

PILOTAGE ADVISORY COMMITTEE MINUTES OF MEETING

Date : 16 January 2017 (Monday)
Place : Conference Room A, 24/F, Harbour Building
Time : 2:30 p.m.

Present

Chairman:	S F WONG	Deputy Director, Marine Department ('MD')
Members:	LAM Ming-fung, Lothair MA Kam-fai NG Che-kan, Deforest NING Fuk-kei, Franco CHU Wai-leung YIP Hang-hong ZHOU Wei CHAN Kam-wing TSANG Cheuk-yin, Joe LEE Koon-wah, Bruce LAW Kwun-pan, Marso C T LAI W H WONG Y W LEE	Hong Kong Shipowner Association Hong Kong Liner Shipping Association ('HKLSA') Shipping Agencies Container Terminal Operators Oil Terminal Operators Dockyard Industry Master Mariner Master Mariner Master Mariner Licensed Pilot Licensed Pilot Assistant Director / Port Control, MD General Manager ('GM') / Vessel Traffic Services ('VTS'), MD Surveyor of Ships (Nautical) Examiner, MD
Secretary:	Mr Anson MC SINN	Executive Officer (Committee & General), MD

In attendance

HUANG Jihe	Senior Marine Officer ('SMO') / Vessel Traffic Centre ('VTC'), MD
T F LI	Senior Marine Officer/Planning & Development(3), MD
<i>[Present for PAC Paper No. 2/2017]</i>	
Ms Molly KWAN	Senior Engineer 10 / Hong Kong-Zhuhai-Macao Bridge , Highways Department
<i>[Present for PAC Paper No. 2/2017]</i>	
George TANG	Marine Officer / Pilotage, MD
<i>[Presentation of PAC Paper No. 1/2017]</i>	
K F CHAN	Wallem Shipping (Hong Kong)
Ms Catherine CHOW	China Merchants Port Holdings
Summy CHU	Hong Kong Pilots Association ('HKPA')
Steven LAM	HKPA
Jackson LAU	HKPA
Jerry LO	Hongkong Salvage & Towage
Ms Betty POON	CLP Power Hong Kong
WANG Chi-cheong	HKPA
WU Ka-shun	South China Towing
ZHONG Ying	Yiu Lian Dockyards
Wilson KWAN	Associate Director, BMT Asia Pacific
<i>[Presentation of PAC Paper No. 2/2017]</i>	
Eddie TSANG	Senior Resident Engineer, Arup
<i>[Present for PAC Paper No. 2/2017]</i>	
Andy WU	Senior Resident Engineer, AECOM
<i>[Present for PAC Paper No. 2/2017]</i>	

Absent with apologies

Ms Caroline LU Zheng	Dry Bulk Cargo Operators
YIM Kong, Erik	Break Bulk Cargo Operators
CHOW Shiu-bong	Tug Operators

I. (a) Opening Remarks

Action

1. The Chairman extended his welcome to all the members.
2. The Chairman informed the Pilotage Advisory Committee ('PAC') that the following 14 persons have been appointed / re-appointed *ad personam* as non-official members of PAC for two years from 1 January 2017 to 31 December 2018. A Gazette Notice was published on 30 December 2016¹. The non-official members were :

Appointments

- Mr NING Fuk-kei (Representing the interests of the container terminal operators)
- Mr CHU Wai-leung (Representing the interests of the oil terminal operators)
- Mr YIP Hang-hong (Representing the interests of the dockyard industry)
- Mr CHOW Shiu-bong (Representing the interests of the tug operators)
- Mr CHAN Kam-wing (master mariner)
- Mr TSANG Cheuk-yin (master mariner)
- Mr LEE Koon-wah (licensed pilot)

Re-appointments

- Mr LAM Ming-fung, Lothair (Representing the interests of the Hong Kong Shipowners Association)
- Mr MA Kam-fai (Representing the interests of the Hong Kong Liner Shipping Association)
- Mr NG Che-kan, Deforest (Representing the interests of the shipping agencies)
- Ms Caroline LU Zheng (Representing the interests of the dry bulk cargo terminal operators)
- Mr YIM Kong (Representing the interests of the break bulk cargo operators)
- Mr ZHOU Wei (master mariner)
- Mr LAW Kwun-pan, Marso (licensed pilot)

3. The Chairman informed all attendees that according to the advice from the then Legal Department [now known as the Department of Justice ('DoJ')] in 1982, non-members attending PAC meetings should be subjected to the agreement of PAC Chairman and members as to their attendance as observers. It provided also that observers

¹ <http://www.gld.gov.hk/egazette/pdf/20162052/egn201620527342.pdf>

were not permitted to vote or behave as if they were members of PAC. Their right to speak in PAC should be subjected to the invitation from the Chairman.

4. The Secretary informed all members that since 1994, PAC has adopted a two-tier reporting system of declaration of interests where members (including the Chairman, official and non-official members) would be required to register their personal interests upon their first appointment and then on an annual basis thereafter. The declaration form² was attached vide letters of appointment / re-appointment dated 30 December 2016. He appealed to those who had yet to submit the declaration form to turn it in as soon as practicable.

Post-meeting note: By 20 February 2017, all the declaration forms have been received by the Secretary.

5. The Secretary continued that all members would also be required to declare their direct personal or pecuniary interests at meetings when situations of conflict of interests arose. All cases of declaration of interests shall be recorded in the minutes of the meeting (see para. 7 of PAC Paper No. 2/2007 ‘Declaration of Interests by Members of the PAC’² for details).
6. At this juncture, one of the non-official members, Lee Koon-wah, licensed pilot declared that he is the father of the applicant, Lee Wai-ching, for the forthcoming interview of apprentice pilot. In view of the actual conflict of interest, Lee Koon-wah withdrew from the interview. Other non-official and official members (including the Chairman) declared no actual / potential / perceived conflict of interest on this occasion.

I. (b) Interview of apprentice pilot

7. The Chairman asked those attendees in attendance to withdraw from the interview of apprentice pilot. Only the Chairman, members and the Secretary remained seated.
8. The Chairman said that PAC members would interview one candidate, Mr Lee Wai-ching, who held a Certificate of Competency (Deck Officer) Class 1 and passed the physical fitness and eyesight test.

