

LEGISLATIVE COUNCIL BRIEF

MERCHANT SHIPPING (LOCAL VESSELS) (FEES) REGULATION

INTRODUCTION

A This paper briefs Members on the Merchant Shipping (Local Vessels) (Fees) Regulation (“Fees Regulation”) at **Annex A** made under the Merchant Shipping (Local Vessels) Ordinance, (Cap. 548) (“LVO”). The Fees Regulation will be tabled at the Legislative Council on 25 October 2006.

BACKGROUND

2. The port of Hong Kong is served by vessels operating within Hong Kong waters for various purposes, including the carrying of passengers and cargoes. We refer to them as local vessels to distinguish them from ocean-going vessels engaged in international voyages.

3. Local vessels have been governed by requirements set out in various ordinances and their subsidiary legislation. This was not user-friendly to owners and operators of local vessels as they often need to refer to different pieces of law.

4. The LVO, enacted in July 1999, seeks to consolidate the provisions previously set out in different ordinances into one piece of legislation dedicated for local vessels. The implementation of LVO entails the introduction of 11 pieces of subsidiary legislation. The

B Legislative Council passed five of them in 2001 and 2004 already. The names of the passed subsidiary legislation are at **Annex B**. On 11 October 2006, the Government tabled four Regulations at the Legislative Council for the general regulation of local vessels, the survey and inspection of vessels, the control of works and the insurance that is required under the LVO. The names of the four Regulations are at **Annex C**.

C 5. The Financial Secretary is empowered under section 88 of the LVO to make the Fees Regulation. By virtue of section 3 of the Interpretation and General Clauses Ordinance (Cap. 1), which defines the Financial Secretary as the Financial Secretary of the Hong Kong Special Administrative Region and the Secretary for Financial Services and the Treasury, the Fees Regulation was signed by the Secretary for Financial Services and the Treasury.

THE REGULATION

6. The purposes of the Fees Regulation are to provide for the fees to be paid in respect of certain services and matters under the LVO and its subsidiary legislation and to simplify the fee structure applicable to local vessels as provided under the Merchant Shipping (Fees) Regulations (Cap. 281F) and the Shipping and Port Control (Ferry Terminals) Regulations (Cap. 313H). These relevant provisions in respect of local vessels would cease to have effect after the coming into force of the Fees Regulation. In addition, the Fees Regulation will also implement part of the measures to enhance the competitiveness of Hong Kong Port and the maritime industry, namely the introduction of a multiple entry permit scheme for river trade vessels and the reduction of licence fees of local vessels¹. The main contents of the Fees Regulation are set out as follows –

- (i) **Part 1** provides for preliminary matters, such as the

¹ The Panel on Economic Services was briefed on the “Measures to Enhance the Competitiveness of Hong Kong Port and the Maritime Industry” at its meeting on 25 July 2005. Part of the measures had come into force since 1 February 2006. The remaining measures will come into force with the commencement of the LVO.

commencement of the Fees Regulation and definition of terms used in the Fees Regulation;

- (ii) **Part 2** prescribes the fees under the Merchant Shipping (Local Vessels) (Ferry Terminals) Regulation (Cap. 548B), for example, fees to be paid in respect of the berthing of a local vessel (*s. 3(3)*);
- (iii) **Part 3** provides for the fees under the Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap. 548D), for example, fees to be paid in respect of an application for the issue or renewal of a full licence (*s. 4*);
- (iv) **Part 4** provides for the fees under the Merchant Shipping (Local Vessels) (General) Regulation (“General Regulation”), for example, the fees to be paid for an application for arrival clearance, port clearance and a permit to remain (*s. 8*);
- (v) **Part 5** provides for the fees under the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation, for example, the fees to be paid for the consideration of plans (*ss. 10-11*);
- (vi) **Part 6** provides for the fees in respect of a written permission granted by the Director of Marine (“Director”) to permit an act prohibited by the LVO, the General Regulation and the Merchant Shipping (Local Vessels) (Typhoon Shelters) Regulation (Cap. 548E), for example, the written permission to allow an over-lengthed vessel to enter a typhoon shelter (*s. 27(b)*);
- (vii) **Part 6** also provides for the fees to be paid in respect of written exemption granted by the Director to exempt any person from complying with a requirement under the LVO (*s. 28*);
- (viii) **Part 7** provides for the fees to be paid for services provided by the Director under section 63A of the LVO, for example, the fees to be paid in respect of attendance of an officer at legal proceedings or inquiries (*s. 30*); and

- (ix) **Part 8** provides for the circumstances under which fees payable may be waived (s. 41).

