

政府總部
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香港下亞厘畢道
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Ms Debbie Yau
Clerk to Subcommittee
Legislative Council Building
8 Jackson Road, Central
Hong Kong

By email

24 March 2004

Dear Ms Yau,

**Subcommittee on
Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation
and Merchant Shipping (Local Vessels) (Typhoon Shelters) Regulation**

Thank you for your letter of 18 March, attaching a letter from the New World First Ferry Services Limited ("First Ferry"). The two issues raised in the letter are addressed in the ensuing paragraphs.

Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation ("LV(C&L)R")

2. Upon commencement, the LV(C&L)R shall apply to local vessels to which Part IV of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) applies. Generally, local vessels currently licensed under the Shipping and Port Control Ordinance (Cap. 313) are required to follow Part IV of Cap. 548 (and hence the LV(C&L)R). However, section 3(4) of Cap. 548 provides that Part IV shall not apply to passenger ships which are certified under the Merchant Shipping (Safety) Ordinance (Cap. 369). For instance, many high speed passenger ferries engaged in Hong Kong-Macau or Hong Kong-Pearl River Delta routes are certified under Cap. 369. They will not be subject to Part IV of Cap. 548 and the LV(C&L)R.

3. The Marine Department would be happy to assist the First Ferry, if necessary, in ascertaining the types of vessels in its fleet and hence the applicability of LV(C&L)R.

Merchant Shipping (Local Vessels) (Typhoon Shelters) Regulation ("LV(TS)R")

4. Currently, the Director of Marine prohibits over-length vessels from entering or remaining in a typhoon shelter by imposing licensing conditions. Section 4(4) of the LV(TS)R codifies the current arrangement by stating that *"Except with the permission of the Director, a local vessel the length overall of which exceeds the permitted length overall ... shall not enter or remain in the typhoon shelter."* The prohibition is necessary to ensure that the safety of typhoon shelter users will not be endangered by the presence of over-length vessels, especially when the typhoon shelters are busy.

5. At present, six triple deck ferries in the fleet of First Ferry run the Cheung Chau routes. Since no restriction has been imposed in their current licence for entry or stay in typhoon shelters, they enter Cheung Chau Typhoon Shelter on a regular basis for embarkation and disembarkation of passengers, and stay at Hei Ling Chau Typhoon Shelter after their daily service. During typhoon period, four of the vessels make use of their own mooring facilities. The remaining two stay in the Cheung Chau Typhoon Shelter, so that they can resume service to the public as soon as possible after a typhoon. When LV(TS)R comes into force, the Director of Marine intends to grant permission under section 4(4) to preserve the status quo. We have discussed this arrangement with the First Ferry and obtained their agreement.

Yours sincerely,



(Miss Florence Chan)

for Secretary for Economic Development and Labour

c.c.

Chairman of the Subcommittee, the Hon. Ms. Miriam Lau
New World First Ferry Services Limited (Attn.: Mr Hui Chiu-yin)
Director of Marine (Attn.: Mr F L Cheuk and Mr Y N Chan)