² i.e. Annex II ‘Register of Interests’ of PAC Paper No. 2/2007, retrievable from http://www.mardep.gov.hk/en/aboutus/pdf/pacp02_07.pdf

9. Lee Wai-ching was asked to brief members on his academic background and work experience in the maritime industry. He was also questioned on his experience in manoeuvring different types of vessels, his sea-time experience and his contribution to the shipping industry as a master mariner.
10. Lee Wai-ching replied, *inter alia*, that he participated in the Career Expo and appealed to the young generation to pursue sea-going career. As for his lack of experience in manoeuvring tankers, he trusted that the training programme provided by HKPA would equip him with comprehensive skills and knowledge in tackling different types of vessels.
11. PAC members were satisfied with the interview performance of Lee Wai-ching, and agreed to recommend him to the Pilotage Authority for registration as an apprentice pilot.

Post-meeting note: With the approval from the Pilotage Authority, Mr Lee registered as an apprentice pilot on 18 January 2017.

I. (c) *PAC Paper No. 2/2017 – Amendment of the Fifth Schedule to Shipping and Port Control Regulations (Cap. 313A) Restricted Areas around Hong Kong International Airport*

12. Those who withdrew from the interview came back to the meeting at this juncture. The Highways Department ('HyD') and his consultant, Mr. Wilson Kwan of BMT Asia Pacific, presented to members PAC Paper No. 2/2017 and ***Appendix I*** detailing the proposed amendment to the coordinates which delineated the boundaries of the Hong Kong International Airport Approach Area (HKIAAA) Nos. 2, 3, 5 and 7 under the Fifth Schedule of the Shipping and Port Control Regulations (Cap. 313A) due to the implementation of the Hong Kong-Zhuhai-Macao Bridge (HZMB) Hong Kong Link Road (HKLR), HZMB Hong Kong Boundary Crossing Facilities (HKBCF) and Tuen Mun - Chek Lap Kok Link (TM-CLKL) projects.
13. The Chairman supplemented that four advisory and statutory bodies under MD [including PAC, Local Vessels Advisory Committee ('LVAC'), High Speed Craft Consultative Committee ('HSCCC') and Port Operations Committee ('POC')] had been consulted by HyD on the proposed amendment in June 2009. HyD and his consultant had updated LVAC and HSCC about details of the proposed amendment in December 2016 and targeted to complete updating PAC and POC about details of the proposed amendment in January 2017. The

legislation process was targeted to be completed by end 2017, before the target commissioning of HKBCF and HKLR.

14. Members noted this paper and raised no comment.

II. Confirmation of the minutes of the last meeting

15. The Chairman asked members to adhere to the timeline set by the Secretary as far as practicable in commenting minutes of previous meetings in future.
16. The Secretary reported that the first draft minutes of the last PAC meeting held on 29 June 2016 was sent to members for comments via e-mail of 22 August 2016 (deadline was set to be 5 September 2016). Having incorporated comments from a former non-official member (a master mariner), the fair copy was issued on 12 September 2016. The fair minutes were re-sent via e-mail on 4 January 2017 in view of the change of new membership term in 2017.
17. The Secretary continued that comments from HKPA were received vide e-mail of 12 January 2017. HKPA wished MD to clarify why “*it was not appropriate to amend the remarks [of Annex I to PAC Paper No. 5/2016 ‘Training, Assessment and Examination Arrangements for Apprentice and Class II Pilots’³] at liberty*” (para. 20 of the fair minutes of the last PAC meeting held on 29 June 2016).
18. W. H. Wong, GM/VTS responded that the complete sentence of para. 20 of the meeting minutes read as, “*since Annex I was extracted from the past PAC meeting minutes which reflected the agreement reached at the time of meeting and was endorsed, it was not appropriate to amend the remarks at liberty*” (emphasis in **bold**). This sentence echoed the last sentence of para. 1 to PAC Paper No. 5/2016, which read as “*The arrangements are prepared under the framework, which is attached at Annex I, endorsed in the PAC meeting held on 18 January 2013*”.
19. Lee Koon-wah, licensed pilot and Marso Law, licensed pilot were of the view, on behalf of HKPA, that paras. 17 and 18 above were issues to be resolved. The Chairman concluded that this issue should undergo thorough discussion in forthcoming PAC Working Group meetings in future before putting it up to PAC for deliberation.

PAC
Working
Group

³ http://www.mardep.gov.hk/en/aboutus/pdf/pacp5_16.pdf

20. Summy Chu, HKPA enquired about any berthing guidelines for passenger ship passing Ma Wan in connection with para. 29⁴ of the minutes of the last PAC meeting held on 29 June 2016.
21. The Chairman responded that while this issue might be raised as an item in Any Other Business ('A.O.B.'), no discussion shall take place upon the minutes, except upon the accuracy.⁵
22. The meeting noted that no other comment on the accuracy of the minutes and confirmed the minutes of the last PAC meeting held on 29 June 2016.

Post-meeting note: The minutes of the last meeting were uploaded to MD's website on 24 February 2017.⁶

III. Matters Arising from Previous Minutes of Meeting

- (a) *PAC Paper No. 2/2014 – Proposed Amendments to the Pilotage Order, Cap. 84C (Appropriate Experience of Applicant)*
and
PAC Paper No. 5/2016 – Training, Assessment and Examination Arrangements for Apprentice and Class II Pilots
23. George Tang, MO/Pilotage reported that the Pilotage (Amendment) Order 2016 has taken effect since 23 December 2016, leading to changes of Schedules 1 to 3 of the Pilotage Order (Cap. 84C). Arising from the changes to classes of pilotage and requirements of experience for pilotage progression, the Class II pilot's licence book would be amended. A sample amended licence book was circulated by the Secretary for members' sight.

Post-meeting note: The Secretary requested the Government Logistics Secretary Department for printing adequate copies of the licence books on 25 January 2017.

⁴ Para. 29 reads, "Mr K. F. Chan, Wallem Shipping (HK) Limited asked (i) whether there was any berthing guideline for vessels at Cruise Terminal passing through Victoria Harbour; and (ii) whether the cruise vessels ought to pass round Hong Kong Island or could simply pass through Victoria Harbour."