LEGISLATIVE TIMETABLE

7. The legislative timetable of the Fees Regulation is as follow:-

Publication in the Gazette	20 October 2006
Tabling at the Legislative Council	25 October 2006
Commencement	To be notified

IMPLICATIONS OF THE PROPOSAL

8. The consolidation of provisions previously set out in different ordinances into one piece of legislation dedicated for local vessels is conducive to a user-friendly environment for operation of vessels in Hong Kong.

9. Through the Fees Regulation, we will introduce a multiple entry permit scheme for river trade vessels and reduce the licence fees of local vessels to enhance the competitiveness of the Hong Kong Port and the maritime industry. The proposal will cause a revenue loss of around \$37 million per annum. These measures, however, will enhance the competitiveness and sustainability of Hong Kong as an international shipping and logistics centre.

10. The proposal is in conformity with the basic law, including the provisions concerning human rights. It will not affect the binding effect of the LVO. It does not involve staff implications for the Government. The Marine Department will enforce the new regulations using their existing staff and resources.

PUBLIC CONSULTATION

11. We have consulted the Provisional Local Vessel Advisory Committee and its relevant sub-committees/working groups, which comprise a wide cross-section of representatives from the local shipping industry, and secured their support. We have briefed the Legislative Council Panel on Economic Services (“the Panel”) on the Fees Regulation and obtained Members’ support in 2003. The Panel was briefed on the “Measures to Enhance the Competitiveness of Hong Kong Port and the Maritime Industry” in July 2005 and supported the proposed measures including the introduction of a multiple entry permit scheme for river trade vessels and the reduction of licence fees of local vessels.

PUBLICITY

12. A press release will be issued on 18 October 2006.

ENQUIRY

13. Any enquiry on this Brief can be addressed to Mr W K LEE, Deputy Director of Marine (Tel: 2852 4402) or Mr Frederick Yu, Assistant Secretary for Economic Development and Labour (Tel: 2537 2842).

Economic Development and Labour Bureau
18 October 2006

**MERCHANT SHIPPING (LOCAL VESSELS)(FEES)
REGULATION**

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MERCHANT SHIPPING (LOCAL VESSELS)(FEES) REGULATION

(Made by the Secretary for Financial Services and the Treasury under
section 88 of the Merchant Shipping (Local Vessels) Ordinance
(Cap. 548))

PART 1

COMMENCEMENT AND INTERPRETATION

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for Economic Development and Labour by notice published in the Gazette.

2. Interpretation

(1) In this Regulation, unless the context otherwise requires –
“area” (面積), in relation to a local vessel, means the product of the length overall and the extreme breadth of the vessel;

“Category A vessel” (A類船隻) means a local vessel that is –

- (a) of a class and type specified in columns 1 and 2 of Schedule 1 to the Survey Regulation; and
- (b) categorized as a Category A vessel in column 3 of that Schedule;

“Category B vessel” (B類船隻) means a local vessel that is –

- (a) of a class and type specified in columns 1 and 2 of Schedule 1 to the Survey Regulation; and
- (b) categorized as a Category B vessel in column 3 of that Schedule;

