

## Yacht Management - Safety Management

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Large yachts need to be operated in full compliance with international maritime regulation. These include requirements for safety and security to be managed systematically, based on clear policies and practical procedures.

Burgess are licensed to operate under Documents of Compliance issued by each of the main super yacht flag state Administrations. These permit us to manage passenger ships, passenger yachts in addition to large yachts.

Our safety management system is paperless and hosted within a cloud based application – Burgess Manage. The system provides every vessel with instant access to all available information and enables real time access to the many documents and certificates which are essential to safe and efficient operation of a modern yacht.

These include yacht documentation, crew qualifications, management and audit reports, procedural checklists, voyage plans and crew lists.

Our safety management responsibilities in more detail:

- » Act as the ISM Company for each yacht – assuming formal responsibility and accountability for safe and legally compliant operation.
- » Perform an initial assessment of the yacht to establish the current safety baseline.
- » Set up the yacht on Burgess Manage.
- » Introduce the Master and crew to the Burgess Safety Management System
- » Identify any gaps in safety performance - Agree plans for improvement;
- » Provide the services of a properly qualified and experience Designated Person Ashore – DPA
- » Perform an annual internal audit and provide the necessary support to address any audit findings.
- » Arrange for vessel audits third party audits by the vessels flag state and other bodies as necessary.
- » Ensure that the yacht and the crew are correctly certificated in compliance within international regulations, including safety, environmental and labour.
- » Provide a 24/7/365 emergency response service to guide and support the vessel in case of emergency. Liaise with flag and coastal states, insurers and others. Protect the owner's position.
- » Administer a Medical emergency response plan.
- » Plan and monitor all emergency training, contingency plans and drills.
- » Coordinate safety related crew training.

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- » Investigate accidents, incidents and hazardous occurrences.
- » Review and follow up any significant defect reports.
- » Provide the yacht with a controlled document library.

The key activities within Safety Management are as follows:-

## » **Appointment**

By appointing Burgess to carry out Safety Management Services, we become “the Company”, defined in the ISM Code as “the organisation responsible for the operation of the yacht and the duties and responsibilities imposed by the ISM Code”, thus taking away that burden and liability from the Owner of the yacht, allowing the Owner to fully focus on the enjoyment of their asset.

## » **Initial Set-Up**

Our management team would visit the yacht to introduce the Captain and crew to our Safety Management System (SMS). All relevant information would be gathered to enable us to set up the yacht in the SMS and the Emergency Response Service.

## » **Safety Management System**

The yacht would be issued with our Safety Management System, which has been approved by all the leading Flag States serving the super yacht industry (including the Cayman Islands and MCA) as being in compliance with the ISM Code, as evidenced by the Document of Compliance with ISM issued to Burgess.

## » **Designated Person Ashore**

Burgess has appointed an appropriately qualified member of the Management Team as the Designated Person Ashore (DPA), who would monitor all safety and pollution prevention aspects of the operation of the yacht, in accordance with the ISM Code.

## » **Initial Audit**

Our management team would visit the yacht after about 3 months to carry out the initial internal audit. The audit would reveal how implementation of the SMS is progressing and highlight where further efforts are required before the Flag State is requested to carry out their initial audit.

## » **Safety Management Certificate**

After the SMS has been running on board for three months and the initial audit has taken place, Burgess would arrange for the Flag State to perform an official audit on board the vessel. A Safety Management Certificate, which is valid for a period of five years, would be then issued.

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## » **Safety Training and Oil Pollution Response Manuals**

It is a requirement that the yacht shall have on board a Safety Training Manual and Shipboard Oil Pollution Emergency Plan (SOPEP). Unless already provided, Burgess would organise the production of these yacht specific manuals and ensure that they are controlled and kept up to date under the Burgess document control system.

Depending on the yacht's cruising patterns, this would include the organisation of various locally required emergency plans, such as the various Vessel Response Plans required for cruising in the USA.

## » **Certification**

Burgess would verify that all yacht & crew certification is valid, complete and in compliance with current regulations. We would also ensure that all certification is renewed when necessary and that all Statutory and Class surveys are carried out in a timely manner.

