



LANTAU YACHT CLUB
HONG KONG

**Marina Rules & Regulations:
Extracts* of Provisions**

(JAN 2020)

A. BERTHING LICENCE

1. Only qualified Members of Lantau Yacht Club (“the Club”) are entitled to apply for a Berthing Licence conferring the right to use a wet berth.
2. All Berthing Licence applications are subject to written approval by the Club and berths are allocated on a first-come-first-served basis subject to availability. Fixed berths are not guaranteed.
3. Prior to the commencement of the Berthing Licence, the vessel owner shall furnish the Club with evidence of such insurance as may be required by any competent authority and shall renew or replace such insurance coverage upon its expiry or termination.
4. The Berthing Licence is non-transferrable and no rights of the berth holder created under the Berthing Licence may be transferred or assigned without specific written consent of the Club.
5. Should the berth holder (or the registered vessel Owner if different from the berth holder) attempt to sell, charter, or transfer all or any portion of the vessel owner’s interest in, or possession of, the vessel, all rights under the Berthing Licence shall automatically terminate with immediate effect, unless the Club otherwise agrees in writing.
6. If the vessel is sold, the berth holder is required to inform the Club within three (3) calendar days of the sale (Bill of Sale). In such an event, the Berthing Licence shall become void and the Berth Holder shall surrender all rights (but not obligations) under the Berthing Licence and is required to re-apply for a Berth (subject to availability) should he intend to bring in a new vessel. The Club shall have the discretion to approve the new vessel and the prevailing applicable Rates shall apply.

B. THE VESSEL

1. Ownership of a vessel must be such as shown in the registration document of the vessel as issued by the authorities of its origin. The requirement of standing to become a berth holder by entering into a Berthing Licence with Lantau Yacht Club is as follows:



LANTAU YACHT CLUB
HONG KONG

- a) In the case of a vessel owner being an individual person who has been admitted as an Individual Member, the Individual Member must hold at least 51% interest in the vessel in order for him to be considered a prospective berth holder; or
- b) In the case of a vessel owner being a company, partnership or unincorporated association, the company, partnership or unincorporated association which has been admitted as a Corporate Member, the Corporate Member must altogether hold 100% interest in the vessel in order for it to be considered a prospective berth holder; or
- c) In the case where the vessel is solely owned by a company with a shareholder being an individual person holding at least 51% of the interest in the company who has been admitted as an Individual Member, the Individual Member must have a valid and effective authorisation from the company for him to act on its behalf in order for him to be considered a prospective berth holder.

C. THE BERTH LICENCE FEE

1. The berth holder shall pay the berth licence fee as set out in the Berthing Licence.
2. In addition to the berth licence fee, the berth holder shall pay in full all utility charges for electricity and water supplied, and waste collection services at the end of each month or at the end of the term (whichever is applicable) in accordance with the Club's published policy and rates. The licence fee for the wet berth and dry berth is based on the length of the berth or the length of the vessel, whichever is greater.

D. THE BERTHING DEPOSIT

1. The berth holder shall pay to the Club the deposit(s) set forth in the Berthing Licence.

E. TERMINATION

1. The Berthing Licence may not be pre-maturely terminated without the prior written consent of the Club.

F. OTHER REGULATIONS GOVERNING THE MARINA

1. The marina is for the use of recreational vessels and leisure-oriented nautical activities. vessels or activities which are of a commercial character are permitted subject to prior written authorisation from the Club. All complimentary uses, in



LANTAU YACHT CLUB
HONG KONG

harmony with the natural surroundings of the Marina, which are proposed by marina users, may be accepted at the Club's discretion.

2. All vessels must be well-maintained, in good appearance, sea-worthy, in good working order and capable of moving under their own power at all times. Berth holders must at all times ensure that their vessel is safely and properly secured in a manner and position acceptable to the Club and according to generally accepted seaman standards.

G. REQUIREMENTS OF VESSEL OWNER / BERTH HOLDER

1. All berth holders are required to provide the Club with the full list of their respective crew members.
2. The berth holder shall not and shall not permit any person to, reside within the marina or aboard the vessel, or use the marina or vessel as their legal domicile or as a place of residence. The Club shall be entitled to request and reasonably require any berth holder or crew member to provide documentary evidence showing that he or she has a permanent residential address.
3. If a berth holder wishes any members of his crew to have independent access to the Marina, he must apply in writing for and obtain a crew identity pass for each such crew member. Crews without crew identity passes must be accompanied at all times by the berth holder. Crew identity passes shall be issued at the discretion of the Club subject to the payment of an administrative fee as may be determined by the Club.

H. FINES

1. The Club may impose fines to the vessel owner or crew for repetitive violation of any of the Marina Rules and Regulations. The Club will not impose those fines lightly but as an ultimate tool to rectify behaviour or situation that is considered a nuisance or potential hazard.

* Note: *These extracts are intended to be informative only and are not a verbatim and complete reproduction of the subject rules and regulations.*