitted (E.W.S.) (31.12.2020) by virtue of **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(b)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** Words in **reg. 2(1)** inserted (E.W.S.) (31.12.2020) by **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(c)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F4** Words in **reg. 2(1)** omitted (E.W.S.) (31.12.2020) by virtue of **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(e)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F5** Words in **reg. 2(1)** omitted (E.W.S.) (31.12.2020) by virtue of **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(f)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F6** Word in **reg. 2(1)** omitted (E.W.S.) (31.12.2020) by virtue of **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(g)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F7** Words in **reg. 2(1)** inserted (E.W.S.) (31.12.2020) by **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(h)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F8** Words in **reg. 2(1)** omitted (E.W.S.) (31.12.2020) by virtue of **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(i)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F9** Words in **reg. 2(1)** inserted (E.W.S.) (31.12.2020) by **The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019** (S.I. 2019/696), **reg. 1, Sch. 28 para. 2(2)(j)** (with **Sch. 28 para. 41**) (as amended by **S.I. 2020/676**, **regs. 1(1), 2**; **S.I. 2020/852**, **regs. 2(2), 4(2)**), **Sch. 1 para. 1(q)(ii)**; 2020 c. 1, **Sch. 5 para. 1(1)**

- F10** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(k)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(l)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F12** Word in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(m)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(n)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2; S.I. 2020/1460, reg. 1(4), **Sch. 3 para. 20(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F14** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(o)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2; S.I. 2020/676, regs. 1(1), **4(16)(a)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F15** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(p)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in reg. 2(1) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(q)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(r)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2; S.I. 2020/676, regs. 1(1), **4(16)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F18** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(s)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F19** Words in reg. 2(1) substituted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(t)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2; S.I. 2020/676, regs. 1(1), **4(16)(c)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F20** Words in reg. 2(1) inserted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(2)(u)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F21** Reg. 2(4)(5) omitted (E.W.S.) (31.12.2020) by virtue of The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 28 para. 2(3)** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

- I2** Reg. 2 in force at 3.8.2017, see **reg. 1**

Interpretation **N.I.**

2.—(1) In these Regulations—

“the 1987 Act” means the Consumer Protection Act 1987(1);

“accreditation” has the meaning set out in point 10 of Article 2 of RAMS (as amended from time to time);

(1) 1987 c.43.

“accreditation certificate” means a certificate, issued by the United Kingdom Accreditation Service (a company limited by guarantee incorporated in England and Wales under number 03076190) or a national accreditation body of another [^{F28}relevant state], attesting that a conformity assessment body meets the notified body requirements;

“adaptor” means a person who adapts an engine for use in watercraft;

“authorised representative” means a person appointed in accordance with regulation 39;

“CE marking” means a marking which takes the form set out in Annex II of RAMS (as amended from time to time);

“Commission” means the Commission of the European Union;

“competent national authority” means an authority having responsibility for enforcing the law of a [^{F29}relevant state] which implements the Directive;

“components” means the components of watercraft listed in Schedule 2 when placed on the EU market separately and when intended for installation in watercraft;

“conformity assessment” means the process demonstrating whether the essential requirements relating to a product have been fulfilled;

“conformity assessment body” means a body that performs conformity assessment activities including calibration, testing, certification and inspection;

“Decision 768/2008” means Decision No. [768/2008/EC](#) of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products⁽²⁾;

the “Directive” means [Directive 2013/53/EU](#) of the European Parliament and of the Council on recreational craft and personal watercraft repealing [Directive 94/25/EC](#)⁽³⁾;

“distributor” means a person in the supply chain, other than the manufacturer or the importer, who makes a product available on the market;

“district council” means a district council within the meaning of the Local Government Act (Northern Ireland) 1972⁽⁴⁾;

“economic operator” means a manufacturer, an authorised representative, an importer or a distributor;

“enforcing authority” means any person enforcing these Regulations under regulation 66;

“engine family” means the manufacturer’s grouping of engines which, through their design, have similar exhaust or noise emission characteristics;

“essential requirements” means the requirements set out in regulation 6;

“EU declaration of conformity” means the declaration required to be drawn up in accordance with regulation 10(1)(a) (EU declaration of conformity and CE marking);

“harmonised standard” has the meaning set out in paragraph (c) of Article 2(1) of Regulation (EU) No 1025/2012 of the European Parliament and of the Council on European Standardisation, amending Council Directives [89/686/EEC](#) and [93/15/EEC](#) and Directives [94/9/EC](#), [94/25/EC](#), [95/16/EC](#), [97/23/EC](#), [98/34/EC](#), [2004/22/EC](#), [2007/23/EC](#), [2009/23/EC](#) and [2009/105/EC](#) of the European Parliament and of the Council, and repealing Council [Decision 87/95/EEC](#) and [Decision 1673/2006/EC](#) of the European Parliament and of the Council⁽⁵⁾ (as amended from time to time);

“hull length” means the length of the hull measured in accordance with the harmonised standard;

(2) OJ L 218, 13, 8, 2008, p.82.

