

# LOCAL VESSELS ADVISORY COMMITTEE

## Minutes of the 26th Meeting

Date : 28 June 2018 (Thursday)  
Time : 2:30 p.m.  
Place : Conference Room A, 24/F, Harbour Building

### Present

**Chairman:** Mr S. F. WONG Deputy Director, Marine Department  
("MD")

**Members:** Ir MAK Chiu-ki Seafarers' Training  
Mr SIU Ping-wing Seafarers' Associations  
Mr CHAN Woon-lung Cargo Vessels' Operations  
Mr WEN Tsz-kit, Bondy Launch & Excursion Vessels'  
Operations  
Mr CHEUNG Kwok-wai Ferry Vessels' Operations  
Mr FONG Chi-fai River Trade Cargo Operations  
Mr Leon CHAN Pleasure Boating Operations  
Mr LAW Ka-hong Superintendent (Operations) (Marine  
Regional Headquarters), Hong Kong  
Police Force ("HKPF")  
Mr H. B. CHAN General Manager/Operations, MD  
(*Report on Paper No. 3/2018*)  
Mr Jerry TANG General Manager/Local Vessels Safety,  
MD  
(*Presentation for Paper No. 5/2018*)

**Secretary:** Mr Anson M. C. SINN Executive Officer (Committee &  
General), MD

### In Attendance

Mr Emil PUI HK & Kowloon Motor Boats & Tug  
Boats Association Ltd.  
Mr W. H. HO Assistant Director (Special Duties),  
MD  
Mr M. Y. CHAN General Manager/Shipping Registry &  
Seafarers, MD

*(Presentation for Paper No. 4/2018)*

Mr G. F. JIANG	Senior Marine Officer/Licensing & Port Formalities, MD
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*(Presentation for Paper No. 6/2018)*

Mr S. Y. CHAN	Senior Surveyor of Ships/Local Vessels Safety, MD
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Miss Dora TUNG	Senior Treasury Accountant/Finance, MD
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*(Present for Paper No. 6/2018)*

### **Absent with Apologies**

Mr SZETO Feut	Ship Building and Repairing Industry
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Mr NG Kwok-wing, Eric	Naval Architecture
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Mr HUANG Li-fan	Ship Survey Work
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Mr WONG Leung-wai	Marine Insurance Industry
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Mr YEUNG Sheung-chun	Fishing Industry
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### **Action**

#### **I. Opening Remarks**

1. The Chairman welcomed all to the meeting and apprised them of the house rules of the Local Vessels Advisory Committee (“LVAC”):
  - (a) All participants are requested to turn their mobile phones to silent mode.
  - (b) The Secretariat will not make written records of the oral comments made by observers in the meetings.
  - (c) Observers should have the Chairman’s signal of consent before speaking in the meeting. Observers will not have the right to vote if and when there is a question coming or arising before an LVAC meeting.
  - (d) If the discussion items involve restricted or confidential documents, pursuant to the “need-to-know” principle, the Chairman can ask observers to withdraw from/leave the meeting. The paper concerned and the discussion will be restricted to the staff members of MD and the members of LVAC.

## **II. Confirmation of Minutes of Last Meeting**

- Secretary            2. With the Chairman's confirmation, members unanimously endorsed the minutes of the last meeting. The minutes would be uploaded to the website of MD. [Post-meeting note: The minutes of the 25th meeting was uploaded to the website of MD on 27 July 2018.]

## **III. Matters arising**

### **(i) Number of Applications and Status of Approval for Laying Private Moorings in Hei Ling Chau Typhoon Shelter (HLCTS)**

3. Referring to paragraph 23 of the minutes of the last meeting, Mr G. F. JIANG (SMO/LPF, MD) reported that the first batch of applications was closed in end January 2018. MD received a total of 56 applications and arranged allocation of mooring spaces by ballot in the presence of the applicants on 20 March 2018. As some applications had been withdrawn, MD only issued 40 permissions to lay private moorings in late June 2018.
4. Mr CHEUNG Kwok-wai suggested that since the mooring area in HLCTS was newly set up, MD could conduct promotion as appropriate, like issuing Marine Department Notices to remind port users of navigation safety in the waters concerned especially during the typhoon season. The Chairman responded that MD would strengthen patrolling in the vicinity of HLCTS, and would consider various ways to inform port users. [Post-meeting note: MD issued letters to the marine sectors, fishermen organisations, ferry companies, relevant islands rural committees and yacht clubs on 6 July 2018 about the new mooring area at HLCTS. The government departments concerned were notified by memorandum on the same day.]

