

PILOTAGE ADVISORY COMMITTEE MINUTES OF MEETING

Date : 24 August 2021 (Tuesday)
Place : Conference Room A, 24/F, Harbour Building
Time : 3:00 p.m.

Present

Chairman:	WONG Sai-fat	Deputy Director (1), Marine Department (“MD”)
Members:	ZHANG Hongwen	Hong Kong Shipowners Association
	CHAN Hung-tai	Hong Kong Liner Shipping Association
	CHAN Kam-foo	Shipping Agencies
	LAM Wing-chiu	Containers Terminal Operators
	CHANG Chi-wai, Robson	Dry Bulk Cargo Terminal Operators
	CHU Wai-leung	Oil Terminal Operators
	Zhong Ying	Dockyard Industry
	CHOW Shiu-bong, Cliff	Tug Operators
	Capt LI Yongzheng	Master Mariner
	Capt CHAN Kam-wing	Master Mariner
	Capt TSANG Cheuk-yin, Joe	Master Mariner
	Capt WANG Chi-cheong	Licensed Pilot
	Capt LAW Kwun-pan	Licensed Pilot
	LAI Chi-tung	Assistant Director / Port Control (“AD/PC”), MD
	HUANG Jihe	General Manager / Vessel Traffic Services, MD
	HU Guizhong	Surveyor of Ships (Nautical) / Seafarers and Examination (2), MD
Secretary:	Athena LIU	Executive Officer (General & Committee), MD

In attendance (Except for items I, II and III)

Ms Catherine Chow	China Merchants Port Holdings Company
Capt Steven LAM	Hong Kong Pilots Association
TANG Ying-kit, George	Marine Manager/ Pilotage

Absent with apologies

LI Yubin	Break Bulk Cargo Operators
----------	----------------------------

I. Opening Remarks

1. The Chairman extended his welcome to all the members and acknowledged their attendance even in midst of the coronavirus pandemic. He announced that the new term for Pilotage Advisory Committee (PAC) is from 1 January 2021 to 31 December 2022 and introduced six new members to have joined the meeting. In view of the pandemic, some infection control measures were implemented.

II. Interview of pilot apprentices-to-be

2. The Chairman said that PAC would interview six candidates in sequence (namely Mr Butt Tsz-fung, Mr Choi Kam-chuen, Mr Craig So, Mr Lai Kin-tak Danny, Mr Poon Yu-ting and Mr Tsang Siu-long Jeffery) to test their suitability for being apprentice pilots.
3. All the Members (including the Chairman) of PAC declared no actual/perceived/ potential conflict of interest, except LAM Wing-chiu declared for Mr Tsang Siu-long Jeffery and left the conference room during the interview.
4. The six candidates were asked to brief PAC on their maritime study and sea-time experience, core competence/qualities of being a pilot and reasons for choosing pilotage to be a vocation. They were also asked about their (lack of) experience in manoeuvring different types of ocean-going vessels and how to equip themselves with such navigational skills and knowledge.
5. PAC considered the interview performance of the six candidates was satisfactory. As for the lack of experience in manoeuvring bulk carriers and tankers, PAC considered that Hong Kong Pilots Association (HKPA) should provide sufficient training for the apprentices to equip them with comprehensive skills and knowledge in tackling different types of vessels.

Post-meeting note: With the approval from the Pilotage Authority, all six applicants registered as apprentice pilot with effect from 30 August 2021.

III. Confirmation of the minutes of the last meeting held on 27 November 2020

6. The minutes of last PAC meeting held on 27 November 2020 were confirmed without amendment.

Post-meeting note: The meeting minutes were uploaded to the MD website on 5 October 2021.

