Maritime & Coastguard Agency

# Call for evidence:

## Use and perceptions of the definition of 'pleasure vessel'

November 2026

# Contents


1. Introduction ..... 3
   1.1 Aim ..... 3
   1.2 Views sought ..... 3
   1.3 Deadline for responses ..... 3
2. Background ..... 4
   2.1 Current definition ..... 4
   2.2 MAIB recommendation ..... 5
   2.3 Application ..... 5
   2.4 Supporting guidance ..... 6
3. Objectives of this call for evidence ..... 7
   3.1 Understanding ..... 7
   3.2 Challenges ..... 7
   3.3 Wider perceptions ..... 7
   3.4 Assessment of impacts ..... 7
   3.5 Suggested amendments ..... 7
4. Questions for respondents ..... 8
   4.1 Use of the current definition ..... 8
   4.2 Practical issues and ambiguities ..... 8
   4.3 Perceptions and understanding ..... 8
   4.4 Impacts ..... 8
   4.5 Future considerations ..... 8
5. How to Respond ..... 9
   5.1 Respondees ..... 9
   5.2 Duration ..... 9
   5.3 Submitting your response ..... 9
   5.4 Confidentiality and data protection ..... 10
   5.5 Freedom of Information ..... 10
   5.6 Data protection ..... 10
6. Next steps ..... 11
7. List of respondees ..... 12

# 1. Introduction

## 1.1 Aim

The purpose of this call for evidence is to gather views, experiences, and supporting information from individuals and organisations on the current definition of a 'pleasure vessel' as used within existing maritime legislation and guidance.

We are seeking feedback on how and when this definition is applied in practice, the clarity and suitability of the definition for contemporary usage, and any wider perceptions or misunderstandings surrounding the term.

This call for evidence is open to all stakeholders, including but not limited to:

- vessel owners
- operators
- recreational boating users
- charities
- water sports organisations
- commercial entities
- maritime training providers
- enforcement bodies
- insurers
- harbour authorities
- representative industry groups

## 1.2 Views sought

Respondees are invited to comment on any aspect of this call for evidence. A more in-depth explanation of the areas for consideration can be found in section 2 of this document.

A full list of questions you are specifically invited to respond to is contained in section 4 of this call for evidence.

## 1.3 Deadline for responses

Responses are welcomed from 10 November 2026 until midnight on 1 February 2027.

# 2. Background

The definition of “pleasure vessel” plays an important role in determining regulatory requirements, including compliance obligations related to safety equipment, manning, training standards, inspections and certification. Vessel usage has changed over recent years with the growth of charter activities, shared ownership models, paid crewing and hybrid leisure-commercial operations. Questions have since emerged about whether the current definition remains fit for purpose.

Marine Guidance Note 599 (M) Amendment 1 Pleasure vessels - regulations and exemptions - guidance and best practice advice reinforces the understanding that whether a vessel is a pleasure vessel depends on how it is used at the time of operation, and that payment is not the sole test of commercial use. However, some vessels are currently hard to classify. These vessels are often run by individuals, charities and organisations that don’t fit neatly into any of the types listed in the current definition of a “pleasure vessel”. This lack of clarity means some vessels may be wrongly treated as pleasure vessels. If that happens, they fall outside the stricter small commercial vessel codes and are then not subject to the same level of regulatory oversight. Your input will help us understand how the definition of pleasure vessel functions in the real world, where ambiguities arise, and what impacts any lack of clarity may have on safety, compliance, industry behaviour, and public understanding.

## 2.1 Current definition

The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 2025 (“the 2025 Regulations”) set out the framework for the regulation of vessels used commercially for sport or pleasure.

