

# Frequently asked questions

The Environment Agency (Inland Waterways) Order 2010 March 2012

**The Environment Agency has changed the way it regulates boat registration for its waterways across the country by using new powers under the Environment Agency (Inland Waterways) Order 2010.**

**We have put together these Frequently Asked Questions to help you understand why we have made some of the changes and what they mean for you as a River Medway boating customer.**

**Q. Why has the law changed?**

A. We brought in the new law so we could start to introduce a simpler and more consistent approach to boat registration across our waterways, which will also make the waterways safer. We started to make these changes on 1 January 2011.

**Q. What was wrong with the old system?**

A. Our customers have previously had to comply with different boat registration requirements depending on where they keep or use their boat. Our new powers mean we can bring in one clear approach, which is fairer and easier to understand for everyone.

**Q. Did you consult boating customers?**

A. Yes. We have involved our customers throughout the process and they have told us our new system is what they want to see. There has been both national representation, through the National Navigation Users Forum and more local consultation through the Medway River Users Association, which represents all recreational and commercial boat users.

**Q. Why do I need to register my boat?**

A. As the navigation authority for the non-tidal River Medway, it's important for us to know who is responsible for all the boats moored on and using our waterways. Registration also allows us to require certain basic conditions to be met – for example, the need to have insurance and meet our boat safety standards makes the river a safer place for all our customers. If there is a problem (for example your boat is involved in an incident), it will also help us to let you know about it.

**Q. Why must I pay for my registration?**

A. Boat registration charges are a vital source of income to help us manage and maintain the River Medway for boating. It's only fair that boaters pay their fair share towards the costs of caring for the river. Without this, we could not provide many of the facilities and services that boaters enjoy on the River Medway such as water level control, moorings, water points and waste disposal.

**Q. I moor my boat at the bottom of my garden. As this is private property, does it mean I don't have to register?**

A. Even if your boat is moored to your own land, it is floating on the River Medway so it needs to be registered.

**Q. Can I obtain a 'rolling year' boat registration?**

A. Not in yet. Our registration year will still run from 1 April to 31 March. However we are committed to introduce this option for 2013, or sooner if possible.

**Q. I moor on the tidal Medway. Do I need to register and comply with the requirements?**

A. No, this part of the river is managed by the Medway Ports Authority. However, when you visit the non-tidal River Medway you must meet these registration requirements.

**Q. Why do I need an insurance policy?**

A. We believe a large number of boat owners insure their boats already, and it's nothing new on UK inland waterways, where most navigation authorities have insisted on it for many years. It means that in the event of an accident caused by a boat, other people (not just boaters but anybody using the waterway, e.g. walkers or anglers) would be protected.

**Q. What does my insurance policy need to cover?**

A. You can see full details of our requirements by clicking [here](#).

**Q. Will I need to provide a copy of my insurance certificate to obtain registration?**

A. No. If you keep your boat on the River Medway, you will normally only need to complete your insurance details on your registration application form (name of provider, policy number and expiry date). If you are visiting from another waterway, we will simply ask you to sign a declaration that you have a valid policy. However, we may write to you and ask you to send us a copy of your certificate at any time.

If your policy expires during the year, you must obtain renewed/new cover, but you do not need to inform us.

**The following section refers to compliance with the Boat Safety Scheme which becomes a mandatory requirement for powered boats from 1 April 2012:**

**Q. Does every type of powered boat need to obtain a Boat Safety Scheme Certificate?**

A. No, although most do. However, even those that don't must be compliant with the relevant essential safety standards at all times. For further details click [here](#).

**Q. I never use my boat, so why should I make sure it has a Boat Safety Scheme Certificate?**

A. The essential safety standards of the Boat Safety Scheme are designed to help ensure boats do not present a risk of fire or explosion that may injure waterway users. If boats have fuel, gas or electrical systems on board, they need to be properly maintained and safe at all times – even if not in use.

**Q. I am carrying out restoration work on my boat – can I still use it while I do so?**

A. Yes, provided you can obtain a BSSC. You will only be able to do this if all on-board systems (e.g. engine, fuel, gas, electrical) are fully BSS compliant. Any non-compliant systems will either have to be removed from the boat or brought to a compliant standard in order to obtain a BSSC. If you cannot obtain a BSSC, you will still need to register it and pay the full annual charge, but we will issue a registration certificate and plate that only allows you to keep your boat on the Medway but not use it.

**Q. How can I keep or work on my unused boat without having to register it?**

A. This is only possible if you remove your boat from the River Medway. This is similar to the requirement for vehicles, which can be kept ‘off road’ in order not to need a road fund licence / MoT certificate.

**Q. What happens if I do not register my boat / comply with these requirements?**

A. Our lock staff and patrolling officers will report any boat they find which is kept or used on the Medway and is not displaying a valid registration plate. There is a maximum fine of £1000 for failing to register a boat and comply with our registration requirements, and conviction for this offence also results in a criminal record. We may also ultimately remove a boat from the waterway if it is not registered, and dispose of it.

**Q. Will you be introducing any more changes in the future?**

A. The Environment Agency (Inland Waterways) Order 2010 enables us to make further changes to our registration requirements and we'll be looking at this during the next few years. We'll make sure we discuss any proposals for further changes with our customer group representatives.

For further queries on the Inland Waterways Order, boat insurance or the Boat Safety Scheme, please contact Allington Lock on 01622 752864.

You can find more detailed information at [www.environment-agency.gov.uk/boatregmedway](http://www.environment-agency.gov.uk/boatregmedway)

GESE0412BWIC-E-E