

The following articles and paragraphs apply to COMMERCIAL YACHTS (a ship of less than 3000 GT with a length bpp of 24 meters or more, designed, built and used exclusively for the commercial transport of not more than 12 passengers and to which the LY2 Code applies)

The following substantial equivalency may apply to commercial yachts:

Article 3.4

Article 3.4 Substantially equivalent provisions for sleeping rooms on commercial yachts

1. By way of derogation from Article 3.3, paragraph 1 and as substantially equivalent provisions as referred to in Article VI, paragraph 3 of the Maritime Labour Convention, the standards mentioned in the table below relating to the minimum floor area for sleeping rooms, along with paragraphs 2 and 3, shall apply to a commercial yacht.

Size of a commercial yacht	Type of sleeping room	Minimum floor area
Up to 500 GT	Single occupancy sleeping room without private sanitary facilities	3.6 m ²
	Single occupancy sleeping room with private sanitary facilities	4.5 m ²
	Double occupancy sleeping room with private sanitary facilities	6.2 m ²
≥500 GT to 1250 GT	Single occupancy sleeping room for Officers with private sanitary facilities	From 4.5 m ² for 500GT + 0.004 m ² per GT greater than 500 GT, rounded to decimal places
≥500 GT to 1150 GT	Double occupancy sleeping room for Officers with private sanitary facilities	6.2 m ² for 500 GT + 0.01354 m ² per GT greater than 500 GT, rounded to decimal places

2. The substantially equivalent provisions, referred to in paragraph 1, require a commercial yacht to provide the following facilities:

- a. a day room that offers at least 1.5 m² seating space per seafarer;
- b. space on deck accessible to off-duty seafarers that offers at least 1.5 m² seating space per seafarer; and
- c. an additional space that offers at least 1.5 m² seating space per Officer and, insofar as this space is located on the bridge, is only used when the ship is sailing.

3. Insofar as the floor area of the sleeping rooms for Officers, under paragraph 1, is less than 7.5 m², a TV and a DVD player or similar equipment shall be provided in these rooms.

The following exemptions may apply to ALL ships < 3000 GT:

Article 3.7 (4, 5 and 6)

Article 3.7 Exemptions and derogations with respect to sleeping rooms

4. For ships of less than 3000 GT (other than passenger ships) or for special purpose ships, the Minister may, after consultation with the relevant shipowners' and seafarers' organisations, grant exemption from the provisions of Standard A3.1, paragraph 9(a) of the Maritime Labour Convention which require that there must be an individual sleeping room for each seafarer.

5. For ships of less than 3000 GT, passenger ships or special purpose ships, the Minister may, in accordance with Standard A3.1, paragraph 9(g), grant exemption from Standard A3.1, paragraph 9(f) of the Maritime Labour Convention relating to the minimum floor area of individual sleeping rooms, if such an exemption can be provided for in individual sleeping rooms. These individual sleeping rooms shall never be smaller than 3.75 m².

6. For ships of less than 3000 GT, the Minister may, after consultation with the relevant shipowners' and seafarers' organisations, grant exemption from the provisions of Standard A3.1, paragraph 9(m) of the Maritime Labour Convention relating to sleeping rooms adjoining individual rooms.

Article 3.9 (3)

Article 3.9 Exemptions and derogations with respect to day rooms

3. For ships of less than 3000 GT, the Minister may, after consultation with the relevant shipowners' and seafarers' organisations, grant exemption from the provisions of Standard A3.1, paragraph 10(a) of the Maritime Labour Convention relating to the location of day rooms.

Article 3.16 (1)

Article 3.16 Exemptions with respect to offices and laundry facilities

1. For ships of less than 3000 GT, the Minister may, after consultation with the relevant shipowners' and seafarers' organisations, grant exemption from the provisions of Standard A3.1, paragraph 15 of the Maritime Labour Convention relating to offices.

Article 3.11 (1) may apply to ships of less than 1600 GT.

Article 3.16 Exemptions with respect to offices and laundry facilities

1. For ships of less than 3000 GT, the Minister may, after consultation with the relevant shipowners' and seafarers' organisations, grant exemption from the provisions of Standard A3.1, paragraph 15 of the Maritime Labour Convention relating to offices.

Article 3.8, (3) applies to ships of more than 400 GT but less than 1000 GT.

Article 3.8 Day rooms

3. On board ships of more than 400 GT but less than 1000 GT, separate day rooms shall be provided for:

- a. the Master and Officers;
- b. the remaining seafarers.

Article 3.8, (4) applies to ships of 1000 GT or more.

Article 3.8 Day rooms

4. On board ships of 1000 GT or more, separate day rooms shall be provided for:

- a. the Master and Officers;
- b. the Petty Officers;

Article 3.5 may apply to ships of less than 500 GT

Article 3.5 Substantially equivalent provisions for sleeping rooms on ships of less than 500 GT

1. In view of the functionality, stability or otherwise, the safety of ships of less than 500 GT, by way of derogation from Article 3.3, paragraph 1 and as substantially equivalent provisions as referred to in Article VI, paragraph 3 of the Maritime Labour Convention, sleeping rooms may be situated below the load line, provided that paragraph 2 is also complied with.

2. The sleeping rooms referred to in paragraph 1 shall comply with the following requirements:

- a. the upper side of the floor shall lie maximum 2000 mm below the load line;
- b. with respect to headroom, no exemption shall be granted from the requirements referred to in Article 3.2, paragraph 1;
- c. the sleeping room shall be continuously air conditioned to adequately prevent the formation of condensation and damp-related odours;
- d. the sleeping room shall have at least two escape routes;
- e. the watertight compartment of the sleeping room shall have a bilge alarm;
- f. the brightness of the lighting shall be adjustable so that the lack of daylight can be compensated for depending on the seafarer's needs; and
- g. the materials and colours used for wall and floor coverings shall be selected keeping in mind the need to make this a comfortable and pleasant living space.

Articles 3.2 (3), 3.7 (7), 3.11 (3), 3.16 (2) apply to ships of less than 200 GT.

Article 3.2 Exemptions for accommodation

3. For ships of less than 200 GT, the Minister may, after consultation with the relevant shipowners' and seafarers' organisations and taking into account the size of the ship and number of persons on board, grant an exemption from Standard A3.1, paragraph 7(b) relating to the air conditioning.

Article 3.7 Exemptions and derogations with respect to sleeping rooms

7. For ships of less than 200 GT, the Minister may, after consultation with the relevant shipowners' and seafarers' organisations and taking into account the size of the ship and number of people on board, grant exemption from the provisions of Standard A3.1, paragraphs 9(f) and 9(h) to 9(l) of the Maritime Labour Convention relating to the minimum floor area, provided that the floor area of individual sleeping rooms is at least 3 m², the floor area of sleeping rooms for more than one person is at least 2 m² per person and the floor area of sleeping rooms for Officers is at least 4 m².

Article 3.11 Exemptions and derogations with respect to sanitary facilities

3. On ships of less than 200 GT, Standard A.3.1, paragraph 11(d) of the Maritime Labour Convention relating to washbasins in sleeping rooms shall not apply.

Article 3.16 Exemptions with respect to offices and laundry facilities

2. For ships of less than 200 GT, the Minister may, after consultation with the relevant shipowners' and seafarers' organisations and taking into account the size of the ship and number of people on board, grant exemption from Standard A3.1, paragraph 13 of the Maritime Labour Convention relating to laundry facilities, if the seafarers of the ship in question have sufficient access to laundry facilities onshore.

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