# INTERNATIONAL STANDARD

ISO 20410

First edition 2017-10

### Tourism and related services — Bareboat charter — Minimum service and equipment requirements

Tourisme et services connexes — Location de bateau sans équipage — Exigences minimales de service et d'équipement

## iTeh STANDARD PREVIEW (standards.iteh.ai)

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#### Foreword

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular the different approval criteria needed for the different types of ISO documents should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see <a href="www.iso.org/directives">www.iso.org/directives</a>).

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO shall not be held responsible for identifying any or all such patent rights. Details of any patent rights identified during the development of the document will be in the Introduction and/or on the ISO list of patent declarations received (see <a href="https://www.iso.org/patents">www.iso.org/patents</a>).

Any trade name used in this document is information given for the convenience of users and does not constitute an endorsement.

For an explanation on the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the World Trade Organization (WTO) principles in the Technical Barriers to Trade (TBT) see the following URL: <a href="https://www.iso.org/iso/foreword.html">www.iso.org/iso/foreword.html</a>. <a href="https://www.iso.org/iso/foreword.html">www.iso.org/iso/foreword.html</a>. <a href="https://www.iso.org/iso/foreword.html">www.iso.org/iso/foreword.html</a>.

This document was prepared by Technical Committee ISO/TC 228, *Tourism and related services*.

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#### Introduction

Over the last decade, bareboat charters have become popular and consequently, the charter business is expanding.

Bareboat charter is a typical cross-border business activity, with the internet making it easy for companies to offer their services to a large public. The easy access to information (via internet) and the growing charter market has created a wide choice for charter services all over the world. This can clearly be seen at any number of large international boat shows where there is a large number of competing charter companies.

However, the quality of the service provision of companies that provide bareboat charter can vary substantially and is difficult to compare and assess. This creates an uneven playing field and dissatisfaction between charter providers and charterers alike. An international standard can create a qualitative bareboat charter market and increase satisfaction levels for charter providers and charterers.

A service standard for the provision of essential safety equipment necessary for bareboat charter operation, the assessment methods for defining the quality of this equipment, agreements and arrangements, safety operations and instructions, liability and insurance, etc. is highly desirable in this particular tourism field.

Passengers on bareboat charters are not always conscious of marine safety needs. Safety instructions and properly working equipment are essential to ensure the safety of those on board a chartered bareboat.

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This document addresses how to assess the quality and safety level of a bareboat offered for charter. Correct assessment is of key importance at the moment of the handing over of a boat (before and after the charter period).

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## Tourism and related services — Bareboat charter — Minimum service and equipment requirements

#### 1 Scope

This document sets out the minimum service level and equipment requirements for bareboats offered for charter on inland, coastal and/or offshore waters. It is applicable to any individual or organization that offers a bareboat for charter.

#### This document:

- covers the safety of the bareboat and its occupants, but not associated sport or water-based recreational activities;
- excludes boats that are provided with a skipper and/or crew and bareboats that do not have living accommodation;
- does not establish the construction requirements for bareboats and equipment provided.

## 2 Normative references STANDARD PREVIEW

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

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ISO 9094, Small craft<sub>tips</sub>/Eire protection atalog/standards/sist/51e45ec5-81fc-4190-acd6-ba73a06afae1/iso-20410-2017

#### 3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

- ISO Online browsing platform: available at <a href="https://www.iso.org/obp">https://www.iso.org/obp</a>
- IEC Electropedia: available at <a href="http://www.electropedia.org/">http://www.electropedia.org/</a>

#### 3.1

#### bareboat

boat with *living accommodation* (3.6) chartered without *skipper* (3.7) and/or crew provided by the *charter provider* (3.4)

#### 3.2

#### charter

hire of a boat for an agreed payment

#### 3.3

#### charterer

individual or organization that charters a bareboat (3.1)

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#### 3.4

#### charter provider

individual or organization responsible for offering a bareboat (3.1) for charter (3.2)

Note 1 to entry: This can be the owner/operator/manager of the bareboat itself or, if applicable, a third party who acts as an intermediary (agent) between the *charterer* (3.3) and the bareboat owner/operator/manager. The charter provider is responsible for ensuring the bareboat charter is compliant with this document.

#### 3.5

#### charter agreement

contract between *charterer* (3.3) and the *charter provider* (3.4)

#### 3.6

#### habitable space

#### living accommodation

space surrounded by permanent structure in which there is provision for sleeping, cooking, eating, washing and toilet facilities

Note 1 to entry: The term "habitable space" is commonly used within industry. The term "living accommodation" is commonly used by the user.

#### 3.7

#### skipper

person having overall command and responsibility of the *bareboat* (3.1) for the duration of the *charter* (3.2)

Note 1 to entry: The skipper and the charterer (3.3) can be different people. VIEW

#### 3.8

### (standards.iteh.ai)

#### security deposit

refundable sum of money paid by the charterer (3.3) and held by the charter provider (3.4)

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#### 4 General

- **4.1** The charter provider shall have overall responsibility for the delivery of the bareboat charter. The charter provider shall inform the charterer if a third party is involved and shall unambiguously state the responsibilities of the third party.
- **4.2** Any advertisement for the bareboat charter shall accurately reflect the service offered by the charter provider.
- **4.3** The charter provider shall provide detailed information regarding the bareboat, terms and conditions and service offered (e.g. in writing or via a website). The information shall be available before an agreement has been signed.

#### 5 Service provision

#### 5.1 In advance of the bareboat charter

#### 5.1.1 Arranging the bareboat charter

There shall be a charter agreement that sets out what is expected of charterer and the charter provider. The charter agreement may consist of one or more documents. Signed copies of the charter agreement shall be provided for both parties.

