

L.N. 68 of 2020

**Merchant Shipping (Local Vessels) (Certification and
Licensing) (Amendment) Regulation 2020**

(Made by the Secretary for Transport and Housing under section 89 of
the Merchant Shipping (Local Vessels) Ordinance (Cap. 548))

1. Commencement

This Regulation comes into operation on 1 August 2020.

**2. Merchant Shipping (Local Vessels) (Certification and Licensing)
Regulation amended**

The Merchant Shipping (Local Vessels) (Certification and
Licensing) Regulation (Cap. 548 sub. leg. D) is amended as set
out in section 3.

3. Section 6 amended (restrictions on Class IV vessels)

After section 6(1)—

Add

“(1A) A Class IV vessel must not be let for hire or reward
unless there is an endorsement on the vessel’s
operating licence showing that approval for the vessel
to be let for hire or reward has been given by the
Director.

(1B) If an owner of a Class IV vessel intends to let the
vessel for hire or reward for an intended service that
involves the carriage of passengers, the owner must,
when applying for or renewing an operating licence
in respect of the vessel—

Section 3

- (a) indicate that it is the owner's intention to let the vessel for hire or reward;
 - (b) submit to the Director copies of the certificate of inspection or certificate of survey referred to in subsection (3)(a) and the policy of insurance referred to in subsection (3)(b); and
 - (c) seek the Director's approval for the vessel to be let for hire or reward.
- (1C) If the Director approves a Class IV vessel to be let for hire or reward, the Director must make an endorsement to that effect on the vessel's operating licence.
- (1D) If subsection (1A) is contravened in respect of a vessel, the owner of the vessel, the owner's agent and the coxswain of the vessel each commits an offence and is liable on conviction to a fine at level 3.
- (1E) During the transitional period, a contravention of subsection (1A) does not constitute an offence under subsection (1D).
- (1F) For subsection (1E), transitional period means the 12-month period beginning on 1 August 2020.”.

Frank CHAN Fan
Secretary for Transport and
Housing

12 May 2020

Merchant Shipping (Local Vessels) (Certification and Licensing) (Amendment)
Regulation 2020

Explanatory Note
Paragraph 1

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Explanatory Note

The main purpose of this Regulation is to amend the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap. 548 sub. leg. D) to impose the requirement that the owner of a Class IV vessel must obtain the Director of Marine's prior approval and endorsement on the vessel's operating licence if the vessel is to be let for hire or reward.