The current definition of “pleasure vessel” is contained in the 2025 Regulations, is as follows:

> “pleasure vessel” means—
>
> (a) any vessel which at the time it is being used is—
>
> (i) in the case of a vessel wholly owned by—
>
> (aa) an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
>
> (bb) a body corporate, used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends; and
>
> (ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or

(b) any vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club, where, in the case of any vessel referred to in paragraph (a) or (b), no other payments are made by or on behalf of users of the vessel, other than by the owner; and in this definition "immediate family" means, in relation to an individual, the spouse or civil partner of the individual, and a relative of the individual or the individual's spouse or civil partner; and "relative" means brother, sister, ancestor or lineal descendant;

## 2.2 MAIB recommendation

The Marine Accident Investigation Branch (MAIB) report on the investigation of the person overboard from the keelboat 'LimbItless', resulting in one fatality off Cowes, Isle of Wight, England on 1 October 2022 included the following recommendation for the MCA:

> *"2025/112 Review the definition of the term 'Pleasure Vessel' to clarify that vessels operated by organisations and charities to take vulnerable adults and children afloat do not fall within the scope of that definition."*

The MAIB report into the 'LimbItless' incident noted in its conclusions:

"*It is unfortunate that the regulatory definition of the term 'Pleasure Vessel' is open to a wide degree of interpretation that enables charities the apparent discretion to decide whether their activities are commercial, and therefore subject to regulation. The lack of independent oversight evident in this case indicates that approving and licensing authorities would benefit from guidance from the marine regulator on when an activity, particularly one involving impaired or disabled people, should be subject to licensing and oversight*."

## 2.3 Application

The 2025 regulations apply to any vessel not carrying more than 12 passengers which is used commercially for sport or pleasure. Therefore, the 2025 regulations do not apply to any vessels that are pleasure vessels which, as is well known across the industry, are defined in this and other maritime legislation as vessels used on a private and/or non-commercial basis. The 2025 regulations cover seagoing United Kingdom (UK) vessels wherever they are and other seagoing vessels operating from UK ports whilst in UK waters.

## 2.4 Supporting guidance

It is our intention to publish an update to the current MCA guidance, MGN 599 (M) Amendment 1. This will outline any changes to the definition and the consequential impact for vessel owners and operators.

# 3. Objectives of this call for evidence

## 3.1 Understanding

We are seeking evidence to understand how and when the current definition of “pleasure vessel” is used, including:

- in practical decision making by vessel owners and operators
- in enforcement or regulatory contexts
- in relation to insurance assessments or risk evaluations
- by training bodies and maritime professionals
- by charities and similar organisations that take people afloat

## 3.2 Challenges

Identify the challenges, ambiguities, or areas of confusion experienced by stakeholders when applying or interpreting the definition.

## 3.3 Wider perceptions

Capture wider perceptions and assumptions about what constitutes a pleasure vessel including:

- how the term is understood by the recreational boating community
- how the public and commercial operators interpret the term
- whether the current definition aligns with modern recreational and semi-commercial activities for example, bareboat charter, skippered charter, shared ownership and “cost sharing” trips

## 3.4 Assessment of impacts

Assess the positive and negative impacts of any amendment to the current definition on:

- safety and risk management
- administrative or regulatory burden
- innovation within the recreational marine sector
- consistency in enforcement

## 3.5 Suggested amendments

Gather suggestions for amendments to the pleasure vessel definition, including potential adjustments or alternative approaches to defining pleasure vessels.

# 4. Questions for respondents

## 4.1 Use of the current definition:

- In what situations do you rely on the definition of a pleasure vessel?
- How frequently do you encounter it in your work, operations, decision-making, or personal boating activities?
- Is the definition easy to apply in practice? If not, why?

## 4.2 Practical issues and ambiguities:

- Have you experienced any difficulties interpreting the definition?
- Are there vessel types or activities that fall into a grey area?
- Does the definition adequately cover new or emerging models (e.g. app-based charter services, boat clubs, cost-sharing platforms)?

## 4.3 Perceptions and understanding:

- How do you think the term “pleasure vessel” is understood within the recreational boating community?
- How well do the public, commercial operators, and insurers understand the distinction between pleasure and commercial use?
- Are there common misconceptions we should be aware of?

## 4.4 Impacts:

- Has the definition had any practical consequences for safety, compliance, or risk management?
- Does it create unnecessary burden or hinder legitimate activity?

## 4.5 Future considerations:

- Should the definition be updated or modernised? If so, how?
- Do you have examples from other countries or jurisdictions that may help inform improvements?

# 5. How to respond

There are specific questions highlighted in section 4 of this document. Responses may be submitted by email, online form, or post.

