



IS MY BOAT A PLEASURE CRAFT OR NON-PLEASURE CRAFT?

In Canada, boats are defined and regulated by how they are used. Canadian law is based on how you use the boat, not how you rented or hired it. This can make it hard to know if your boat is a pleasure craft or not, since many boats can be used for both work and recreation.

WHAT'S A PLEASURE CRAFT?

- Any boat used only for your own pleasure/recreation.
 - » The people on board are friends, family, or guests. Generally, guests are people carried on board a boat used exclusively for pleasure and without payment or any object of profit.
 - » This includes boats used to hunt or fish for your personal use (subsistence living) or daily activities (such as taking your pleasure craft to work or school).

Note: You can hire a captain or crew to operate a pleasure craft, but only if you use it for pleasure/recreation. Regardless of whether you own or rent your pleasure craft, **you're the only person who can hire and fire a captain and crew** of the pleasure craft.

If you're using the boat for anything other than pleasure/recreation or personal use, it's a non-pleasure craft. This means that you need to follow the non-pleasure craft rules in the *Canada Shipping Act, 2001* and related regulations.

WHAT'S A NON-PLEASURE CRAFT?

- Any boat used to provide a service (e.g., excursion, transport of persons or goods, working platform, etc.);
- Any boat where people on board are paying for a service; or
- Any boat used for anything other than pleasure/recreation or personal use, such as:
 - » guided fishing and hunting trips
 - » carrying passengers for trips or transport
 - » workboats
 - » commercial fishing

If you're using your boat for purposes beyond pleasure, recreation, or personal use or have people paying on board for a service, you must follow the non-pleasure craft rules in the *Canada Shipping Act, 2001* and related regulations.

Note: Operating your pleasure craft for non-pleasure craft purposes is illegal and can result in significant fines.

Note: Non-pleasure crafts are often referred to as "commercial vessels."



WHAT'S THE DIFFERENCE BETWEEN A GUEST AND A PASSENGER?

GUEST:

someone on a pleasure craft who doesn't own or rent the pleasure craft.

PASSENGER:

someone on a non-pleasure craft who isn't the master, crew, or working on the vessel.

Pleasure craft can only carry guests, and people carried onboard are not considered guests if you make money or profit off them. If you're taking friends or family out on your pleasure craft for fun and they split the cost of the fuel with you, they are still considered guests and the vessel is still a pleasure craft.

For more information, please contact your regional Transport Canada Marine Safety Office or visit our website: canada.ca/boating-safety

EXAMPLES OF RENTING AND HIRING PLEASURE CRAFT

| SITUATION | WHY IS THE BOAT A "PLEASURE CRAFT"? |
|---|---|
| You rent or hire a boat from a company or owner and only use it for pleasure/recreation. No master or crew are hired, and people on board are not paying for a service. | You only use the boat for your own pleasure/recreation and any people on board are not paying for a service. Canadian law is based on how you use the boat, not how you rented or hired it. |
| You rent or hire a boat from a company or owner and only use it for pleasure/recreation. You hire a master or crew to help operate the boat. The captain or crew have no links to the rental company or boat owner. | The company or person you rented/hired the boat from isn't operating the boat. As such, you have full control of hiring and firing decisions made regarding the captain and crew. |

EXAMPLES OF RENTING AND HIRING NON-PLEASURE CRAFT

| SITUATION | WHY IS THE BOAT A "NON-PLEASURE CRAFT"? |
|--|---|
| You rent or hire a boat from a company or owner and use it to transport workers to and from a worksite. | Because you are using the vessel for a business activity, the boat is considered a non-pleasure craft. |
| You rent or hire a boat from a company or owner just for pleasure/recreation and are told you must hire a captain or crew that is either: <ul style="list-style-type: none"> the vessel's owner, or chosen from a list given to you by the company or owner <p>You do not have control over the hiring or firing decisions made regarding this captain and crew.</p> | In this scenario, you do not have full control of the hiring and firing decisions made regarding the captain and crew. As such, you do not have full control of the boat because it is the owner, master or crew who have operational control of the boat. <p>Therefore, the boat is considered a non-pleasure craft, specifically a "passenger-carrying vessel" or "passenger vessel".</p> |