- “certificate of inspection” (檢查證明書) means a certificate of inspection issued under section 19(2) of the Survey Regulation;
- “certificate of survey” (驗船證明書) means a certificate of survey issued under section 24(1) of the Survey Regulation;
- “Certification and Licensing Regulation” (《證明書及牌照規例》) means the Merchant Shipping (Local Vessels)(Certification and Licensing) Regulation (Cap. 548 sub. leg. D);
- “class” (類別), in relation to a local vessel, means a class of local vessel specified in column 1 of Schedule 1 to the Certification and Licensing Regulation;
- “classification society” (船級社) means an organization approved under section 8 of the Merchant Shipping (Safety) Ordinance (Cap. 369);
- “declaration of fitness” (適合運載危險品聲明) means a declaration of fitness for the carriage of dangerous goods issued under section 54 or 65(4) of the Survey Regulation;
- “extreme breadth” (最大寬度), in relation to a local vessel, means the athwartship distance between the extremity of the outermost permanent structure on the port side and the extremity of the outermost permanent structure on the starboard side of the vessel;
- “Ferry Terminals Regulation” (《渡輪終點碼頭規例》) means the Merchant Shipping (Local Vessels)(Ferry Terminals) Regulation (Cap. 548 sub. leg. B);
- “freeboard assignment certificate” (乾舷勘定證明書) means a freeboard assignment certificate issued under section 46 or 65(4) of the Survey Regulation;
- “full licence” (正式牌照) means –

- (a) a full licence issued under section 15 of the Certification and Licensing Regulation or renewed under section 17 of that Regulation; or
- (b) a full licence issued, endorsed or renewed under section 23 or 26 of the Certification and Licensing Regulation (including, in the case of section 23 of that Regulation, that section as applied by section 29 of that Regulation);

“General Regulation” (《一般規例》) means the Merchant Shipping (Local Vessels)(General) Regulation (L.N. of 2006);

“gross tonnage” (總噸位), in relation to a local vessel, means the gross tonnage specified in the certificate of ownership issued in respect of the vessel;

“Hong Kong load line certificate” (香港載重線證明書) means a Hong Kong load line certificate issued under section 46 or 65(4) of the Survey Regulation;

“monthly period” (一個月期間) means a period beginning on a day in a calendar month and ending on –

- (a) the day before the corresponding day in the following calendar month;
- (b) if the period begins on a day that is the last day of a calendar month, the day before the last day of the following calendar month;
- (c) if the period begins on 30 January in a leap year, the next following 28 February; or
- (d) if the period begins on 29 or 30 January in any year other than a leap year, the next following 27 February;

“net tonnage” (淨噸位), in relation to a local vessel, means the net tonnage specified in the certificate of ownership issued in respect of the vessel;

“office hours” (辦公時間) means the hours between 8:30 a.m. and 5:45 p.m. on Monday to Friday, excluding general holidays;

“permission for a laid-up vessel” (閑置船隻允許書) means the written permission granted under section 66 of the Ordinance for a laid-up vessel to be berthed, moored or anchored at any place in the waters of Hong Kong, including such permission that is endorsed or granted under section 23 or 26 of the Certification and Licensing Regulation (including, in the case of section 23 of that Regulation, that section as applied by section 29 of that Regulation);

“specified officer” (指明人員) means –

- (a) the Director; or
- (b) a public officer to whom the Director has delegated any of his functions or powers under section 72 of the Ordinance;

“survey record of safety equipment” (安全設備檢驗紀錄) means a survey record of safety equipment issued under section 39 or 65(4) of the Survey Regulation;

“Survey Regulation” (《檢驗規例》) means the Merchant Shipping (Local Vessels)(Safety and Survey) Regulation (L.N. of 2006);

“temporary licence” (臨時牌照) means –

- (a) a temporary licence issued or renewed under section 19 of the Certification and Licensing Regulation; or

- (b) a temporary licence issued, endorsed or renewed under section 23 or 26 of that Regulation (including, in the case of section 23 of that Regulation, that section as applied by section 29 of that Regulation);

“type” (類型), in relation to a local vessel, means a type of local vessel specified in column 2 of Schedule 1 to the Certification and Licensing Regulation;

“Typhoon Shelters Regulation” (《避風塘規例》) means the Merchant Shipping (Local Vessels)(Typhoon Shelters) Regulation (Cap. 548 sub. leg. E);

“yearly period” (一年期間) means a period beginning on a day in a calendar year and ending on –

- (a) the day before the corresponding day in the following calendar year; or
 - (b) if the period begins on 29 February in a leap year, 27 February in the following calendar year.
- (2) In this Regulation, except where otherwise specially provided –
- (a) a reference to a local vessel of any class and of any type is a reference to a local vessel certificated for that class and for that type in accordance with section 4 of the Certification and Licensing Regulation; and
 - (b) a reference to a Class I, II, III or IV vessel is a reference to a local vessel certificated for Class I, II, III or IV respectively under the Certification and Licensing Regulation.