Please include supporting evidence where available, such as:

- case studies
- operational data
- incident reports
- examples of conflicting interpretations
- legal or insurance experiences

## 5.1 Respondees

The call for evidence is published on GOV.UK for any member of the public who wishes to read it and respond to it. The Maritime and Coastguard Agency (MCA) has specifically notified other Maritime Associations such as Certifying Authorities, Recognised Organisations, British Marine, the Professional Charter Association, the Professional Boatman's Association and other interested parties, including other government departments and devolved administrations.

## 5.2 Duration

This call for evidence is open for 12 weeks from 10 November 2026. The deadline for responses is midnight on 1 February 2027.

## 5.3 Submitting your response

Responses to this call for evidence should preferably be emailed to codes@mcga.gov.uk. Any questions should also be sent to this email address.

If preferred, you can also send in your response by post to:

Maritime and Coastguard Agency
Spring Place
105 Commercial Road
Southampton
SO15 1EG

When responding, representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions.

## 5.4 Confidentiality and data protection

Information provided will be handled in accordance with data protection legislation. A summary of responses may be published, but individual respondents will not be identified without permission.

## 5.5 Freedom of Information

Information provided in response to this call for evidence, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department for Transport (DfT) or the MCA.

The MCA will process your personal data in accordance with the data protection framework, and, in most circumstances, this will mean that your personal data will not be disclosed to third parties.

## 5.6 Data protection

The MCA is carrying out this call for evidence to gather evidence to inform the development and implementation of regulatory decisions and legislation under sections 85 and 86 of the Merchant Shipping Act 1995. This call for evidence and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. If your answers contain information that allows you to be identified, under data protection law, the MCA, as an executive agency of the department, will be the controller for this information.

The MCA will use your contact details to send you information about the call for evidence, for example if we need to ask follow-up questions. You do not have to give us this personal information but if you do choose to provide it, it will not be used for any other purpose without your permission.

Details about how the MCA looks after personal data, your rights, how to complain, and how to contact our Data Protection Manager can be found in our personal information charter.

Your information will be kept securely on the MCA's IT system, and any written responses will be held in a secure file and cabinet and kept for up to five years, until a post-implementation review has been completed.

If you do not wish to remain on this list, please let us know at codes@mcga.gov.uk

## 6. Next steps

Following the close of the call for evidence, responses will be analysed to determine whether amendments to the definition of "pleasure vessel", or further engagement with stakeholders, are required. Depending on the evidence received, the MCA may undertake a further public consultation on any proposed amendments before legislative changes are taken forward.

Once this call for evidence closes, we will review all responses. In considering the responses we will apply appropriate weight to those from organisations and individuals with specialist knowledge of the subject area.

We will be analysing the responses between spring and summer 2027. Our aim is to publish an overview of the responses and the MCA's comments in summer 2027, which will be available on GOV.UK along with the call for evidence.

Where appropriate the draft regulations and guidance, accompanying guidance and impact assessment will be revised to take into consideration the call for evidence responses.

Our aim is for any new definition to be set out in an amending statutory instrument. The regulations would then be published on legislation.gov.uk.

Every effort will be made to publish the revised accompanying guidance on GOV.UK in advance of regulations coming into force.

# 7. List of respondees

- Andrew Cassell Foundation
- Andrew Simpson Foundation
- Association of Sail Training Organisations
- Bermuda
- British Ports Association
- British Virgin Islands
- Bureau Veritas
- Cayman Islands
- Chamber of Shipping
- Charity Commission for England and Wales
- Devolved administrations
- Disabled Sailors Association
- DNV-GL – Maritime
- Ellen MacArthur Cancer Trust
- Gibraltar
- Guernsey
- International Institute of Marine Surveying
- Isle of Man
- Jersey
- Lloyd's Register EMEA
- MAIB
- Marine Management Organisation
- MECAL Ltd
- Nautilus
- Ocean Youth Trust North
- Ocean Youth Trust Scotland
- Ocean Youth Trust South
- Other organisations and general public through GOV.UK website
- Professional Boatman's Association
- Professional Charter Association
- Recognised Organisations
- Red Ensign Group
- RINA UK LTD
- RMT
- Royal Yachting Association
- Society of Consulting Marine Engineers and Ship Surveyors
- TGWU
- Trinity House
- UK Major Ports Group
- UKSA
- Wetwheels Foundation



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