



SHIP SAFETY BULLETIN

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Subject: Using pleasure craft as non-pleasure craft

Scope

This bulletin is for anyone who owns or uses pleasure craft in Canadian waters.

Purpose

This bulletin will help you understand what type of vessel you're using, and how to use it safely and legally in Canada. It will help differentiate when a pleasure craft rented or hired, becomes a non-pleasure craft (commercial vessel).

Background

In recent years, the emergence of online platforms and mobile applications, which allow pleasure craft owners to list their vessels for rent, have made it easier for vessel owners to turn their boats into revenue generators. However, as with short-term property rental and ride sharing services (e.g., Airbnb, Uber, etc.), not all operators of these new small businesses are familiar with the laws and regulations governing them, in particular when the vessel is rented with a captain and crew.

Safety is Transport Canada's main priority. Transport Canada Marine Safety and Security would like to help the owners and operators of these vessels become, and remain, safe and fully compliant with Canadian laws and regulations.

Keywords:

1. Pleasure Craft
2. Non-Pleasure Craft
3. Small Vessel Compliance Program (SVCP)

Questions concerning this Bulletin should be addressed to:

AMSD Transport Canada
Marine Safety and Security
Tower C, Place de Ville
330 Sparks Street, 11th Floor
Ottawa, Ontario K1A 0N8

Contact us at: marinesafety-securitemaritime@tc.gc.ca or 1-855-859-3123 (Toll Free).

What you need to know

In Canada, vessels are defined and regulated by how they're used. This can make it hard to know if a vessel is a pleasure craft or not, since many vessels are used for both work (non-pleasure) and pleasure.

[Is your vessel a pleasure craft or a non-pleasure craft?](#)

[Examples of renting and hiring pleasure craft and non-pleasure craft](#)

What's a pleasure craft?

- Any vessel used only for pleasure (cruising, water sports, fishing), or hanging out with family and friends
- This includes vessels used to fish for yourself (not for catching and selling fish) or daily activities (like driving your boat to work)

If you're using the vessel for anything other than just pleasure, 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.

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

Information on using a pleasure craft

- [Transport Canada Safe Boating Guide](#)

What's a non-pleasure craft?

- Any vessel used for anything other than pleasure

If you're using a vessel for something other than pleasure, you must follow the non-pleasure craft rules in the [Canada Shipping Act, 2001](#) and related regulations

Your vessel is considered a non-pleasure craft if you use it for:

- guided fishing and hunting trips
- carrying passengers for trips or transport
- workboats
- commercial fishing

Who's a passenger, who's a guest?

Canadian law defines a:

- “guest” as someone on a pleasure craft, but doesn't own or rent the pleasure craft; and
- “passenger” as someone on a non-pleasure craft that isn't the master, crew, or working on the vessel

Pleasure crafts can only carry guests, and people carried on board 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.

Information on using a non-pleasure craft

- [The Small Commercial Vessel Safety Guide - TP 14070 E](#)
- [The Small Vessel Compliance Program](#)

Proof of Competency

You don't need proof of competency to use a pleasure craft in the waters of Nunavut or the Northwest Territories

Anyone who uses an engine-powered vessel needs **proof of competency**. “Proof of Competency” is a document, such as a Pleasure Craft Operator Card (PCOC), that proves you have successfully completed the Transport Canada boating safety test, you understand the basic rules and can safely operate a boat.

You can get a Pleasure Craft Operator Card by taking a boating safety course in-person or online and passing the Transport Canada test at the end of the course.

If you have an operator's card there are rules on what types of boat you can operate, and where you can operate it.

- In [sheltered waters](#), you can operate a **non-pleasure craft** (except a tug) that is:
 - no more than 8 meters long
 - carrying no more than 6 [passengers](#)
 - a fishing vessel of up to 15 gross tonnage or no more than 12 meters long
- If a vessel is within 2 nautical miles from shore on a [Near Coastal, Class 2](#) voyage, you can operate a **non-pleasure vessel** (except a tug) that is:
 - no more than 8 meters long
 - not carrying any passengers
 - a fishing vessel of up to 15 gross tonnage or no more than 12 meters long

To operate a vessel for other non-pleasure reasons, you'll need more training.

NOTE: non-pleasure vessels are often referred to as “commercial vessels”.

Information on Pleasure Craft Operator Cards

- [Proof of competency for recreational boaters](#)
- [Frequently asked questions about Pleasure Craft Operator Card](#)

Questions?

If you have any questions or need more information, please contact the nearest [Transport Canada Marine Safety Office](#).

For questions on how to register your small commercial vessel, visit: [Canadian Register of Vessels](#)

*Annex 1: Examples of renting and hiring pleasure craft and non-pleasure craft***Examples of renting and hiring pleasure craft**

Situation	Why is the vessel a “pleasure craft”?
You rent or hire a vessel from a company or owner and only use it for fun. No master or crew are hired.	You only use the vessel for fun. Canadian law is based on how you use the vessel, not how you rented or hired it.
You rent or hire a vessel from a company or owner and only use it for fun. You hire a master or crew to help operate the vessel. The captain or crew have no links to the rental company or vessel owner.	The company or person you rented/hired the vessel from isn’t operating the vessel. 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 vessel a “non-pleasure craft”?
You rent or hire a vessel from a company or owner and use it to transport workers to and from a worksite.	You’re using the vessel for a business activity.
You rent or hire a vessel from a company or owner just for fun 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 don’t have full control of the vessel as the owner, master or crew have operational control of the vessel.</p> <p>In these situations, the vessel is considered a non-pleasure vessel, specifically a “passenger-carrying vessel” or “passenger vessel”.</p>

For more information, please contact your regional Transport Canada Marine Safety Office or visit our website:

Pleasure craft

<https://tc.canada.ca/en/marine-transportation/marine-safety/office-boating-safety>

Non-pleasure craft

<https://tc.canada.ca/en/marine-transportation/vessel-inspection-certification/vessel-inspection-certification>