

# New Workboat Code Includes Remotely Operated Unmanned Vessels for First Time

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**PRACTICES** AI and Deep Learning, Autonomous Transportation, Europe, Middle East and Africa, Shipping

In December 2023, the Workboat Code Edition 3 (the “Code”) entered into force, following a consultation in 2022<sup>1</sup>. This is a seminal moment for the autonomous vessel sector as, for the first time, the workboat code specifically addresses remotely operated unmanned vessels (“ROUVs”) operating as workboats.

## Application of the Code generally

The Code applies to workboats less than 24m in length and is applicable to United Kingdom (“UK”) workboats wherever they are operating, as well as to non-UK workboats in UK waters or operating out of UK ports (the Code does not apply to any vessels that operate underwater, hovercraft or those in use for sport or pleasure).

Whilst the Code applies to new vessels; existing vessels that are certificated under the previous Workboat Code, Edition 2, must meet the requirements of the Code by the vessel’s next renewal examination or three years after the date of entry into force of the Code (whichever is later). Vessels under construction, which have their keels laid or are at a similar stage of construction between the entry into force of the Workboat Code Edition 2 and the date of entry into force of the Code, may be considered as existing vessels that are certificated under Workboat Code Edition 2 or shall meet the requirements of the Code in full.

The Code is given legal effect by the Merchant Shipping (Small Workboats and Pilot Boats) Regulations 2023 (the “2023 Regulations”), which also came into force in December 2023. The 2023 Regulations outline the legal regulatory framework for the certification and continued compliance of vessels, with the Code supporting these provisions by setting out the technical requirements for procedures to be followed in relation to such vessels. The Maritime and Coastguard Agency has suggested that “it should be easier to understand, apply and comply with the 2023 Regulations and the Code rather than many separate regulations that would otherwise have to be considered”<sup>2</sup>. The 2023 Regulations list, in Schedule 1, 12 statutory instruments that would otherwise apply, while Schedule 2 amends other statutory instruments.

## Introduction of Annex 2 - ROUVs

The Code defines an ROUV as “a vessel with no person on board, that is operated from a location remote to the vessel”. ROUVs are expected to meet the requirements as outlined in Annex 2, in addition to any other relevant sections of the Code. Annex 2 broadly covers logbooks, working logs and data recording, safety of operations, bilge pumps and fire appliances, connectivity, pre-departure checks and responding to distress, navigational and anchoring equipment, personnel health, safety and medical care, minimum requirements for the safe operation of ROUVs and safety management and contingency measures. Most notably ROUVs must meet the following requirements:

- ROUVs shall not carry any crew, industrial personnel or passengers.
- Remote Operation Centre operators, who can be located onshore or onboard a manned vessel, shall be able, where applicable, to relay distress call information to the Coastguard.
- All ROUVs shall have lighting, cameras, or sensors to assist, as far as is practicable, in the locating of persons in distress.
- There shall be an appropriate number of personnel for each ROUVs with appropriate experience to be able to respond effectively during both normal operations (day and night) and emergency situations and shall, at a minimum include the following roles:
  - Remote Operator(s);
  - Master; and
  - engineering personnel.

- A Remote Operator may be permitted on a case-by-case basis to manage multiple ROUVs at once.
- No single failure of systems at the Remote Operation Centre shall result in the ROUV entering an unsafe state.
- A Remote Operation Centre shall have the means to display the status of each ROUV.
- All commands sent to a ROUV shall be (1) automatically logged; and (2) un-editable.
- Where a ROUV loses connectivity with the Remote Operation Centre, the ROUV shall display or emit “not under command” sounds and visual signals to alert other water users that the ROUV is not under command and may not give way.

## Comment

The release of the updated Code is clearly a step in the right direction in providing clearer regulations on the safe deployment and development of autonomous vessels but the Code itself recognises its limitations. The Code notes that it does not extend to operational activities undertaken from a vessel and only sets out the requirements for the safety of such a vessel and any persons on board and does not apply to ROUVs operating underwater. It also does not remove the need for an ROUV to comply with any local laws which apply in the area that they are operating. With the fast-evolving nature of the autonomous vessel industry, it is likely that the Code, the 2023 Regulations and other regulations will continue to be amended to keep up with the developments within the sector and the requirements of stakeholders involved.

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<sup>1</sup> See our previous alert: [Maritime Autonomous Surface Ships: Consultation for new MCA Workboat Regulations](#)  
<sup>2</sup> [https://assets.publishing.service.gov.uk/media/6564a8301524e6000da10138/The\\_Workboat\\_Code\\_Edition\\_3.pdf](https://assets.publishing.service.gov.uk/media/6564a8301524e6000da10138/The_Workboat_Code_Edition_3.pdf)