



Boating Industry Association

Policy Guide Static Boat Share

Introduction

The Boating Industry Association (BIA) supports innovation that delivers social, economic and environmental benefits to the boating public.

For the boating sector and that includes regulators and industry, there is an opportunity to adapt and innovate regarding peer-to-peer accommodation on recreational vessels at marinas. This can be referred to as 'static boat share' where the vessel is rented via a peer-to-peer system for accommodation but remains secured at its marina berth.

There is a global trend in the way short-term holiday accommodation or personal transport schemes are developed with many, if not all, being internet based. This style of sharing economy platform, which is found in well-known companies such as Airbnb or Uber, could be applied to static boat share.

Supporting regulators to bring the peer-to-peer share economy out of the black economy in a fair and reasonable manner has social, environmental and economic benefits.

BIA Business Plan priorities addressed in this paper are: No. 23/21a; 48/23A; 49/23B (Critical). 33; 43; 27 (Important).

Background

1. A significant number of emerging companies within Europe, USA, Australia and many other places in the world are offering peer-to-peer recreational craft sharing schemes.
2. This follows a global trend in the way short-term holiday accommodation or personal transport schemes are developed with many, if not all, being internet based.
3. This style of sharing economy platform, which is found in well-known companies such as Airbnb or Uber, provides positive aspects to those who are providing the opportunity as well as those who are customers. They can cause disruption to traditional industry business and regulatory models until the industry and regulators adapt to the new paradigms.



Policy Guide Static Boat Share

Boating Industry Association

4. Consumer product, service industries and regulators are facing these challenges as consumers' expectations and behaviours change, and industry products and service offerings are adapting to accommodate these changes.
5. A key driver of the sharing economy is the monetisation of under-utilised private assets. Technology has enabled a peer-to-peer marketplace that connects owners of private assets with consumers desiring to use same. As an example, many craft in marinas are significantly under-utilised and are an obvious opportunity for sharing economy opportunities.
6. By enabling access to the peer-to-peer marketplace in the marine industry, marina tenants (boat owners) who choose to participate in boat share are able to secure revenue to offset some of their costs of ownership, such as maintenance costs and berthing fees, whilst at the same time introducing new people to the boating lifestyle in an affordable and easily accessible way, within a well-managed and controlled setting.
7. The sharing economy thus provides the opportunity to grow participation in boating while making boat ownership more affordable for boat owners. It also provides the opportunity to support local business and local jobs in the boating sector.
8. There are, however, risks that need to be managed to enable to benefits to industry and consumers to be realised in a safe and sustainable way.
9. AMSA has considered peer-to-peer boat share under a potential Exemption 27 to the National Law. However, that agency has determined to not move forward with Ex27 and has referred the subject to the State and Territory regulators for consideration.

Guidance

Static boat share at marinas enables marina tenants (recreational boat owners) to choose to participate in the share economy under an existing framework of rules and regulations that span boating safety, environment, along with planning and development. The following is a guide to the principles which could support implementation of static boat share at marinas:



Policy Guide Static Boat Share

Boating Industry Association

1. Support excluding peer-to-peer static boat share from the National Law with a simple amendment to the Marine Safety (Domestic Commercial Vessel) National Law Regulation 2013 Part 2 Division 2.1 Section 10 as follows:

(bb) if it is used for static accommodation only in a marina where the vessel can be accessed from a pontoon or other fixed structure.
2. Consider *ISO 20410:2017 Tourism and related services – Bareboat charter – Minimum service and equipment requirements* which is applicable to any individual or organization that offers a bareboat for charter.
3. Consent of the marina under any berth licence or lease arrangement to the use of the vessel for static boat share and the terms and conditions thereof including emergency procedures, safety equipment, insurance requirements, noise/disturbance, use of toilets, pollution and waste disposal as set out below.
4. The boat owner should ensure there is suitable insurance covering both the craft itself and the occupants whilst staying onboard specifically acknowledging the use as a static boat share. Any excess and/ or limitations are to be made explicit. A bond should be held for the duration of the accommodation booking typically commensurate with the insurance excess for the vessel. Marinas that provide consent to this use should ensure that their insurers have been notified and have acknowledged the activity.
5. Supply of all safety equipment, as required by local jurisdiction regulations, such as lifejackets, first-aid kit, fire-extinguishers and smoke detectors (in accordance with, for example, ISO 9094) and a carbon monoxide detector (in accordance with, for example, ISO 12133).
6. The vessel has a safe means of access and egress, is connected to shore power, has a holding tank and waste discharges directly into the water are closed off.
7. Marinas may consider providing dedicated areas for craft undertaking this use to segregate the activity from other areas of the marina.
8. A hand-over procedure including a personal induction, supported by a hand-over briefing document, conducted/written in a language understandable by the person



Policy Guide Static Boat Share

Boating Industry Association

occupying the craft who acknowledges receipt and understanding thereof, covering the following key topics:

- a. Certificate or declaration that the craft is in conformity with all the relevant requirements, rules, regulations or relevant local or international standards and any restrictions in place such as the maximum allowable people the craft can accommodate, only booked guests being permitted on the vessel, current gas safety certificates and other certification requirements.
- b. Specific instructions that the vessel shall not leave the mooring or berth, the engines and generator may not be started and the description of any inspection in terms of the mooring arrangement such as checking the position of lines and fenders. These instructions should include details on the closure of windows, portlights and hatches in case of rain as well as the ventilation requirements needed when using a combustion device such as a gas stove.
- c. A list of all lifejackets, lifebuoys and safety equipment and diagrams of where these are located, plus a step-by-step plan on how to react in case an emergency situation arises (in case of fire, a means of escape from the craft) and full contact details for the person/ company responsible for the vessel as well as the closest emergency services.
- d. Detailed instructions on how to operate relevant on-board systems, such as toilets, lighting, heating/cooling, cookers or stove-top, fuel-burning appliances etc. Any operating restrictions regarding specific pieces of equipment or appliances should be clearly communicated.
- e. A full inventory list of all the equipment onboard which should be checked at handover and a signed copy shall be provided to the person(s) occupying the craft.
- f. All requirements for preventing pollution overboard should be clearly listed. This shall include information on garbage disposal.

Notes

- a) The full scope, normative references and definitions related to the *ISO 20410:2017 Tourism and related services – Bareboat charter – Minimum*



Boating Industry Association

service and equipment requirements can be found on the ISO Online

Browsing Platform here: <https://www.iso.org/obp/ui/#iso:std:iso:20410:ed-1:v1:en>

Policy Guide Static Boat Share

Issued: Monday, 04 November 2019