

HAMBLE
MARINE
SURVEYS

Pre-Purchase Survey Southerly 35RS 'Vela Spirit'



Chichester Marina
22nd August 2022

MARINE SURVEYORS & CONSULTANTS

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Certifying Authority authorised by the MCA

Hamble Marine Surveys Ltd is a UK registered company No. 10649650

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VESSEL DETAILS

Vessel Name: 'Vela Spirit'
Manufacturer: Southerly Yachts
Model: Southerly 35RS (hull no. 018)
HIN No. GB NYY00282K607 (read on starboard aft hull)
Registry No. 923472 (Status of Registry not known)
Year of Build: 2007
Construction: FRP
LOA: 10.82m*
Beam: 3.57m*
Draft: 0.72-2.18m*
Displacement: 6,980kg*
Propulsion: Yanmar 3YM30 -29hp
Water Capacity: 204 Lts*
Fuel Capacity: 182 Lts*
Survey Location: Chichester Marina
Weather during survey afloat: Overcast, light rain, light breeze
Purpose of Survey: Pre-Purchase Survey
Date of Survey: 22nd August 2022

Client: *****

* These particulars have not been verified and their accuracy cannot be guaranteed.

Information on the vessel's particulars has been obtained from various sources including the current owner, internet sources (sailboatdata.com) and from literature onboard.

SCOPE OF SURVEY

The purpose of this survey is to establish the general condition of the structure of the vessel and her installed equipment and systems. All areas of the vessel were inspected where practicable and panels where needed were removed to gain access but not where adhesive or concealed fastenings have been used or by removal damage could be caused. All major items of equipment were switch tested and visually inspected externally where practicable, but not dismantled.

Where evidence of defective equipment or equipment in poor condition is noted further investigation may be suggested by approved service agents.

The condition of core materials where used in deck or hull lay-up were not assessed for strength or condition.

Painted surfaces were not scraped if found in good condition, but subsequently existing repairs or defects may not become apparent due to such coatings. Where access could not be gained within the scope of the survey for detailed inspection of part of the vessel including the below waterline antifouled surfaces, or her installed equipment, no liability will be accepted for the poor condition of such items should it later become evident.

The survey does not include testing or assessment of the engine(s) or machinery and any detailed report of those items should be commissioned from a qualified marine engineer.

The vessel was not subject to any form of sea trial in the presence of this surveyor.

The status of VAT, Title, Registry, CE and all supporting ownership documentation are not considered or assessed within the scope of this survey. You are reminded that such documents should be checked by yourself or legal advisors working for you prior to agreeing to the purchase.

SURVEY CONDITIONS

This report has been prepared specifically for ***** and is for his use only. Copies in whole or in part should not be released to, or consulted by, other parties without the express prior permission of Hamble Marine Surveys Ltd. Whilst all due care and diligence has been exercised in the collection of data for and the preparation of this report, Hamble Marine Surveys Ltd purports to provide an advisory service only, based on the opinion and experience of the individual consultant responsible for its compilation. Hamble Marine Surveys Ltd issues such advice in good faith and without prejudice and guarantee. Hamble Marine Surveys Ltd shall not be liable for any loss (including indirect and consequential loss) damage, delay, loss of market, costs, expenses of whatsoever nature or kind and however sustained or occasioned.

The survey is a factual report on the inspection carried out, and the opinions expressed are given in good faith as to the condition of the vessel as seen at the time of survey. It

implies no guarantee, no safeguard against latent defects, subsequent defects, or defects not discovered at the time of survey in woodwork or areas of the vessel which are covered, unexposed, or not accessible to the surveyor internally and externally due to the installation of non-removable linings, panels, coatings and internal structures etc., or agreement and permission and instructions not being given to the surveyor to gain access to closed off areas. If this survey does not discuss a specific item, equipment or machinery, it is not covered by the survey.

This survey is personal and confidential to the above named client and has no extended warranty if disposed of to a third party for any purpose. This report does not address stability, vessel performance or overall design, and no warranty is conveyed under these headings.

The attached Terms of Business of Hamble Marine Surveys Ltd should be read in conjunction with this report.

IMPORTANT NOTE

This example of a 2007 Southerly 35RS named 'Vela Spirit' is a 15 year old vessel. She is a used vessel and as such her installed equipment, machinery and systems are subject to normal wear and tear common for a vessel of this age. This survey is a snap shot of the vessel's condition on the day of the survey. It implies no warranty or provides no guarantee towards the equipment, machinery or systems present on this vessel. While every care is taken in assessing and documenting and where possible switch testing equipment on the day of the survey, it is inevitable that items due to wear and use will require future maintenance and possible upgrading and replacement.

RECOMMENDATIONS & SUGGESTIONS

Recommendations will not be made for minor defects or cosmetic items, however Guidance Notes will be offered in this regard.

Recommendations will be classified into three categories and appear in the report as ***bold italic text***.

(A) Items requiring attention prior to next use of the vessel and represent a potential structural or safety issue.

(B) Items requiring attention as part of the on-going maintenance of the vessel and should be scheduled accordingly.

(C) Items of general maintenance, husbandry and advice for future good practice.

Recommendations are made as a guide only and further information on any recommendations made can be provided.

GLOSSARY OF TERMS USED

1. ***Poor Condition*** – Item or system requiring repair or maintenance and in its current condition is likely to be impaired or its performance affected.
2. ***Sound Condition*** – Item or system is functional and fit for purpose requiring on-going maintenance only.
3. ***Good Condition*** – Item of system found to be in new or nearly new condition well maintained and fully functional.
4. ***Operational*** – An item or system found to function as designed and fit for purpose.
5. ***Accessible*** – An area of the vessel where access is possible to an acceptable level permitting a visual inspection, operation or photographs to be taken.
6. ***Not Accessible*** – An area of the vessel where reasonable access was not possible, or adhesive or concealed fastenings have been used or a paint coating has been applied.
7. ***Switch Tested*** – A system or component operated by basic on/off supplied switches, but not tested for performance or functionality.
8. ***Visual Inspection*** – An inspection of equipment and structures using either or all of raw human senses such as vision, hearing, touch and smell where accessible and within in a distance of 200cm unless otherwise stated.

1. General Description

- a) 'Vela Spirit' is a 35ft FRP constructed sloop sailing yacht built by Southerly Yachts in UK in 2007 (moulded in 2006) under the model name Southerly 35RS. She is presented in a ivory coloured gelcoated exterior with FRP moulded non-slip decks and teak in the cockpit on the seats and sole. Below the waterline the hull is antifouled.
- b) Her interior is laid out about two cabins, one heads, saloon, navigation area and galley. The interior joinery is finished in a varnished American Cherry and veneers and marine plywood.
- c) The internal structure is formed with an inner moulding and plywood bulkheads.
- d) The vessel is equipped with twin rudders and a swing keel system.
- e) The vessel is further equipped with a 29hp diesel auxiliary engine and sloop Bermudian rig which is deck stepped.
- f) The vessel was presented afloat and later lifted ashore at Chichester Marina on the 22nd August 2022. The vessel was not subject to any form of sea trial in the presence of this surveyor.
- g) The weather at the time of the survey was mild, cloudy, light rain and a light breeze.
- h) The vessel's 12v DC system was live and a 220v AC shore power supply was connected.