## **IV. Information Item**

**LVAC Paper No. 3/2018 –  
Introduction of Points System for Better Management of  
Private Moorings**

GM/Ops,  
MD

5. Mr H. B. CHAN (GM/Ops, MD) reported on Information Paper No. 3/2018, which informed members of a points system to be introduced by MD for better management of private moorings. In response to the enquiry of Mr LAW Ka-hong (Superintendent (Operations) (Marine Regional Headquarters), HKPF), the Chairman said that the current legislation provided that a private mooring laid shall not be used by any vessel not owned by or under the control of the owner of the private mooring except with the consent of the owner of the private mooring or by direction of the Director of Marine. In other words, the relevant legislation did not prohibit an owner from lending or leasing out his private mooring. The use of a private mooring by vessels owned by other shipowners would not violate the legislation if the consent of the owner of the private mooring was obtained. In the process of laying private moorings, the role of MD was to consider the applications for the laying of private moorings and grant permission to private mooring owners to do so in specified places. MD would mainly consider factors such as safety, marine traffic and the use of sheltered space when granting permission. Upon granting of permission, MD would inspect the use of private moorings to ensure maritime safety, no disruption to marine traffic and proper use of sheltered space. Meanwhile, the sale or transfer of private moorings was a private transaction, and the details and arrangements of which were not within the jurisdiction of MD.
6. Members noted Information Paper No. 3/2018.

**V. New Discussion Items**

**(i) LVAC Paper No. 4/2018 –  
Proposed Amendments to the Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules**

GM/  
SRSB,  
MD

7. Mr M. Y. CHAN (GM/SRSB, MD) presented LVAC Paper No. 4/2018, which set out the proposed additions to Schedule 2 of the Merchant Shipping (Local Vessels) (Local Certificates of Competency) Rules.

8. Mr M. Y. CHAN replied to the question raised by Mr WEN Tsz-kit, Bondy and Mr Leon CHAN that the proposed endorsements set out at the Annex of the paper aimed to let staff of the Harbour Patrol Section of MD and the Marine Police have a clear understanding of the operational limitations and conditions to be complied with by the holder of the certificate when checking the licence on board, while at the same time facilitating coxswains, chief engineers or pleasure vessel operators who were physically unable to perform certain duties to perform such duties with the assistance of others.
9. Members endorsed LVAC Paper No. 4/2018.

**(ii) LVAC Paper No. 5/2018 –  
Survey Requirements for Permanent Ballast**

GM/LVS,  
MD

10. Mr Jerry TANG (GM/LVS, MD) presented LVAC Paper No. 5/2018. MD proposed amendments to the survey requirements for permanent ballast specified in the Code of Practice – Safety Standards for Class I Vessels and the Code of Practice – Safety Standards for Class II Vessels (collectively referred as “CoPs”). Mr Jerry TANG continued that the detailed arrangements for the survey on permanent ballast set out at paragraph 27 of the minutes of the last meeting had already incorporated the remarks under item 7 “Survey / Inspection Items and Survey / Inspection Programmes” in Chapter II of the CoPs.
11. Members endorsed LVAC Paper No. 5/2018 in principle. LVAC agreed to amend the Owner’s Declaration of Permanent Ballast and the resolution requirements for the photos, and that the photos should be in colour and submitted together with a CD.
12. [Post-meeting note: The Secretariat circulated to members the proposed amendments to LVAC Paper No. 5/2018 via email on 20 July 2018, and invited members to raise their comments in two weeks (i.e. on or before 3 August). The proposed amendments included -

- (a) The revised CoPs: the resolution requirements for the photos showing the permanent ballast weights arrangement had been revised to 12 megapixels or above, with an additional requirement for the clarity of printed copies in 1200 x 1200 dpi under the remarks in Table 5-1 in Chapter II “Survey / Inspection, Issuance of Certificate and Plan Approval”.
- (b) The Owner’s Declaration of Permanent Ballast (Annex Y) in the CoPs: (1) Subject to satisfactory results of the Grade B inspection, the shipowner might submit an application for having a Grade B inspection in the subsequent full survey; (2) adding the following options for the information on permanent ballast during a Grade B inspection: (i) filling out the information required in the owner’s declaration and the sketch on a separate sheet; or (ii) enclosing an approved permanent ballast plan; and (3) incorporating the wordings “the owner may seek advice or assistance from the Marine Department”.