⁵ Para. 6(V) of PAC Standing Orders (July 1972) at http://www.mardep.gov.hk/en/aboutus/pdf/pacp16_72.pdf

⁶ http://www.mardep.gov.hk/en/aboutus/pdf/pac_m160629.pdf

24. George Tang, MO/Pilotage continued that para. 10 of the amended Pilotage Order (Cap. 84C) included a transitional provision⁷. In other words, for those licensed pilots registered before 23 December 2016, the pre-amended Pilotage Order (Cap. 84C) would be applicable in respect of, *inter alia*, the classes of pilotage and requirements of experience for pilotage progression.
25. This item would **be deleted** in next meeting.
- (b) *PAC Paper No. 3/2013 – Establishment of Principal Fairways in the Waters North of Lantau Island*
and
PAC Paper No. 5/2014 – Proposal on Rearrangement of Principal Fairways and Anchorage in the Western Harbour
26. Jihe Huang, SMO/VTC reported that these two subject matters were bundled into one proposal for legislative amendment following the advice from the Transport and Housing Bureau ('THB'). The Draft Drafting Instructions ('DDIs') were submitted to THB on 19 December 2016. He continued that members of the Sub-committee on Class III vessels under LVAC had been updated at its meeting of 4 January 2017⁸ concerning establishment of three principal fairways and a fairway junction in the waters north of Lantau Island with a view to enhancing navigational safety. THB
27. The Chairman supplemented that the legislative amendment was expected to take effect in the 3rd quarter of 2017 subject to support of LegCo Panel on Economic Development and the negative vetting procedure. THB
28. Marso Law, licensed pilot commented that there were still a considerable number of fishing activities around that area which would jeopardise navigational safety. He said that since the court case, the proposed legislative amendment had been underway for some six years. He wished to know whether the need for legislative amendment could be obviated, but by, for instance, issuance of Marine Department Notice ('MDN') as an administrative measure of establishing principal fairways in the waters north of Lantau Island.

⁷ Para. 10 of Cap. 84C states that, "*Schedules 2 and 3 to the pre-amended Order continue to apply to a person who is a licensed pilot immediately before 23 December 2016 as if section 7 of the Pilotage (Amendment) Order 2016 had not been made. The pre-amended Order means this Order in force immediately before 23 December 2016.*"

⁸ Vide LVAC Sub-committee on Class III vessels Information Paper No. 1/2017 'Update on establishment of three principal fairways and fairway junction in the waters north of Lantau Island' (only Chinese version is available).

Post-meeting note: The establishment of fairways in waters north of Lantau was not a court case. The court cases referred were *HKSAR v Kulemesin Yuriy and Others* [2010] DCCC 669/2008; *HKSAR v Kulemesin Yuriy and Others* [2011] CACC 19/2010; *Kulemesin Yuriy and Tang Dock Wah v HKSAR* [2013] FACC 6/2012. The judgments (including the criminal appeals) focused on the conviction and the sentence of the masters and the pilots arising from collision of two vessels, namely *Yao Hai*, a Chinese flagged bulk carrier, and *Neftegaz 67*, a Ukrainian flagged oil rig supply vessel in March 2008.

29. Summy Chu, HKPA commented that subsequent to *Yao Hai* collision in March 2008, PAC had discussed recommendations on enhancing navigational safety. He wished to have the fairways in the waters north of Lantau Island established as soon as practicable.

Post-meeting note: At PAC meeting of 4 February 2010, enhancement measures as interim measures subsequent to *Yao Hai* case had been discussed.⁹

30. W. H. Wong, GM/VTS responded that in addition to marine traffic regulation, it was also important to educate persons-in-charge of vessels. He encouraged HKPA to provide more information (such as types of vessels) for MD concerning vessels causing risk to navigation so that MD could trace back and discuss with the operators involved. MD had conducted similar meetings with the Chinese operators of ocean tugs that regularly transited Hong Kong with a view to enhancing navigational safety during their passage in Hong Kong waters.

HKPA

31. The Chairman, supplemented by C. T. Lai, AD/PC, said that, if there were other alternative means, DoJ would have advised MD. To the understanding of MD, the legislative amendment would be the only way. As a matter of fact, MD had submitted DDIs via DoJ to THB (para. 26 above refers).

⁹ Minutes (paras. 20 & 21) of its meeting were extracted as follows:

“20. Capt. CHEN Yu-chi [of HKPA] asked if the passage concerned could be defined as a narrow channel as concluded by the court of the ‘Neftegaz 67’ and ‘Yao Hai’ collision case (‘Yao Hai’ case). The Chairman [Francis Liu, ex-DD of M] said that while the ‘Yao Hai’ case was subject to appeal, it would be inappropriate to change the status of the passage at this moment. Meanwhile, MD had been discussing with HKPA closely on any practical measures to strengthen the traffic management in the area. Mr. Summy CHU [of HKPA] opined that the situation needed to be addressed quickly.

21. Mr. LAI Chi-tung [ex-SMO/VTC] said that several discussions on safe passage in the concerned area between MD and HKPA had been held since the ‘Yao Hai’ case happened in March 2008. To further improve the traffic safety and management in the area, a number of measures had been implemented, such as conduction of trial on convoy, provision of additional navigational information, requesting supply tugs to use the waterways in south of Lantau etc.”

(c) *PAC Paper No. 6/2016 – Establishment of Traffic Separation Scheme ('TSS') and Pilot Boarding Stations in Mirs Bay*

32. W. H. Wong, GM/VTIS updated members on the progress of the issue.
33. Franco Ning Fuk-kei, representing container terminal operators commented that his sector specialised in the transshipment business in Hong Kong. From the perspective of competitiveness, higher cost of port and higher administrative cost (e.g. lengthening time) would be incurred on container terminal operators in the event of full-fledged establishment of TSSs. He continued that as far as he knew, only two liquefied natural gas ('LNG') carriers entered in and out of Mirs Bay per week; moreover, there seemed to be no further development for LNG terminal in Yantian for the next five years. He proposed to have a trial run of TSS for LNG vessels instead of covering all types of vessels.
34. The Chairman replied that, as a matter of fact, apart from LNG carriers, other types of vessels (such as river-trade cargo vessels and oil tankers) also passed through Mirs Bay. The marine traffic flow in Mirs Bay over the years had been increasing. Such increase in marine traffic flow in Mirs Bay would denote an increase in potential navigational risk. It would hence be incumbent upon MD to safeguard navigational safety as the regulator of Hong Kong waters. W. H. Wong, GM/VTIS supplemented by giving statistical figures of the traffic volume that the annual movement of in and out of Mirs Bay water rose from about 38,000 trips in 2008 to about 54,000 trips in 2015.
35. W. H. Wong, GM/VTIS continued that further to para. 25¹⁰ of the minutes of the last meeting, the proposed establishment of TSS in Mirs Bay and MD's intention of resuming compulsory pilotage were two separate but inter-related issues, yet neither one was the prerequisite of the other one. If both items could be implemented in tandem, there would be synergy. In case of any hiccup, TSS would still be established irrespective of provision of pilotage service in Mirs Bay or not; and vice versa. The establishment of TSSs was initially raised by Shenzhen Maritime Safety Administration ('SZ MSA')