PART 2

FEES PRESCRIBED FOR PURPOSES OF MERCHANT SHIPPING (LOCAL VESSELS)(FERRY TERMINALS) REGULATION

3. Fees for application for issue of passes, issue of replacement passes, berthing and passenger embarkation

(1) The fee to be paid in respect of an application under section 13 of the Ferry Terminals Regulation for the issue of a standard pass by a person who is not an authorized officer is \$105.

(2) The fee to be paid in respect of the issue of a replacement pass under section 24 of the Ferry Terminals Regulation is \$180.

(3) The fee to be paid under section 28 of the Ferry Terminals Regulation for berthing in respect of a local vessel is –

- (a) in the case where the vessel is a ferry vessel that is a dynamically supported craft, \$3 per unit of the chargeable net tonnage of the vessel;
- (b) in the case where the vessel is a ferry vessel that is not a dynamically supported craft, \$1.5 per unit of the chargeable net tonnage of the vessel;
- (c) in the case of any other vessel, \$3 per unit of the chargeable net tonnage of the vessel.

(4) The fee to be paid under section 29 of the Ferry Terminals Regulation for passenger embarkation is, in respect of each passenger embarking on a ferry vessel at a terminal –

- (a) in the case where the passenger pays \$12 or more for a single journey on the ferry vessel, \$15;
- (b) in the case where the passenger travels free of charge on a complimentary ticket on the ferry vessel, \$15;
- (c) in the case of any other passenger, \$6.

(5) In this section –

“authorized officer” (獲授權人員) means an authorized officer within the meaning of section 2 of the Ferry Terminals Regulation;

“chargeable net tonnage” (須予繳費淨噸位), in relation to a local vessel, means –

- (a) the net tonnage of the vessel; or
- (b) if that net tonnage is not a whole number, the net tonnage rounded up to the next whole number;

“ferry vessel” (渡輪船隻) means a ferry vessel within the meaning of section 2 of the Ferry Terminals Regulation.

PART 3

FEES PRESCRIBED FOR PURPOSES OF MERCHANT SHIPPING (LOCAL VESSELS)(CERTIFICATION AND LICENSING) REGULATION

4. Fees for application for issue or renewal of full licences or temporary licences

(1) Subject to subsections (2) and (3), the fee to be paid in respect of an application under section 15, 17 or 19 of the Certification and Licensing Regulation for the issue or renewal of a full licence, or a temporary licence, in respect of a local vessel of a type described in column 2 of Part 2 of Schedule 1 is –

- (a) in the case of a licence valid for a period of 12 months, the fee specified in column 3 of that Part opposite the type of vessel;
- (b) in the case of a licence valid for a period of less than 12 months, a fee equal to the aggregate of the following amounts –

- (i) for each of the following within the validity period –
 - (A) the monthly period beginning on the first day of the validity period;
 - (B) each subsequent monthly period, an amount equal to 1/12 of the fee specified in column 3 of that Part opposite the type of vessel;
- (ii) for each day within the validity period that does not fall within a monthly period referred to in subparagraph (i), an amount equal to 1/365 of the fee specified in column 3 of that Part opposite the type of vessel.