## » **Emergency and Medical Response Service**

Burgess provides an established and proven Emergency Response Service. The Captain is provided with a 24-hour emergency telephone number. In the event of a serious incident our team of specialists can be mobilised at short notice to provide the Captain with technical, medical, anti-pollution and personnel support. This also includes the handling of media issues. Depending on the yacht's requirements, enhanced medical response services can be arranged.

## » **Contingency Plans and Emergency Drills**

A requirement of the ISM Code and regulations including SOLAS and MARPOL is that potential emergency situations are identified and appropriate action planned and documented. Regular drills are to be carried out, simulating potential emergency situations. Burgess would work with the Captain in administering these plans and the program of drills.

## » **Training Courses**

Burgess would improve safety and environmental awareness of sea staff by arranging appropriate training courses, (for example Shipboard Safety Officer, ISM Familiarisation and Auditing courses, as well as ensuring all crew members have carried out the fundamental safety training required for all seafarers).

## » **Accidents, Incidents, Hazardous Occurrences**

As required by the ISM Code, Burgess would investigate any accident, incident or hazardous occurrence. Subsequent to the investigation, and if appropriate, new or revised procedures would be put in place to prevent or reduce the risk of re-occurrence.

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## » **Defects**

Significant defects would be reported to Burgess for assessment and appropriate action. Estimates would be obtained and parts and services procured in a cost-effective manner.

## » **Planned Maintenance System**

As part of the ISM it is a requirement that every yacht is to have a Planned Maintenance System in place, in order to ensure that all machinery is being operated and maintained according to manufacturer and regulatory requirements.

## » **Audits**

A yearly internal audit is required by the ISM Code to ensure that the yacht is maintaining compliance with the ISM Code. A qualified Burgess auditor would carry out these audits. Burgess would further ensure that periodical Flag State audits would be undertaken as required.

## » **Reporting**

Effective reporting from the vessel to the Company is required by the Code to ensure that the Company can fulfil its obligations and review the effectiveness of the system. Burgess would monitor that its SMS reporting requirements, such as voyage reporting, crew reporting, maintenance reporting, and safety related reporting are being followed.

## » **Publications Library**

Burgess would put a controlled publications library on board the yacht ensuring that the yacht has the current editions of all required documents. Additional safety training videos and booklets would be issued to the yacht to keep sea staff up to date with current safety and environmental requirements.

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## SAFETY - ISM

### ISM:

- » Act as ISM Company for the Yacht
- » Carry out initial assessment and set-up of Yacht
- » Develop on board ISM procedures and introduce SMS
- » Provide DPA
- » Perform internal Audit
- » Arrange External Audit
- » Obtain Safety Management Certificate for Yacht
- » Arrange production of Safety Training Manual
- » Arrange production and administration of various Pollution Response Plans
- » Ensure correct certification held by Yacht and crew
- » Administration of Emergency Response Service
- » Administration of Medical Response Plan
- » Establish and coordinate contingency plans and drills
- » Coordinate safety related crew training
- » Investigate accidents, incidents and hazardous occurrences
- » Review and act on significant defect reports from Yacht
- » Carry out internal ISM audits
- » Coordinate external ISM audits
- » Review effectiveness of SMS
- » Voyage monitoring
- » Establish and maintain the controlled document library

## Yacht Management - Security Management

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Large yachts must operate in compliance with the International Ship & Port Facility Security Code – ISPS Code. This requires each yacht to apply a formalised and systematic approach to security management.

The ISPS Code provides each vessel with a measure of protection against the risk of intrusion and terrorist attack. A secondary benefit is that it also helps to reduce losses through theft and malicious damage.

