

THE "STAR" FERRY COMPANY, LIMITED BY-LAWS

Empowering section

(Cap 104, section 45(1))

(L.N. 198 of 1984)

1. Citation

These by-laws may be cited as the "Star" Ferry Company, Limited, By-laws.

2. Interpretation

In these by-laws, unless the context otherwise requires-

"Company" (公司) means the "Star" Ferry Company, Limited;

"rush hours" (繁忙時間) means 8.00 a.m. to 9.00 a.m. from Monday to Saturday; and
5.00 p.m. to 6.30 p.m. from Monday to Friday.

3. Conduct of public

(1) Subject to paragraph (2), no person shall-

- (a) trespass on any part of the Company's piers, premises or vessels;
- (b) alight from or enter any of the Company's vessels in motion except by the proper entrances or exits, and no person shall sit or climb on ship rails or bulwarks or climb over or under any barrier or gate erected on any of the Company's piers;
- (c) embark on or disembark from any of the Company's vessels from or to any sampan, boat or other craft;
- (d) embark on or travel by any of the Company's vessels without having first paid the appropriate fare;
- (e) embark on or travel in any of the Company's vessels in use after being informed by any servant of the Company that such vessel already contains the full complement of passengers;
- (f) travel on any of the Company's vessels in a class higher than that for which he has paid the fare;
- (g) remain on board any of the Company's vessels upon completion of any journey.

(2) Sub-paragraphs (b), (c), (d), (e), (f) and (g) of paragraph (1) shall not apply to a servant of the Company while acting in the course of his duty.

4. Conduct of persons

(1) Subject to paragraph (2), no person shall-

- (a) smoke or carry a lighted pipe, cigar or cigarette in or upon any part of the Company's vessels or premises which is clearly designated as a "no smoking" area or is otherwise sign-posted as prohibited for smoking;

- (b) except in case of emergency pass from one deck to another or open any grill or door on any of the Company's vessels for the purpose of so passing;
 - (c) enter any part of the Company's vessels or premises which is marked with an indication that admission is prohibited or restricted;
 - (d) play or perform upon any musical instrument, or use in the hearing of another person any radios and cassette players or television set or tape-recorder or swear or use obscene or offensive language or sing any indecent or obscene songs, while in or upon any of the Company's vessels or any of the Company's premises, or commit any nuisance in or on any of the Company's vessels or premises;
 - (e) obstruct the approaches to the gangways of any of the Company's vessels or impede or hamper in any way the movements of such gangways;
 - (f) wilfully interfere with or obstruct or distract any servant of the Company from carrying out his duties;
 - (g) wilfully give any sound or signal which may reasonably be interpreted by any servant of the Company as an official order or instruction;
 - (h) throw or deposit without lawful authority or excuse any litter into the waters of Hong Kong or in any place from which it is likely that the litter will be swept by the tide into the waters of Hong Kong from any of the Company's vessels or any of the Company's premises;
 - (i) spit in, on or from any of the Company's piers, premises or vessels;
 - (j) stand or place his feet on any seat on any of the Company's vessels or piers;
 - (k) drop any lighted cigarettes or rubbish on to any of the Company's vessels or piers otherwise than in a receptacle provided for that purpose;
 - (l) throw any lifebuoy or any equipment of the Company on or from any of the Company's vessels or piers except in case of emergency.
- (2) Sub-paragraphs (b) and (c) of paragraph (1) shall not apply to a servant of the Company while acting in the course of his duty.

5. Luggage

No person shall-

- (a) take on to any of the Company's vessels as personal luggage anything other than small handbaskets, bags or parcels all of which shall not exceed either 12 kilograms in weight or 0.028 cubic metre in measurement, except that passengers may take with them on to the Company's vessels a reasonable quantity of hand baggage at any time except during rush hours. All such personal luggage and hand baggage shall be carried by hand and the Company shall not be responsible for its safe custody or for any damage sustained by it. Such personal luggage and hand baggage shall not occupy any part of the seats nor be of a form or description to annoy, or inconvenience, or be a danger to, other persons;

- (b) take on to any of the Company's premises or any of the Company's vessels any livestock, salt fish, vegetables or poultry (whether dead or alive) in open parcels;
- (c) take on to any of the Company's premises or any of the Company's vessels any type of cargo whatsoever other than personal luggage and hand baggage as described in paragraph (a);
- (d) take on to any of the Company's premises or any of the Company's vessels any dangerous goods other than provided for in by-law 13.