2. Keel

- a) The vessel has a cast Iron swing keel system which is hydraulically lifted into a keel box central in the saloon. The keel system was operated from a panel on the binnacle. The keel was lowered and raised.
- b) With the vessel ashore the keel was left partially lowered. Access to the ram and cordage secured to the ram and the pivot point were concealed. The keel itself was without significant damage, although on the leading edge the keel corrosion was noted. Antifouling was absent from the leading edge and foot of the keel suggesting light grounding.
- c) Surrounding the lifting keel is a ballast plate also constructed from cast Iron. The plate is secured to the hull using bolts that are visible around the saloon bilge where accessible. Those bolts where visible were noted sound. The cosmetic sealant cord around the ballast plate join externally was sound and intact.
- d) The keel box was inspected in the saloon. Access was restricted and the internal condition of the box and the keel could not be determined. The Dyneema cordage

in use to lift the keel was not accessible for direct inspection. This cordage should be regularly checked and replaced every 4-5 years. In this regard it is suggested that the owner be asked as to when the cordage was last replaced.

- e) Externally the aperture of the keel box was noted heavily fouled with marina growth and to each side of the aperture a rubber collar was noted. The collar was torn and hanging down to starboard. Both rubber collars require replacement and the keel box cleaned out.
- f) The hydraulic ram is operated from a control at the cockpit binnacle. A second manual control was noted on the side of the hydraulic pump. The unit was noted to operate up and down. The display on the binnacle had a number of the indicator lights not working.
- g) The hydraulic pump and ram were visible under the saloon sole. The oil reservoir appears low in oil and oil noted under the ram itself. Also around the top of the ram corrosion was noted and evidence of oil leaks.
- h) It is clear the keel mechanism requires a full service with the keel box cleaned out, rubber side collars replaced, the hydraulic rams serviced and the display at the binnacle replaced. If the cordage attached to the ram end is over 5 years old then this will require replacement also.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the swing keel system be fully serviced. The keel will need abrading back to bare metal before a suitable coating system is re-applied. The hydraulic ram will need servicing as corrosion and an oil leak were noted. The keel box externally will need to be cleaned and the rubber side collars replaced. Finally, the cordage attached to the ram if over 5 years old will need close inspection possibly replacing. (B)**
- 2. It is recommended that the gauge indicating the swing keel position when raised and lowered be replaced as several of the lights are not working. (B)**

3. Hull

- a) The hull is constructed from solid multi-mat FRP. Above the waterline it is reported the topsides are cored. The moulded hull is further strengthened by a bonded and laminated inner hull moulding and bulkheads. The hull is moulded with a large recess under the hull which accommodates a ballast plate.
- b) With the vessel ashore the hull was inspected over its surface and lightly hammer tap-tested for signs of distortion and obvious delamination. The underwater hull surface was found to have a consistent audible percussion with changes consistent with the bulkheads and tanks. There was no obvious audible indication of loose, soft, dry or delamination in the laminate of the hull.

- c) The exterior of the hull is finished in a polished ivory coloured gelcoated layer and with adhesive decals around the topsides. The below water line areas of the hull were coated with an antifouling and a clear gelcoat later. The age and brand of coating used is not known.

Hull Moisture Readings

- d) 16 random areas of the hull were tested for moisture. Antifouling was removed in each area back to the underlying clear gelcoat. These 16 areas were tested with a Sovereign Quantum Marine Moisture Meter and a comparative reading* was obtained for each area.

Air Temperature	23.8 °C
Surface Temperature	22.1 °C
Relative Humidity	47.9%
Weather Conditions	Cloudy, Rain, Light breeze

- e) Readings were taken above the waterline as a baseline comparison and also below the waterline in 16 different locations. The above waterline readings were low and to be expected, the below waterline readings were above average. These readings would suggest that the vessel has spent inadequate time ashore annually. It is reported that the vessel has been left afloat since early 2020. In this regard the vessel is overdue for being lifted ashore for annual servicing. The readings above with time ashore are likely to eventually fall.

Sovereign Quantum Relative Scale 1-100*	Shallow Readings	Deep Readings
Above Waterline	12-13	10-12
Below Waterline	29-34	32-36

**The comparative readings obtained with the moisture meter are only a guide and do not indicate an actual moisture content but more a comparative reading where figures between 15-18 for GRP pleasure vessel are regarded as normal. Vessels ashore for longer periods of time will generally give a lower reading as they 'dry out'. A low reading however does not indicate a future without osmosis or wicking and conversely a high reading does not necessarily indicate the likely hood of imminent osmosis or the presence of such. Annual winterisation ashore and use of good antifouling and epoxy coating systems can minimise the risk of osmosis and wicking.*

- f) No surface defects were noted during the hull inspection and in those areas where the antifouling was removed no visible gelcoat defects or visible blisters were noted.
- g) The hull antifouling was generally fair, although the coating is now flaking in areas and in need of extensive abrasion and re-coating. The fouling over the hull when lifted was significant and in this regard the antifouling can be now described as ineffective.

- h) It is worth stating that as the hull below the waterline had been overcoated with antifouling, access for a detailed visual inspection was restricted. Only in those areas where the coating was removed could any form of visual inspection of the underlying hull surface be undertaken. It is possible that anomalies in the gelcoat in the form of hairline cracks, blisters or similar may exist but remain concealed.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the vessel be brought ashore and her antifouling below the waterline heavily abraded back smooth. Bare areas of the coating will need re-priming and the vessel re-coated with a suitable antifouling coating system. The vessel will need several months ashore to dry and going forward annual lifting ashore for service work is suggested. (B)**

4. Topsides

- a) The topsides were presented in polished ivory coloured gelcoat with adhesive hull decals. The topsides were found in average condition with minor cosmetic marks and blemishes present.
- b) The topsides were visually inspected from all angles and lightly tap tested. No obvious delamination or voids were detected.
- c) On the bow minor contact damage was noted possibly caused by the anchor.
- d) The hull decals amidships especially to port are worn.
- e) The inside surfaces of the topsides were not accessible save for those areas under the forward berth and in the cockpit lockers.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the topsides be cleaned and polished and minor gelcoat damage about the bow and aft transom repaired. (B)**

5. Deck Moulding

- a) The deck area was inspected visually, walked over and lightly hammer tap-tested.
- a) The deck is constructed from a single multi mat FRP sandwich moulding incorporating the cockpit and coachroof, with a core material believed to be end grain balsa. The identify and specification of the core could not be determined without destructive investigation. The deck was presented in a gelcoated non-slip finish.

- b) No obvious springiness under foot was noted when the deck was walked over and when tap tested.
- c) The deck was generally well presented and clean.
- d) The visible gelcoated areas of the deck were inspected and found in sound condition with no evidence of significant gelcoat stress cracking or damage.
- e) Moisture readings across the deck in 40 random areas revealed no obvious moisture ingress or currently detectable ingress, although the deck was damp making readings difficult to obtain.
- f) Deck lockers include a chain locker forward and cockpit lockers aft. The locker hinges were all secure and all lid latches operational.
- g) The cockpit area was well laid out and accessible from both sides of the deck, although a full enclosure cover was fitted. The cockpit seats and sole are laid in teak decking.
- h) The teak veneer over the cockpit seats and sole was well adhered down with no obvious areas of significant detachment or damage to the teak planks. The teak was well presented and clean.
- i) In the cockpit port aft locker a deflated tender was noted. Access was restricted.
- j) A further gas locker was noted to starboard with further stowage.
- k) Aft of the helm a hinged helm seat and removal aft transom panel were noted. The transom includes moulded steps and a lifting hatch accessing a telescopic swim ladder.
- l) A teak folding table attached to the front of the binnacle was noted. The table was secure.
- m) The binnacle was secure at its base. The binnacle pod on the top housing the instruments was noted unsecured with no seal around the join.
- n) The companionway in the cockpit was noted sound secured by a sliding coachroof and removable washboards. The lock operated by the supplied key was found to function.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the vessel be brought ashore and her antifouling below the waterline removed back to the gelcoat. Over several months the hull will need to be dried and when dry the hull re-coated prior to relaunch.
(B)***