¹⁰ Para. 25 reads, "Mr W. H. Wong, GM/VTIS responded that TSS was a routing system to better organise the marine traffic in Mirs Bay whereas pilotage service was provided by licensed pilots who were experts in the local waters of Hong Kong who also had good knowledge in ship handling, appraising traffic situation and handling of emergency situations. On this basis, MD could not agree that establishment of TSS alone would be sufficient to address all marine safety concerns."

taking into consideration the planned development of three LNG terminals in Mirs Bay which would result in over 100,000 gross tonnage LNG carriers passing through that area. As the proposed TSSs would lay across both Hong Kong and Shenzhen waters, MD as an associate member of the International Maritime Organization ('IMO') would submit the proposal jointly with China MSA to IMO for adoption.

Post-meeting note: Currently, one LNG terminal at Xiadong Harbour was under construction and two more LNG terminals were planned to be built in Mirs Bay (para. 2 of PAC Paper No. 6/2016 refers).

36. Franco Ning, representing container terminal operators enquired MD how to strike a balance between navigational safety and Hong Kong's port competitiveness. He said that from his understanding from LNG terminal operators, there would be no more development of LNG terminals in Mirs Bay in the forthcoming years. He also said that members of the expert group meeting of last Friday (i.e. 13 January 2017) in Shenzhen did not entirely agree to the routing study report or had concerns with the recommendations stated in the routing study report. He was of the view that the proposed establishment of TSSs would need public consultation with the stakeholders including the liner shipping sector.
37. The Chairman replied that (i) the proposed establishment of TSSs in Mirs Bay was not only because of the LNG factor (i.e. expansion of LNG terminals and/or number of LNG carriers), but due to an increasing trend of marine traffic irrespective of the types of vessels passing through the area; and (ii) according to a piece of written record, the experts' opinion on the report was read aloud by the Chairman (in Cantonese) as follows: “《報告》¹¹在前期研究基礎上，整體結構合理，技術路線正確，資料詳實，內容全面，結論可信。《報告》所推薦的船舶定線制方案一可作為未來大鵬灣水域船舶定線制的實施方案。” As for the outcomes of the expert group meeting held last Friday in Shenzhen, the Chairman remarked that he had not yet seen any official record or minutes of the meeting, but according to W. H. Wong, GM/VTS who personally attended the meeting, the report received support from members of the expert group.

¹¹ 《大鵬灣水域船舶定線制研究報告》

IV. New Discussion Items

- (a) *PAC Paper No. 1/2017 – Proposed Addendum to the Berthing Guidelines*
38. George Tang, MO/Pilotage presented PAC Paper No. 1/2017. The paper proposed to insert a new berthing guideline ('BGL') for the Sham Shui Kok Trans-shipment Dock as an addendum. The Water Supplies Department ('WSD') had been using this dock for vessels not subject to compulsory pilotage. Since the 2nd quarter of 2016, WSD had employed vessels of over 1 000 gross tonnage for shipments of chlorine that were subject to compulsory pilotage. To serve as operational reference, a BGL for this dock was developed.
39. As no comment was raised, members **endorsed** PAC Paper No. 1/2017.
- (b) *Presentation on Preliminary Preparation for Provision of Pilotage Services in Mirs Bay*
40. Marso Law, licensed pilot gave a powerpoint presentation on providing pilotage service in Mirs Bay. The title of the presentation was "Things to be done to provide pilotage service in Mirs Bay".
41. The Chairman acknowledged the presentation given by Marso Law. This notwithstanding, the Chairman disclaimed the content of a few pages of the powerpoint slides prepared by HKPA, including "*Mardep to confirm schedule of implementation of pilot schedule and TSS*" and "*if Mardep can help looking for a pieces [sic] of land*", the latter of which was not under the control of MD at all.
42. Members discussed and exchanged views, including the following –
- (i) coverage of vessels (all or certain types of vessels) if resuming compulsory pilotage as enquired by Jerry Lo, Hongkong Salvage & Towage.
 - (ii) charges and pilotage dues – Mr W. H. Wong, GM/VTs said that the charges should be acceptable to the trade industry upon discussion and consultation.
 - (iii) any schedule on consultation as enquired by Franco Ning, representing container terminal operators. W. H. Wong, GM/VTs replied that once China MSA endorsed the proposed

TSSs, MD would consult the stakeholders on the implementation. As for resumption of compulsory pilotage in Mirs Bay, MD would first explore the issues encountered by HKPA and PAC members before taking the way forward.

(iv) timeframe of implementation as enquired by Ma Kam-fai of HKLSA. W. H. Wong, GM/VTS replied that the preliminary planning would be 2nd half of 2017 for both TSSs and pilotage services, yet there would still be uncertainties.

43. W. H. Wong, GM/VTS briefed members that “the waters of Hong Kong shall be a pilotage area”¹². In 1998¹³, PAC endorsed to exempt vessels transiting Mirs Bay from compulsory pilotage. This notwithstanding, in view of the increased marine traffic flow in Mirs Bay resulting in higher navigational risk, a review on resuming compulsory pilotage in that area would be required.
44. Zhou Wei, Master Mariner was of the view that establishment of TSS in Mirs Bay would be good enough, and there would be no need for resuming compulsory pilotage in that area due to too much cost to be borne by shipping companies. As far as he knew, the cost for hiring tug boats for pilotage service would be US\$2 million which would be huge cost on shipping companies.
45. The Chairman concluded that pending endorsement from China MSA in consultation with MD, TSS would be implemented. As for provision of pilotage service in Mirs Bay, HKPA would need to address and resolve a number of issues raised by members. On TSS, the Chairman noted no other adverse comments from members. On the issue of resuming compulsory pilotage in Mirs Bay, MD would consult the trade industry, yet there was no concrete schedule for the time being in view of uncertainties.

¹² Section 10B of the Pilotage Ordinance (Cap. 84C).