(3) OJ No L 354, 28.12.2013, p.90.

(4) 1972 c.9.

(5) OJ No L 316, 14.11.2012, p.12.

“importer” means a person who—

- (a) is established within the [^{F30}relevant market], and
- (b) places a product from a [^{F31}market outside of the relevant market on the relevant] market;

“major craft conversion” means a conversion of a watercraft which—

- (a) changes the means of propulsion of the watercraft;
- (b) involves a major engine modification; or
- (c) alters the watercraft to such an extent that it may not meet the applicable essential requirements;

“major engine modification” means the modification of a propulsion engine which—

- (a) could potentially cause the engine to exceed the emissions limits set out in Part B of Schedule 1; or
- (b) increases the rated power of the engine by more than 15%;

“making available on the market” means any supply for distribution, consumption or use on the [^{F32}relevant] market in the course of a commercial activity, whether in return for payment or free of charge and related expressions must be construed accordingly;

“manufacturer” means a person who—

- (a) manufactures a product or has such a product designed or manufactured; and
- (b) markets that product under that person’s name or trademark;

“market surveillance authority” has the meaning set out in regulation 65 (designation of market surveillance authorities);

“means of propulsion” means the method by which the watercraft is propelled;

“national accreditation body” means national accreditation body as defined in point 11 of Article 2 of RAMS) (as amended from time to time);

[^{F33}“NI Protocol obligation” means any obligation created or arising by or under the Protocol on Ireland/ Northern Ireland in the EU withdrawal agreement, whether or not an obligation to which section 7A(2) of the European Union (Withdrawal) Act 2018 applies;]

“notified body requirements” means the requirements set out in Schedule 11;

“personal watercraft” means a watercraft intended for sports and leisure purposes of less than 4 metres in hull length which uses a propulsion engine having a water jet pump as its primary source of propulsion and designed to be operated by a person or persons sitting, standing or kneeling on, rather than within the confines of, a hull;

“placing on the market” means the first making available of a product on the [^{F34}relevant] market, and related expressions are to be construed accordingly;

“private importer” means a person established within the [^{F35}relevant market] who imports in the course of a non-commercial activity a watercraft from a [^{F36}market outside of the relevant market into the relevant market] with the intention of putting it into service for that person’s own use;

“product” means a product to which these Regulations apply, in accordance with regulation 3;

“propulsion engine” means any spark or compression ignition internal combustion engine used directly or indirectly for propulsion purposes;

“putting into service” means the first use of a product in the [^{F37}relevant] market by its end-user and related expressions are to be construed accordingly;

“RAMS” means Regulation (EC) 765/2008 of the European Parliament and of the Council setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) 339/93(6);

“recall” means any measure aimed at achieving the return of a watercraft that has already been made available to the end-user and related expressions must be construed accordingly;

“recreational craft” means any watercraft of any type, excluding personal watercraft, intended for sports and leisure purposes of hull length from 2.5 metres to 24 metres, regardless of the means of propulsion;

“relevant conformity assessment procedure” means a conformity assessment procedure referred to in regulation 42 (applicable conformity assessment procedures);

[^{F38}“relevant market” means—

- (a) the market in Northern Ireland; and
- (b) the market of the EEA states;]

[^{F38}“relevant state” means—

- (a) Northern Ireland; or
- (b) any EEA state;]

“small or medium-sized enterprise” has the same meaning as in Commission Recommendation 2003/361/EC(7);

“technical documentation” has the meaning given in regulation 9 (technical documentation and conformity assessment);

[^{F39}“technical specification” means a document that prescribes the technical requirements to be fulfilled by a product;

“UK(NI) indication” means the marking in the form set out in Schedule 1 to the Product Safety and Metrology etc. (Amendment etc.) (UK (NI) Indication) (EU Exit) Regulations 2020;]

“watercraft” means any recreational craft or personal watercraft;

“watercraft built for own use” means any watercraft predominantly built by its future user for that user’s own use; and

“withdrawal” means any measure aimed at preventing a watercraft in the supply chain from being made available on the market and related expressions must be construed accordingly.

(2) In these Regulations, a reference to a product being “in conformity with Part 2” means that—

- (a) the product is in conformity with the essential requirements;
- (b) each economic operator has complied with the obligations imposed on them by Part 2 of these Regulations which must be satisfied at or before the time at which the product is made available on the market.

(3) In these Regulations, except regulation 34 (monitoring) and Schedule 1, “risk” means a risk to—

- (a) human health;
- (b) the safety of consumers; or
- (c) the environment.

