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Secretary for Economic Development and Labour
(Attention: Miss Florence CHAN, AS)
Economic Development and Labour Bureau
3801 Two Exchange Square
Connaught Place
Central
Hong Kong

12 August 2005

BY FAX
Fax No. : 2523 0030
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Dear Miss Chan,

**Merchant Shipping
(Local Vessels and Miscellaneous Amendments) Bill 2005**

I refer to your letter dated 27 June 2005 and have the following comments for your consideration -

Clause 2(c) – Chinese version of the definition of “protection and indemnity association”

2. The sentence is quite long and not as readable as the original one in Cap. 281. Would the sentence be improved if a comma is added after “成立”?

Clause 2(c) – Chinese version of the definition of “crane”

3. “Crane” means “any appliance equipped with mechanical means of hoisting and lowering a load and for transporting the load while suspended”. The Chinese version of the Bill “指備有提升和降下負荷物的機械設備並用以運輸懸吊中的負荷物的任何裝置” seems to suggest that there are mechanical means to hoist and lower a load and then there is an appliance for transporting a load while suspended. The meaning is unclear and may not have reflected the English version correctly. Please re-consider the Chinese version.

4. Apart from the above, some minor drafting points are noted.

(a) Clause 5

Under new section 7A(1), should the word “of” be added after the word

“purposes” in line 3 so that it reads as “for the purposes of this Ordinance” and not “for the purposes this Ordinance”.

(b) Clause 9

- (i) In the Chinese version of new section 23E(2), should the word “等” be added to line 2 after the word “該” so that it reads as “該等條文” to match the English version “provisions”?
- (ii) In new section 23F(4), should the reference in line 2 be subsection (1) and not subsection (3)?
- (iii) In new section 23G(3), should the reference in line 2 be section 23F(1) and not just section 23F?
- (iv) In new section 23I(5)(a), “Where a person uses, or causes or permits any person to use, a local vessel”, why is it necessary to use 2 “or”s in the sentence?
- (v) In the Chinese version of new section 23J(1)(a)(ii), should a comma be added after “的話”?

(c) Clause 31(c)

This paragraph is similar to clause 17 – new section 89(1)(i). Since you have agreed to add “specifying the” before “requirements” in that new section, please also amend this paragraph for the sake of consistency.

5. It is appreciated if you could reply in both Chinese and English at your earliest convenience.

Yours sincerely,

(Anita HO)
Assistant Legal Adviser

c.c.: DoJ (Attn: Ms Marie SIU, SGC and Miss Amy CHAN, GC)
LA