¹³ Minutes (para. 8) of PAC meeting held on 25 November 1998 were extracted as follows:
“8. Mr. George KWOK [of MD] reported the recommendation made by PAC WG on the granting of a blanket exemption to the vessels moving to/from Yantian without calling Hong Kong. The meeting endorsed the recommendation.”

Minutes (para. 10) of PAC working group meeting held on 4 November 1998 were extracted as follows:

“10. The meeting agreed that vessels moving to/from Yantian without calling Hong Kong should be exempted from compulsory pilotage when transiting Hong Kong waters. The reasons being that it would be difficult both administratively and practically to impose compulsory pilotage on these vessels which would only be cutting a small corner of the 'pilotage area'. This recommendation would be submitted to the coming PAC meeting for endorsement.”

Post-meeting note: Bruce Lee, licensed pilot qua Chairman of HKPA issued an e-mail to the Chairman on 10 February 2017. An extract of the e-mail read as follows,

“...Local tug operators are enquired and confirmed that they are ready to provide service in Mirs Bay area. Regarding manpower deployment, we have consulted our senior pilots and they are willing to assist... until we can train up additional new pilots... A temporary pilotage operation supporting site could be set up within Tolo Harbour in a short notice... HKPA would like to confirm we are ready for the pilotage service to be implemented at Mirs Bay at the decision of Marine Department.”

46. Lothair Lam, Hong Kong Shipowners Association left at this juncture.

V. Any Other Business

(a) *Barge*

47. Bruce Lee, licensed pilot said that a barge from Urmston Road to Wan Chai transiting Ma Wan and Victoria Harbour did not engage in pilotage service, and viewed that this might jeopardise navigational safety.

48. W. H. Wong, GM/VTS responded that he presumed that the question was about non-locally licensed barge of less than 3 000 gross tonnage. These barges were not subject to compulsory pilotage.

49. Bruce Lee, licensed pilot commented that the legal advisor of HKPA held dissenting views towards this issue.

50. The Chairman directed that this issue should be thoroughly discussed in future PAC working group meetings before putting it forth to PAC.

(b) *Training, Assessment and Examination Arrangements for Class I Pilots*

51. Marso Law, licensed pilot distributed a printout of a seven-page document comprising some extracts of the notes and papers of previous PAC Working Group meetings¹⁴ (*Appendix II*) to PAC members, which were sent to PAC Secretary vide e-mail of 12 January 2017, without coming to any conclusion.
52. The Chairman directed that this issue should be thoroughly discussed in future PAC working group meetings before putting it forth to PAC (para. 19 above refers).

(c) *Ma Wan Incident of 3 January 2017*

53. Summy Chu, HKPA complimented the Vessel Traffic Services team of MD for their professional services and swift response amidst the incident that a piloted vessel experienced steering failure in Ma Wan on 3 January 2017.
54. In response, the Chairman thanked for the appreciation letter issued by Lee Koon-wah, Chairman of HKPA on 9 January 2017, which suggested very good liaison work between MD and other parties in maritime emergency services.

(d) *Standing Orders*

55. The Chairman informed the members of his intention to update the existing PAC Standing Orders which were agreed in 1972¹⁵ in view of the updated legislative development in these decades.

VI. Date of Next Meeting

56. The meeting adjourned at 5:20 p.m. The date of the next meeting would be announced in due course.

¹⁴ Extract of PAC working group meeting notes of 26 June 2012 and 15 April 2016; extract of PAC working group Paper No. 2/2012, and extract of PAC Paper No. 1/2013 in addition to HKPA's brief note on "Reasons why large vessel not appropriate for practical examination".

¹⁵ Vide PAC Paper No. 16/72 'Standing Orders of the PAC' at http://www.mardep.gov.hk/en/aboutus/pdf/pacp16_72.pdf

The minutes of the meeting were confirmed on 13 December 2017.

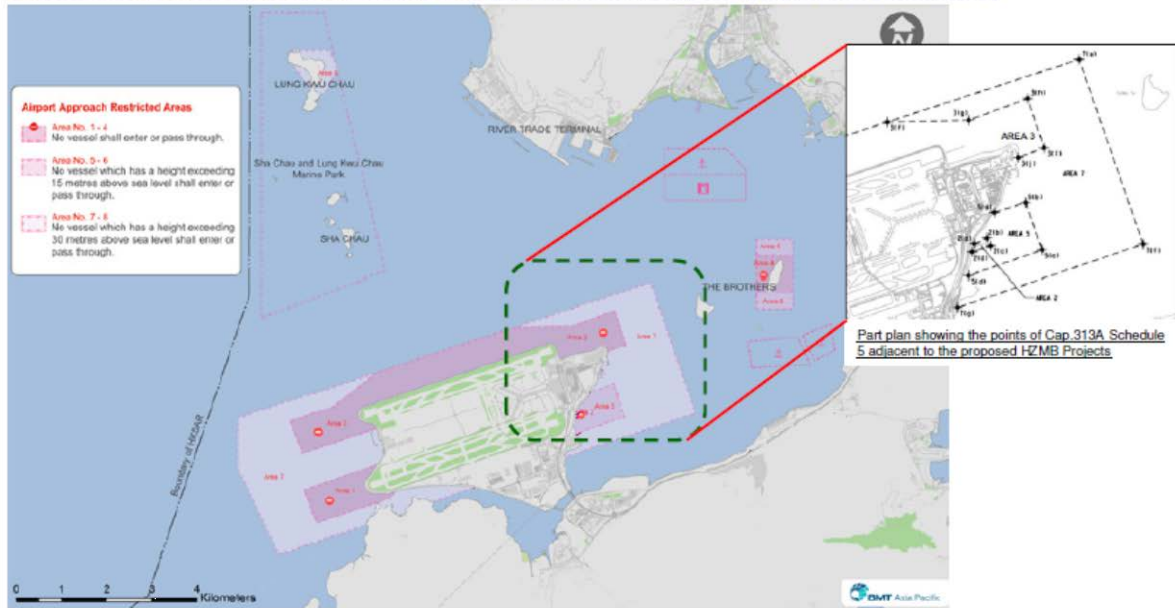
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Proposed Amendment of Restricted Areas around Hong Kong International Airport

Current Restricted Areas around Hong Kong International Airport (Cap. 313A Schedule 5)



