

PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE

Re-classification of Pleasure Vessels used for Excursion Purpose

Purpose

The purpose of this paper is to seek members comments and endorsement on the proposal of requiring pleasure vessels used for excursion purpose to be certificated and licensed as Class I Passenger Vessels.

Background

2 Pleasure vessels are presently regulated and controlled under the Merchant Shipping (Pleasure Vessels) Regulations. The said Regulations prescribe that pleasure vessels should be possessed or used exclusively for pleasure purposes, and are not let for hire or reward other than under the terms of a charter agreement or hire purchase agreement. Pleasure vessels are not subject to inspection but are required to be equipped in accordance with Marine Department Notice with regard to life saving appliances, fire fighting appliances, light and sound signals. Besides the owners are responsible for maintaining adequate standards on hull, machinery and stability of their vessels.

3 This committee has previously accepted the proposal that in future local vessels should be re-classified into 4 classes, namely:

- Class I - Passenger Vessels
- Class II - Cargo Vessels
- Class III - Fishing Vessels
- Class IV - Pleasure Vessels

The objective of this classification is to apply equitable safety standards and administrative systems to vessels employed for its intended usage. The Class IV vessels, which will be permitted to carry more than 12 passengers, should be used exclusively for pleasure purposes. It was proposed that, if the owners want to use their vessels for purposes other than pleasure, they may re-license their vessels or apply for permits

before changing the use of the vessels subject to meeting safety standards of the class of vessels into which they are being converted.

Problem

4 Currently there are a number of pleasure vessels being employed in excursions or similar activities in local waters. The passenger capacity of these vessels ranges from 25 to 60. In as much as safety of persons is concerned, such usage and carrying capacity warrant these vessels to have a same degree of safety standard as passenger carrying vessels. Furthermore, as passengers reward or pay the owner for the trip, these vessels are effectively engaged in activities on commercial basis. Therefore these vessels should be treated as passenger carrying vessels.

Proposal

5 It is proposed that in the new legislative regime, pleasure vessel being used or intended to be used for excursion purposes or similar activities, should be a Class I vessel and be required to meet relevant safety standards. As these excursion vessels normally operate all year round, the short term permit system mentioned in para. 3 would not suit the operations of these vessels. Therefore, upon the enforcement of the new legislation, excursion vessels should be required to be certificated and licensed as Class I vessel, and comply with the prescribed safety standards.

6 Members are invited to comment and endorse the proposal.