Our security management responsibilities in more detail:

- » Review and follow up any significant defect reports.
- » Act as the ISPS Company for the purposes of the International Ship & Port Facility Security Code.
- » Perform a survey to establish the current security baseline. Produce a Ship Security Assessment.
- » Develop a bespoke Ship Security Plan for approval by the yacht's flag state administration. This includes detailed security procedures and risk mitigation.
- » Provide the services of a Company Security Officer – CSO. This includes 24/7/365 response to any security alert.
- » Arrange for the yacht to be issued with an International Ship Security Certificate.
- » Manage and administer the necessary alerting and tracking systems - Ship Security Alert System, Automatic Identification System, Long Range Identification and Tracking system.
- » Provide support and guidance to help the crew to keep the yacht secure and limit exposure to threat or risk.
- » Arrange for periodic security drills and exercises.
- » Perform security audits as necessary and arrange for security plan revalidation as required.
- » Ensure that the yacht and the crew are correctly certificated in compliance with the ISPS Code.
- » Review and follow up any significant security breaches or equipment defects. Investigate security incidents and any reported failures
- » Arrange for any necessary risk assessment prior to transit of the Piracy high risk area. Arrange for passage monitoring and private maritime security contractors (Armed Guards) as required.

The key activities within Security Management are as follows:-

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## » **Appointment**

By appointing Burgess to carry out Security Management Services, we become "the Company", defined in the ISPS Code as "the organisation responsible for the operation of the yacht and the duties and responsibilities imposed by the ISPS Code", thus taking away that burden and liability from the Owner of the yacht, allowing the Owner to fully focus on the enjoyment of their asset.

## » **Initial Survey**

Our management team would visit the yacht to introduce the Captain and crew to our ISPS Procedures. We would conduct an on board security survey in order to assess the layout, equipment and existing security procedures.

## » **Security Assessment**

The information gathered at this survey would be evaluated and used in a formal security risk assessment, upon which the development and implementation of the Burgess Ship Security Plan would be based.

## » **Security Plan**

The Burgess Ship Security Plan would be adapted to meet the yacht's specific requirements as identified in the formal risk assessment.

## » **Company and Ship Security Officer**

In addition to every Yacht Manager being certified as Company Security Officer, Burgess has appointed an appropriately qualified member of the Management Team as the Company Security Officer (CSO). The CSO and Yacht Manager would provide support to the Ship Security Officer (SSO) in accordance with the Code.

## » **Plan Approval and Certification**

Burgess seek the required Flag State approval for the Ship Security Plan and obtain an International Ship Security Certificate for the yacht in the same manner as for a Safety Management Certificate.

## » **Ship Security Alert System**

Burgess liaise with the Authority designated to receive security alerts in order to coordinate an emergency response to any breach of security.

## » **Threats and Incidents**

Burgess investigate incidents or failures and act on significant breaches and threats. Following such investigation and if appropriate new or revised procedures would be put in place to prevent or reduce the risk of re-occurrence.

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## » **Training**

Burgess improve the security awareness on board by arranging appropriate training courses, (for example Shipboard Security Officer and ISPS Familiarisation courses).

Burgess arrange exercises regularly in which vessel, Company and other organisations are to participate, as required by the ISPS Code.

## » **Security Levels**

Burgess coordinate any changes in security levels with the Flag Administration for the yacht.

## » **SPS Audits**

Burgess periodically audit the yacht in order to verify compliance with and the effectiveness of the security procedures. We would also arrange for the Flag State to periodically verify the plan in order to validate the Ship Security Certificate.

## » **Plan Review and Amendment**

With the assistance of the Master and SSO we periodically review the validity of the assessment and effectiveness of the plan (for example if the yacht changes cruising area). We also coordinate any required amendments to the plan for approval by the flag state.



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## SECURITY - ISPS

### ISPS:

- » Act as ISPS Company for the Yacht
- » Carry out initial on board security survey
- » Evaluate survey using threat assessment techniques
- » Prepare Security Assessment for Flag
- » Develop on board plan and security procedures
- » Provide CSO
- » Arrange for training and support of SSO
- » Obtain flag administration approval of plan
- » Obtain Ship Security Certificate
- » Administration of Ship Security Alert System
- » Review and act on significant breaches and threats
- » Investigate incidents or failures
- » Coordinate and participate in related crew training
- » Coordinate changes in security level with flag administration
- » Carry out internal ISPS audits
- » Coordinate external ISPS verifications
- » Periodic review of security assessment and plan
- » Coordinating amendments with flag administration