(2) If the licence is issued or renewed in respect of a Class IV vessel and permits the vessel to carry more than 14 persons, there shall be payable in respect of the application an additional fee of –

- (a) in the case of a licence valid for a period of 12 months, the amount specified in subsection (4);
- (b) in the case of a licence valid for a period of less than 12 months, an amount equal to the aggregate of the following amounts –
 - (i) for each of the following within the validity period –
 - (A) the monthly period beginning on the first day of the validity period;
 - (B) each subsequent monthly period, an amount equal to 1/12 of the amount specified in subsection (4);

- (ii) for each day within the validity period that does not fall within a monthly period referred to in subparagraph (i), an amount equal to $1/365$ of the amount specified in subsection (4).

(3) If the licence is issued or renewed in respect of a floating restaurant, or a stationary vessel that is certificated as a Class I vessel, there shall be payable in respect of the application an additional fee of –

- (a) in the case of a licence valid for a period of 12 months, the amount specified in subsection (5);
- (b) in the case of a licence valid for a period of less than 12 months, an amount equal to the aggregate of the following amounts –
 - (i) for each of the following within the validity period –
 - (A) the monthly period beginning on the first day of the validity period;
 - (B) each subsequent monthly period, an amount equal to $1/12$ of the amount specified in subsection (5);
 - (ii) for each day within the validity period that does not fall within a monthly period referred to in subparagraph (i), an amount equal to $1/365$ of the amount specified in subsection (5).

(4) The amount specified for the purposes of subsection (2) is the aggregate of the following amounts –

- (a) for the first 15 persons that the vessel concerned is permitted to carry, \$165;

- (b) for each additional person that the vessel concerned is permitted to carry, \$165.

(5) The amount specified for the purposes of subsection (3) is, for each person that the vessel concerned is permitted to carry, \$165.

5. Fees for application for grant of permission for laid-up vessel

The fee to be paid in respect of an application under section 21 of the Certification and Licensing Regulation for the grant of permission for a laid-up vessel in respect of a local vessel of a type described in column 2 of Part 2 of Schedule 1 is –

- (a) in the case of a permission for the vessel to be berthed, moored or anchored at any place in the waters of Hong Kong for a period of 12 months, the fee specified in column 3 of that Part opposite the type of vessel;
- (b) in the case of a permission for the vessel to be berthed, moored or anchored at any place in the waters of Hong Kong for a period of less than 12 months, a fee equal to the aggregate of the following amounts –
 - (i) for each of the following within the permission period –
 - (A) the monthly period beginning on the first day of the permission period;
 - (B) each subsequent monthly period, an amount equal to 1/12 of the fee specified in column 3 of that Part opposite the type of vessel;
 - (ii) for each day within the permission period that does not fall within a monthly period referred to in subparagraph (i), an amount equal to 1/365 of the

fee specified in column 3 of that Part opposite the type of vessel;

- (c) in the case of a permission for the vessel to be berthed, moored or anchored at any place in the waters of Hong Kong for a period of more than 12 months, a fee equal to the aggregate of the following amounts –
 - (i) for each of the following within the permission period –
 - (A) the yearly period beginning on the first day of the permission period;
 - (B) each subsequent yearly period, the fee specified in column 3 of that Part opposite the type of vessel;
 - (ii) for each of the following within the permission period –
 - (A) the monthly period beginning on the day immediately following the last day of the yearly period or the last yearly period, as the case may be, referred to in subparagraph (i);
 - (B) each subsequent monthly period, an amount equal to 1/12 of the fee specified in column 3 of that Part opposite the type of vessel;
 - (iii) for each day within the permission period that does not fall within subparagraph (i) or (ii), an amount equal to 1/365 of the fee specified in column 3 of that Part opposite the type of vessel.

6. Fees for termination of suspension of certificates of survey and licences

(1) The fee to be paid in respect of terminating the suspension of a certificate of survey, and a full licence or temporary licence, under section 33(5) of the Certification and Licensing Regulation after a re-inspection by a relevant surveyor of the local vessel concerned is a fee equal to the aggregate of the following amounts –

- (a) for the first hour of the service period of each relevant surveyor for the re-inspection, \$3,270;
- (b) for each subsequent hour of the service period of each of such relevant surveyor for the re-inspection, \$1,115.

