
EXECUTIVE COUNCIL.

No. 81.

Hong Kong.

ORDINANCE No. 10 of 1899. (MERCHANT SHIPPING).

In exercise of the powers conferred by section 37 (2) of the Merchant Shipping Ordinance, 1899, the Governor in Council rescinds Table E (as subsequently amended) in the Schedule to the said Ordinance and substitutes the following Table therefor:—

[ss. 4 (3) & (3A), 37 (2) & 43 (3).]

Table E.

Regulations for launches, ferry vessels and motor boats.

Launches,
ferry vessels
and motor
boats to be
licensed.

1. Subject to the provisions of regulation 37 of these regulations, all launches, ferry vessels and motor boats shall be licensed in the manner directed by these regulations, and no person shall have or use any unlicensed launch, ferry vessel or motor boat.

Survey.

2. The owner of any launch, ferry vessel or motor boat, before obtaining a licence, shall cause his launch, ferry vessel or motor boat to be surveyed by the Government Marine Surveyor.

Particulars
in certificate
of survey.

3. The certificate of the Government Marine Surveyor shall contain statements of the following particulars:—

(a) that the hull, length, breadth, depth, Gross/Net tons, is sufficient for the service intended, and is in good condition;

(b) the number of passengers which the vessel is fit to carry according to the following scale and proviso:—

(i) Class I for vessels plying within the Harbour Limits, at the rate of 7 superficial feet on the weather deck and bridge deck for each passenger and member of the crew.

(ii) Class II for vessels plying within the Local Trade Limits at the rate of 10 superficial feet on the weather deck and bridge deck for each passenger and member of the crew.

(iii) Class III for vessels plying outside the Local Trade Limits at the rate of 12 superficial feet on the weather deck and bridge deck for each passenger and member of the crew.

(iv) The number of passengers to be carried in open boats whether launches or motor boats, and of whatever class, shall be determined by dividing the total length in feet of the fixed seats by 15.

Provided that if the Government Marine Surveyor shall consider that, for reasons of safety and having regard to the type and stability of the vessel, the number of passengers should be reduced, then his certificate shall state the number, as determined by him, which the vessel is fit to carry.

(c) that the master possesses a local certificate of competency from the Harbour Master;

(d) that all direct openings to the engine room or 'tween deck spaces are provided with effective water tight coamings to prevent the ingress of water under normal conditions; that there is provision on board for the shelter of deck passengers; and, if the vessel is in Class II or Class III, or plys or is used as a ferry vessel, and before such vessel shall so ply or be used, that the vessel has undergone a stability test to the satisfaction of the Government Marine Surveyor, and also that all seats for passengers on the bridge deck (if any) are secured to the deck to the satisfaction of the Government Marine Surveyor.

(e) that the vessel is equipped with life-saving appliances in accordance with the regulations contained in this Table.

(f) that the vessel is properly fitted with bow and masthead lights and also a riding light.

(g) that the vessel is properly found with anchors and chains, and is ballasted to the satisfaction of the Government Marine Surveyor, and, if such vessel is a motor boat, that she is also provided with a bailer and a bilge pump and with at least two fire extinguishers, approved by the Government Marine Surveyor and placed in a position ready for immediate use, one at each end of the vessel; also a box of sand, of not less than 1 cubic foot in capacity, and a suitable scoop for applying the sand.

(h) that the crew is sufficient for the requirements of the vessel;

(i) the time for which the said hull and equipment will be sufficient;

(j) that the machinery and boiler of the vessel are sufficient for the service intended, and in good condition, and that the safety valve is so constructed as to be out of the control of the engineer when the steam is up, and is not loaded beyond the pressure permitted by the surveyor's certificate;

(k) the time for which such boiler and machinery will be sufficient; and

(l) that the engineer of the vessel possesses a local certificate of competency from the Harbour Master.

In the case of motor boats the following shall be substituted for (j), (k) and (l):—

(m) that the machinery of the vessel is sufficient for the service intended and is in good condition;

(n) the time for which such machinery will be sufficient, and.

(o) that the engineer of the vessel possesses a local certificate of competency as motor engineer from the Harbour Master or such other certificate as may be recognised by him.

Fee for certificate.

4. Fees in accordance with and of the amounts set forth in Part I of Table C shall be paid for each certificate.

Issue of licence for vessels.