No other comments were raised by members as at the deadline (i.e. 3 August 2018), and LVAC Paper No. 5/2018 was endorsed. MD had the amendments to the relevant CoPs gazetted on 31 August 2018. Please refer to G. N. 6489 for details.]

STA, MD (iii) **LVAC Paper No. 6/2018 –  
Fee Revision Proposal**

SMO/  
LPF, MD

- 13. Mr G. F. JIANG (SMO/LPF, MD) presented LVAC Paper No. 6/2018. MD proposed revising the fees for some services. The proposed fee revision in relation to LVAC was set out at paragraph 4 of the paper. Members noted that “the final fee revision rate will be determined by the overall costs of marine services instead of the endorsement or not of individual items” (paragraph 8 of the paper).
- 14. In response to the enquiry of Mr CHEUNG Kwok-wai, the Chairman said that the fees prescribed under the subsidiary legislation of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) which came into operation in 2007 had not been revised for some time. In line with the “user pays” principle, it was the Government’s established policy that fees

and charges should in general be set at levels adequate to recover the full cost of providing the services concerned, and the levels of marine-related fees and charges were reviewed regularly having regard to the principle.

15. Mr H. B. CHAN (GM/Ops, MD) added that MD reduced the port facilities and light dues charged on high speed craft and ocean going vessels in 2011. In a recent costing review, MD noted that there was a rise of 25% in the Composite Consumer Price Index from 2011 to 2018 and a rise of 41% from 2007 to 2018. The “port facilities and light dues” and “fees for permit to remain” could not catch up with inflation. The fees charged in recent years were not able to cover the service cost. The proposed increase of some 13% was relatively moderate when compared with the inflation in the same period.
16. Mr FONG Chi-fai opined that although the proposed fee increase was moderate, it would raise the operating cost of river trade operations. The overall transportation cost would rise as a result, which would have impact on the volume of Hong Kong’s re-exports. The fee increase, coupled with other factors (e.g. the completion of the Hong Kong-Zhuhai-Macao Bridge which might affect the passenger flow / cargo flow of high speed craft and river trade vessels), would make mid-stream operations more difficult.
17. Apart from the comments made by the representative of River Trade Cargo Operations (paragraph 16), no further comments were raised by members on the proposed fee revision in relation to LVAC as set out in paragraph 4 of LVAC Paper No. 6/2018.

## **VI. Any Other Business**

18. Mr CHEUNG Kwok-wai enquired about the statistics on the passing rates of various categories of examinations (including the examinations for the Pleasure Vessel Operator Certificate of Competency and the Local Certificate of Competency) for the first half of 2018 (i.e. January to June). [Post-meeting note: Please refer to *Appendix*.]

## **VII. Adjournment of Meeting**

19. There being no other business, the meeting was adjourned at 3:50 p.m. The date of next meeting would be announced in due course.

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The minutes of the meeting were confirmed on 12 November 2018.

Committee Unit  
Marine Department  
Ref.: L/M (70) to HQ/COM 425/1 (23)



**Statistics on Passing Rates of Examinations  
(From January to June 2018)**

Category	Pleasure Vessel Operator Certificate of Competency				Local Certificate of Competency					
	Grade 1 (Written)	Grade 1 (Oral)	Grade 2 Part A (MC Questions)	Grade 2 Part B (MC Questions)	Coxswain Grade 2 (Written)	Coxswain Grade 2 (Oral)	Coxswain Grade 2 (Chart Work)	Coxswain Grade 3 (MC Questions)	Engine Operator Grade 2 (MC Questions)	Engine Operator Grade 3 (MC Questions)
Grading and Mode of Examination										
No. of Candidates Entered	78	88	1,861	1,810	64	100	79	267	71	236
No. of Candidates Passed	37	17	951	956	32	16	26	90	25	89
Passing Rate	47.4%	19.3%	51.1%	52.8%	50.0%	16.0%	32.9%	33.7%	35.2%	37.7%

Shipping Division  
Marine Department  
July 2018