



Professional Skipper

What is a Professional Skipper?

Within the meaning of our "Professional Skipper Insurance," a professional skipper is a skipper who works as a skipper for a vessel owner, uses a chartered vessel commercially, or delivers/relocates vessels.

Commercial use exists when:

"A recreational vessel with skipper is rented out, or (including by the owner) is otherwise used with the intention of making a profit for training in operating recreational vessels or for similar sport and leisure purposes. In such cases, this constitutes commercial use within the meaning of § 2 No. 6 SeeSpbootV. A person acts with the intention of making a profit if services are offered that are typically available on an external market in exchange for payment. An association may also be considered commercially active in this sense if, for example, it offers training or berth charters at standard market rates. It is irrelevant whether the offer is directed at the general public or only at association members."(Further information: BG Verkehr, Ship Safety Division, Commercial Use.)

What Must Be Considered from an Insurance Perspective

Skippers who take paying crew members on board must observe special regulations. The rules may vary from country to country.

In general, the following must be observed:

1. The vessel must be licensed for the transport of persons and must therefore have the appropriate certification from the respective country. For example, in Germany this means having a SeeBG certificate. Boat certificates required for German charter yachts at home or abroad are not sufficient for training or berth charter trips on chartered vessels without the corresponding ship safety certificate.
2. If the vessel used does not have this approval, authorities may prohibit continuation of the voyage and administrative fines may be imposed.
3. The insurance implications should also not be underestimated. In the event of a claim, there is a risk that the insurer may be released from its obligation to pay because the vessel should not have been used in the first place.
4. Another aspect – although unrelated to maritime approval – concerns organizers who repeatedly employ skippers (even freelance). Depending on the circumstances, social security authorities may classify this as employment within the meaning of the Social Security Code and require the "employer" to make retroactive social security contributions (in Germany, up to 5 years). This has already occurred in the case of a sailing trip organizer using "freelance" skippers.
5. A "professional skipper" who charters a vessel should therefore always obtain confirmation from the charter company that the vessel has the necessary maritime approval for commercial use. Ideally, this confirmation should be provided in the form of a copy of the relevant document. With such confirmation, the skipper may assume that the information is correct, and insurance coverage in this respect is generally ensured in accordance with the insurance conditions.

Kind regards,

Dr. Friedrich Schöchl

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