5. On the receipt of the certificate, the Harbour Master will cause a licence to be issued to the owner empowering the vessel therein described to ply as therein mentioned for a period not exceeding 12 months: Provided that no such licence shall be granted unless the intended licensee enters into a bond, in the form provided in Appendix B of this Table, together with one or more sureties resident in the Colony and approved of by the Harbour Master, conditioned in a sum not exceeding 1,500 dollars for the observance of the conditions of such licence.

Appendix B.

Form of licence.
Appendix A.

6. The licence shall be in the form of Appendix A of this Table.

Licence to be kept on board.

7. Such licence shall at all times, except where otherwise provided by law, be kept on board the vessel for which it is issued, and shall be produced on demand to any harbour or police or revenue officer.

Every vessel to have certificated master and engineer.

8. No launch, ferry vessel or motor boat shall, subject to the provisions of regulation 36 of these regulations, be under way without a master and engineer each holding a local certificate of competency from the Harbour Master as provided by regulation 17 of these regulations.

Improper use of licence, etc.

9. No person shall use any licence, clearance permit, or other document granted under the provisions of section 37 of the Merchant Shipping Ordinance, 1899, in respect of any launch, ferry vessel or motor boat other than the one therein mentioned.

Interference with safety valve prohibited.

10. No person shall by any means interfere with or prevent the proper working of the safety valve of any steam vessel, or by any means cause the safety valve of any steam vessel to be under the control of the engineer, and no engineer shall suffer or permit the safety valve of his vessel to have any device, contrivance or attachment thereto which may cause or be capable of causing to be placed on such safety valve any greater pressure than is allowed under the conditions of the licence of the vessel.

Painting of name, etc., on vessel.

11. Every vessel licensed under these regulations shall have the name thereof in English and Chinese legibly painted on the stern and on each bow together with the number of passengers which may lawfully be carried under the conditions of the licence.

Vessel to be clean and in good repair.

12. Every such vessel shall be kept in a proper state of cleanliness and repair and its apparatus and equipment shall be maintained and kept in good order and readiness; no structural alterations or additions shall be made to any such vessel nor shall any ballast be moved or added without the sanction of the Government Marine Surveyor.

13.—(a) The fees to be paid for licences shall be according to the following scale:—

	Class I	Class II	Class III
Vessels under 10 tons,	\$10	\$15	\$20
10 tons to 20 tons,	20	25	30
20 tons to 30 tons,	30	35	40
30 tons to 40 tons,	40	45	50
40 tons to 50 tons,	50	55	60
50 tons and upwards	60	65	70

(b) The above scale is for 12 months.

(c) For 6 months six-twelfths of the fee will be charged, for 9 months nine-twelfths, and so on at the rate of one twelfth for each month. But no fee is to be less in amount than three-twelfths.

14. The following is the maximum scale of hire for launches within local trade limits:—

	Scale of hire.
1st class:—Vessels of 40 tons and upwards not exceeding 60 tons—	
For first hour	\$6
Each subsequent hour	5
2nd class:—Vessels of 20 tons and upwards being less than 40 tons—	
For first hour	\$5
Each subsequent hour	4
3rd class:—Vessels of less than 20 tons—	
For first hour	\$4
Each subsequent hour	3

15. If the space measured for passenger accommodation is at any time occupied by cargo or passengers' luggage, then one passenger is to be deducted for every 7 superficial feet of space so occupied.

16. No cargo or passengers' baggage shall be carried on the bridge deck of any vessel plying or being used as a ferry. No dangerous goods, as defined by the Dangerous Goods Ordinance, 1873, other than the vessel's stores and equipment, shall be carried on board any launch, ferry vessel or motor boat at the same time as passengers.

17. The Harbour Master may issue a local certificate of competency as master or engineer of launches, ferry vessels or motor boats. A fee of \$2.50 for the examination of any person for such certificate shall be payable to the Harbour Master at the time of the examination, and such master or engineer shall, if he obtains a certificate, produce three copies of a photograph of himself, one to be attached to his local certificate of competency, one to be attached to the licence of any vessel to which he may belong or hereafter belong, and one for record in the Harbour Office; and when a master or engineer is transferred from one launch, ferry vessel or motor boat to another he shall produce a photograph of himself to be attached to the licence of the vessel to which he is to be transferred.

