

PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE

**Merchant Shipping (Local Vessels) Ordinance (LVO)
Class 4 – Pleasure Vessels
Maximum Number of Persons to be carried**

Purpose

The purpose of this paper is to seek members' endorsement on the proposed change in determination of the maximum carrying capacity for pleasure vessels.

Introduction

2. Currently, the maximum number of persons allowable to be carried on a pleasure vessel (PV) is determined by the vessel's size, a basic allowance for different sizes plus 1 person per every 50 piculs. For example, a motor cruiser (Class 6 PV) of 150 piculs, the maximum allowable number of persons is $10 + 3 = 13$.

3. Upon the enactment of the LVO, licence fees for all classes of local vessels will be charged on the basis of a standardized unit "length x breadth" (L x B). Further, the carrying capacity for classes 1 (passenger) and 2 (cargo) vessels will also be determined by the size of vessels in term of (L x B) units.

4. Class P4 Miscellaneous Craft which is a open deck vessel* of length not exceeding 10 metres and fitted with an outboard engine of power not exceeding 12 kw is restricted to carry not more than 4 persons.

Proposal

5. It is proposed that:-

- (a) for simplification and standardization, the (L x B) units mentioned at paragraph 2 should be used in determining the carrying capacity of PVs. A detailed analysis on existing vessels (closed deck) shows that by multiplying the (L x B) units with the conversion factor of 0.4 will provide these vessels with similar carrying capacities. For example, a closed deck pleasure vessel

of 10 m x 3 m will be allowed to carry 12 (10 x 3 x 0.4) persons maximum;
and

- (b) for safety reasons and as a matter of consistency, the criteria which are applicable to Class P4 vessels for determining the carrying capacity should equally be applicable to PVs (mainly speed boats) of open deck type:-

Pleasure Vessel (open deck) of 10 (L x B) units or less - 2 persons.

Pleasure Vessel (open deck) of more than 10 (L x B) units - 4 persons.

6. Pleasure vessels may be allowed to carry more persons than proposed at paragraph 5 above subject to a satisfactory inclining test conducted by approved classification societies.

Implications

7. Similar to re-structuring of licence fees, the change in measurement unit from piculage to (L x B) unit will inevitably affect the carrying capacity of some existing pleasure vessels. The range of effect for closed deck PVs varies between -18% and +6% (minus 3 or plus 2 in term of person) for vessels exceeding 25 (L x B) units.

8. The carrying capacity of some 1 500 Class 8 pleasure vessels will be reduced from 0% to -71% or from 0 to -10 in term of person; and the carrying capacity of some 250 vessels will be reduced by more than 50%, if all of them are open deck.

Consultation

9. The paper is circulated to members for comments and endorsement.

* Note : A open deck vessel is a vessel fitted with no continuous main deck.

Marine Department

Licensing & Port Formalities Section

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[LPFM2.MS(LVO)]

⟨To be read in conjunction with PLVAC Paper No. 6/2000⟩

**Merchant Shipping (Local Vessels) Ordinance
Consultation on Maximum Number of Persons
to be Carried on Pleasure Vessels**

MD Response to Key Comments from COMBAY Members

<i>Comments</i>	<i>MD Responses</i>
<ul style="list-style-type: none"> ● The principle of the proposed carrying capacity standard is agreed. ● P/V manufacturers or importers would be encouraged to provide type proof certificates of inclining test for new vessels. It would enhance marine safety. ● The use of “metric unit” is regarded as an improvement for standardization. ● It improves transparency of MD policy towards carrying capacity as the public could calculate the carrying capacity easily. ● It is reasonable to eliminate the discrepancy in carrying capacities between a vessel licensed as a P4 vessel (4 persons) against as a P/V (for more than 4 persons), both of which are not required to be surveyed prior to licensing. ● It is glad to know that the only small P/Vs would be affected significantly. 	<ul style="list-style-type: none"> ● Agreed. ● Agreed. ● Agreed. ● Agreed. ● Agreed. ● Agreed.
<ul style="list-style-type: none"> ● What is the definition of an approved classification society? ● Who are the approved classification societies? ● Who are the local approved classification societies? ● Who approved them? ● How they are qualified? ● A list of the approved classification societies should be provided for reference. 	<ul style="list-style-type: none"> ● Under Section (7) of Merchant Shipping (Local Vessels) Ordinance, Cap 548, (LVO) the Director of Marine may authorize in writing a person or a person belonging to a class of persons, who is not a public officer, to be a surveyor for the purpose of the Ordinance subject to specified conditions. The approved classification societies are the classes referred in this Section. They have to meet the criteria set by MD before being approved. The list of approved classification societies will be published in due course.¹

<i>Comments</i>	<i>MD Responses</i>
<ul style="list-style-type: none"> ● The term 'open deck' is needed to be further clarified. 	<ul style="list-style-type: none"> ● An open deck vessel is a vessel which is not fitted with a complete deck, or enclosed by a superstructure, to prevent the ingress of water into the hull.
<ul style="list-style-type: none"> ● The new inclining test would only bring annoyance /extra costs to P/V owners. Existing P/V carrying capacity rule is already more strict than other western countries. ● The carrying capacities of auxiliary powered sailing boats, which are long but slim, would be reduced. ● The inclining tests by approved classification societies, for locally built vessels, particularly the native type junk, are impracticable. ● Locally built and old pleasure vessels do not have any documentary proof of the carrying capacities. ● It is concerned that the carrying capacities of open deck P/Vs would be reduced. ● How would the existing P/Vs that are permitted to carry more persons than the existing standard (as approved by MD or with accepted proof of manufacturer's certificate and catalogue specification) be affected? 	<ul style="list-style-type: none"> ● The proposed standard is used for vessels which are not required to be surveyed prior to licensing. There should be a mechanism for vessels to carry more number of persons than the proposed standard after survey. The acceptance of inclining test certificates issued by classification societies provides an alternative for vessel owners taking into account the cost element. ● For existing vessels - they can retain the existing carrying capacity provided there is documentary proof, such as manufacturer's certificate or specification; or inclining test certificate issued by approved classification societies to show that the vessel is able to carry more persons than the proposed standard. ● For new vessels² - manufacturer's certificate or specification for new vessel² should be accompanied by inclining test certificate issued by approved classification societies.
<ul style="list-style-type: none"> ● Counter-proposal for open deck: (<5 units - 2 persons), (>5<10 units -3 persons), (>10 units - 4 persons). ● There is a genuine need for some P/Vs of <10 units to carry at least 3 persons for water ski. 	<ul style="list-style-type: none"> ● Accepted, the scale will be amended accordingly.
<ul style="list-style-type: none"> ● The inclining test should be conducted by MD instead of classification societies. 	<ul style="list-style-type: none"> ● MD will consider this proposal when resource warrants.

Notes: 1. It is expected that the following classification societies will be approved when the LVO comes into force:

- American Bureau of Shipping (ABS);
- Bureau Veritas (BV);
- China Classification Society (CCS);
- Det Norske Veritas (DNV);
- Germanischer Lloyds (GL);
- Lloyd's Register of Shipping; (LR); and
- Nippon Kaiji Kyokai (NK)

2. A new vessel is a vessel which is licensed for the 1st time after the LVO comes into force.