

LN117-E

L.N. 117 of 2002

Shipping And Port Control (Amendment)

Regulation 2002

(Made by the Chief Executive in Council under section 80(1)
of the Shipping and Port Control Ordinance (Cap. 313))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for Economic Development and Labour by notice published in the Gazette.

2. Regulation substituted

Regulation 4 of the Shipping and Port Control Regulations (Cap. 313 sub. leg.) is repealed and the following substituted---

"4. Application

(1) This Part, other than regulation 6A, applies to---

(a) a vessel of over 300 tons gross other than a vessel to which Part IV of the Ordinance applies;

(b) a vessel---

(i) of 300 tons gross or less; or

(ii) to which Part IV of the Ordinance applies,

and which is the subject of a direction given by the Director under section 16 of the Ordinance;

(c) a vessel---

(i) of 300 tons gross or less; or

(ii) to which Part IV of the Ordinance applies,

and which is the subject of a requirement made by the Director or an authorized officer at the vessel traffic centre to participate in the vessel traffic service.

(2) Subject to paragraph (3), regulation 6A applies to any vessel (including a vessel to which Part IV of the Ordinance applies), whatever its tonnage, other than the following vessels---

(a) a vessel licensed in accordance with the regulations made under Part IV of the Ordinance; and

(b) a ferry vessel within the meaning of regulation 2 of the Shipping and Port Control (Ferry Terminals) Regulations (Cap. 313 sub. leg.).

(3) Regulation 6A applies to a vessel referred to in paragraph (2)(a) or (b) if it is the subject of a direction given by the Director under section 16 of the Ordinance."

3. Entry into restricted areas, etc.

Regulation 23 is amended by adding---

"(6D) Except with the permission of the Director, no vessel which has an overall length exceeding 10 metres shall enter the Kap Shui Mun Special Area specified in paragraph 18 of the Fifth Schedule---

(a) by crossing over the south-eastern boundary of the Special Area specified in paragraph 19 of the Fifth Schedule; or

(b) by crossing over the north-eastern boundary of the Special Area specified in paragraph 20 of the Fifth Schedule."

4. Restricted areas, etc.

The Fifth Schedule is amended by repealing the Note at the end and substituting---

"18. KAP SHUI MUN SPECIAL AREA

The area of the waters of Hong Kong bounded---

(a) on the north-west, by a straight line drawn from the north-eastern shore of Lantau Island at position latitude $22^{\circ} 20.750'$ north, longitude $114^{\circ} 03.017'$ east to the West Ma Wan light at position latitude $22^{\circ} 20.925'$ north, longitude $114^{\circ} 03.241'$ east;

(b) on the north-east, by a straight line drawn from the West Ma Wan light at position latitude $22^{\circ} 20.925'$ north, longitude $114^{\circ} 03.241'$ east to the Tang Lung Chau light at position latitude $22^{\circ} 20.373'$ north, longitude $114^{\circ} 03.787'$ east;

(c) on the south-east, by a straight line drawn from the Tang Lung Chau light at position latitude $22^{\circ} 20.373'$ north, longitude $114^{\circ} 03.787'$ east to the headland at position latitude $22^{\circ} 20.126'$ north, longitude $114^{\circ} 03.455'$ east;

(d) on the south-west, by a straight line drawn from the headland at position latitude $22^{\circ} 20.126'$ north, longitude $114^{\circ} 03.455'$ east to the north-eastern shore of Lantau Island at position latitude $22^{\circ} 20.750'$ north, longitude $114^{\circ} 03.017'$ east.

19. South-Eastern Boundary Of The Kap Shui Mun Special Area

The boundary of the waters of Hong Kong indicated by a straight line joining the Tang Lung Chau light at position latitude $22^{\circ} 20.373'$ north, longitude $114^{\circ} 03.787'$ east to the headland at position latitude $22^{\circ} 20.126'$ north, longitude $114^{\circ} 03.455'$ east.

20. North-Eastern Boundary Of The Kap Shui Mun Special Area

The boundary of the waters of Hong Kong indicated by a straight line joining the Tang Lung Chau light at position latitude $22^{\circ} 20.373'$ north, longitude $114^{\circ} 03.787'$ east to the southern shore of Ma Wan at position latitude $22^{\circ} 20.554'$ north, longitude $114^{\circ} 03.608'$ east.

Note: The geographical co-ordinates of paragraphs 16 to 20 are represented by

the WGS 84."

5. Information to be provided to the Director by
Notification or Report under regulation 6A

The Sixteenth Schedule is amended---

(a) by repealing item 2 and substituting---

"2. The call sign or MD reference number or (in the absence of call sign or MD reference number) official number of vessel.";

(b) in item 5, by repealing "registered";

(c) in item 8, by adding "and intended berth or anchorage on arrival" after "call";

(d) by adding after item 17---

"Note:

In this Schedule, for the purpose of item 2---

"MD reference number" (海事處參考編號), in relation to a vessel which arrives at the waters of Hong Kong for the first time, means a reference number assigned by the Director to the vessel for the purpose of reporting arrival and departure of the vessel."

CHENG Mei-sze, Maisie

Clerk to the Executive Council

Council Chamber

25 June 2002

Explanatory Note

This Regulation amends the Shipping and Port Control Regulations
(Cap. 313 sub. leg.) ("the Regulations")---

(a) to prohibit the entry into the Kap Shui Mun Special Area of vessels with an overall length exceeding 10 metres from the south-eastern and north-eastern boundaries of the Special Area and to specify the geographical co-ordinates defining such an Area and the boundaries concerned;

(b) to require vessels of any tonnage (other than the exempted ones) to tender a pre-arrival notification to the Director of Marine ("the Director") under regulation 6A of the Regulations. The exempted vessels are of 2 types. The first type is those vessels licensed in Hong Kong in accordance with the regulations made under Part IV of the Shipping and Port Control Ordinance (Cap. 313). The other type is ferry vessels plying between Hong Kong and Macau, between Hong Kong and any other place of China as well as those engaged on short international voyage;

(c) to modify the information to be provided to the Director by a pre-arrival notification or report.