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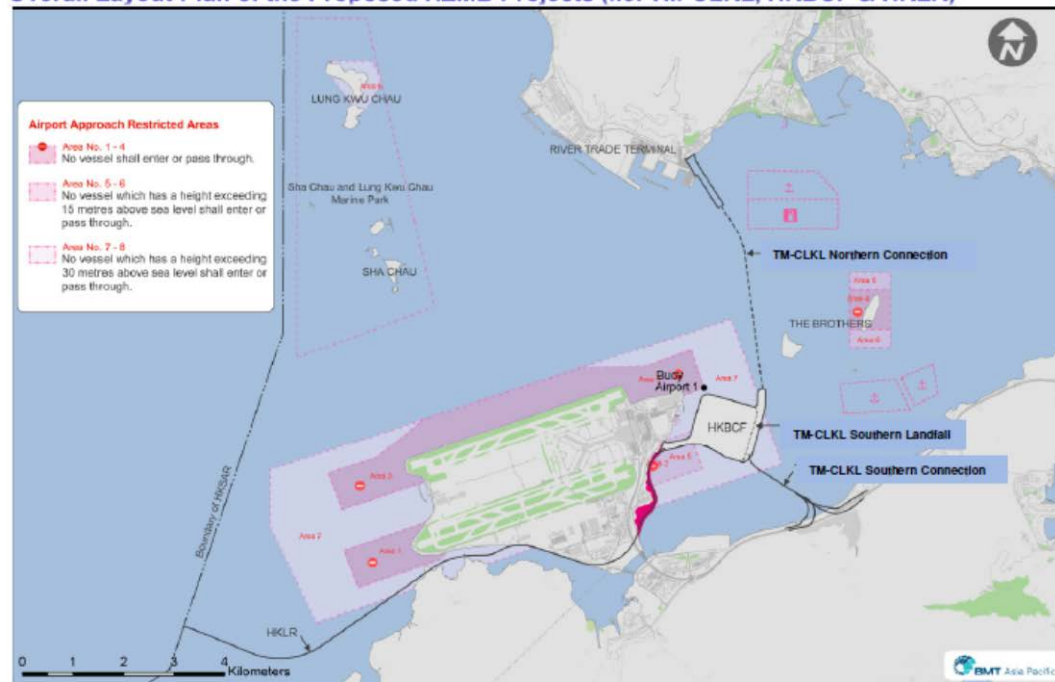


BMT Asia Pacific



Proposed Amendment of Restricted Areas around Hong Kong International Airport

Overall Layout Plan of the Proposed HZMB Projects (i.e. TM-CLKL, HKBCF & HKLR)



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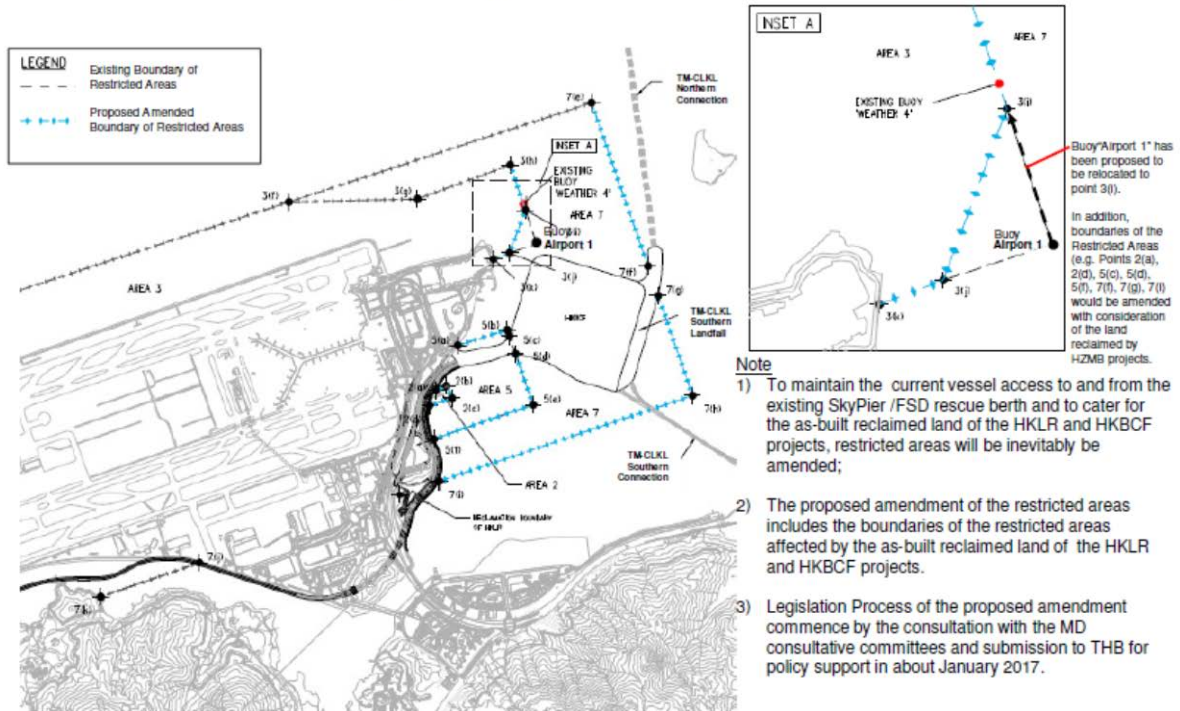
中國建築工程(香港)有限公司
CHINA STATE CONSTRUCTION ENGINEERING (HONG KONG) LTD.