(2) In this section –

“relevant surveyor” (有關驗船師) means –

- (a) a Government surveyor; or
- (b) a ship inspector within the meaning of section 33(7) of the Certification and Licensing Regulation;

“service period” (服務期間), in relation to a re-inspection carried out by a relevant surveyor of a local vessel, means –

- (a) the period of time, in hours, during which the re-inspection continues; or
- (b) if that period of time is not a whole number, the period of time rounded up to the next whole number.

7. Fees for certain matters under Certification and Licensing Regulation

(1) The fee to be paid in respect of a matter described in column 2 of Part 3 of Schedule 1 is the fee specified in column 3 of that Part opposite the matter.

(2) The Director may waive the fee to be paid in respect of the issue of a duplicate of a certificate of ownership, full licence, temporary licence or permission for a laid-up vessel under section 54(1) of the Certification and Licensing Regulation if he is satisfied that the original of the certificate, licence or permission has been destroyed, defaced or lost through fire or shipwreck.

PART 4

FEES PRESCRIBED FOR PURPOSES OF MERCHANT SHIPPING (LOCAL VESSELS)(GENERAL) REGULATION

8. Fees for certain matters under General Regulation

The fee to be paid in respect of a matter described in column 2 of Schedule 2 is the fee specified in column 3 of that Schedule opposite the matter.

PART 5

FEES PRESCRIBED FOR PURPOSES OF MERCHANT SHIPPING (LOCAL VESSELS) (SAFETY AND SURVEY) REGULATION

9. Interpretation of Part 5

(1) In this Part –

“consideration period” (考慮期間), in relation to the consideration of plans by a specified officer, means –

- (a) the period of time, in hours, during which the consideration continues; or

- (b) if that period of time is not a whole number, the period of time rounded up to the next whole number;

“service period” (服務期間), in relation to a survey or re-inspection carried out by a specified officer, means –

- (a) the period of time, in hours, during which the survey or re-inspection continues; or
- (b) if that period of time is not a whole number, the period of time rounded up to the next whole number;

“travel period” (出差期間), in relation to a survey or re-inspection carried out by a specified officer, means the period of time during which the officer is outside Hong Kong on account of the survey or re-inspection.

(2) For the purposes of the definition of “travel period”, a specified officer is outside Hong Kong from the moment when he departs from Hong Kong to the moment when he arrives at Hong Kong.

10. Fees for consideration of plans under Part 3 of Survey Regulation

(1) The fee to be paid under sections 8(4)(e) and 11(3) of the Survey Regulation is –

- (a) in the case of an application for approval, for the purposes of section 9(1) of that Regulation, of plans relating to a specified vessel, \$1,115 for each hour of the consideration period of a specified officer for considering the plans;
- (b) in the case of an application for approval, for the purposes of section 9(1), (2) or (3) of that Regulation, of relevant plans relating to a non-specified vessel of a type described in column 2 of Part 2 of Schedule 3, the fee specified in column 4 of that Part opposite the description of the plans;

- (c) in the case of an application for approval, for the purposes of section 9(4) of that Regulation, of plans relating to a non-specified vessel, \$3,600.

(2) The fee to be paid under section 14(3) of the Survey Regulation is –

- (a) in the case where the plans relating to a specified vessel are considered for the purposes of section 9(1) of that Regulation, \$1,115 for each hour of the consideration period of a specified officer for considering the plans;
- (b) in the case where the relevant plans relating to a non-specified vessel of a type described in column 2 of Part 2 of Schedule 3 are considered for the purposes of section 9(1), (2) or (3) of that Regulation, the fee specified in column 4 of that Part opposite the description of the plans;
- (c) in the case where the plans relating to a non-specified vessel are considered for the purposes of section 9(4) of that Regulation, \$3,600.

(3) In this section –

“non-specified vessel” (非指明船隻) means a local vessel that is not a specified vessel;

“relevant plan” (有關圖則), in relation to a non-specified vessel of a type described in column 2 of Part 2 of Schedule 3, means a plan described in column 3 of that Part opposite the type of vessel;

“specified vessel” (指明船隻) means a Class IV vessel that falls within section 7(3)(b) of the Survey Regulation.

