

Chapter:	104A	<b>FERRY SERVICES REGULATIONS</b>	Gazette Number	Version Date
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		<b>Empowering section</b>		30/06/1997
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(Cap 104, section 44)

[15 June 1982]

(Originally L.N. 206 of 1982)

Part:	I	<b>PRELIMINARY</b>		30/06/1997
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Regulation:	1	<b>Citation</b>		30/06/1997
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These regulations may be cited as the Ferry Services Regulations.

Regulation:	2	<b>Interpretation</b>		30/06/1997
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In these regulations, unless the context otherwise requires-

"cargo" (貨物) includes goods, baggage of passengers, vehicles and cargo carried in vehicles;

"Commissioner" (署長) means the Commissioner for Transport;

"ferry point" (渡輪靠泊點) means a place served by a ferry service at which a ferry vessel is scheduled to stop to take on or let down passengers or cargo.

Part:	II	<b>GENERAL</b>		30/06/1997
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Regulation:	3	<b>Display of services and fares</b>		30/06/1997
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A grantee or a licensee shall cause to be displayed in a conspicuous place, and in a manner approved by the Commissioner-

- (a) at or near each pier used by a franchised or licensed service; and
- (b) at such other places as may be specified by the Commissioner,

full details of ferry services provided by the grantee or licensee including the fares payable on each service and a time table of the services.

Regulation:	4	<b>Maximum fares</b>		30/06/1997
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A grantee or licensee shall not demand from a person a fare or charge for a ferry service which he is required to provide under his franchise or licence in excess of the fare or charge fixed or otherwise determined under the Ordinance, or the franchise or licence for that ferry service.

Regulation:	5	<b>Offensive cargo</b>		30/06/1997
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Subject to the prior written consent of the Commissioner and to any directions the Commissioner may give in relation thereto, a grantee or licensee shall not carry on any ferry vessel any cargo the presence of which might reasonably be expected to cause offence to any passenger on the ferry vessel.

Regulation:	6	<b>Notice of temporary suspension</b>		30/06/1997
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(1) A grantee or licensee shall, having due regard to the circumstances, give adequate notice to the public in the event of any temporary suspension or proposed temporary suspension of a ferry service or resumption of a suspended ferry service.

(2) The Commissioner may give directions to a grantee or licensee as to what constitutes adequate notice for the purposes of paragraph (1).

Regulation:	7	<b>Signs</b>		30/06/1997
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A grantee or licensee shall not erect or permit the erection of signs or destination indicators on any approach to a pier or berth without the consent of the Commissioner.

Part:	III	<b>PROVISIONS RELATING TO LICENSED SERVICES</b>		30/06/1997
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Regulation:	8	<b>Restriction on entering ferry vessel, etc.</b>		30/06/1997
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No person shall, without lawful authority-

- (a) enter upon any ferry vessel;
- (b) enter upon any pier or other place reserved for a ferry service;
- (c) enter upon any part of a ferry vessel which is marked with an indication that admission is prohibited or restricted; or
- (d) enter upon the bridge, wheelhouse or engine room of any ferry vessel.

Regulation:	9	<b>Access to be kept clear</b>		30/06/1997
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No person shall, without reasonable excuse, stand upon the gangway or other accessway to or from any ferry vessel, or otherwise impede access to or along the gangway or other accessway to the ferry vessel.

Regulation:	10	<b>Safety equipment</b>		30/06/1997
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No person shall throw or attempt to throw any lifebuoy or any equipment on or from any ferry vessel or pier except in the case of an emergency.

Regulation:	11	<b>Littering</b>		30/06/1997
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No person shall drop any rubbish on any ferry vessel or pier otherwise than in a receptacle provided for that purpose.

Regulation:	12	<b>Noise</b>		30/06/1997
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(1) No person on a ferry vessel in use on a franchised or licensed service shall-

- (a) behave in such a manner; or
- (b) operate any radio, tape recorder or musical instrument,

so as to cause inconvenience to any passenger.

(2) The person in command of a ferry vessel in use on a franchised or licensed service may, at any time during a journey by the ferry vessel, require any person who has in his possession a radio, tape recorder or musical instrument

to stop using such radio, tape recorder or musical instrument.

Regulation:	13	<b>Boarding full vessels</b>		30/06/1997
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No person shall travel or attempt to travel in or bring or attempt to bring any vehicle on board any ferry vessel in use on a licensed service after being informed by a member of the staff of the licensee that such ferry vessel contains the full complement of passengers or vehicles.

Regulation:	14	<b>No smoking in designated areas</b>	L.N. 307 of 1998	04/09/1998
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No person shall smoke or carry any lighted pipe, cigar or cigarette in any part of a ferry vessel in use on a licensed service which is marked with the indication that smoking is prohibited in that part of the ferry vessel.  
(L.N. 307 of 1998)

Regulation:	15	<b>Use of piers, etc.</b>		30/06/1997
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Except with the prior written consent of the Commissioner, a licensee shall not use or permit any other person to use any pier or berth for any purpose other than the operation of a licensed service.

