

LEGISLATIVE COUNCIL BRIEF

PORT CONTROL (CARGO WORKING AREAS) ORDER 2003

INTRODUCTION

Under Section 3(1) of the Port Control (Cargo Working Areas) Ordinance, Cap. 81, the Secretary for Economic Development and Labour (“SEDL”) may, by order published in the Gazette, declare any area of unleased Government land, to be a public cargo working area (PCWA). This brief explains the Port Control (Cargo Working Areas) Order 2003 (“the Order”) at Annex A.

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JUSTIFICATIONS

2. PCWA is a fenced-off area for transferring cargo to and from local barges or small coasters. Currently, there are eight PCWAs in Hong Kong.
3. Wan Chai PCWA was declared as a PCWA under legal notice 54 of 1998. As part of Central Reclamation Project Phase III, the Central Helipad at Fenwick Street will be relocated to the existing breakwater arm of Wan Chai PCWA. The basin in the PCWA will be reclaimed for building urban infrastructure. To make way for the reclamation and development projects, the Wan Chai PCWA will be reprovisioned to Chai Wan Basin in September 2003.
4. Chai Wan Basin is situated at the eastern coast of Hong Kong Island. The new Chai Wan PCWA will occupy a total area of 21,200m² with useable seafrontage of 620m. Renovation works are now being carried out on-site.

THE ORDER

5. The Order will declare Chai Wan PCWA, with effect from 1 September 2003, by adding a new paragraph to the Port Control (Public Cargo Working Area) (Consolidation) Order (“the Consolidation Order”). It will also repeal Wan Chai PCWA, with effect from 1 December 2003, by deleting paragraph 2 of the Consolidation Order.

LEGISLATIVE TIMETABLE

6. The Order will be gazetted on 4 July 2003 and tabled at the Legislative Council on 9 July 2003.

IMPLICATIONS OF THE PROPOSAL

7. The re-provisioning of the Wan Chai PCWA to the Chai Wan Basin will not affect the business of cargo operators.

8. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Port Control (Public Cargo Working Area) (Consolidation) Order. It has no financial implication and does not involve staffing implications for the Government.

PUBLIC CONSULTATION

9. Cargo operators in Wan Chai PCWA have been consulted and they are prepared to continue their business in Chai Wan. Eastern District Board has been consulted and has raised no objection to the proposed re-provisioning.

PUBLICITY

10. A press release will be issued on 4 July 2003 and a spokesman will be available to handle enquiries.

ENQUIRIES

11. Any enquiry on this brief can be addressed to Mr K W CHAN, Senior Marine Officer (2852 4452) or Miss Florence CHAN, Assistant Secretary (Port, Maritime and Logistics) (2537 2842).

Economic Development and Labour Bureau
4 July 2003

PORT CONTROL (PUBLIC CARGO WORKING AREA) ORDER 2003

(Made under section 3(1) of the Port Control (Cargo Working Areas) Ordinance (Cap. 81))

1. Commencement

(1) Subject to subsection (2), this Order shall come into operation on 1 September 2003.

(2) Sections 3 and 4(a) shall come into operation on 1 December 2003.

2. Public cargo working area

The area of unleased Government land situated at Chai Wan (having an area of approximately 21 200 square metres), delineated and coloured pink on the plan numbered HKM 7069 signed by the Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 26 June 2003, and deposited in the Urban Land Registry, is declared to be a public cargo working area.

3. Repeal

The Port Control (Public Cargo Working Area) Order 1998 (L.N. 54 of 1998) is repealed.

4. Sections repealed and added

The Port Control (Public Cargo Working Area)(Consolidation) Order (Cap. 81 sub. leg. B) is amended –

- (a) by repealing section 2;
- (b) by adding –

"13. Chai Wan public cargo working area

The area of unleased Government land situated at Chai Wan (having an area of approximately 21 200 square metres), delineated and coloured pink on the plan numbered HKM 7069 signed by the

Deputy Director of Lands (Survey and Mapping) on behalf of the Director of Lands on 26 June 2003, and deposited in the Urban Land Registry, is declared to be a public cargo working area."

Secretary for Economic Development
and Labour

June 2003

Explanatory Note

This Order declares an area of unleased Government land situated at Chai Wan to be a public cargo working area and repeals an earlier Order which declared the boundaries for the Wan Chai public cargo working area.