- Examination for engineers of motor boats.** **18.** The examination for local certificates of competency for engineers of motor boats (to be styled motor engineers) shall be limited to the knowledge and management of the engines of motor boats. The several types of motors in the management of which each such engineer has qualified shall be noted in his certificate.
- Renewal of photograph.** **19.** If, at any time subsequent to the granting of a local certificate of competency, it shall appear to the Harbour Master that the photograph attached thereto fails to represent the holder accurately, he may call upon the said holder to produce three copies of a photograph which shall accurately represent him for use as provided in regulation 17 of these regulations.
- Re-examination before engagement.** **20.** If any master or engineer qualified as such according to these regulations shall at any time be unemployed for any period exceeding two years as shown by the record book, he shall be re-examined before engagement for duty in such a capacity in a launch, ferry vessel or motor boat without a fee unless a new certificate is required.
- Report of arrival.** **21.** Subject to the provisions of regulation 24 of these regulations the master of every launch or motor boat and subject to the provision of regulation 25 (2) of these regulations the master of every ferry vessel shall within 18 hours after arrival at any port of the Colony report such arrival at the Harbour Master's office or at the nearest Harbour Master's station and shall deposit the licence and shall furnish the particulars required for entry in the Record of Voyages, and the said particulars shall thereupon be entered in the licence and in a register to be kept for the purpose.
- Notice of departure.** **22.** Subject to the provisions of regulation 24 of these regulations the master of every launch or motor boat, and subject to the provisions of regulation 25 (2) of these regulations the master of every ferry vessel, about to leave any port of the Colony shall either at the Harbour Master's office or at the nearest Harbour Master's station give notice of such intended departure and shall furnish the particulars required for entry in the Record of Voyages and the said particulars shall thereupon be entered in the licence and the licence shall be returned to the master: Provided always that in case the said launch, ferry vessel or motor boat does not leave the said port within 24 hours after the return of the licence the master shall report either at the Harbour Master's office or at the nearest Harbour Master's station and shall re-deposit the licence if required to do so.
- Night clearance.** **23.** Subject to the provisions of regulations 24 and 25 of these regulations no launch, ferry vessel or motor boat shall leave any port between 6 p.m. and 6 a.m. from October to March inclusive, without a night clearance for which a fee of one dollar shall be paid.
- Pleasure trips.** **24.** Regulations 21, 22 and 23 of these regulations shall not apply in the case of any launch or motor boat on occasions when it is used solely for purposes of pleasure.
- Monthly clearance for ferry vessels.** **25.—(1)** In the case of any ferry vessel, the Harbour Master may at his discretion upon payment of a fee of \$30 grant to the master of the vessel a monthly clearance subject to the following provisions,—
- (a) Every monthly clearance shall be deemed to contain a condition—breach of which shall render the monthly

clearance liable to immediate cancellation—that particulars of all trips and of all passengers and cargo carried by the vessel during the week then last past shall be rendered weekly to the Harbour Master; and

(b) A deposit of \$100—which may be forfeited in case of breach of the foregoing condition—shall be made with the Harbour Master before the issue of such monthly clearances for each vessel.

(2) Regulations 21, 22 and 23 of these regulations shall not apply in the case of any ferry vessel in respect of which a monthly clearance as aforesaid shall be subsisting as regards the lawful employment of such vessel as a ferry.

26. The Harbour Master may on payment of a fee of 25 cents grant to any master of a launch, ferry vessel or motor boat a special permit which shall be sufficient warrant or authority for the doing of any act mentioned in such permit. Special permit.

27. No master of a launch, ferry vessel or motor boat shall knowingly give untrue particulars to the Harbour Master or to the Government Marine Surveyor or to any officer deputed by them to obtain such particulars. Untrue particulars.

28. The owner of every launch, ferry vessel and motor boat shall have such launch, ferry vessel or motor boat surveyed by the Government Marine Surveyor yearly or half-yearly, as he may in each case direct, and the requirements of such surveyor shall be complied with, and thereupon a certificate to that effect shall be given by such surveyor to the owner on payment, in respect of each survey, of a fee of the same amount as that prescribed by regulation 4 of these regulations or by any regulation substituted therefor or amending the same, and such certificate shall then be produced to the Harbour Master without undue delay. Periodical survey.

