

LOCAL VESSELS ADVISORY COMMITTEE

Meeting of Joint Sub-committee on Class I and Class IV Vessels

**Traffic control and safety measures for fireworks displays
and other major events**

This paper aims to discuss the measures to enhance the safety of local vessels and navigational safety subsequent to the fatal collision off Lamma Island.

Background

2. At about 2020 hours on 1 October 2012 off Shek Kok Tsui, northwest of Lamma Island, a Hong Kong & Kowloon Ferry Ltd. ferry “Sea Smooth” (海泰) carrying 4 crew and 95 passengers enrouting from Central to Yung Shue Wan, Lamma Island collided with a Hong Kong Electric Company Limited launch “Lamma IV” (南丫四號).

3. The collision resulted in the death of 39 passengers and 87 injuries among many other passengers. As a result of the large number of casualties, the public raised grave concern on the causes of the accident and questioned the marine safety of Hong Kong.

4. While various government departments will undertake a series of investigations in accordance with the relevant statutory procedures and administrative guidelines, a Commission of Inquiry has been set up under the Commissions of Inquiry Ordinance (Cap. 86) to ascertain the causes of the incident and make appropriate findings thereof, consider and evaluate the general conditions of maritime safety concerning passenger vessels in Hong Kong and the adequacy or otherwise of the present system of control, and make recommendations on measures, if any, required for the prevention of the recurrence of

similar incidents in future.

5. Given that it takes considerable time for various investigations and the inquiry to complete, there is an urgent need to explore any feasible improvement measures to enhance the safety of local vessels and navigational safety as soon as possible.

Issues to be explored

6. A number of issues which may help improve maritime safety in navigation and operation of vessels will be explored by the concerned working groups with conclusions to be drawn for reporting to the Committee by mid-December 2012 for consideration:

Regarding the advisory guidance on traffic control and safety measures for fireworks displays and other major events, the marine traffic control measures adopted for fireworks displays or major events in the harbour have been used since the early nineties. The control measures in respect of the following areas are stipulated in the Marine Department Notice (**Annex I**) issued before each major marine event:

- a. Restricted Area;
- b. Closed Area;
- c. Arrangement of ferry services inside the restricted area;
- d. Notes on viewing area;
- e. Safety measures to be taken by all vessels;
- f. Closure arrangement of public piers and landing steps; and
- g. Setting up of buffer zones at public piers or landing steps.

The control measures are in the form of advisory guidance to operators, owners and coxswains of local vessels. Failure to comply with the advisory guidance does not incur any statutory liability. The Marine Department (MD) will explore ways to further strengthen the control measures, in particular with regard to speeding of vessels within the short period of time after the completion of the display or event, and study how the advisory guidance can be upgraded to mandatory requirements.

Follow-up Action

7. It is expected that a meeting with the Marine Police, the Leisure and Cultural Services Department and the collaborative departments concerned will be held in mid-November, and another one with the Marine Excursion Association and relevant stakeholders by mid-December, to brief them on the measures to step up inspection on vessels and law enforcement. Such measures include requiring that a crew and passenger list be kept on board and that children on board don lifejackets. These measures are expected to be implemented for the next fireworks display in the harbour or other major celebration events.

8. Announcements of Public Interest will be produced by the relevant sub-committee to promote safety awareness.

9. Depending on the outcome of the discussions in the above-mentioned working groups, MD will examine the most appropriate means, such as incorporation into the Code of Practice, issuing guidance with respect to specifications, standards or requirements by way of a Marine Department Notice (Section 84 of the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation, Cap. 548G) or legislative amendment, to implement the proposed improvement measures to enhance maritime safety.

Advice Sought

10. Members' views are sought on the proposals set out above.

Marine Department

2 November 2012