6. Hull to Deck Join

- a) The hull to deck join was inspected around its perimeter. The hull is bonded and screwed to the deck moulding and concealed by a teak toe rail capping. The join was not visible.
- b) The toe rail capping is teak and noted to have been overcoated with a SEMCO type treatment. On the port side forward of amidships the toe rail is damaged possibly form a past contact incident. The toe rail will require repair.
- c) The transom appears part of the hull moulding. The deck moulding join appears across the top of the transom. The join was secure and sound.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the port side toe rail capping be repaired as contact damage exists. Any repair undertaken will need to match the surrounding toe rail capping. (B)***

7. Bulkheads & Internal Stiffening

- a) The internal bulkheads were inspected, and their bonding to the deck and hull also inspected where accessible, which was mostly under the sole boards and at the cupboard backs where access was permitted. The bulkheads in question include the bulkhead between the forward cabin and chain locker, between the forward cabin and galley/heads. Partial bulkheads and support joinery were noted in the saloon in way of the galley and navigation area and around the heads compartment and finally a full aft bulkhead between the aft cabin and aft lazarette.
- b) Where accessible the bulkheads were noted to be intact and well secured to the adjoining hull and deck surfaces.
- c) Just forward of the fuel tank under the step down into the galley a small section of secondary bonding has de-bonded. This area while not structurally significant will require a small localised repair.
- d) The internal stiffening of the hull is created by an inner moulding shaped to create support structural members transversely and stringers longitudinally. All support members formed as part of the larger inner moulding were noted sound with no evidence of movement and the bonding noted intact.
- e) Machinery installations and screwed down sole boards and tanks located under the saloon sole restricted access to the hull and support structure. Only in areas where access was permitted could the internal structure be inspected.
- f) The bilge areas were noted largely clean and dry. Only under the hydraulic ram for the swing keel was residual oil noted. All other accessible bilge areas were sound.

RECOMMENDATIONS & SUGGESTIONS

1. It is recommended that the small area of de-bonding noted under the step down into the galley forward of the fuel tank be ground back and re-laminated. (B)

8. Rudder & Steering

- a) The vessel is equipped with a twin rudder steering system. The rudder blades were noted without visible damage. When tap tested the port blade was noted to have evidence of extensive delamination on both faces. The outer FRP skin on both faces was noted to flex under pressure suggesting the core is degraded or damaged. The starboard blade was sound. Moisture readings were elevated on both blades, and both giving similar readings.
- b) The strength of the port blade is likely to be compromised due to the delamination.
- c) It is clear the port blade will need to be either removed and split and re-built or possibly injected with resin. The former solution is likely to be preferred as the internal metal work can be inspected.
- d) The steering system is by Whitlock with twin torque rods connected to each stock and to a central gearbox arm attached to the base of the binnacle. All linkages were dry and in need of lubrication.
- e) The steering system was moved lock to lock and found to operate correctly. The wheel was noted to have play with the retaining nut noted loose.
- f) The rudder stock bearings were both serviceable. As the stock tubes are above the waterline no obvious stock seal was noted.
- g) A Raymarine ST6002 pilot system was operated from a control at the binnacle. The pilot drive is via a rotary motor secured directly to the steering system. The pilot was operational. A Smart Controller was also noted.
- h) The vessel is equipped with a Lewmar bow thruster system. The bow thruster is mounted in a bow tunnel and the motor accessible under the forward cabin berth. The bow thruster is powered from the domestic circuit. The bow thruster is operated from a control at the binnacle. The unit was noted to operate and thrust in both directions.

RECOMMENDATIONS & SUGGESTIONS

1. It is recommended that the port rudder blade be removed for further assessment. The blade is likely to require splitting and re-building. When split the internal stock metal work should be inspected. (A)

2. It is recommended that the steering system be serviced with all linkages lubricated, and the steering wheel securing nut tightened. (B)

9. Stern Gear

- a) The stern gear including a three blade Flexofold folding propeller is secured to a stainless steel shaft which passes through a stern tube then through a packed stern seal before securing to a coupling onto the engine.
- b) The propeller was inspected and noted sound with no obvious damage or corrosion to the blades or propeller body. The propeller should be routinely serviced with all articulating blades greased. The anode on the propeller was almost completely wasted.
- c) A three blade stripper type rope cutter was noted fitted which was in sound condition.
- d) The shaft was inspected where visible along its length and noted sound. The cutlass bearing was noted sound with minor play but remains serviceable.
- e) The shaft seal is a water cooled packed seal. The seal is covered with surface corrosion and a plastic container under the seal suggest the seal is routinely weeping. These type of seals are known to 'drip' when the shaft is operating. The condition of the seal would suggest the seal is weeping more than designed. Servicing of the seal will be necessary.

RECOMMENDATIONS & SUGGESTIONS

1. It is recommended that the shaft seal be serviced. (B)

10. Cathodic Protection

- a) A cone shaped anode was noted secured to the propeller. The anode while still secure is over 80% wasted and in need of replacement.
- b) A single hull anode was noted. The anode is approximately 20% wasted. The studs securing the hull anode are corroded. The hull anode appears bonded to the engine.
- c) A small anode was noted on the starboard side of the bow thruster. The anode was approximately 20% wasted.

RECOMMENDATIONS & SUGGESTIONS

1. It is recommended that the anodes be replaced annually. The propeller anode will need replacing in the next 8 weeks at the latest. It is further

recommended that the studs securing the hull anode be replaced as both are corroded. (B)

11. Skin Fittings & Through-Hull Apertures

- a) No skin fittings or valves were dismantled as part of this survey, but all were inspected and operated. When operated using the attached handle the internal condition and operational condition of the valve mechanism was not assessed.
- b) The skin fittings and associated seacocks were noted to be made from a yellow metal and several in plastic composite like material. The grade and composition of the yellow metal alloy used is not known. It is likely that the valves and skin fittings are made from a brass alloy which is marine grade corrosion resistant. The correct grade of alloy for marine use is marked CR or CW602N and are referred to as DZR corrosion resistant brass. Valves which are marked CW617N are commonly found for marine use, but are designed for only a 5 year lifespan and should be replaced if over 5 years old.