IV Discussion items

- (a) *PAC Paper No. 5/2021 – Proposed Amendments to the Pilotage Ordinance and its Subsidiary Regulation and Order*

7. Marine Manager/ Pilotage presented the paper to members and sought their comments and advices on the proposed amendments to the Pilotage Ordinance and its Subsidiary Regulation and Order. The proposed amendments covered items related to medical examinations, fees, officers to inspect the pilot licence, pilot boarding stations, licence equivalent to Certificate of Competency, obligation to be accompanied by an apprentice pilot and description of pilotage service.
8. During the discussion of the paper, Capt WANG Chi-cheong and Capt LAW Kwun-pan expressed concerns to the proposed amendment of removing the ambiguity of pilot boarding station in paragraph 9 and expressed that confining the area of a Pilot Boarding Station within a radius of 0.4 or 0.5 nautical mile was impracticable. Capt TSANG Cheuk-yin, Joe enquired whether there would be any penalty if pilots could not comply with the proposed amendment at paragraph 9. As for paragraph 11, Capt WANG and Capt LAW also expressed concerns on reasons to add a penalty when the obligation to be accompanied by an apprentice pilot has been existed long and no rejection case happened before.
9. GM/VTS responded that the “area off” on pilot boarding station in Cap.84 was ambiguous and argumentative. Comparing to the current description of a pilot boarding station by a pin-pointed position in latitude and longitude,

the proposed amendment at paragraph 9 was to provide clearer definition of pilot boarding stations and more flexibility for pilots to board ships. Regarding paragraph 11, the proposed amendment to add a penalty was to make the requirement enforceable. Capt TSANG considered that it was a preventive measure.

10. After discussion, the meeting endorsed PAC Paper No. 5/2021, with follow up action to be taken for paragraph 9 with regard to pilot boarding stations as currently expressed in Schedule 2 to the Pilotage Ordinance (Cap.84).

Post-meeting note: PAC Paper No. 8/2021 was circulated to PAC members on 31 August 2021 to further seek their views on the proposed amendment as contained in paragraph 9 of the PAC Paper No 5/2021. Objection from two members were received from the replies of all members.

(b) PAC Paper No. 6/2021 – Proposed Amendments to the Berthing Guidelines

11. Marine Manager/ Pilotage presented the paper to members and sought their advices and comments on the proposed amendments to the Berthing Guidelines with regards to the updated information by adding one grade II tug. The meeting endorsed PAC Paper No. 6/2021.

Post-meeting note: The endorsed berthing guidelines were uploaded to the MD website on 9 September 2021.

(c) PAC Paper No. 7/2021 – Proposed Ship Simulation System for training and Assessment by the Hong Kong Pilots Association

12. Capt Steven LAM of HKPA presented the paper to members and sought their views and endorsement for procurement of ship simulator by HKPA. Capt LAW Kwun-pan said that the proposed system would be up to a world class standard and meet the pilot training and industry's needs. In response to HKPA's enquiry, GM/VTS advised that the Training Centre of the Marine Department have been providing simulation service for the training and assessment needs of the pilots.

13. After discussion, it was considered that the proposal to procure a ship simulation system should be regarded as the private investment of the HKPA, which was neither under MD nor PAC's purview. For being consulted, the PAC has no objection in principle for the proposal considering its private nature.

V. Any Other Business

14. There being no other business.

VI. Date of next meeting

15. The meeting adjourned at 6:35 p.m. The date of the next meeting would be announced in due course.

The minutes of the meeting were confirmed on 7 December 2021.

Distribution list

Chairman, PAC
Members, PAC
SMO/VTC, MD
MM/Pilotage, MD

Thank you for the draft notes for the PAC meeting held on 24th August 2021. It is observed that the draft Notes was too brief and there was no record of Members' views/comments and/or deliberation amongst Members and Marine Department's officers. This is largely differed from PAC's previous minutes which recorded detail discussions amongst Members.