^{F40}(4)

(6) OJ No L 218, 13.8.2008, p.30.
(7) OJ No L 124, 20.5.2003, p.36.

(5) In these Regulations (except in Part 4 (notification of conformity assessment bodies) and Schedule 11 (notified body requirements) and 12 (obligations of notified bodies)), “notified body” means—

- (a) a notified body within the meaning set out in regulation 55 (notified body); or
- (b) a notified body under the laws of any other [F41relevant state] which implement the Directive.

Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

Textual Amendments

- F28** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(a\)\(i\)](#)
- F29** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(a\)\(ii\)](#)
- F30** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(b\)\(i\)](#)
- F31** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(b\)\(ii\)](#)
- F32** Word in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(d\)\(i\)](#)
- F33** Words in [reg. 2\(1\)](#) inserted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(c\)](#)
- F34** Word in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(d\)\(ii\)](#)
- F35** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(e\)\(i\)](#)
- F36** Words in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(e\)\(ii\)](#)
- F37** Word in [reg. 2\(1\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(d\)\(iii\)](#)
- F38** Words in [reg. 2\(1\)](#) inserted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(1\)\(f\)](#)
- F39** Words in [reg. 2\(1\)](#) inserted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), [reg. 1\(2\)](#), [Sch. 2 para. 13\(2\)](#)
- F40** [Reg. 2\(4\)](#) omitted (N.I.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(2\)](#)

F41 Words in [reg. 2\(5\)\(b\)](#) substituted (N.I.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), [reg. 1\(b\)](#), [Sch. 15 para. 2\(3\)](#)

Commencement Information

I6 Reg. 2 in force at 3.8.2017, see [reg. 1](#)

[^{F22}Designated standard

2A.—(1) Subject to paragraphs (6) and (7), in these Regulations, a “designated standard” means a technical specification which is—

- (a) adopted by a recognised standardisation body [^{F23}or an international standardising body], for repeated or continuous application, with which compliance is not compulsory; and
- (b) designated by the Secretary of State by publishing the reference to the standard and maintaining that publication in a manner the Secretary of State considers appropriate.

(2) For the purposes of paragraph (1), a “technical specification” means a document that prescribes technical requirements to be fulfilled by a product, process, service or system and which lays down one or more of the following—

- (a) the characteristics required of a product, including—
 - (i) levels of quality, performance, interoperability, environmental protection, health, safety or dimensions, and
 - (ii) the requirements applicable to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking or labelling and conformity assessment procedures; and
- (b) production methods and processes relating to the product, where these have an effect on the characteristics of the product.

(3) For the purposes of this regulation, a “recognised standardisation body” means any one of the following organisations—

- (a) the European Committee for Standardisation (CEN);
- (b) the European Committee for Electrotechnical Standardisation (Cenelec);
- (c) the European Telecommunications Standards Institute (ETSI);
- (d) the British Standards Institution (BSI).

[
^{F24}(3A) In this regulation “international standardising body” has the same meaning as it has for the purposes of the Agreement on Technical Barriers to Trade, part of Annex 1A to the agreement establishing the World Trade Organisation signed at Marrakesh on 15 April 1994 (as modified from time to time).]

(4) When considering whether the manner of publication of a reference is appropriate in accordance with paragraph (1)(b), the Secretary of State must have regard to whether the publication will draw the standard to the attention of any person who may have an interest in the standard.

(5) Before publishing the reference to a technical specification adopted by the British Standards Institution, the Secretary of State must have regard to whether the technical specification is consistent with [^{F25}such] technical specifications adopted by the other recognised standardisation bodies [^{F26}or by international standardising bodies as the Secretary of State considers to be relevant.].

(6) The Secretary of State may remove from publication the reference to a standard which has been published in accordance with paragraph (1)(b).

(7) Where the Secretary of State removes the reference to a standard from publication, that standard is no longer a designated standard.

(8) The Secretary of State may by regulations amend paragraph (3) to reflect any changes in the name or structure of the recognised standardisation bodies.

(9) Regulations made under paragraph (8) are to be made by statutory instrument.

