

## **BOAT CHARTER**

### **SUMMARY**

This paper outlines the policy on *boat charter* operators (including glass bottom boats) which is licensed as *hire-craft*. Under the Control of Hire-craft Act, **Hire-craft** means *a boat let out for hire for fishing as a sport or for pleasure purposes only and includes the hiring of any craft*.

Although yachts/live-aboards are also licensed as hire-craft, boat charters usually offer a different type of product, hence, a separate policy is necessary. The policy also needs to be updated to be brought in line with other changes that are taking place in the economy such as the Investment Code.

The policy statements in this paper include:

1. Ownership/Investment
2. Fleet size
3. Qualification
4. Conditions of license
5. Standards
6. Environmental Actions
7. Preservation of the Environment
8. Vertical Integration
9. Submission of Information
10. Non-compliance
11. Emergency and Evacuation Procedures
12. Infrastructure

# BOAT CHARTER POLICY

## INTRODUCTION

This paper outlines the policy on the development and operation of boat charter services.

It is important to note that this policy deals specifically with day charter service providers (including glass bottom boats) only. As per the Control of Hirecraft Act, **Hirecraft** means *a boat let out for hire for fishing as a sport or for pleasure purposes only and includes the hiring of any craft*. Other types of vessel providing maritime leisure activities in the tourism industry, such as yachts/liveaboard and diving are addressed in separate papers.

In addition, boats designated as *necessary means of transport* for hotels on other islands **are not** included in this paper. These types of boats are only allowed for hotels or restaurants located where there is no public road transport system and these boats should be used only for the transport of persons and goods to service the proper operation of the hotels. Boats as *necessary means of transport* shall not be allowed to operate or be licensed for boat charter operation.

## DEFINITION

A boat charter operator is one which provides only day excursions and their vessels do not have live-aboard facilities.

The **boat charter** and **glass-bottom boat** sector are regulated by a set of legislations: **1) the Control of Hirecraft Act; 2) Licenses (Trade) Regulations; 3) the Harbour Act and 4) the National Parks and Nature Conservancy Act**

The *Control of Hirecraft Act* regulates the safety and technical aspects of the operation and the *Licenses (Trade) Regulations* regulate the business side of the operation.

The **Harbour Act** relates to the control of traffic in the harbour, of wharves, landing places, quays, buoys, lighters, small craft, plying boats, motor boats employed in the harbour for the transport of persons and goods, and the tariff for such boats.

The **National Parks and Nature Conservancy Act** aims at maintaining the essential ecological processes and life-support systems such as the cleansing of waters, preserving the genetic diversity and ensuring the sustainable utilization of species and ecosystems.

The Department of Tourism and the Seychelles Licensing Authority are responsible for monitoring performance, comfort standards and level of service under the license regulations; while the Seychelles Maritime Safety Administration is responsible for the safety and technical aspects under the Control of Hirecraft Act.

Under the Control of Hirecraft Act and the License (Trade) regulations, the owner of a boat desiring to use such boat as a hirecraft shall apply for a license in the manner provided under the licenses act.

The Seychelles Maritime Safety Administration categorises hirecraft operators according to their range of operation within an inhabited shore and given a HC number accordingly:

**HC >100** for those operating up to 2 Nautical miles

**HC >200** for those operating up to 10 Nautical miles

**HC >300** for those operating up to 60 Nautical miles

**HC >400** for those operating above 60 Nautical miles.

## **OVERVIEW**

There are currently about 135 vessels licensed for boat chartering services. The services offered in this sector vary and it ranges from the small boat operators that offer coastal scenic trips, including glass bottom boats, to the larger ones that can go beyond 60 nautical miles that can offer big game fishing and other activities.

The sector employs about 500 persons directly. It also provides many opportunities for other support service providers such as repair and maintenance. Most of the operators are located on Mahe, Praslin and La Digue, and they are all owned and managed by Seychellois only.

## POLICY STATEMENTS FOR BOAT CHARTER

### General Policy

**The overall objective is to develop the boat charter sector so as to offer visitors and locals the opportunity to enjoy and experience the marine beauty of Seychelles which is one of the country's natural assets. The boat charter and maritime pleasure activities shall be developed in such a way that complements services and activities in the tourism industry and adds value to the visitors' experience and provides value for money. It shall also be developed in a sustainable manner that future generations can also enjoy.**

#### Policy 1

##### **Ownership/Investment**

**Ownership in boat charter services shall be reserved for Seychellois only.**

Ownership and investment in boat charter services shall be reserved for "Seychellois only." Seychellois only means one hundred percent of shares are held by Seychellois citizens including all assets (The promoter/s should be the owner/s of the vessel).

#### Policy 2

##### **Fleet Size**

**There shall be no limit on the size of the fleet in boat charter operation.**

There shall be no limit on the size of fleet in the boat charter operations, subject to Policy 1. An operator may have additional boats in fleet subject to the Seychelles Maritime Safety Administration (SMSA) and the Tourism Department being notified.

