

MERCHANT SHIPPING (LOCAL VESSELS AND
MISCELLANEOUS AMENDMENTS) BILL 2005

COMMITTEE STAGE

Amendments to be moved by the Secretary for Economic
Development and Labour

- | <u>Clause</u> | <u>Amendment proposed</u> |
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| 2 | <p>(a) By adding before paragraph (a) -</p> <p>“(aa) in the definition of “lifting gear”,
by repealing “chain sling” and
substituting “chain”;”.</p> <p>(b) In paragraph (c) -</p> <p>(i) in the proposed definition of “保障及
彌償組織”, by deleting “成立” and
substituting “成立、”;</p> <p>(ii) in the proposed definition of “起重
機”, by deleting everything after “備
有” and before “裝置；亦” and
substituting “機械設備用以提升和降下負荷
物與用以運輸懸吊中的負荷物的任何”.</p> |
| 4 | <p>By adding before paragraph (a) -</p> <p>“(aa) by adding -</p> |

“(1A) In considering the conditions (if any) to be imposed under subsection (1), the Director shall have regard to all relevant considerations, including but not limited to the experience and the competency of the person in carrying out the work of a surveyor for the purposes of this Ordinance.”;

5 In the proposed section 7A -

- (a) in subsection (1), by adding “of” before “this Ordinance”;
- (b) by adding -

“(1A) In considering the conditions (if any) to be imposed under subsection (1), the Director shall have regard to all relevant considerations, including but not limited to the experience and the competency of the government authority in carrying out the surveys and approving the plans of the local vessel.”.

- 9
- (a) In the proposed section 23F(4), by deleting “(3)” and substituting “(1)”.
 - (b) In the proposed section 23G(2)(b)(i), by deleting “person in whose favour the policy was issued” and substituting “policy holder”.
 - (c) In the proposed section 23G(2)(b)(ii), by deleting “person in whose favour the policy was issued” and substituting “policy holder”.
 - (d) In the proposed section 23I(2)(e), by deleting “數” and substituting “價”.
 - (e) By deleting the proposed section 23K and substituting -

**“23K. Requirements as to production
of policy of insurance**

(1) This section applies to a local vessel to which this Part applies which is being used in the waters of Hong Kong.

(2) Upon a requirement made by an authorized officer, the owner, charterer or coxswain of a vessel shall -

(a) produce for inspection a policy of insurance that complies with this Part;
or

(b) within 5 days after the date on which the requirement was made, produce in person at a place specified by the officer -

(i) the relevant policy of insurance; or

(ii) satisfactory evidence that such policy of insurance had been in effect on that date,

to an authorized officer for inspection.

(3) If the owner, charterer or coxswain contravenes subsection (2), he commits an offence and is liable to a fine at level 2 and to imprisonment for 3 months."

- 17 (a) In paragraph (a), in the proposed section 89(1)(i), by adding "specifying the" before "general".
- (b) In paragraph (b), in the proposed section 89(2), by adding ", renewal or revocation" after "grant".

New By adding after clause 27 -

"27A. Suspension of full licence or temporary licence after damage of vessel

Section 33 is amended -

- (a) in subsection (4), by repealing "and on payment of the prescribed fee";
- (b) in subsection (5), by adding ", on payment of the prescribed fee," before "terminate"."

- 31 In the proposed section 94(1)(k), by adding
"specifying the" before "general".
- 37(b) (a) In the proposed definition of "lifting gear",
by deleting "chain sling" and substituting
"chain".
- (b) In the proposed definition of "起重機", by
deleting everything after "備有" and before
"裝置;亦" and substituting "機械設備用以提升和降
下負荷物與用以運輸懸吊中的負荷物的任何".
- Schedule (a) In section 3(a), in the proposed paragraph
(b), by adding "and any regulation made under
section 89 of the Ordinance" after "(Cap.
548)".
- (b) In section 3(b), in the proposed item C, by
adding "*and any regulation made under section
89 of the Ordinance*" after "(Cap. 548)".