BMT Asia Pacific



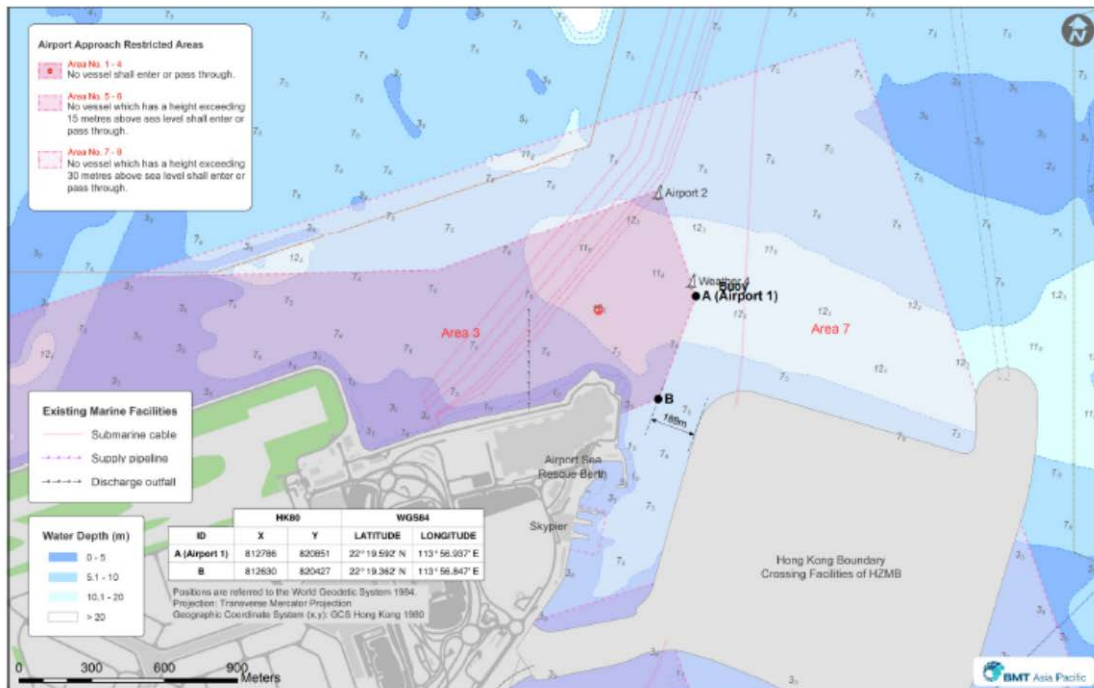
Proposed Amendment of Restricted Areas around Hong Kong International Airport



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Appendix II

Please note the following comment on item 19 and item 20 of the said meeting minutes:-

In item 20, Mr. WH Wong mentioned that since Annex I was extracted from the past PAC meeting minutes which reflected the agreement reached at the time of meeting and was endorsed, it was not appropriate to amend the remarks at liberty, in response to Mr. CC Wang suggestion that discrepancy of the remarks - "all practical vessel training and assessments are set for vessel of next higher class" in Annex I to this paper, was addressed in previous PACWG and required further discussion, as stated in item 19.

Please clarify what did Mr. WH Wong mean by stating that this issue was not appropriate to amend the remarks at liberty. However, it was agreed at item 4 of PACWG notes dated 15 April 2016 that " there were still issues to be resolved with the Pilots".(Attach 1)

May I reiterate the discrepancy of the remarks which indicate the fact that the Annex I was inadvertently written as (Attach 2).

In the section III. " Training and assessment arrangement for upgrading to a higher class of pilotage" of PACWG Paper No. 2/2012 - " Examination and Training of Pilots" of PACWG notes dated 26 June 2012. The notes was clearly written in different sections, ie. Section 1. Apprentice pilots, Section 2. Class IIF to IIA pilots and Section 3. Class I pilots.

In (f), As HKPA would arrange to use ships of the next higher class to conduct the practical vessel-training for class IIF to IIB pilots, the Chairman and members agreed that the item "2 practical vessel-training" in the table of the training and assessment should be revised as "2 practical vessel-training of the next higher class" to better reflect the established practice. In the other words, in the table of training and assessment the item "2 practical vessel-training" for Class IIF to IIB, NOT CLASS IIA, should be revised as "2 practical vessel-training of the next higher class" to better reflect the established practice. However, it was inadvertently overlooked and a remark was added to the bottom of the table as " All practical vessel training and assessments are set for vessel of next higher class" instead. (Attach 3)

According to those who attended the PACWG meeting explained their concern of the size and number of vessels with new classes which would be too large and not enough number of vessels to carry out assessment respectively. They knew it would be difficult in persuade ship masters of vessels of these classes to allow assessment or training on board this size and draft of vessels. It certainly accepts zero tolerant of accident happen to those type of vessels and terminals. This was why it had been agreed to remain status quo to carry out assessment for class IIA pilots on existing size of vessels only.

Best regards,
Hong Kong Pilots Association Ltd.

Reason Why Large Vessel Not Appropriate For Practical Examination

1.	<p>The size and number of vessels not enough to carry out assessment.</p> <p style="text-align: center;">Draft > 16.0m berthing CLPTSK orders</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Year</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>2011</td> <td>29</td> </tr> <tr> <td>2012</td> <td>29</td> </tr> <tr> <td>2013</td> <td>32</td> </tr> <tr> <td>2014</td> <td>33</td> </tr> <tr> <td>2015</td> <td>24</td> </tr> <tr> <td>2016</td> <td>22</td> </tr> </tbody> </table>	Year	Total	2011	29	2012	29	2013	32	2014	33	2015	24	2016	22
Year	Total														
2011	29														
2012	29														
2013	32														
2014	33														
2015	24														
2016	22														
2.	<p>Difficult to persuade ship masters of vessels to allow examination on board this LOA and draft of vessels.</p>														
3.	<p>Accept zero tolerant of accident happen to those types of vessels and terminals.</p>														
4.	<p>Administrative measures to keep safety level, e.g. internal guideline for pilots with 7 years' experience to do such size of vessel. Allow 6 years' experience to do such size will reduce the safety level.</p> <p>* several pilots with 5 years' experience are not mature to promote as Class I pilot.</p>														
5.	<p>KC terminal, built in 1970s, is designed for vessel LOA 200m, not appropriate for examination (see photos)</p>														

PAC 1061 mtg notes
15 Apr 2016

UKAF I

		<u>Action</u>
	<p>would remain status quo that MD would join the HKPA to conduct all the three practical assessments when the pilot applied for upgrading to Class I", it should be interpreted that Class IIA practical vessel-training should be set for vessel of the same class in view of the difficulty to find some of the vessels (e.g. bulker and oil tanker) of certain lengths in the examination setting of upgrading of a Class IIA pilot to Class I.</p> <p>In response, <u>MO/Pilotage</u> said that –</p> <p>(i) After deliberation at PAC meeting of <u>18 January 2013</u>, the table at <u>Annex IV</u> of PAC Paper No. 1/2013 was amended as Appendix to PAC meeting minutes of 18 January 2013 which had been endorsed. <u>MO/Pilotage</u> referred to para. 12 of the meeting minutes that, one of the HKPA representatives pointed out that the elements of "2 practical vessel-training and 1 practical assessment" were missed out in the table at Annex IV of PAC Paper No. 1/2013. However, the PAC meeting minutes of 18 January 2013 did not address <u>Mr Marso Law's</u> above concerns. It was not clear whether HKPA's representatives addressed such concerns at the meeting at that time.</p> <p>(ii) MD noted HKPA's concern about the length of different types of vessels (container, bulker and oil tanker) in the joint practical assessment for upgrading of a Class IIA pilot to Class I jointly conducted by HKPA and MD, and agreed that the arrangements for upgrading to Class I pilot could be submitted separately at a later stage and therefore not included them in this discussion paper (PACWG Paper No. 1/2016).</p>	
4.	<p><u>MO/Pilotage</u> then presented PACWG Paper No. 1/2016 in detail. <u>The Chairman</u> supplemented that this meeting would aim to reach consensus on training, assessment and examination arrangements for apprentice and Class II Pilots. <u>As for Class I Pilots, there were still issues to be resolved with the Pilots.</u> Taking into account that it would take at least six years for an apprentice pilot to be upgraded to a Class I Pilot, there would be sufficient lead time for further discussions with</p>	