#### Policy 3

##### **Qualification**

**All boat charter operators shall employ properly qualified personnel.**

All boat charter operators shall ensure that they are properly trained and qualified in accordance to the Seychelles Policy on local seafarers Competency. This includes coxswain to deckhand and other staff working on the boat.

The Seychelles Maritime Academy (SMA) shall through a Memorandum of Understanding with the Seychelles Tourism Academy (STA), offer customer care and hospitality training as part of the non-STCW Training offered by the Seychelles Maritime Academy.

Boat charters are encouraged to take advantage of the 8th Schedule of the Business Tax Act by employing students and apprentices of the Seychelles Maritime Academy and Seychelles Tourism Academy.

Boat charters are also encouraged to utilize My First Employment Scheme and provide for employment of youth within the sector.

#### Policy 4

##### **Conditions of Licence**

**A boat charter operator shall use the boats only for purposes stated in the licence.**

A boat charter operator shall use the boats only for the purposes stated in the licence and as per conditions of the licence. The licence allows the operator to provide activities including but not limited to snorkelling and other maritime leisure activities to clients. It does not include ferry services.

A permit obtained from the Seychelles Fishing Authority (SFA) is required for a boat charter operator to offer big game fishing.

#### Policy 5

##### **Standards**

**All boat charter operators shall be required to meet the minimum standards of the regulatory bodies.**

All boat charter operators shall be required to meet the quality and standards set by the regulatory bodies which include, but are not restricted to, the Tourism Department, the Seychelles Licensing Authority (SLA), Department of Environment, Seychelles Maritime Safety Administration, Seychelles National Parks Authority (SNPA), National Bureau of Statistics and Seychelles Fishing Authority.

#### Policy 6

##### **Environmental Actions**

**Environmental actions need to be undertaken to minimize the impact of boat charter activity.**

Hire-craft activities are dependent on a pristine environment. If boat charter is to increase, it is important that steps are taken at the outset to implement schemes, legislation and management concerns in order to effectively manage the added threat to the natural environment. Such concerns would relate to anchoring and damage to the seabed, disposal of garbage, holding, treatment and disposal of sewage, disposal of effluents (liquid and solid waste), pollution of marinas, pollution from boat engines and pollution of waters around boat repair facilities.

Government shall put in place the necessary facilities for solid waste disposal to ensure that municipal facilities within communities are not burdened.

Boat charter operators are expected to use mooring buoys in areas where there are coral reefs and dispose of their waste in a sustainable manner which does not cause adverse effects to the environment.

#### Policy 7

##### **Preservation of the Environment**

**All boat charter businesses shall sensitise their clients on the need to preserve the environment and respect the laws that are in place.**

It is the responsibility of boat charter businesses to sensitise their clients on the need to respect the environment and abide to the rules and regulations that govern the activities they are involved in.

Boat charter operators are encouraged to report any misconduct or contravention of laws observed to the respective authorities.

#### Policy 8

##### **Information**

**All boat charter businesses are required to provide information to the all relevant authorities, periodically or whenever requested to do so.**

All operators are required to submit statistics and information as per requirement of National Bureau of Statistics (NBS), Seychelles Maritime Safety Administration, Seychelles National Parks Authority and Seychelles Revenue Commission (SRC) periodically or as and when requested to do so.

The relevant Authorities should be notified immediately of any change of operation, sale of vessel, change of company, change of ownership and change of management.

#### Policy 9

##### **Non-Compliance**

**All boat charter operators shall be fined in cases of non-compliance to the set requirements in accordance to the Seychelles Licensing Act or such other licensing authority.**

In order to be licensed, all operators should comply with the criteria and conditions of all regulatory agencies.

Any boat charter operator that contravenes or breaches with the conditions of the license shall be sanctioned in accordance to the Seychelles Licensing Act or such other licensing authority.

#### Policy 10

##### **Emergency and Evacuation Procedures**

**All boat charter operators are required to have appropriate insurance policies in accordance to the Licenses (Trade) Regulations and all relevant acts/authorities.**

All boat charter operations are required to have clear procedures for emergency response and evacuation, for the safety and security of all passengers as part of multi-hazard preparedness for disaster risk reduction.

All boat charter operators are required to have appropriate insurance policies in accordance to the Licenses (Trade) Regulations and all relevant acts/authorities.

#### Policy 11

##### **Infrastructure**

**Government shall make available wherever necessary, facilities for boat charter operators to display their services.**

Government shall provide an enabling environment for the boat charter operators to market their services.

Designated areas shall be demarcated and necessary infrastructure built to be utilized by boat charter operators to market their excursions and tours. This shall act as a base of operation for boat charter operators without a physical point of operation.

Government shall reserve the right to charge a fee to operators for the use of the infrastructure.