

Contributed content

# legal & business matters

Our monthly legal and financial matters feature



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## Our top five tips for new boat owners: What you need to know if you have just bought a boat

**THE weather is finally taking a turn for the better, we can see a glimpse of the occasional slice of sunshine, and so for those of you thinking about putting a boat in the water or are considering purchasing one, we thought this month we would have a look at what you legally are required to have on your boat.**

This varies as to whether you are operating your vessel at sea or on the inland waterways. Here, we are only looking at the legal requirements of sailing a boat at sea. Here are our top key points to be aware of before setting out to sea.

### Safety at Sea

Certain aspects of safety of navigation set out in the international Convention of Safety of Life at Sea (SOLAS) must be followed by all vessels. These regulations mean if you are planning to take your boat out to sea you must; plan your voyage, carry a radar reflector, carry an illustrated

table of the recognised life-saving signals, help other craft (if needed) and use distress signals properly. If you were ever involved in an incident and were found not to be following the regulations, you risk prosecution.

### Collision prevention

The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 places a duty on owners and operators to fit navigation lights, shapes and sound-signalling devices on your boat.

### Safety equipment

If your vessel is over 13.7m long there are certain pieces of safety equipment you must carry; lifejackets, life rafts, flares and fire extinguishers.

It is also worth noting here, that if you do have VHF radio on board, you are required to have a radio licence and the radio operator must be a holder of

recognised government radio operator's certificate.

### Insurance

You should always check what kind of insurance you need. It is worth noting that you can be prosecuted if you do not have the right kind of insurance. You will require different cover depending on how and where you use your boat.

### Pollution

Although no vessel is allowed to drop oil or rubbish into the sea, if you own a boat which is longer than 12m, you are required to display a notice explaining how to dispose of rubbish properly.

### And finally

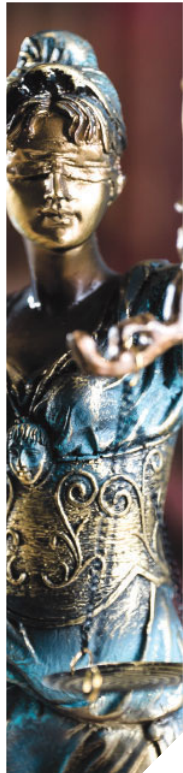
You should be sure of whether you are operating your vessel purely for pleasure or for commercial purposes. If you are using your vessel commercially you may

need certain certificates. The legal definition of using a vessel for leisure use is fairly narrow, so make sure that you aren't using your vessel commercially without having the relevant certification on board.

At Scott Bailey LLP, we regularly act for clients buying and selling their boats as well as handling a wide range of marine related commercial issues; if you are thinking about buying a boat and need guidance as to the sale process, get in touch at [law@scottbailey.co.uk](http://law@scottbailey.co.uk)



• Celia Hawson



## Where are you hiding your jar of gold?

Several years ago I was dealing with the estate of a gentleman who had a serious distrust of banks so his solution was to bury his jar of gold coins in his garden. When he suddenly died it was fortunate that his widow knew where the jar was buried as it would have taken a considerable amount of effort to find the jar.

I don't have a jar of gold in my garden but I do have irreplaceable family photos stored in a 'cloud', music paid for on iTunes, email accounts and a PayPal account that wouldn't be found if my wife didn't know about them and the passwords for access.

An increasing number of people have access to their photos, music, email, banking and investment accounts only through the internet

- One in four of users have said that nobody would be able to access their digital content after their death or incapacity, whilst
- One in three of users have claimed they would not be able to replace these digitally-stored assets if they were lost or compromised.

We all read of the serious threat from various fraud operations, so how can we protect our virtual assets? Many providers will not assist in cases of incapacity or death, so protecting your virtual jar of gold requires you to tell someone where it is locked away, but also what the passwords are.

For security purposes I would suggest safely storing a sealed handwritten list of your online assets in your fire and water proof safe, at your bank, or with your Will in the secure storage facility of your solicitors.

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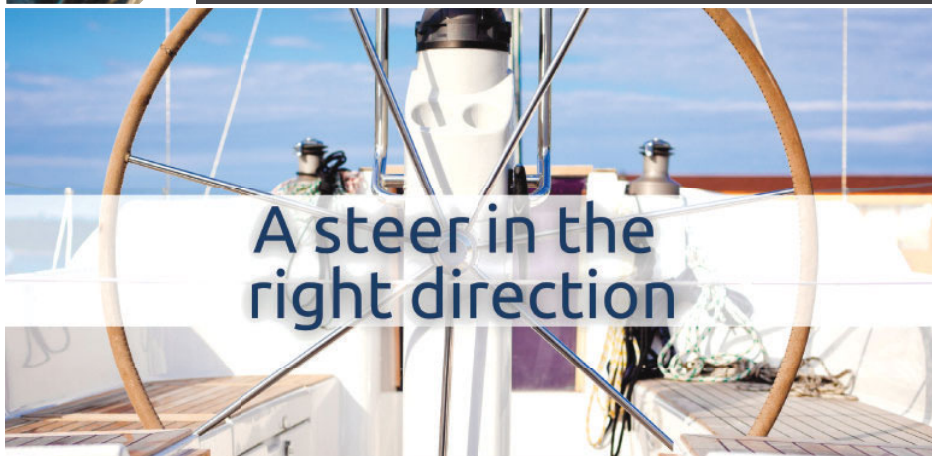


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