29. No owner, master, or person in charge of any launch, ferry vessel or motor boat shall use the same before obtaining such certificate of survey. Use of unsurveyed launch, ferry vessel or motor boat.

30. Every owner of any launch, ferry vessel or motor boat shall report to the Harbour Master the name of, and the number of the certificate held by, every master and engineer engaged by him for such launch, ferry vessel or motor boat within 48 hours of such engagement. Reporting of name of master, etc., engaged;

31. Every owner of any launch, ferry vessel or motor boat shall report to the Harbour Master the name of, and the number of the certificate held by, every master and engineer of such launch, ferry vessel or motor boat discharged by him, giving the reason for such discharge, within 48 hours of such discharge. or discharged.

32. Every master and engineer of any launch, ferry vessel or motor boat holding a certificate shall, on engagement, produce such certificate to the Harbour Master for registration, and shall pay for such registration a fee of 50 cents. Production of certificate on engagement.

33. Every master and engineer of any launch, ferry vessel or motor boat shall, on discharge, report such discharge to the Harbour Master within 48 hours of such discharge, and shall produce his certificate. Reporting of discharge by master.

Record of engagements and discharges.

34. A record shall be kept in the Harbour Master's office setting forth the dates of engagement and discharge of all certificated masters and engineers of launches, ferry vessels or motor boats, the reason for their discharge, and all complaints and charges against them, and any punishments awarded in respect thereof by the marine or other magistrate, or by the Harbour Master. Such record shall be open to inspection by owners of launches, ferry vessels or motor boats or their representatives.

Certificates of competency to be on board the vessel.

35. The certificate of competency of masters and engineers of launches, ferry vessels or motor boats, while under way in the waters of the Colony, shall be kept on board the vessel, ready to be produced for inspection by the Harbour Master or his deputy, or by any officer of police.

Harbour Master may permit engineer with master's certificate to be in charge of boat.

36. It shall be lawful for the Harbour Master in such special cases as he may think fit to issue a permit to any motor boat carrying a certificated motor engineer, who also holds a master's certificate under these regulations, to be under way in the waters of the Colony in charge of such engineer only. Such permit shall be in writing and shall be signed by the Harbour Master and shall be subject to the conditions therein contained.

Exemption of motor boats used solely for pleasure.

37. Regulations 1 to 7, 9 to 16, 21 to 25, 27 to 29 and 38 to 41 of these regulations shall not apply to any motor boat which is used solely for purposes of pleasure.

Gambling prohibited.

38. No person shall gamble on any ferry vessel.

Master not to permit gambling.

39. The master of a ferry vessel shall not permit any gambling on such vessel.

Master's responsibilities.

40. The master of every launch, ferry vessel or motor boat when conveying passengers shall be responsible that such launch, ferry vessel or motor boat is carefully steered and travels with reasonable expedition.

Disembarkation of passengers.

41. The master of every launch or motor boat shall permit any passenger travelling on such launch or motor boat to disembark at any place where such passenger can lawfully disembark without risk, when requested by such passenger to do so.

Embarkation, etc., to and from ferry vessels.

42. Whenever any ferry vessel is plying or being used as a ferry no passenger shall embark thereon or disembark therefrom except at a pier, sea-wall or landing place, and then only by a gangway, adequately secured on the vessel and the shore, and fitted with a handrail, or by landing steps alongside which such launch or motor boat has made fast. No person shall load or unload cargo from a ferry vessel so plying or being used except at a pier, seawall or landing place.

Anchorage, etc., at Repulse Bay.

43. During the months of May to October inclusive, no launch, ferry vessel or motor boat shall lie or anchor in Repulse Bay north of a straight line from the east point of the island west of the Repulse Bay bathing beach and known as Tung Po Chau Island to the red buoy moored off the foreshore of Repulse Bay. This regulation shall not prevent launches, ferry vessels and motor boats approaching the shore for the purpose of embarking or disembarking passengers as expeditiously as possible.

44. During the months of May to October inclusive, no launch, ferry vessel or motor boat shall lie or anchor in Lu Tiang Wan (Island Bay).

Anchorage,
etc., at
Island Bay.

