

COMMITTEE ON BOATING AND YACHTING

**Proposed New Licensing Requirements for
High-Power Open Deck Pleasure Vessels**

Purpose

The purpose of this paper is to seek members' endorsement on the proposal of imposing new licensing requirements for single hull open deck pleasure vessels fitted with outboard engine of 200 HP or above.

Background

2. According to the information provided by the Marine Police (**Marpol**), over the past couple of years, smugglers have employed licensed pleasure vessels (resemble to a stretched P4 vessel) made with single skin GRP fiberglass hull, for cross-border smuggling activity (Annex 1 refers). These vessels, often are of very light construction, are fitted with petrol outboard engine of 200 horsepower (HP) or above. Their speed can reach 48 to 52 knots in fully loaded condition.

3. Apart from the Marpol's intelligence that a significant percentage of these vessels are currently being used for cross-border smuggling activity in the vicinity of Kat O and Tap Mun, Marpol is concerned about this type of relatively lightweight vessels to be too powerful for legitimate leisure purposes.

Safety Consideration

4. From safety point of views, the Marine Department (MD) considers that in view of the very light construction, the relatively low freeboard and limited reserve buoyancy, this type of light weight vs. power ratio vessels may not be suitably designed for safe operation at high speed, and may also pose a hazard to other port users in the vicinity.

5. With a view to ascertaining that these vessels are safe to operate, it is considered necessary to introduce certain licensing requirements for them. Details of the proposed licensing requirements are set out in paragraphs 6 to 7 below.

Proposed New Licensing Requirements

6. In general, it is suggested that before a new licence is issued for a single hull open deck pleasure vessel fitted with outboard engine of 200 HP or above, the vessel owner should provide the Director of Marine (**DM**) with the relevant information so as to prove that the rating power of the vessel is safe to operate with the hull form in all operating conditions. In respect of any existing vessels of the same type, it may also be subject to the same requirements when applying for the renewal of the vessel's license.

7. The information to be provided is set out as follows:

- (i) the builder's documents certifying that the vessel is constructed and tested in accordance with a proven design and confirmed fit and safe for its intended operation giving essential parameters and outlined specification;
or
- (ii) a certification document from a recognized classification society who has inspected and tested the vessel, certifying that the strength and scantling of the vessel's hull, its machinery and control installations are fit and safe for the intended operation giving essential parameters and outlined specification.

Implications

8. Unless the owner of a new vessel can provide the required information in the first hand, it may take a longer period for issuing a new licence for the vessel concerned. According to the existing licence record, there are about 500 open deck pleasure vessels fitted with outboard engine of HP 200 or above. In case that any of these vessels cannot comply with the new requirements, the vessel's owner will need to take necessary rectification actions

in order to have the vessel licence renewed.

Endorsements Sought

9. Members' endorsements or comments on the requirements proposed in paragraphs 6 to 7 are sought.

Presentation

10. Mr. Berry Cheung (Chief Inspector of Police of the Hong Kong Police Force) and Mr. C. Y. TSANG (Senior Marine Officer of the MD) will jointly present this paper in the forthcoming meeting.

Annex 1 Briefing notes prepared by Marpol

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Harbour Patrol Section
Marine Department

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The Use Of Pleasure Vessels for
Smuggling Purposes

The Police are very concerned with the upsurge in smuggling activities since the last quarter of 2003 that saw the use of overpowered GRP fiberglass vessels by syndicated operators to smuggle contraband or goods to and from the Mainland.

2. Most of the recently intercepted vessels were licensed pleasure craft fitted with either single or twin outboard motors with total power output ranging from 200 – 500 HP. Often, these types of vessels can attain very high speeds, sometimes over 50 knots even when fully laden with goods and this capability enables them to evade apprehension both inside and outside HKSAR waters by law enforcement units.

3. Statistics available in hand show that there are in excess of 200 such vessels engaged in smuggling activities. Around 100 vessels of this kind, open top with fore and aft cargo holds have been easily identified as having been actively involved in unlawful activities in Mirs Bay and adjacent northeastern waters. A number of collisions resulted in fatality and lives lost had been recorded and some of the cases were related to smugglers being employed as coxswain.

4. These vessels are stripped of any deck fittings related to pleasure or recreational purposes for which they are licensed. Given the design and features of the cargo holds, these types of vessels are designed as miniaturized versions of the notorious Tai Fei speedboat that once roamed throughout local waters.

5. The hulls of these types of vessels are invariably modeled from that of sampans originally designed for the P4 licence to operate as fishing tenders and powered by an outboard engine of no more than 15 HP.

6. It is not difficult to realize that the law enforcement agencies cannot be able to exercise their authority properly when confronted by flotillas of these vessels, operating at high speeds in a reckless manner. Particularly in the hours of darkness, the risks to other seafarers cannot be simply ignored.

7. With only limited resources deployed in the fight against them, it has been possible to contain syndicates to operate in small groups at nighttime. It is foreseen that as the number of licensed craft continues to rise rapidly, there is a potential danger that these craft further extend their daytime activities, which will stretch the existing resources available for the enforcement agencies to the limit.

8. I believe that the committee members share our concerns not only as a duty of care to the members of public against potential hazards at sea but also the safety of law enforcers. It is therefore urged that new licensing requirements for granting pleasure vessels licences can be implemented at the earliest opportunity to form a part of a risk reduction mechanism to ensure the safety of all seafarers.

9. Some pictures are attached to help illustrate the current situation.

Nighttime Snapshot of Smuggling Flotilla





Features of Overpowered P4 Type Speedboat Registered as Pleasure Craft