Seacock Purpose	Seacock Type	Location	Condition
Holding tank outlet	Composite Ball	Galley	Operational, stiff
Toilet SW inlet	Composite Ball	Galley	Operational, stiff
Engine Inlet	Ball	Aft cabin	Operational
Galley Sink outlet	Ball	Galley	Operational
Shower outlet	Ball	Heads	Operational
Toilet Outlet	Composite Ball	Galley	Operational, stiff

- c) Additional outlets were noted above the waterline including the bilge pump discharge, gas locker drain and engine exhaust.
- d) All the seacocks on the vessel will need regular maintenance and use. All were correctly secure to respective hoses using two stainless steel clips.
- e) Log and Depth transducer skin fittings were noted under the forward cabin berth. A blanking plug was present.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the seacocks all be serviced with the very stiff composite valves under the galley sole for the toilet system requiring particular attention. (B)***

12. Ports, Windows and Ventilation

- a) Various deck hatches, portlights and windows were inspected across the vessel. All were checked for water integrity, damage to the glazing and frames and where able to be opened, checked for operation. The weather conditions were damp at the later part of the survey with no visible leaks detected.
- b) All deck hatches were operated and found to open as designed.
- c) Two aft cabin portlights were inspected. Both were operational.
- d) Six hull windows were noted, all sound with no visible leaks.
- e) Around the raised saloon seven fixed windows were noted, all sound and with no visible leaks.
- f) All opening hatch and portlight seals should be regularly cleaned and maintained to prevent leaks.
- g) Two dorade passive vents were noted serving the saloon.
- h) Ventilation was also noted to the engine compartment.
- i) A ventilation cowl on the port transom was noted to have been sealed. It is assumed that this vent was originally for another heating system.

13. Pulpit, Pushpit, Guardwires

- a) The pulpits and pushpits were inspected. Both were noted well secured and without visible deformity. A liferaft cradle has been fitted to the starboard pushpit.
- b) All stanchion posts were noted straight and in sound condition. Several of the posts were noted to have play in their deck sockets.
- c) All stainless steel guardwires were secured at the bow and stern using cordage. The age of the cordage is not known. The guardwires are poorly tensioned. Mid-ships gates are fitted. The stainless steel wires are concealed by a plastic covering.
- d) Across the transom guardwires were noted. Both were operational.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the guardwire securing forward and aft be replaced and improved so that the wires can be tensioned fully. (B)***

14. Rigging Attachment Points

- a) All the stainless steel rigging attachment points on the deck were inspected and checked for damage, deformation, corrosion and movement. All were found in satisfactory condition.
- b) Access was possible to the securing of the saloon/galley side tie rods. The fittings were both secure with no visible through deck leaks.
- c) The forestay and backstay attachment were inspected accessible via the chain locker and aft lazarette to each side. They were secure with no signs of deformation, movement or obvious corrosion.

15. Ground Tackle

- a) An estimated 15kg galvanised Bruce type anchor was noted stowed on the bow roller. The anchor was noted secured to galvanised chain via a galvanised shackle.
- b) The bow roller assembly was secure and sound.
- c) The chain of an unknown length, is secured to the anchor and stowed in the chain locker. Visible corrosion about the first 900mm of chain was noted. The condition of the chain stowed in the locker could not be assessed fully as it was not removed. The bitter end of the chain was not visible.
- d) A Lewmar anchor windlass was inspected secured in the chain locker. The windlass was operated from a control back in the cockpit on the binnacle. The windlass operated in both directions. A hand control was also noted which plugs into a socket in the chain locker. The hand control failed to operate. The socket in the chain locker appeared corroded.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the chain be emptied from the chain locker for a full inspection along its length. The first 900mm or so of chain requires cropping as it is corroded. It may prove that the chain will all require replacement. (B)***

16. Deck Fittings

- a) Various deck fittings were visually inspected.
- b) On the transom a stern post by Scanstrut was noted for the radar. The stern post was well secured braced on the starboard pushpit and aft transom.
- c) Across the deck mooring cleats and deck filler caps were all inspected and noted sound.

- d) It was noted that visible chafe about the port aft mooring line was noted. The rub strips in way of the mooring cleats were not mounted flush and maybe causing this wear.
- e) About the mast to port a deck gland for the mast cabling was noted. The gland has been covered in tape suggesting the fitting has been leaking. The tape should be removed and the gland sealed correctly.
- f) All other visible deck fittings were sound.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the deck gland for the mast cabling be re-sealed with the current tape removed. (B)**
- 2. It is suggested that the mooring cleat rub strips be checked as they have not been mounted flush and so maybe causing wear to the mooring lines. (C)**

17. Covers

- a) At the time of the survey a sprayhood was fitted forward of the cockpit. The frame and covers were sound although the cover fabric is in need of cleaning and general servicing with weathering and wear present. Patches on the sprayhood suggest recent servicing has been undertaken. The support frame was sound although the port base was a little loose.
- b) A full cockpit enclosure cover was fitted at the time of the survey. The frame was sound albeit the bases to starboard were a little loose. The material of the enclosure like the sprayhood will need annual cleaning and routine servicing.
- c) A stackpack bag was noted along the boom. The bag is in fair condition with UV wear noted. The bag appears original. The lazy jacks where secured to the bag are showing signs of fraying.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the covers all be subject to cleaning and servicing. The lazy jacks where attached to the stackpack bag may need replacing. (B)**
- 2. It is recommended that all the bases of the sprayhood and enclosure frames be checked as several were loose. (B)**

18. Rig & Sails

- a) A twin spreader silver anodized aluminium Selden mast and boom were noted deck stepped at the time of the survey.

- b) The mast is reported to have been last unstepped in 2020 at Northshore. The purpose of the unstepping of the mast is unclear, as the original standing rigging remains.
- c) The rig and rigging was subject to a static inspection from deck level up to eye height. The vessel and rig were not subject to a sea trial in the presence of this surveyor. The vessel was however subject to a sea trial prior to the survey.
- d) The mast and boom sections where visible were noted sound with no obvious significant deformity or damage.
- e) A rigid Selden vang was secured under the boom. The vang was not operated or tested for performance.
- f) The spreaders were all inspected from deck level and found to be straight and in-line. The upper starboard spreader appears to be missing an end cap.
- g) The standing rigging is 1/19 stainless steel wire. The rigging is believed to still be original and therefore circa 15 years old. For insurance purposes the rigging will likely require replacement, or with the insurers consent a full rig report and time scale for replacement may be accepted. From deck level the standing rigging was in fair condition with no visible damage or obvious significant corrosion. It was noted that the split pin in use on the starboard aft backstay is corroded suggesting it was not stainless steel.
- h) The running rigging about the vessel was found in generally fair condition. A mixture of braid on braid of various diameters was noted.
- i) Deck hardware was noted, but not tested. This includes blocks, clutches and turning blocks.
- j) The winches on the vessel are all made by Lewmar. All the winches were individually 'spun' operated and found to function.
- k) The mainsail is slab reefed with 3 reef points. The mainsail was stowed in a large stackpack bag.
- l) A Furlex 200s genoa furling system was inspected at the bow. The system was not operated or assessed further. The headsail is arranged with a self-tacking system. The self taking track and car was noted secure, although the car is in need of lubrication and the end track stops were missing.
- m) The mainsail and headsail were not assessed within the scope of the survey. Both appear Dacron and the mainsail fully battened.
- n) A furled cruising chute was noted stowed in the forward cabin. The cruising chute was not unfurled or assessed further.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the rig be subject to a full rig check. You should communicate with your insurers as to their position regarding the standing rigging which is now circa 15 years old. Replacement is inevitable however the time frame for replacement is likely to be dictated by your insurers. (B)**
- 2. It is suggested that the deck hardware and sails be subject to routine on-going maintenance and servicing. (C)**
- 3. It is recommended that the self-tacking headsail end track stops be reinstated. (B)**