(10) A statutory instrument containing regulations made under paragraph (8) is subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F22** Reg. 2A inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), reg. 1, **Sch. 28 para. 3** (with Sch. 28 para. 41) (as amended by S.I. 2020/676, regs. 1(1), 2); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in reg. 2A(1)(a) inserted (31.12.2020) by [European Union \(Future Relationship\) Act 2020](#) (c. 29), s. 40(7), **Sch. 4 para. 17(a)**; S.I. 2020/1662, reg. 2(ee)
- F24** Reg. 2A(3A) inserted (31.12.2020) by [European Union \(Future Relationship\) Act 2020](#) (c. 29), s. 40(7), **Sch. 4 para. 17(b)**; S.I. 2020/1662, reg. 2(ee)
- F25** Word in reg. 2A(5) inserted (31.12.2020) by [European Union \(Future Relationship\) Act 2020](#) (c. 29), s. 40(7), **Sch. 4 para. 17(c)(i)**; S.I. 2020/1662, reg. 2(ee)
- F26** Words in reg. 2A(5) inserted (31.12.2020) by [European Union \(Future Relationship\) Act 2020](#) (c. 29), s. 40(7), **Sch. 4 para. 17(c)(ii)**; S.I. 2020/1662, reg. 2(ee)

Scope

3.—(1) Subject to regulation 4 (exclusions) these Regulations apply to the following products—

- (a) recreational craft and partly completed recreational craft;
- (b) personal watercraft and partly completed personal watercraft;
- (c) components;
- (d) propulsion engines which are installed or specifically intended for installation on or in watercraft;
- (e) propulsion engines installed on or in watercraft that are subject to a major engine modification;
- (f) watercraft that have been subject to major craft conversion.

(2) A watercraft that can also be used for charter or for sports and leisure training is covered by these Regulations when it is placed on the market for recreational purposes.

Commencement Information

- I3** Reg. 3 in force at 3.8.2017, see [reg. 1](#)

Exclusions

4.—(1) The design and construction requirements set out in Part A of Schedule 1 do not apply to the following watercraft—

- (a) watercraft intended solely for racing, including rowing racing boats and training boats, labelled as such by the manufacturer;
- (b) canoes and kayaks designed to be propelled solely by human power, gondolas and pedalos;

- (c) surfboards designed to be propelled by wind and to be operated by a person or persons standing;
 - (d) other surfboards;
 - (e) original historical watercraft and individual replicas thereof designed before 1950 built predominantly with the original materials and labelled as such by the manufacturer;
 - (f) experimental watercraft, unless they are placed on the market;
 - (g) watercraft built for own use, provided that such watercraft are not subsequently placed on the [F27EU] market for a period of five years beginning with the date on which the watercraft was put into service;
 - (h) watercraft specifically intended to be crewed and to carry passengers for commercial purposes, except when they fall within regulation 3(2), regardless of the number of passengers;
 - (i) submersibles;
 - (j) air cushion vehicles;
 - (k) hydrofoils;
 - (l) external combustion steam powered watercraft, fuelled by coal, coke, wood, oil or gas;
 - (m) amphibious vehicles, that is to say wheeled or track-laying motor vehicles, which are able to operate both on water and on solid land.
- (2) The exhaust emission requirements set out in Part B of Schedule 1 do not apply to the following—
- (a) propulsion engines installed or specifically intended for installation in the following products—
 - (i) watercraft intended solely for racing and labelled as such by the manufacturer;
 - (ii) experimental watercraft, unless they are placed on the market;
 - (iii) watercraft specifically intended to be crewed and to carry passengers for commercial purposes, except when they fall within regulation 3(2) regardless of the number of passengers;
 - (iv) submersibles;
 - (v) air cushion vehicles;
 - (vi) hydrofoils;
 - (vii) amphibious vehicles, that is to say wheeled or track-laying motor vehicles, which are able to operate on water and on solid land;
 - (b) original historical propulsion engines and individual replicas thereof, which are based on a pre-1950 design, not produced in series and fitted on watercraft referred to in paragraph 4(1)(e) or paragraph 4(1)(h) above;
 - (c) propulsion engines built for own use provided that such engines are not subsequently placed on the market for a period of five years beginning with the date on which the watercraft was put into service.
- (3) The noise emission requirements referred to in Part C of Schedule 1 do not apply to—
- (a) any watercraft referred to in paragraph (2); and
 - (b) watercraft built for own use, provided that they are not placed on the market for a period of five years beginning with the date on which the watercraft was put into service.

Textual Amendments

- F27** Word in [reg. 4\(1\)\(g\)](#) omitted (E.W.S) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/696), [reg. 1](#), [Sch. 28 para. 4](#) (with [Sch. 28 para. 41](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#); [S.I. 2020/1460](#), [reg. 1\(4\)](#), [Sch. 3 para. 20\(3\)](#); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#))

Commencement Information

- I4** [Reg. 4](#) in force at 3.8.2017, see [reg. 1](#)

Exhibition at trade fairs

5. Nothing in these Regulations prevents the showing of a watercraft which does not comply with Part 2 of these Regulations at a trade fair, exhibition or demonstration, provided that a visible sign clearly indicates —

- (a) that the product is not in conformity with Part 2 of these Regulations; and
- (b) that the product will not be made available on the market or be put into service until it has been brought into conformity.

Commencement Information

- I5** [Reg. 5](#) in force at 3.8.2017, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Recreational Craft Regulations 2017, PART 1.