45. Every ferry vessel shall be equipped with life-saving appliances consisting of standard life buoys, standard life belts and standard life-saving rafts sufficient for not less than fifty per cent. of the number of persons the vessel is licensed to carry. The proportion of each of such classes of life-saving appliances shall be determined by the Harbour Master in each case.

Life saving
appliances on
ferry vessels.

46. Every launch or motor boat shall be equipped with life-saving appliances as follows:—

Life saving
appliances
on launches
and motor
boats.

(i) Vessels in Class I shall be equipped with at least 2 standard life buoys, and with standard life belts for not less than fifty per cent. of the number of persons the vessel is licensed to carry.

(ii) Vessels in Class II shall be equipped with at least 4 standard life buoys, and with standard life belts for not less than fifty per cent. of the number of persons the vessel is licensed to carry, also with standard life rafts or buoyant deck seats sufficient to accommodate not less than fifteen per cent. of the said number.

(iii) Vessels in Class III shall be equipped with at least one boat, in such a position that it can be readily got into the water, and with at least 8 standard life buoys, and with standard life belts for not less than fifty per cent. of the number of persons the vessel is licensed to carry, also with standard life rafts or buoyant deck seats to accommodate not less than twenty per cent. of the said number.

47. No launch, ferry vessel or motor boat shall be used for purposes of prostitution, nor shall any launch or motor boat be used for the conveyance of women within the limits of the harbour for such purposes.

Use for
purposes of
prostitution
prohibited.

48. No motor boat shall, except with the permission in writing of the Harbour Master, ply for hire at or receive any passenger from any public pier or wharf, or lie or moor or anchor within a distance of one hundred yards from any public pier or wharf: Provided that nothing in this regulation shall operate to prohibit the landing of any passenger at a public pier or wharf or the mooring of any motor boat alongside any private pier or wharf which may be at a distance of less than one hundred yards from any public pier or wharf. And provided also that this regulation shall not apply to any motor boat on an occasion when it has been hired beforehand solely for picnic or like pleasure purposes or to any motor boat which has been licensed by the Governor to use public piers or wharves or any of them and which is using or about to use the same in accordance with such licence.

Control of
motor boats.

49. Notwithstanding anything contained in regulation 26 of these regulations there shall be payable to the Harbour Master by the holder of every permit granted under the preceding regulation a fee of Five dollars for every month or part of a month for which such permit shall be issued.

Fee for
monthly
permits.

Every permit shall at all times, except when otherwise provided by law, be kept on board the motor boat for which it is issued, and shall be produced on demand to any harbour, police or revenue officer.

Every permit shall be subject to cancellation at the discretion of the Harbour Master.

Scale of hire
for motor
boats.

50. The following is the maximum scale of hire for motor boats within Harbour limits irrespective of the number of passengers carried:—

Period.	Between 7 a.m. and midnight.	Between midnight and 7 a.m.
	\$ c.	\$ c.
Not exceeding 30 minutes	1.20	1.40
Exceeding 30 minutes but not exceeding 45 minutes	1.80	2.10
Exceeding 45 minutes but not exceeding one hour	2.20	2.60
Exceeding one hour but not exceeding one and a half hours..	3.00	3.30
For every subsequent hour or part of an hour	2.00	2.20
Waiting time, with engine shut off, for every quarter hour or part thereof	0.30	0.40

The periods, other than waiting time, shall be calculated from the time of starting the engine until the time when the motor boat could return to the place of hiring.

Waiting time shall be deducted from the gross period of the trip and shall be paid for at the prescribed rate.

A copy of this regulation shall be exhibited in every motor boat plying for hire.

D. W. TRATMAN,
Clerk of Councils.

COUNCIL CHAMBER,
1st February, 1934.

Appendix A. [Regulation 6.]

Form of licence book.

BACK OF COVER.

Audit No.

HONG KONG GOVERNMENT.

Licence Book.

Licence to ply to and from and between any places in the Colony.* *or, within the harbour limits (as the case may be).

Name Launch
Ferry vessel
Motor boat

Licence No.

INSIDE COVER.

This licence has been granted under section 37 of the Merchant Shipping Ordinance, 1899, and the regulations contained in Table E in the Schedule to the said Ordinance to

in respect of the Launch,
Ferry vessel
Motor boat

which is hereby authorised to ply to and from and between any places in the waters of the Colony† subject to the provisions of the said Ordinance and of any regulations made thereunder. †or, within the harbour limits (as the case may be).