19. Engine Installation

- a) The engine is located in a purpose made compartment under the cockpit sole. Access to the engine compartment is via removable panels forward and aft.
- b) The engine is a Yanmar 3YM30 diesel unit with a reported 29hp. The engine hours display on the engine gauge was blank. No record or additional hours gauge was noted. The engine Serial no. is E08774. The engine is reported to have been last serviced in 2022. The type and scope of service is unclear. No invoice was seen for this service work.
- c) A detailed inspection of the engine falls outside the scope of this survey. Should an engine inspection be required then the services of a Yanmar technician should be engaged.
- d) The fuel tank is located under the starboard saloon sole. The tank is stainless steel in construction. Access was restricted with the fuel pick-ups visible under the small sole board at the chart table. No visible leaks were noted. The tank was showing $\frac{3}{4}$ full, although the accuracy of the gauge level was not confirmed.
- e) The engine controls aft in the cockpit. The RPS gauge appears defective as it was unstable with the engine running.
- f) The exhaust was traced along its length and noted sound with no visible leaks. It was noted that the exhaust hose where it passes through the joinery of the aft berth and aft lazarette bulkhead is un-protected from chafe. The holes cut in the joinery should be protected.
- g) The engine while briefly started, was not run under load or assessed under sea trial conditions.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the engine be maintained going forward as per the manufacturer's guidelines. A clear record of all servicing is strongly**

suggested. It would be prudent to request copies of recent service invoices to understand the type and scope of servicing undertake. (B)

- 2. It is recommended that the engine hours meter be checked as it was not working, and the RPM gauge also checked as it was noted to fluctuate with the engine running. (B)***

20. Accommodation General

- a) The interior was dry, and generally well presented. The interior is laid out about a two cabin arrangement with a forward v berth, port heads, galley, saloon and chart table area, aft cabin and stowage and lockers.
- b) The interior joinery is finished in American Cherry veneers and plywood and found in overall fair condition with many marks and scratches, but all being minor.
- c) The interior joinery cabin doors and cupboard doors were all inspected and tested. All were operational.
- d) The saloon table was secure at its base. Marks were noted on the saloon table top.
- e) Soft furnishings in the saloon and two cabins were in fair condition with no significant damage noted.
- f) The sole boards were generally sound with several able to be lifted and others screwed in place.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the top of the saloon table where scratched be polished. (B)***

21. Gas Installation

- a) A gas locker to starboard back aft in the cockpit was noted. The locker was noted to hold a single small 4.5kg Butane bottle.
- b) The rubber gas hose and regulator secured to the gas bottle was not tested or assessed for leaks. The hose was noted expired based on its manufacture date plus 5 years. A 12v solenoid switch was noted.
- c) A Plastimo 2 burner Neptune 2500 cooker was noted. The gimball system and lock were operational.

Item	Notes	Action Required
Condition of Gas Locker & Self Draining	1 x Butane, locker clean.	None
Age and Condition of flexible hosing	Expired	Replace
Age and Condition of Regulator	Unknown	Replace
Condition of Copper Tubing where visible	Where visible sound	None
Copper tubing securing where visible	Where visible along length secure	None
Devices fitted with flame failure devices (FFD)?	Yes	Not tested
Any flue fitted?	N/A	None
Devices with isolation taps?	Yes	Stiff to operate
Gas Alarm, Smoke Alarm, Fire Blanket?	Gas alarm & Solenoid by Haztec and fire blanket	
Last Gas Check	Unknown	Full Gas test required.

- d) Please note this inspection is not any kind of gas safety certificate. This is obtainable after pressure testing and assessment by a qualified person listed on the Gas Safe Register. It is generally considered necessary for the gas system and appliances to be checked and tested every 5 years.
- e) Adequate ventilation should be maintained at all times when operating this gas system.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the gas system on this vessel be checked fully by a Gas Safe engineer and all hosing replaced. (B)***

22. Fresh Water System

- a) The fresh water system is served by a single stainless steel tank under the saloon sole to port. The tank was not accessible for a detailed inspection.

- b) A Jabsco Sensor Max 14 water pump was noted installed on the vessel. The pump was operational with an accumulator tank also present.
- c) The water taps in the galley and heads were inspected and operated. The rubber switch on the top of the heads shower head was missing.
- d) A hot water system is installed on the vessel with a storage tank secured in the storage locker with the batteries to port aft. The hot water immersion system was switch tested and noted to function.
- e) All water hosing as far as practical was inspected and found in sound condition with no evidence of past or current leaks.
- f) The shower bilge pumps were operational.
- g) A 12v bilge pump with a 1,100 GPH capacity was noted in the shallow main bilge.
- h) A manual bilge pump was noted in the cockpit.

RECOMMENDATIONS & SUGGESTIONS

- 1. *It is recommended that the missing cap over the shower head in the heads compartment be re-instated. (B)***

23. 12v DC & 220v AC Electrical Systems

- a) A 12v DC and 220v AC electrical system is installed on the vessel.
- b) The 12v DC system is powered by 3 x 12v 130Ah AGM batteries secured in a battery container in a dedicated compartment accessible from the aft cabin to port. These batteries serve the domestic circuit. A 12v 70Ah AGM engine start battery was noted secured also in the same compartment.
- c) All battery terminals were in good condition with no significant corrosion. The state, performance and health of the batteries were not assessed other than a visual inspection of the voltage gauges.
- d) A 12v switch panel is located at the chart table. All the switches were switch tested and all found to operate as labelled. Several switches were without labels for instance the switch for the electric toilet system.
- e) Battery switches are located in the saloon to port low down.
- f) All interior lighting was operated and found to function as designed.
- a) A 220v AC system is installed on the vessel. The cockpit socket is wired to a fuse panel at the chart table with a 30mA RCD fuse and dedicated circuit breakers for the

ring main, immersion heater and battery charger. The AC shore power system was live.

- g) A Dolphin 40amp battery charger was noted in the battery compartment along with a Mastervolt 2000w inverter which appears wired to a dedicated socket in the saloon.
- h) While the 12v and 220v systems installed on the vessel appear sound, the compliance of the installation to current regulations was not assessed.

24. Heating

- a) A Wallas diesel heating system is installed on the vessel. The heater is installed aft in the lazarette to port. The system is controlled via a panel at the chart table. The system was switch tested and noted to run and produce heat.
- b) Outlets in the aft cabin and saloon were noted. No outlet was noted in the forward cabin.
- c) The service history of the heater is not known. Regular servicing is strongly suggested.
- d) The exhaust from the heater was noted to exit the transom to port. The exhaust or transom skin fitting have been leaking evidenced by rust streaking and staining under the exhaust.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the heater exhaust be checked for leaks and the system serviced if necessary. (B)***

25. Audio Visual Systems

- a) No audio visual equipment is installed on the vessel.

26. Refrigeration

- a) A Vitrifrigo refrigerator is installed on the vessel in the galley. The compressor unit is incorporated into the front loading unit. The fridge was operational and noted to cool over the course of a 2 hour test period.
- b) The fridge was empty and clean.