The charter provider shall unambiguously state when and how:

the charter is agreed, any limitations and which laws govern the contract;

- the charterer may amend or cancel the charter agreement and any financial penalties the charterer may incur;
- the charter provider may amend or cancel the charter agreement and any financial compensation the charter provider will give;
- a comparable alternative bareboat will be offered if the chartered one is not available;
- delays to the start and termination of the charter duration including late handback will be communicated and compensated.

The charter agreement shall be simple to understand and shall be written in a language that is acceptable to both the charterer and charter provider.

#### 5.1.2 Bareboat details

The charter provider shall specify:

- the maximum number of persons permitted on board;
- the year of construction or age of craft;
- the manufacturer:
- the model;
- the layout; iTeh STANDARD PREVIEW
- the number of cabins, heads and berthsards.iteh.ai)
- the inventory of equipment supplied as standard;

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— optional equipment/requested by the charterer and its cost 1fc-4190-acd6-

ba73a06afae1/iso-20410-2017

#### 5.1.3 Dates of charter and duration

The exact dates and times of handover and return/handback shall be clearly stated by the charter provider.

#### 5.1.4 Location

The location(s) of where the bareboat will be handed over and handed back shall be clearly stated by the charter provider. The charter provider shall give the charterer up-to-date information about transport and parking options for the handover/handback location.

#### 5.1.5 Charter fee

The charter provider shall clearly state the payment schedule, including taxes for the bareboat charter, the currency of payment, method of payment and bank details, if any.

#### **5.1.6** Evidence of competence

The charter provider shall inform the charterer of evidence of the competence that is necessary for the charter.

The charter provider shall confirm prior to signing the charter agreement that the charterer will be able to provide evidence of the required level of competence.

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If the charterer is not the skipper of the bareboat, the charter provider shall confirm that the nominated skipper has evidence of the required level of competence.

NOTE Evidence can cover the need to operate equipment such as maritime radio sets in addition to skippering the bareboat.

#### 5.1.7 Consumables

The charter provider shall make it clear what is included in and what is excluded from the charter fee, e.g. liquid petroleum gas (LPG), fuel, food and potable water.

#### 5.1.8 Services and options

The charter provider shall confirm in writing what optional service(s) have been requested by the charterer and their respective fees, e.g. cleaning arrangements.

#### 5.1.9 Security deposit

The charter provider shall provide written terms and conditions for the security deposit, if any, so that charges, deductions, penalties and the reasons for them are clearly explained.

#### 5.1.10 Operating restrictions

The charter provider shall inform the charterer and, if different, the skipper of any restrictions that are in force for the duration of the charter, e.g. geographical limits, hight time use and sail restrictions.

The charter provider shall inform the charterer of requirements, if any, to report the location of the bareboat during the charter period.

### 5.1.11 Assistance during the charter ISO 20410:2017 Standards.iteh.ai/catalog/standards/sist/51e45ec5-81fc-4190-acd6-

The charter provider shall have a procedure for handling emergency situations and shall inform the charterer how assistance will be provided during the charter in the event of a breakdown or an emergency.

The charter provider shall inform the charterer under what circumstances a replacement bareboat and/or compensation will/will not be offered.

#### 5.1.12 Insurance

The charter provider shall ensure that the bareboat is comprehensively insured for use by the charterer and for third party damage. Details of the sum insured, any excess payable by the charterer that is not covered by the security deposit and any limitations should be made available to the charterer.

A copy of the insurance certificate shall be provided to the charterer if requested.

The charter provider shall clearly inform the charterer before signing the charter agreement if any other insurance is required or recommended for the charter, e.g. excess waiver, medical or travel insurance.

#### **5.1.13** Crew list

The charter provider shall require and hold a crew list for the duration of the charter. As a minimum, the following crew details shall be recorded:

- name;
- address;
- contact details:

- passport (or recognized identification document) number and expiry date;
- next of kin details;
- date of birth;
- nationality.

The crew list shall make clear who the skipper is (and, if applicable, the co-skipper), in accordance with 5.1.6.

#### 5.1.14 Data protection

The charter agreement shall clearly indicate how data will be used.

Data shall be securely stored and later destroyed when it is no longer required.

#### 5.1.15 Legal and other requirements

The charter provider shall establish, implement and maintain a procedure:

- to identify the legal requirements applicable to the bareboat charter;
- to determine how these requirements apply to the bareboat charter.

The charter provider shall ensure that these applicable legal requirements are taken into account when offering the bareboat for charten I ANDARD PREVIEW

### 5.2 Handover/handback procedures

#### ISO 20410:2017 **5.2.1** Arrival of charterer https://standards.iteh.ai/catalog/standards/sist/51e45ec5-81fc-4190-acd6-

The charter provider shall have a welcome procedure. 10-2017

#### 5.2.2 Handover

The charter provider shall ensure that the bareboat has been cleaned and is serviceable, and that fuel, water and LPG (if any) levels are in compliance with the charter agreement.

The crew list details shall be confirmed and shall be held by the charter provider for the duration of the charter.

The inventory shall be checked at handover and a signed copy shall be provided to the charterer.

The charter provider shall provide:

- bareboat documentation (e.g. registration document, crew lists, cruising permits) relevant for the charter:
- bareboat manual (equipment instructions) in accordance with <u>Clause 7</u>.

The charter provider shall familiarize the charterer with the operation of the bareboat, its equipment and the bareboat manual. The drafts recorded in the bareboat manual shall be brought to the attention of the charterer.

A procedure to record the condition of the boat, and any faults, scratches or problems to be noted and agreed with the charter provider before the charter commences, is required.