Appendix II (Cont'd)

PAC Paper No. 1/2013 A.2
 PAC mtg. 18 Jan 2013

Pilot Class	Maximum Length (Proposed)	Training & Assessment for Upgrading to next higher class
I	Any length	Continued Proficiency Development Programme (including simulation practice in a 5-year cycle since 2007)
II A	350m	Oral Examination (by PAC members) 3 joint practical assessments by HKPA and MD Simulation training conducted by HKPA and MD
II B	300m	2 practical vessel-training <i>of the next higher class</i> 1 practical assessment by HKPA Simulation training conducted by HKPA and MD
II C	250m	2 practical vessel-training 1 practical assessment by HKPA Simulation training conducted by HKPA and MD
II D	210m	2 practical vessel-training 1 joint practical assessment by HKPA and MD Simulation training conducted by HKPA and MD
II E (new)	180m	2 practical vessel-training 1 practical assessment by HKPA Simulation training conducted by HKPA and MD
II F (new)	160m	2 practical vessel-training 1 practical assessment by HKPA Simulation training conducted by HKPA and MD
Apprentice	Training as per Cap. 84C Schedule 1	4 practical assessments, of which, 1 shall be jointly assessed by HKPA and MD Simulation training conducted by HKPA and MD Oral & Written Examinations (by PAC members)

Remarks: All practical vessel training and assessments are set for vessel of next higher class.

For both the simulation training and practical assessment, PAC members would be invited to attend as observers.

Proposed Training and Assessment Arrangement

Pilot Class	Maximum Length (Proposed)	Training & Assessment for Upgrading to next higher class
I	Any length	Continued Proficiency Development Programme* (including simulation practice in a 5-year cycle since 2006)
II A	350m	Oral Examination (by PAC members)* 3 joint practical assessments** Simulation practice #
II B	300m	2 practical vessel-training 1 joint practical assessment ** Simulation practice #
II C	250m	2 practical vessel-training 1 joint practical assessment ** Simulation practice #
II D	210m	2 practical vessel-training 1 joint practical assessment ** Simulation practice #
II E (new)	180m	2 practical vessel-training 1 joint practical assessment ** Simulation practice #
II F (new)	160m	2 practical vessel-training 1 joint practical assessment ** Simulation practice #
Apprentice	Training as per Cap. 84C Schedule 1	Oral & Written Examinations (by PAC members)* 4 joint practical assessments** Simulation practice #

Remarks: * = Required by PAC
 ** = Conducted by MD and HKPA
 # = Assessed by HKPA and MD and/or member(s) of the PAC who has appropriate professional qualification

Appendix II (Cont'd)

PACWG meeting notes A3
26 June 2012

they could arrive at a sensible decision under various environmental and emergency situations. It also helped assess whether and what additional training should be imposed to the pilot concerned to strengthen his ship handling skills.

- (b) As simulation should not be treated as an assessment of the pilots' performance, Capt. Steven LAM had reservation on the remark made against the simulation practice at the table of proposed training and assessment of the pilot classes, which stated that it would be "assessed" by HKPA and MD. On the other hand, Mr. CHAN Ming-shun also expressed concern about the availability of MD's officers to join all four occasions of practical assessment before the upgrading of the apprentice pilots within a tight schedule.
- (c) Subsequent to an active and lengthy discussion, members agreed that –
- "Simulation practice" should read as "Simulation training", and the note for this item should read as "Conducted by HKPA and MD";
 - among the four practical assessments, MD would be required to take part in one occasion only to assess the apprentice pilot; and
 - for both the simulation training and the practical assessments, PAC members would be invited to attend as observers.



Class IIF to IIA pilots

- (d) Members agreed that the same wording for the item of simulation training should be adopted for Class IIF to IIA pilots. Capt. Steven LAM supplemented that ship models of different vessel types and lengths of next higher pilot class would be used for the simulation training of Class II pilots. Moreover, reference would also be drawn from past incidents in designing the scenarios for training. As for Class I pilots, as they were considered to be experienced in ship handling, the training would mainly focus on enhancing their alertness to crisis and emergency situations.

Appendix II (Cont'd)

PACWG mtg notes A.3
26 June 2012

- (e) Members expressed different views on the actual arrangement of the proposed joint practical assessments for Class IIF to IIB pilots. After contemplation, they finally concluded that –
- for administrative convenience, MD would only join the HKPA to conduct the practical assessment at Class IID level when the pilot applied for upgrading to Class IIC;
 - for Class IIA, the arrangement would remain status quo that MD would join the HKPA to conduct all the three practical assessments when the pilot applied for upgrading to Class I; and
 - for Classes IIF, IIE, IIC and IIB, the practical assessment would be conducted by a list of senior pilots nominated by HKPA and approved by PAC.

★ (f) As HKPA would arrange to use ships of the next higher class to conduct the practical vessel-training for Class IIF to IIB pilots, the Chairman and members agreed that the item “2 practical vessel-training” in the table of training and assessment should be revised as “2 practical vessel-training of the next higher class” to better reflect the established practice.

- (g) It was agreed that PAC members would be invited to attend the simulation practice and practical assessments for Class II pilots as observers.

Class I pilots

- (h) The training for Class I pilots would remain status quo that MD would not join any practical assessment (as there is no practical assessment for Class I pilot) or the Continued Proficiency Development Programme (including Simulation Training in a 5-year cycle since 2007).

4. The Chairman concluded that the paper on examination and training of pilots would be revised based on the aforementioned resolutions and circulated to