6. Monthly and season tickets and in case where no ticket is issued

- (1) Every monthly or season ticket shall bear in legible form the name of the holder thereof.
- (2) No person shall use any monthly or season ticket which is not issued in his own name or upon the face of which his own name does not appear and no monthly or season ticket holder shall sell or transfer a monthly or season ticket of which he is the holder to any other person.
- (3) The holder of a monthly or season ticket shall produce it for inspection by any servant of the Company whenever the holder is entering upon any of the Company's piers or travelling on any of the Company's vessels or being on any of the Company's piers.
- (4) Where no ticket is issued in exchange for payment of a fare for embarking on to any of the Company's vessels, each passenger shall pass through any of the Company's appropriate turnstiles or other authorized entry points on the Company's piers before embarking on to any of the Company's vessels;

7. Forfeiture and cancellation of monthly or season tickets

- (1) In the event of any monthly or season ticket holder committing a breach of these by-laws in connection with such monthly or season ticket any servant of the Company shall be entitled, if he is satisfied that an offence has been committed, to retain such ticket.
- (2) If the Company is satisfied that an offence has been committed against these by-laws, the Company shall be entitled to forfeit such monthly or season ticket and shall not be under any liability to make any refund in respect thereof.

8. Defaced, altered or mutilated tickets and replacement of damaged tickets

- (1) In the event of any monthly or season ticket being defaced, altered or mutilated it shall be deemed as invalid and in the case of any person using such ticket the Company shall be entitled to charge the appropriate fare, or difference, or refuse admission on to the Company's premises and the Company's vessels.
- (2) The Company may at its discretion, if it is satisfied that a monthly or season ticket has been damaged otherwise than by reason of the fault or negligence of the holder, replace the damaged ticket without additional charge.

9. Dress

No person whose dress or clothing may in the opinion of any servant of the Company soil or damage the seats or fittings of any of the Company's vessels or of the Company's piers or the dress or clothing of any other passenger, and no person who in the opinion of any servant of the Company may for any other appropriate reason be offensive to passengers shall enter upon any of the Company's piers or travel in any of the Company's vessels, and it shall be lawful for any servant of the Company to prevent any such person from so doing by giving any of the aforesaid reasons therefor.

10. Animals or birds

- (1) No person shall take an animal or bird in any of the Company's vessels or on to any of the Company's premises except after first having obtained the permission of any servant of the Company on duty.
- (2) Any animal or bird taken in any vessel of the Company or on to any of the Company's premises shall be suitably restrained or caged and shall be removed by the person in charge of such animal or bird from the Company's vessel or the Company's premises immediately on request by a servant of the Company, and in default of compliance with such request, may be removed by or under the direction of a servant of the Company.

11. Intoxication

No person who in the opinion of any servant of the Company is in such a state of intoxication, or under the influence of drugs or both, as to render him unfit to travel on the Company's vessels shall enter upon any pier or vessel belonging to the Company and it shall be lawful for any servant of the Company to refuse to allow any such person access to any of the Company's piers or vessels by giving any of the aforesaid reasons therefor.

12. Damage

No person shall wilfully damage or deface any of the Company's property.

13. Firearms

No person other than a member of Her Majesty's forces or a police or revenue officer on duty shall enter any of the Company's piers or travel on any of the Company's vessels with firearms.

14. Collections or gratuities

No person shall take any part in unauthorized soliciting of contributions or collection of money, or distribute any handbills or advertising matter, upon any of the Company's premises or vessels, or except as authorized by the Company.

15. Betting and gambling

No person shall bet or gamble at any time upon any of the Company's premises or vessels.

16. Obedience to lawful instructions

All passengers shall at all times obey all reasonable and lawful instructions of a servant of the Company acting in the course of his duties.

17. Interference with mechanism or equipment

No person shall interfere with any mechanism or equipment on the Company's premises or vessels in any way, or do anything liable to cause damage to such mechanism, equipment, premises or vessels, or to delay the Company's operations, or to cause injury or discomfort to any person.

18. Name and address

If any servant of the Company has reason to believe that any person has committed or is committing a breach of these by-laws, he shall be entitled to ask such person for his name and address, and any such person shall then forthwith furnish to the servant of the Company his true name and his true address.

19. Lost property

Property found on any of the Company's vessels or premises and not immediately claimed by the true owner thereof shall be handed over to the servant of the Company, who shall pass the same to the Company's officers for safe custody until it is claimed by the true owner thereof.

20. Sections 38, 39 and 40 of Ferry Services Ordinance

Notwithstanding any provisions herein contained to the contrary, the Director of Civil Engineering and Development, the Director of Marine and the Commissioner for Transport and any person so authorized by any one of them may at all reasonable times have access to and may enter upon any of the Company's piers, premises or vessels in accordance with sections 38, 39 and 40 of the Ferry Services Ordinance (Cap 104).

(L.N. 127 of 1986; L.N. 364 of 1991; L.N. 104 of 2004)

21. Penalties

Any person who contravenes any of these by-laws commits an offence and is liable on conviction to a fine of \$2000.