27. Sanitation System

- a) The vessel has an electric Jabsco marine toilet system installed in the heads compartment. All hosing to and from the marine toilet was secure with no evidence of visible leaks.
- b) The toilet pumps via a manual diverter to a plastic holding tank that is located in the small compartment outboard of the saloon seating back. The tank appeared empty although no gauge was noted.
- c) The diverter was set to direct overboard discharge independent of the holding tank. The diverter valve failed to operate correctly suggesting the internals are clogged.
- d) The toilet system is seawater flushed.
- e) The toilet was switch tested and noted to operate as designed.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is recommended that the toilet diverter valve be freed-up or replaced. (B)**

28. Electronic & Navigation Systems

- a) The following electronic, communication & navigational equipment was switch tested and powered-up. The navigational electronics were not assessed for software or hardware performance, functionality or suitability:-

Icom IC-M601 DSC VHF	Nav Station	Working
Raymarine C120 MFD	Nav Station	Working
Raymarine Radar	Stern Post	Working
Raymarine ST60+ Depth Display	Cockpit	Working
Raymarine ST60+ Wind Display	Cockpit	Working
Raymarine ST60+ Speed Display	Cockpit	Working
Raymarine ST6002 Pilot	Binnacle	Working
ICS Nav 6 Navtex	Nav Station	Not Tested
Compass	Cockpit	Sound

- a) A Windex (slightly miss-aligned), VHF antenna and wind transducer were all noted secured at the masthead.
- b) The accuracy of the GPS, Depth and Speed data were not assessed.
- c) The accuracy of the installed cartography in the chart plotter was not assessed.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is suggested that the navigational electronics all be assessed for accuracy and re-calibrated as necessary prior to being relied upon for navigation. This includes installing cartography into the plotter. (C)***
- 2. It is recommended that the cover over the cockpit VHF speaker be replaced.***

29. Safety Equipment

a) The following safety equipment was found on the vessel. The equipment was not unpacked, tested or assessed for suitability.

- Compass at the binnacle
- Manual & Electric bilge pumps – Operational but performance not assessed
- Various fenders and warps all in serviceable condition
- Radar Reflector – mast mounted
- 4 man Seago Liferaft – expired April 2022
- Gas Alarm
- Seago recovery sling
- Fire Blanket
- Assorted flares – all expired
- First Aid Kit
- Fog Horn
- Inflatable tender & outboard engine – Not inflated or tested further.
- Navigation lights including:-

Bow Navigation lights	Working
Steaming Light (White)	Working
Anchor Light & Tricolor	Working
Stern Light (White)	Working
Deck Flood Light	Not Working

b) Various fire extinguishers were checked including 2 x 1kg powder. Both were expired.

RECOMMENDATIONS & SUGGESTIONS

- 1. It is suggested that suitable safety equipment be held on board to compliment the type of vessel, number of crew and area of operation. Existing safety equipment should be serviced and updated as necessary which should include the fire extinguishers and liferaft. (C)***
- 2. It is recommended that the expired flares be removed from the vessel. (A)***

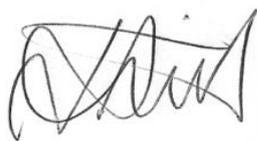
30. Summary

'Vela Spirit' was found in overall slightly below average condition for her age.

Gaps in her on-going maintenance were revealed. The vessel is in need of a general catch-up in her on-going maintenance including the rig and rigging, gas system, swing keel system and general below waterline areas.

No serious structural recommendations were made, although two safety recommendations were made; one relating to the port rudder blade which was found delaminated, and the other relating to the expired flares. Both will need to be addressed prior to next use of the vessel.

It is clear that the vessel will more than likely need to be lifted back ashore for maintenance to be undertaken.



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Hamble Marine Surveys Ltd
23rd August 2022



'Vela Spirit'

31. Photographs



Image of the vessel ashore Chichester Marina 22nd August 2022.



Image of damage noted to the port toe rail

'Vela Spirit'



Image of the mast electricals deck gland noted over taped



Image of what appears to be a missing cap over the spreader end



Image of the base of the swing keel hydraulic ram. An oil leak was noted.



Image of the top of the swing keel ram. Note the corrosion and dampness caused possibly by an oil leak

'Vela Spirit'



Image of the stern gear. Note the wasted propeller anode



Image of the keel box aperture. Heavy fouling was noted around and inside, and the rubber collars either side were damaged

'Vela Spirit'



Image of the swing keel partially lowered. Note the surface corrosion developing and absence of antifouling on the leading edge and foot.



Image of a suspected leak from the heater exhaust or exhaust skin fitting



Image of a small section of the secondary bonding that has let go just forward of the fuel tank.



Image of the shaft seal. Note the surface corrosion and the container under the seal suggesting a leak.

32. Summary of Recommendations & Suggestions

Recommendations & Suggestions will be classified into three categories;

- (A) Items requiring attention prior to next use of the vessel and represent a potential structural or safety issue.*
- (B) Items requiring attention as part of the on-going maintenance of the vessel and should be scheduled accordingly.*
- (C) Items of general maintenance, husbandry and advice for future good practice.*

(A) Recommendations - *(Items requiring attention prior to next use of the vessel and represent a potential structural or safety issue).*

- 1) It is recommended that the port rudder blade be removed for further assessment. The blade is likely to require splitting and re-building. When split the internal stock metal work should be inspected. (A)**
- 2) It is recommended that the expired flares be removed from the vessel. (A)**

(B) Recommendations - *(Items requiring attention as part of the on-going maintenance of the vessel and should be scheduled accordingly).*

- 1) It is recommended that the swing keel system be fully serviced. The keel will need abrading back to bare metal before a suitable coating system is re-applied. The hydraulic ram will need servicing as corrosion and an oil leak were noted. The keel box externally will need to be cleaned and the rubber side collars replaced. Finally, the cordage attached to the ram if over 5 years old will need close inspection possibly replacing. (B)**
- 2) It is recommended that the gauge indicating the swing keel position when raised and lowered be replaced as several of the lights are not working. (B)**
- 3) It is recommended that the vessel be brought ashore and her antifouling below the waterline heavily abraded back smooth. Bare areas of the coating will need re-priming and the vessel re-coated with a suitable antifouling coating system. The vessel will need several months ashore to dry and going forward annual lifting ashore for service work is suggested. (B)**
- 4) It is recommended that the topsides be cleaned and polished and minor gelcoat damage about the bow and aft transom repaired. (B)**
- 5) It is recommended that the vessel be brought ashore and her antifouling below the waterline removed back to the gelcoat. Over several months the hull will need to be dried and when dry the hull re-coated prior to relaunch. (B)**
- 6) It is recommended that the port side toe rail capping be repaired as contact damage exists. Any repair undertaken will need to match the surrounding toe rail capping. (B)**
- 7) It is recommended that the small area of de-bonding noted under the step down into the galley forward of the fuel tank be ground back and re-laminated. (B)**
- 8) It is recommended that the steering system be serviced with all linkages lubricated, and the steering wheel securing nut tightened. (B)**
- 9) It is recommended that the shaft seal be serviced. (B)**

- 10) ***It is recommended that the anodes be replaced annually. The propeller anode will need replacing in the next 8 weeks at the latest. It is further recommended that the studs securing the hull anode be replaced as both are corroded. (B)***
- 11) ***It is recommended that the seacocks all be serviced with the very stiff composite valves under the galley sole for the toilet system requiring particular attention. (B)***
- 12) ***It is recommended that the guardwire securing forward and aft be replaced and improved so that the wires can be tensioned fully. (B)***
- 13) ***It is recommended that the chain be emptied from the chain locker for a full inspection along its length. The first 900mm or so of chain requires cropping as it is corroded. It may prove that the chain will all require replacement. (B)***
- 14) ***It is recommended that the deck gland for the mast cabling be re-sealed with the current tape removed. (B)***
- 15) ***It is recommended that the covers all be subject to cleaning and servicing. The lazy jacks where attached to the stackpack bag may need replacing. (B)***
- 16) ***It is recommended that all the bases of the sprayhood and enclosure frames be checked as several were loose. (B)***
- 17) ***It is recommended that the rig be subject to a full rig check. You should communicate with your insurers as to their position regarding the standing rigging which is now circa 15 years old. Replacement is inevitable however the time frame for replacement is likely to be dictated by your insurers. (B)***
- 18) ***It is recommended that the self-tacking headsail end track stops be re-instated. (B)***
- 19) ***It is recommended that the engine be maintained going forward as per the manufacturer's guidelines. A clear record of all servicing is strongly suggested. It would be prudent to request copies of recent service invoices to understand the type and scope of servicing undertaken. (B)***
- 20) ***It is recommended that the engine hours meter be checked as it was not working, and the RPM gauge also checked as it was noted to fluctuate with the engine running. (B)***
- 21) ***It is recommended that the top of the saloon table where scratched be polished. (B)***
- 22) ***It is recommended that the gas system on this vessel be checked fully by a Gas Safe engineer and all hosing replaced. (B)***
- 23) ***It is recommended that the missing cap over the shower head in the heads compartment be re-instated. (B)***
- 24) ***It is recommended that the heater exhaust be checked for leaks and the system serviced if necessary. (B)***
- 25) ***It is recommended that the toilet diverter valve be freed-up or replaced. (B)***
- 26) ***It is recommended that the cover over the cockpit VHF speaker be replaced.***

