

**For discussion
on 30 January 2004**

Legislative Council Panel on Transport

New Tuen Mun Ferry Terminal

PURPOSE

This paper informs Members of the latest development of the project to modify part of the Tuen Mun Ferry Pier to establish a new Tuen Mun Ferry Terminal (TMFT) to operate ferry services to Macau and Mainland ports.

BACKGROUND

2. We informed Members in December 2003 (LC Paper No. CB(1)669/03-04(01)) that following an open tender exercise, the Government signed a tenancy agreement with a company¹ in late December 2003 in regard to the occupation, modification and use of part of the Tuen Mun Ferry Pier for the operation of cross-boundary passenger ferry services to Macau and Mainland ports. Under the tenancy agreement, the tenant will carry out the necessary pier modification works, pay for the non-recurrent items such as systems, equipment and furniture required for the Government departments' operation, pay the water and electricity charges to be incurred and pay an annual amount of \$16.3 million to the Government. The tenancy is for 7 years certain and may be extended on terms and conditions to be agreed between the Government and the tenant.

PROJECT PROGRAMME

3. The tenant currently plans to complete the pier modification works and start providing ferry services to Macau by December 2004. We are aware that this is a rather optimistic and ambitious programme and could be achievable only if all the necessary procedures can be compressed. We will expeditiously process the building plans and other applications submitted by the tenant. We

¹ The Hong Kong North West Express Limited.

will also prepare the enabling legislation to establish the new TMFT so that cross-boundary ferry services can be operated.

4. An inter-departmental steering committee has been set up to oversee and coordinate the implementation of this project, with representatives from the Environment, Transport and Works Bureau, Security Bureau, Marine Department, Immigration Department, Customs and Excise Department, Police, Architectural Services Department (ArchSD), Department of Health, Transport Department and Government Property Agency. The steering committee has already met the tenant in early January 2004 to discuss the programme of the project and the related work, and will convene further meetings with the tenant whenever such is necessary.

5. We understand that the tenant aims to obtain the necessary approval for its building plans by June this year so as to allow sufficient time for the actual modification works. We have advised the tenant to submit properly prepared building plans in a timely manner, and have pledged to accord priority to vetting the plans. ArchSD will liaise closely with the tenant in the process.

ENACTMENT OF ENABLING LEGISLATION

6. In order to ensure vessel and passenger safety as well as effective control, and to provide for the collection of berthing and embarkation fees at the new TMFT, we need to declare the boundaries of the terminal and the restricted area within the terminal under the Shipping and Port Control (Ferry Terminals) Regulations (Cap. 313H) before the terminal becomes operational.

7. The boundaries of the two existing cross-boundary ferry terminals, i.e. China Ferry Terminal and Macau Ferry Terminal, and their restricted areas were declared through orders made by the Chief Executive and notices made by the Director of Marine respectively under the Shipping and Port Control (Ferry Terminals) Regulations (Cap. 313H). The provisions relevant to the existing terminals are presently contained in five pieces of subsidiary legislation (Cap. 313H, L, M, P and W). We now consider that this framework may not be entirely satisfactory. We propose to amend Cap. 313H so that the boundaries of the new TMFT and its restricted area, as well as boundaries of the two existing terminals and their restricted areas, can all be set out in a new schedule to Cap. 313H. In future, the declaration of boundaries of new ferry terminals

and their restricted areas and changes to the boundaries of any existing ferry terminal or its restricted area can be conveniently effected by amending the schedule. The Department of Justice is preparing an amendment regulation and the related subsidiary legislation. We aim to submit them to the Legislative Council for negative vetting in April/May 2004.

8. To provide a facility to detain persons under the Immigration Ordinance (Cap. 115) and the Immigration Service Ordinance (Cap. 331) (e.g. persons pending further examination or removal), it is also necessary to amend the Immigration (Places of Detention) Order (Cap. 115B) and the Immigration Service (Designated Places) Order (Cap. 331B) to designate a detention area within the TMFT. The relevant legislative amendments will also be submitted to the Legislative Council for negative vetting in April/May 2004.

CREATION OF JOBS

9. According to the tenant, the pier modification works will generate 60 temporary jobs during the works period, and the operation of cross-boundary ferry services will create some 232 jobs (shipping company's office and site staff: 150; cleansing and security staff: 10; vessel crew: 72).

SERVICES TO MAINLAND PORTS

10. The tenant plans to provide ferry services to Mainland ports in the Pearl River Delta Region six months after the TMFT has begun operation. We understand that the company has already started discussions with the relevant Mainland authorities.

ADVICE SOUGHT

11. Members are invited to note and comment on the contents of this paper.

Environment, Transport and Works Bureau
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