

LCQ18: Pleasure vessels

Following is a question by the Hon Holden Chow and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (December 5):

Question:

It is learnt that at present, quite a number of owners of pleasure vessels (PVs) provide, at the same time when renting out PVs to customers, water play equipment such as jet-skis or inflatable banana boats to them. Under the existing legislation, jet-skis are required to be issued with a relevant licence while non-mechanised inflatable vessels such as banana boats are not required. In this connection, will the Government inform this Council:

(1) whether vessel owners providing jet-skis or banana boats are required to take the initiative and expeditiously report to the Marine Department (MD) after any accident involving such equipment has occurred; if so, of the details (including the reporting mechanism and penalty for non-compliance); if not, the reasons for that;

(2) given that PV owners who intend to use their vessels for towing inflatable vessels such as banana boats, must apply in writing for and obtain the approval of MD, of the penalty to be imposed on those PV owners who do not comply with this requirement; and

(3) of the number of cases in which prosecutions were instituted in each of the past five years by MD against the persons concerned for contravention of the law involving jet-skis or banana boats?

Reply:

President,

My responses to the question raised by the Hon Holden Chow are as follows:

(1) The existing Merchant Shipping (Local Vessels) Ordinance (Cap. 548) (the Ordinance) does not require non-mechanised inflatable vessels including banana boats to obtain an Operating Licence for Local Vessel. However, under section 57 of the Ordinance, where a local vessel (including jet-skis and pleasure vessels towing banana boats) is involved in any incident within the waters of Hong Kong, the owner or person-in-charge of the vessel shall report in writing to the Marine Department (MD) within 24 hours after the occurrence of the incident, providing details such as basic particulars of the vessel and the coxswain concerned, type of the incident (e.g. collision, contact, stranding or machinery damage), location, time, sequence of events, as well as number of vessels and casualties involved, etc.. Any owner or person-in-

charge of the vessel contravening the requirements on reporting marine incident(s) will be liable on conviction to a maximum fine of \$10,000.

(2) The coxswain of a Class IV vessel (i.e. pleasure vessel) will be liable on conviction to a maximum fine of \$5,000 if he uses the vessel to tow inflatable vessels such as banana boats without the permission of the Director of Marine.

(3) During the period from 2012 to 2017, MD had taken prosecution actions against 14 cases of owners or persons-in-charge of Class IV vessels failing to report details of marine incident to MD after occurrence of an incident. None of these cases involved jet-ski or banana boat. In addition, MD had also taken prosecution actions against five cases of illegal use of pleasure vessels for towing purpose during the five-year period.