(C) Suggestions - *(Items of general maintenance, husbandry and advice for future good practice).*

- 1) ***It is suggested that the mooring cleat rub strips be checked as they have not been mounted flush and so maybe causing wear to the mooring lines. (C)***
- 2) ***It is suggested that the deck hardware and sails be subject to routine on-going maintenance and servicing. (C)***
- 3) ***It is suggested that the navigational electronics all be assessed for accuracy and re-calibrated as necessary prior to being relied upon for navigation. This includes installing cartography into the plotter. (C)***
- 4) ***It is suggested that suitable safety equipment be held on board to compliment the type of vessel, number of crew and area of operation. Existing safety equipment should be serviced and updated as necessary which should include the fire extinguishers and liferaft. (C)***

MARINE SURVEYORS & CONSULTANTS

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Terms of Business

IT IS AGREED that:-

- A. These Surveyor's Terms of Business shall form part of the Agreement between the Surveyor and the Client; and**
- B. The Surveyor shall perform the Scope of Work as set out in the Agreement subject to the following terms:**
- 1. Services**
- 1.1 The Surveyor shall undertake the services to which these terms relate with reasonable care, skill and diligence.
- 1.2 The Client's instructions and the scope of the Surveyor's services hereunder, are as defined in the Scope of Work. Any subsequent changes or additions to the Scope of Work must be agreed in writing by the Parties.
- 1.3 The Client undertakes to:
- 1.3.1 ensure that full instructions are given to the Surveyor and are provided in sufficient time to enable the required services to be performed effectively and efficiently. The Client agrees to disclose to the Surveyor all relevant information of which they have knowledge, or to which they have access, in relation to the Vessel to be surveyed;
- 1.3.2 in consultation with the Surveyor, procure all necessary access to premises and vessels (including lift-out, trials and facility for inspection ashore and afloat as appropriate) for no less than such a time as shall in each particular circumstance be reasonable to enable all appropriate inspections and tests to be undertaken or performed; and
- 1.3.3 ensure that all appropriate safety measures are taken to provide safe and secure working conditions provided always that in the event of any breach of the requirements of Clauses 1.3.1 to 1.3.3 causing any failure on the Surveyor's part to undertake the Scope of Work the Client shall be responsible for all consequential costs incurred by the Surveyor and in respect of any element of the Scope of Work undertaken.
- 1.4 Pursuant to the Scope of Work, the Surveyor will inspect the Vessel as thoroughly as is practicable and endeavour to comment on the more important items where, in the Surveyor's reasonable opinion, major costs consequences are considered likely to arise. It follows that the Surveyor cannot comment on every minor matter but the Surveyor will try to point out where small factors may become more serious.
- 1.5 The Surveyor's intention is to report on the condition of the hull(s), superstructure and fixtures (if any) of the Vessel so far as can reasonably be ascertained from a visual inspection of the Vessel at its location at the time of survey. The Client accepts that the Surveyor's survey report(s) cannot cover hidden, unexposed or inaccessible areas of the Vessel, (for clarity this includes core materials, the hull where antifouled and painted surfaces) and neither can the Surveyor undertake to investigate areas that the Surveyor believes to be inaccessible at the time of inspection. Where the Surveyor is unable to gain access to areas commonly accessible, the Surveyor will endeavour to point this out.

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- 1.6 If a rig is stepped at the time of the survey the inspection will cover only those areas visible from deck level. The Client accepts that the Surveyor's survey report(s) cannot cover hidden, unexposed or inaccessible areas of the rigging and spars. The Surveyor makes no representation and gives no warranty for the rig or its fixtures or fittings including sails.
- 1.7 Installed navigational electronics will not be tested for performance. Settings and full functionality will not be assessed and the accuracy of cartography and radar/AIS systems will not be commented upon. It is always recommended that a trained service agent for the navigational electronics be consulted.
- 1.8 Where a vessels propulsion system is inspected as part of the survey the scope of the survey is limited to an external inspection only. The Surveyor makes no representation and gives no warranty for the engine(s) or generator(s) and their associated systems or any assessment of their mechanical performance. It is always recommended that a trained service agent be consulted.
- 1.9 The vessels 12/24v and 110/220v systems will be switch tested. Internal condition and performance of wiring and electrical components and equipment including batteries will not be assessed for performance or compliance to appropriate regulations.
- 1.10 During the survey with the vessel ashore a number of areas of the hull antifouling below the waterline may be removed to permit assess to the hull surface for inspection and moisture testing. While every effort will be made to avoid damage to any sub-epoxy coatings and fairing, the surveyor accepts no responsibility for any damage caused any costs relating to re-instating the removed coatings.
- 1.11 In every case, the Surveyor recommends a full survey of a Vessel, to include inspection of the Vessel while lifted out and while in the water. Where the Surveyor accepts instructions to survey a Vessel solely on the basis of an inspection of the Vessel out of the water, the Surveyor makes no representation and gives no warranty as to the watertight integrity of the hull and fixtures and fittings including seacocks and valves or buoyancy of the Vessel.

2. Valuations

- 2.1 All valuation work undertaken shall be in accordance with the Scope of Work and, unless otherwise stated in writing, such work relates solely to the date and place referred to. Valuations are based on opinions only and are not representations of fact, nor do they carry with them any guarantee of the particulars or information on which opinions are based. Valuations assume a willing buyer and willing seller and market conditions applicable at the time of valuation or such other date as is expressly referred to.

3. Fees

- 3.1 The fee agreed between the Surveyor and the Client for the services to be provided by the Surveyor under this Agreement ("the Survey Fee") shall not include the costs of travel, subsistence and accommodation which will be charged in addition and in accordance with this Clause 3.
- 3.2 The Survey Fee and all expenses shall become due and payable on such terms and in such amounts as shall be agreed from time to time. VAT or other EU equivalent shall be payable, if applicable, in addition to all fees and expenses. Invoices will be submitted in respect of all fees and expenses when due and the amount of each invoice shall be settled prior to the survey day unless otherwise agreed. Thereafter, interest shall be payable on all sums owing and unpaid at a rate of 3% over Barclays Bank plc (London) base rate.