Regulation:	16	<b>Personal baggage</b>		30/06/1997
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- (1) No person shall without the permission of the licensee take or have on board a ferry vessel in use on a licensed service any personal baggage other than baskets, bags or parcels carried by hand.
- (2) A person shall not stow any personal baggage on a seat on a ferry vessel in use on a licensed service.
- (3) No person shall take on board a ferry vessel in use on a licensed service any cargo that may reasonably be expected to cause offence to any passenger on the ferry vessel.

Regulation:	17	<b>Restriction on animals on ferry vessels</b>		30/06/1997
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- No person shall take a dog, bird or other animal in or onto a ferry vessel in use on a licensed service or pier or other place reserved for embarkation of passengers using a licensed service unless-
- (a) the dog, bird or other animal is suitably restrained or caged; and
  - (b) the person desiring to take the dog, bird or other animal on board the ferry vessel has first obtained the approval of a member of the staff of the licensee.

Regulation:	18	<b>Standing on seats</b>		30/06/1997
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No person shall stand, or place his feet, on any seat on a ferry vessel or any pier used for or in connection with a licensed service.

Regulation:	19	<b>Alighting from ferry vessel, etc.</b>		30/06/1997
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- No person shall alight or attempt to alight from, or board or attempt to board, any ferry vessel in use on a licensed service-
- (a) while the ferry vessel is underway; or
  - (b) by a means other than the entrance or exit provided therefor.

Regulation:	20	<b>Improper use of ferry pier</b>		30/06/1997
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(1) No person shall without lawful authority open or remove or attempt to open or remove, or climb over or attempt to climb over, any gate or barrier erected on any pier or other place reserved for the purposes of a licensed service.

(2) No person shall without lawful authority make fast any launch, sampan, boat or other craft to, or use or embark or disembark passengers at, any pier reserved for the purposes of a licensed service.

Regulation:	21	<b>Embarkation etc., from sampans, etc.</b>		30/06/1997
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No person shall embark on or disembark from a ferry vessel in use on a licensed service from or on to any sampan, boat or other craft where any other means of embarkation or disembarkation is provided.

Regulation:	22	<b>Class of passage</b>		30/06/1997
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No person shall travel on a ferry vessel in use on a licensed service in a class higher than that for which he has paid the fare.

Regulation:	23	<b>Obstruction of authorized persons</b>		30/06/1997
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No person shall wilfully obstruct any person acting under the authority of a licensee in the discharge of his duties.

Regulation:	24	<b>Intoxicated persons</b>		30/06/1997
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(1) A licensee may refuse access to a ferry vessel in use on a licensed service by an intoxicated person notwithstanding that the person has tendered the appropriate fare, gained admission to a pier or other point of embarkation used for the purposes of a licensed service or holds a ticket that would otherwise have permitted him to embark onto the ferry vessel.

(2) The person in command of a ferry vessel in use on a licensed service may, at any time during a journey by the ferry vessel, require an intoxicated person found on board the ferry vessel to disembark at a ferry point on such licensed service as directed by the person in command.

Regulation:	25	<b>Tickets</b>		30/06/1997
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(1) A licensee may issue tickets including monthly, season and punch tickets to cover one or more journeys on a licensed service.

(2) Every person to whom a ticket is issued in respect of a fare paid for a journey by a ferry vessel in use on a licensed service (including tickets issued under paragraph (1)) shall on demand produce the same to any member of the staff of the licensee authorized to collect or inspect tickets.

(3) A person shall surrender any ticket, other than a multiple journey ticket, issued in respect of a fare paid for a journey by a ferry vessel in use on a licensed service upon demand to any member of the staff of the licensee authorized to collect tickets.

(4) A person shall surrender a multiple journey ticket issued in respect of fares paid or a number of journeys by a ferry vessel in use on a licensed service to any member of the staff of the licensee authorized to collect tickets upon demand made at any time during or after completion of the last journey for which the ticket is issued.

Regulation:	26	<b>Prohibition on swearing, etc.</b>		30/06/1997
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No person shall swear or use obscene or offensive language while in or upon any ferry vessel or pier in use on or reserved for a licensed service.

Regulation:	27	<b>Prohibition on spitting</b>		30/06/1997
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No person shall spit in, on or from any ferry vessel or pier in use on or reserved for a licensed service.

Regulation:	28	<b>Fee for licence</b>	L.N. 139 of 1998	27/02/1998
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There shall be payable in respect of the issue of a licence a fee of \$175.  
(L.N. 302 of 1990; L.N. 258 of 1994; L.N. 196 of 1995; L.N. 527 of 1996; L.N. 26 of 1998; L.N. 139 of 1998)

Part:	IV	<b>EVIDENCE AND OFFENCES</b>		30/06/1997
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Regulation:	29	<b>Name and address to be given in certain circumstances</b>		30/06/1997
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(1) Where a person is suspected of having committed an offence against the Ordinance or these regulations, he shall on demand give his name, address and proof of identity to any member of the staff of a grantee or a licensee who produces reasonable proof of his identity to the alleged offender.

(2) In this regulation "proof of identity" (身分證明) has the meaning assigned to it by section 17B of the Immigration Ordinance (Cap 115).

Regulation:	30	<b>Offences and penalties</b>		30/06/1997
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Any person who contravenes any of the provisions of regulation 3, 4, 5, 6(1), 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25(2), (3) and (4), 26, 27, or 29(1) commits an offence and is liable to a fine of \$2000.