Specifically, I have the following observations/comments on Item (a) "PAC Paper No. 5/2021" and Item (c) "PAC Paper No. 7/2021" under Issue "**IV Discussion items**" of the draft Notes:-

1. PAC Paper No. 5/2021

a) **Para. 9 – "Pilot Boarding Stations"**

As far as I understand it, neither IMO nor IMPA has any recommendation/resolution/advice specifying the area of a Pilot Boarding Station (PBS), say within a radius of 0.5 or 1.0 n.m., but rather "the area should be sufficient to". The Hong Kong Pilots Association (HKPA) consulted some world ports and was advised that there were no such requirements for their PBSs. In reality, the proposed radius of 0.5 n.m. was not enough particularly for vessels intending to pick up/disembark pilots during adverse or even just unfavourable weather and/or mega containerships; it is physically impossible for pilot boarding/disembarking under such circumstances within the proposed radius. All these issues had been raised during the meeting but, no such records was made in this draft notes making those who did not attend the Meeting unable to grasp its argument.

b) **Para. 11 – "Obligation to be accompanied by an apprentice pilot"**

The regulation has been existed for a long time but all along no violation had been recorded, what is the reason for a penalty to be included now?

2. PAC Paper No. 7/2021

Following Capt. Steven Lam's presentation, the following views/comments were expressed:

- a) There was an understanding that Marine Department's Training Centre (MDTC) might not be able to cope with the marine industry's need in the forthcoming years;
- b) To help ease MDTC's heavy burden, HKPA proposed to establish a Ship Simulation System for their pilots' training and assessment;
- c) The System would be up to a World class standard, as well as meeting DNV's Class A requirements;
- d) The System would provide better flexibility for the marine industry's needs, in particular for port development uses; And
- e) Members' were invited to monitor the development and later operation of the System.

Please note that the above-mentioned was not recorded in your draft notes of meeting. As we would like to echo our views, the draft notes is recommended to be presented in more details for all Members' records.

Regards

Marso Law
Licensed Pilot

Thank you for the draft minutes of the PAC meeting dated 24th August 2021. I am of the view that the draft Minutes was far too brief to serve a record of what had been discussed, in particular what views had been exchanged between Members and the Officials, before the Meeting came to the conclusions. With due respects, it does not look like a draft minutes but rather a draft record notes merely recording the findings/conclusions of a meeting.

Coming back to reality, I have the following comments on Item (a) "PAC Paper No. 5/2021" and Item (c) "PAC Paper No. 7/2021" under Issue "**IV Discussion items**" of the draft Notes:-

A. PAC Paper No. 5/2021

(1) **Para. 9 – "Pilot Boarding Stations"**

Positioning of a Pilot Boarding Station (PBS) on a specific point in latitude and longitude is history long, confining the area of a PBS within a radius of 0.5 n.m. is unnecessary and impracticable. As a matter of fact I had raised objection to the proposal in the Meeting. The proposal will restrict a ship must appear within the area otherwise it is an offence, would there be any penalty imposed for the offence similar to what was suggesting in para. 11 in the same paper? And, who is going to blame, the shipmaster, the pilot, or both?

Indeed, I remember that this issue had been dragged on for years in the Vessel Traffic Centre (VTC)/Hong Kong Pilots Association (HKPA) Regular Meeting, HKPA has all along been objecting to the proposal and no compromise has been made so far. Should a conclusion be first reached in that regular meeting before submitted to the PAC meeting for discussion?

(2) **Para. 11 - "Obligation to be accompanied by an apprentice pilot"**

The concerned regulation has been existed for a long time and so far no such refusal has been recorded, why should a penalty be included in it? Perhaps the Regulation itself should be removed instead.

I also recall that some Members raised their concerns or even objection to imposing penalty into the Regulation, including establishing a "Complaint Mechanism" instead. Their views/suggestions should be recorded in the draft minutes for others' reference.

B. PAC Paper No. 7/2021

I remember that the Official member, in response to Capt. Steven's enquiries, suggested that the Marine Department (MD) was aware of HKPA's forecast of training needs for their pilots, they had prepared to address it and would reserve slots in their Training Centre for the needs. Also, when a Member questioned if MD's Training Centre could as well provide service to the consultants, the Official member suggested that provided that the consultant could give them a 3D model, relevant service might be provided. For clarification and good record-keeping purposes, the above-mentioned should be properly addressed in the Minutes of Meeting please.

Yours faithfully

Wang Chi Cheong
Licensed Pilot