4. Limitations

- 4.1 The Surveyor shall not be liable under this Agreement for any loss or damage caused in circumstances (i) where there is no breach of a legal duty of care owed to the Client by the Surveyor or (ii) where, notwithstanding any such breach, any loss or damage is not a reasonably foreseeable result of such breach.
- 4.2 All services and reports are provided for the Client's use only. No liability of any nature is assumed towards any other party and nothing in these terms, or the relationship between the Surveyor and the Client, shall confer or purport to confer on any third party a benefit or the right to enforce any provision of these terms. The provisions of the Contracts (Rights of Third Parties) Act 1999 shall not apply to this Agreement and any person who is not a party to this Agreement shall have no right under that Act to enforce any term(s) of this Agreement.
- 4.3 The Surveyor shall not be responsible for loss or damage or any increase in loss or damage resulting from any material breach by the Client of any term of this Agreement.

'Vela Spirit'

- 4.4 Any claim by the Client in respect of any breach of the Surveyor's obligations under this Agreement must be notified to the Surveyor as soon as is reasonably practicable after the Client becomes aware of the breach. Where any breach is capable of remedy, the Surveyor must be afforded a reasonable opportunity to put matters right at his expense.
- 4.5 The Client agrees that, for reasons of commercial practicality, it is necessary to limit the Surveyor's potential liability in respect of loss or damage suffered by the Client as a result of any breach by the Surveyor of any of the Surveyor's obligations under this Agreement. As such, the Client agrees that no liability howsoever arising whether under this Agreement or otherwise shall attach to the Surveyor except insofar as such liability is covered by the professional indemnity insurance referred to at paragraph 4.6 and such liability (including Claims Expenses) shall in any event be limited to £250,000 or such higher sum as the parties shall agree in writing prior to commencement of the services to which these terms relate (hereafter referred to as "the Agreed Indemnity Limit").
- 4.6 The Surveyor shall maintain professional indemnity insurance in the amount of the Agreed Indemnity Limit throughout the period of the performance of the Surveyor's duties hereunder provided that such insurance shall remain available at reasonable market rates.
- 4.7 The Surveyor's liability shall not extend to particulars, data and other information given to the Surveyor by others or obtained from outside sources, publications and the like reasonably relied upon by the Surveyor, including Class records, registry details or other such information and no assurances can be given regarding the accuracy of the same.
- 4.8 Unless otherwise stated in writing, all services and reports are provided on the basis that they carry no guarantee regarding ownership or title, freedom from mortgages or charges, debts, liens or other encumbrances, or vessel stability, performance or design.
- 4.9 The Client shall be responsible for any losses, expenses or other costs reasonably incurred by the Surveyor that are caused by a breach of the Client's obligations to the Surveyor hereunder.
- 4.10 The Surveyor shall not be liable in respect of any breach of his obligations hereunder resulting from unforeseeable causes beyond the Surveyor's reasonable control

Business or Commercial Operations

- 4.11 Notwithstanding any other provision of this Agreement, where the Client is acting in the course of a business or commercial operation:
- 4.11.1 the Surveyor's liability shall expire twelve months after the Survey Report is delivered to the Client and The Surveyor shall thereafter have no further liability whether in contract, tort or otherwise; and
- 4.11.2 the Surveyor shall have no liability whether in contract, tort or otherwise for:
- 4.11.2.1 any consequential or economic loss or for loss of profit or turnover or loss of use suffered by the Client howsoever arising, whether under this Agreement or otherwise, and without prejudice to the generality of the foregoing the Surveyor shall not be liable for any consequences of late performance of any survey and/or late delivery of any survey report;
- 4.11.2.2 any breach of his obligations hereunder of which written notification shall not have been given within 14 days of the date on which the Client ought reasonably to have become aware of the existence of such breach;
- 4.11.2.3 any loss, injury or damage sustained as a result of:
- i. any defect in any material or workmanship;
 - ii. an Act of God or other circumstances beyond the control of the Surveyor; or
 - iii. the act, omission or insolvency of any person other than the Surveyor;

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and the Surveyor shall have no liability to indemnify the Client in respect of any claim made against the Client for any such loss, injury or damage;

- 4.12 Notwithstanding any other provision of this Agreement:
- 4.12.1 unless otherwise stated in writing, no guarantee is given against faulty design, latent defects or of suitability of any vessel or other item for any particular purpose or of compliance with any particular local, national or international requirement or code, and opinions are given without the benefit of running of machinery or opening up or other dismantling whether of interior linings, machinery or other items or systems;
- 4.12.2 the Surveyor shall have no liability whether in contract, tort or otherwise in respect of the consequences of late, incomplete, inadequate, inaccurate or ambiguous instructions or the non-disclosure by the Client of relevant information.

5 Law and disputes

- 5.1 This Agreement shall be construed in accordance with and shall be governed by English law. All disputes arising out of or in connection with this Agreement shall be submitted to the exclusive jurisdiction of the Courts of England and Wales.

6. Miscellaneous

- 6.1 The Surveyor may terminate the appointment forthwith if the Client fails for more than 28 days to pay any sum due when demanded, or if the Client fails to respond promptly to requests for information and/or instructions and fails adequately to respond to 28 days' formal notice of such failure, without prejudice to the Surveyor's accrued rights.
- 6.2 Without prejudice to the accrued rights of the other party, either party may terminate the appointment forthwith by notice if the other party shall become bankrupt or insolvent, or make any arrangement or composition for the benefit of creditors, or have anything analogous to any of the foregoing under the laws of any jurisdiction occur to it, or cease (or threaten to cease) to carry on business.
- 6.3 No exercise or failure to exercise or delay in exercising any right or remedy vested in either party shall be deemed to be a waiver by that party of that or any other right or remedy.
- 6.4 Neither party shall transfer or assign its rights or obligations under these terms without the prior written consent of the other.
- 6.5 In the event that any provision of these terms is held to be a violation of any applicable law, statute or regulation, such provision shall be deemed to be deleted from these terms and shall be of no force or effect and these terms shall remain in full force and effect as if such provision had not been contained herein. Notwithstanding this, in the event of any such deletion the Parties shall negotiate in good faith in order to agree the terms of an acceptable alternative provision.
- 6.6 Except where expressly stated to the contrary in a written document signed by the Parties on or after the date hereof, these terms form the entire agreement between the Parties and supersede all previous agreements and understandings between the Parties, and no warranty, condition, description, term or representation is given or to be implied by anything said or written in negotiations between the Parties or their representatives prior to the communication of these terms.
- 6.7 References to "the Surveyor" include the Surveyor's employees and persons, firms and companies appointed or engaged by the Surveyor as the Surveyor's agents for carrying out any work or services under these terms, all persons, firms and companies to whom performance of any work or services under these terms is sub-contracted or delegated by the Surveyor, and all agents and employees of persons, firms and companies referred to in this clause.
- 6.8 Any communication required to be given under these terms by either party shall be in writing and shall be sufficiently given either by letter, fax or electronic mail (provided the same is capable of being recorded by the recipient in durable form) sent to the other at the contact details previously notified and any such notice shall be deemed to have been given at the time at which it would in the ordinary course of transmission have been received.
- 6.9 The personal information requested and used in the Survey Agreement and all subsequent correspondence including emails, letters, reports, invoices and MCA documentation is to enable Hamble Marine Surveys Ltd to provide you with an efficient service, including delivery of any reports and keeping you up to date with our services and useful information and offers. The information will not be used for any other purpose and will

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not be passed on to a third party without your permission except in the event that it is requested by a Court of Law.

Words denoting the masculine include the feminine and neuter and vice versa.

Hamble Marine Surveys Ltd is a UK registered company No. 10649650

