

Small craft surveying in Switzerland - an atypical case

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A brief history of the swiss maritime law

Switzerland is not renowned as a maritime nation. However, during the first half of the 20th century, she has to solve many problems concerning the maritime law.

Before the world war II, the swiss ship-owners where operating under foreign flags, like Greek or Croatian. Due to the little tonnage, the situation was satisfactory. The beginning of the world war II placed the Swiss Government in front of a new problem : at the beginning of the conflict, the Swiss Government obtained from the belligerents some warranties that the cargo-ships chartered by the *union suisse des transports maritimes* would not be attacked. But quickly, it appeared that the cargo-ships under Greek and Croatian flags could not sail anymore freely, due to the implication of these countries in the conflict.

To ensure the provisioning of the country, the 9th april 1941 the Swiss Government voted an urgent law, allowing cargo-ships the possibility to sail under Swiss Flag. At the end of the war, the urgent law was improved, and integrated in the Swiss Legislation. It was the birth of the Swiss Flag, concerning only the merchant vessels.

Nowadays, the swiss merchant navy comprises 23 vessels, and have a capacity of one million of tons. it constitutes the most large maritime fleet of a state without littoral.

The swiss register of the yachts was created in 1953, following an intense lobbying of the Cruising Club of Switzerland. It also offered the possibility to yachtmen, to sail under Swiss Flag. Now 1500 yachts (sailing and motor yachts) are registred. A compliance survey is necessary to be registred in the swiss register of yachts, and for the renewal of the flag certificate.

Switzerland is member of the IMO and have ratified all the international conventions like SOLAS, MARPOL.

Swiss inland waters : a surprising potential.

Switzerland has numerous lakes and waterways, which surface is about 2060 km². Except the barges and passenger ships, there is currently 59'825 motor boats, and 32'516 sailing boats registered. Due to the important surface of the major lakes, crafts of 30ft and more are not exceptionnal.

The interest of swiss people for navigation contributed to the development of a strong sector of nautical services. There are few boatbuilders in switzerland, and the major part of the yachts are imported. Nevertheless, we find some boatyards which are oriented to the production of "one off" or small series of high quality crafts. The most

renowned are Boesch (runabouts), and Decision (Class America's and high performance catamarans). Every year, about 500 new crafts, one off or small series are built by the Swiss boatbuilders.

The inland waterways navigation is governed by a Federal Law, but the enforcement is delegated to the cantonal authority. Periodic technical controls are compulsory for all crafts, and carried out by government officials.

Small crafts surveying in Switzerland

Actually, the profession of yacht and small craft surveyor is not regulated. Theoretically, anyone can proclaim itself as yacht surveyor. Nevertheless, to be recognised by the Swiss Maritime Office, it is necessary to prove an academic background, and a sufficient practice. Only approved surveyors can conduct compliance surveys for obtaining the Swiss Flag.

Some of the Swiss yachts and small craft surveyors are naval architects, or retired officers from the merchant navy. Some others are issued from the marine industry. Due to the smallness of the market, there are few professional full-time surveyors. There is one professional association of Swiss surveyors: the *Chambre helvétique des experts professionnels du nautisme CHEPN*, which is still embryonic but will quickly grow up to defend the interest of the professional surveyors, and promote the ethic and quality in our profession. However, to be member of an internationally well recognised organisation like IIMS, RINA, YDSA, NAMS, etc... is regarded as necessary.

In addition to the condition surveys, and the valuations for the private customers, the insurances are the major job provider for the Swiss surveyor. The compliance surveys are other important job opportunities. Once again, due to the smallness of the market, Swiss surveyors are generalists, and we should be able to work on some very different crafts, from high tech full-carbon multihull, to old wooden fishing boat. Although Switzerland is not member of the European Community, we have bilateral agreements with the EC, which allow Swiss people and European people to work in their respective countries. It seems that we can extend our activities in the neighboring countries.

The development of the profession :

Our major challenge is to promote the image of the yacht and small craft surveyor to the public and the professionals. We have to explain how a yacht and small craft surveyor can be effective and helpful to save money and time. Unfortunately, the Swiss Underwriters still have a tendency to entrust automotive experts to deal with yacht surveys. In the same way, the people who buy or sell yachts often hesitate to ask for a surveyor, because they think it is expensive, or simply they are not aware of the utility of the surveyor. Another challenge is the promotion of the quality and a standard of competence in the profession. For instance, in France the emergence in these last years of numerous self-proclaimed "yacht surveyors" with very little competences, contributed to give a very poor image of the profession to the yachtsmen. This is the situation we would avoid in Switzerland. In this context, the reference to internationally well recognised and structured organisations like IIMS is an invaluable help.