CONDITIONS OF LICENCE

1. All the provisions of the Merchant Shipping Ordinance, 1899 as already or as subsequently amended, and of the regulations for the time being and from time to time in force thereunder which do or shall relate or apply to the licensed vessel shall be duly complied with and observed.

2. The International Collision Regulations shall in all respects be duly complied with and observed by and in respect of the licensed vessel.

3. The pressure allowed on the safety valve is indicated on Sheet 3 hereto, and such allowed pressure shall not be exceeded.

SHEET 3.

Class I. Licence No.

THE MERCHANT SHIPPING ORDINANCE, 1899, SECTION 37.

Name of Launch, Ferry vessel, Motor Boat

Length feet inches.

Breadth feet inches.

Capacity { Gross Tonnage
 { Nett Tonnage

Depth feet inches.

Name of Owner

Address

Name of Master

Address

Name of Engineer

Address

Number of persons the vessel is licensed to carry within the Harbour Limitspersons, including crew.

Class III. Licence No.

THE MERCHANT SHIPPING ORDINANCE, 1899, SECTION 37.

Name of Launch, Ferry vessel, Motor Boat

Length feet inches.

Breadth feet inches.

Capacity { Gross Tonnage
 { Nett Tonnage

Depth feet inches.

Name of Owner

Address

Name of Master

Address

Name of Engineer

Address

Number of persons the vessel is licensed to carry outside the
 Local Trade Limits persons, including crew.

Pressure allowed on Safety Valve lbs.

Date of stability test, 19.....

Height of G.M.

Dated, 19.....

Received for Licence Book \$1.

Shroff.

Harbour Master.

SHEET 5.

Changes of owner, master, or engineer, and other
 leading events in the history of the launch, ferry vessel,
 motor boat.

SHEET 9.*

Record of Voyages.

*For vessels
 licensed to
 ply outside
 the harbour
 limits.

Name of station

From Date arrived 19.....

Cargo. Persons.

To Date departed 19.....

Cargo.

Signature.

Light Dues Receipt No. of

Customs Station visited date

ADDITIONAL SHEET.

Register of all persons under the age of sixteen years employed on board the vessel.

Males.

Names	Dates of birth.

Females

Names.	Dates of birth.

Appendix B. [Regulation 5.]

LAUNCHES, FERRY VESSELS AND MOTOR BOATS

THE MERCHANT SHIPPING ORDINANCE, 1899.

Know all men by these presents that we

.....

residing at (Licensee)

.....

residing at (Surety) and

.....

residing at (Surety) are held and firmly bound unto our Sovereign Lord King George V, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, in the sum of dollars.....

..... Hong Kong Currency to be paid to our said Sovereign Lord the King and His Successor for which payment, well and truly to be made, we jointly and severally bind ourselves and each and every of us and our respective heirs, executors and administrators firmly by these presents.

Sealed with our seals and dated thisday of

....., 19.....

Whereas by regulations made under section 37 of the Merchant Shipping Ordinance, 1899, provision is made for the issue by the Harbour Master to the owner of any launch, ferry vessel or motor boat, of a licence empowering the vessel therein described to ply during the period of the licence: And by such regulations it is provided that no such licence shall be granted unless the intended licensee enters into a bond, together with one or more sureties resident in the Colony, and to be approved of by the Harbour Master, conditioned in a sum not exceeding one thousand five hundred dollars for the observance of the conditions of such licence: And Whereas the Harbour Master has on the application of the above-named consented to issue a licence as aforesaid to the said..... in respect of the launch, ferry vessel, motor boat hereinafter mentioned. Now the condition of this obligation is such that if the said..... and all persons at any time employed in or about the said launch, ferry vessel, motor boat or being on board thereof shall well and truly observe and perform all and singular the conditions of the said licence issued or intended to be issued as aforesaid to the said in respect of the launch, ferry vessel, motor boat called (which said licence is numbered or intended to be numbered), then this obligation is to be void, otherwise to remain in full force and effect.

Signed sealed and delivered by the above bounden	} (L.S.) (Licensee)
.....		
.....	} (L.S.) (Surety)
.....		
in the presence of	} (L.S.) (Surety)
.....		