

PROVISIONAL LOCAL VESSEL ADVISORY COMMITTEE

New Classification of Local Vessels

Purpose

The purpose of this paper is to seek members comments and endorsement on new classification of local vessels as proposed in paragraph 6.

Introduction

2. The current classification of local vessels centres on the definitions specified in the Merchant Shipping (Pleasure Vessels) Regulations, Merchant Shipping (Miscellaneous Craft) Regulations and the Merchant Shipping (Launches and Ferry Vessels) Regulations. The definitions are provided in Appendix I.

3. It was proposed in PLVAC Committee Paper No. 1/92 that local vessels should be re-classified as follows:

Passenger Carrying Vessel

- (i) Class I - Vessels permitted to carry more than 60 persons plus such number of crew as approved by the Director of Marine.
- (ii) Class II - Vessels permitted to carry more than 12 persons but not more than 60 persons plus such number of crew as approved by the Director of Marine.

Non Passenger Carrying Vessel

- (iii) Class III - Vessels whose hull is constructed of any material other than wood and is permitted to carry no more than 12 persons plus such number of crew as approved by the Director of Marine.

- (iv) Class IV - Vessels whose hull is constructed of wood and is permitted to carry no more than 12 persons plus such number of crew as approved by the Director of Marine.
- (v) Class V - Vessels used exclusively for pleasure purposes and permitted to carry no more than 12 persons plus such number of crew as approved by the Director of Marine.

4. This committee accepted the proposal in PLVAC Paper 1/92 on 23 January 1992.

5. However, there have been changes in international practice, local vessels operations and social conditions since the proposal was accepted. To ensure new classification will best suit the needs of today, Marine Department (MD) has conducted a review and concluded that the classification should be further simplified from 5 classes to 4, taking consideration of the principles of safety first, helping business and no over-regulated requirements.

Proposal

6. It is proposed that local vessels should be re-classified as follows:

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

The proposed changes on the classification of local vessels are shown at Appendix II.

Justification

7. It is an international practice that vessels primarily used for carriage of large number of persons are required to meet comparatively strict standards of safety and operating conditions. In line with this safety requirement, local vessels primarily used for carriage of more than 12 persons should be re-classified as Class I - Passenger Vessels, thus subject to a higher safety standard.

8. Class I vessels will be further subdivided into three types as follows:

(i) Type A Vessel -

This vessel is allowed to carry more than 60 persons plus such number of crew as approved by the Director of Marine. It will be required to comply with a survey standard equivalent to the one presently used for launches and ferry vessels.

(ii) Type B Vessel -

This vessel is allowed to carry more than 12 persons but not more than 60, plus such number of crew as approved by the Director of Marine. It will be required to comply with a survey standard that is slightly less stringent than the one for Type A Vessel.

(iii) Type C Vessel -

This vessel will be that presently named as 'Kaito'. It is allowed to carry more than 12 persons plus such number of crew as approved by the Director of Marine. It will be required to possess a Kaito Ferry Service Licence issued by Transport Department and to comply with a survey standard appropriate for the licensed service.

9. Types A and B Vessels will include launches, ferries, floating restaurants, ceremonial boat and tug boats. Type C Vessels will include vessels currently used for providing services to remote areas with Kaito Ferry Service Licences issued by the Transport Department. As 'Kaito' service vessels have specific construction standards which have been proven in service, the survey standard for Type C Vessels will be different from Types A and B vessels but similar to existing requirements.

10. In shipbuilding practice, safety standards for vessels are set based on vessels' operational risk factors, such as number of passengers, type of cargo, plying limits, and etc. As safety standards for vessels should not be affected by the material of construction, it is not necessary to differentiate vessel classes from the material of construction. To simplify the new classification structure, local vessels used for a purpose other than fishing and pleasure, carrying 12 persons or less, plus such number of crew as approved by the Director of Marine should be re-classified as Class II - Cargo Vessels.

11. Internationally, fishing vessels are treated as a unique type of vessel. They are not subject to SOLAS Convention and International Load Line Convention requirements although most of these vessels are plying in international waters. In view of the fact that the new Torremolino Convention will come into operation in future, local vessels used for fishing purpose should be re-classified as Class III - Fishing Vessels so as to enable better enforcement of the regional standard under the Convention. As fishing vessels may carry family members, Class III vessels will be permitted to carry specified number of persons as approved by the Director of Marine.

12. Apart from the above 3 classes, local vessels used exclusively for pleasure purpose should be re-classified as Class IV - Pleasure Vessels.

13. In line with international practice, the existing pleasure vessels are not required to be inspected, except those exceeding 150 gross tons, as the owners and operators of pleasure vessels should be keen to ensure safe operations of their vessels. The safety records of these vessels indicate that it is acceptable to maintain the existing practice for pleasure vessels. Therefore, Class IV vessels will not be required to be surveyed except those exceeding 150 gross tons. These vessels will be allowed to carry specified number of persons as approved by the Director of Marine.

14. However, if Class IV vessel owners want to use their vessels for purposes other than pleasure, they should re-license their vessels or apply for permits before changing the use of the vessels. The vessels will be required to meet the safety standards of the class of vessels into which they are being converted. This permit system is introduced for helping business but without compromising safety standard of local vessels. The permit is valid for 3 months and will be issued upon a successful inspection for the permitted purpose. To prevent abuse of the permit system, the permit can only be renewed within a period as specified by the Director of Marine.

15. Codes of safety standards will be drawn up for each class of local vessels. The standards of each class will also be graded in accordance with the type and size of application vessels.

Recommendation

16. It is recommended that the proposed new classification should be endorsed by this committee on 18 September 1998. The new classification is expected to be implemented in late 1999 after the enactment of the Merchant Shipping (Local Vessels) Bill.

Schedule of Existing Classes of Local Vessels

Merchant Shipping (Launches and Ferry Vessels) Regulations

- (i) Ferry Vessel -
any steam or motor vessel which plies regularly for the conveyance of persons and things between 2 or more points within the waters of the Colony;
- (ii) Launch -
any mechanically propelled vessel of European type not exceeding 300 tons which is designed or used for -
 - (a) The conveyance of persons or things;
 - (b) towing or pushing;
 - (c) any other purposeand does not carry passengers beyond the waters of Hong Kong.

Merchant Shipping (Miscellaneous Craft) Regulations

- (i) Class I -
Sampans not exceeding 150 piculs* in capacity used for the carriage of passengers in any typhoon shelter and in any port other than the port of Victoria.
- (ii) Class II -
Vessels plying as mechanically propelled vessels, sailing vessels, dumb lighters, cargo boats or water boats.
- (iii) Class III -
Vessels used as fish drying vessels and vessels, other than Class VII and VIII vessels and vessels used, constructed or adapted principally for dwelling purposes, that tend to remain stationary in any part of the waters of Hong Kong.
- (iv) Class IV -
Miscellaneous types, such as pilot boats, trading boats, fishing boats, hawker boats, coolie boats, ash boats, pleasure boats hired from beaches, salvage boats and other vessels which do not fall clearly within any other class.

Proposed Changes on the Classification of Local Vessels

Current Legislation

**Proposed
New Legislation**

Vessels under M.S. (Launches and Ferry Vessels) Regulations

Launches
Ferry Vessels
Tug Boats

Vessels under M.S. (Miscellaneous Craft) Regulations

Floating Restaurants
Ceremonial Boats
Kaitos
Other Miscellaneous Craft

Fishing Vessels

Vessels under M.S. (Pleasure Craft) Regulations

Pleasure Vessels