11. Fees for consideration of plans: alteration to local vessels

(1) The fee, under section 76(5)(d)(i) of the Survey Regulation, to be paid in respect of the consideration of plans and, as the case may be, the approval of plans relating to a local vessel is –

- (a) in the case where the plans are considered in relation to a permission to make an alteration to a local vessel to an extent that will render the particulars stated in a certificate of inspection in force in respect of the vessel inaccurate, \$1,115 for each hour of the consideration period of a specified officer for considering the plans;
- (b) in the case where the plans are considered in relation to a permission to make an alteration to a local vessel of a type described in column 2 of Part 2 of Schedule 3 to an extent that will render the particulars specified in subsection (2) inaccurate, 1/10 of the fee specified in column 4 of that Part opposite the description of the relevant plans relating to the vessel;
- (c) in the case where the plans are considered in relation to a permission to make an alteration to a local vessel to an extent that will render the particulars stated in a declaration of fitness in force in respect of the vessel inaccurate, \$1,200.

(2) The particulars specified for the purposes of subsection (1)(b) are those stated in a certificate of survey, survey record of safety equipment, Hong Kong load line certificate, or freeboard assignment certificate in force in respect of the local vessel concerned.

(3) In this section, “relevant plan” (有關圖則), in relation to a local vessel of a type described in column 2 of Part 2 of Schedule 3, means a plan described in column 3 of that Part opposite the type of vessel.

12. Fees for surveys for issue of certificates of survey and certificates of inspection

(1) Subject to sections 16 and 17, the fee to be paid under section 17(4)(b) of the Survey Regulation is –

- (a) in the case of an application for survey, for the purposes of the issue of a certificate of survey valid for not more than 3 months, of a local vessel of a type described in column 2 of Part 3 of Schedule 3 –
 - (i) for the first 3 relevant visits to the vessel for the survey, 1/2 of the fee specified in column 3 of that Part opposite the type of vessel; and
 - (ii) for each subsequent relevant visit to the vessel for the survey, 1/8 of the fee specified in column 3 of that Part opposite the type of vessel;
- (b) in the case of an application for survey, for the purposes of the issue of a certificate of survey valid for more than 3 months, of a local vessel of a type described in column 2 of Part 3 of Schedule 3 –
 - (i) for the first 3 relevant visits to the vessel for the survey, the fee specified in column 3 of that Part opposite the type of vessel; and
 - (ii) for each subsequent relevant visit to the vessel for the survey, 1/4 of the fee specified in column 3 of that Part opposite the type of vessel;

- (c) in the case of an application for survey, for the purposes of the issue of a certificate of survey, of a floating dock that is not classed with a classification society is –
 - (i) for the first hour of the service period of each specified officer for the survey, \$3,270; and
 - (ii) for each subsequent hour of the service period of each specified officer for the survey, \$1,115;
- (d) in the case of an application for survey, for the purposes of the issue of a certificate of inspection, of a Class IV vessel that falls within section 15(2)(b) of the Survey Regulation –
 - (i) for the first 3 relevant visits to the vessel for the survey, \$2,200; and
 - (ii) for each subsequent relevant visit to the vessel for the survey, \$550.

(2) For the purposes of subsection (1), each visit by each specified officer to a local vessel for the purposes of a survey is counted as one relevant visit to the vessel for the survey.

13. Fees for surveys for issue of survey records of safety equipment, Hong Kong load line certificates, freeboard assignment certificates and declarations of fitness

- (1) Subject to sections 16 and 17, the fee to be paid under section 57(1) of the Survey Regulation is –
 - (a) in the case of an application for survey, for the purposes of the issue of a survey record of safety equipment, of a local vessel of a type described in column 2 of Part 4 of Schedule 3 –

- (i) where the survey record is valid for not more than 3 months –
 - (A) for the first 3 relevant visits to the vessel for the survey, 1/2 of the fee specified in column 3 of that Part opposite the type of vessel; and
 - (B) for each subsequent relevant visit to the vessel for the survey, 1/8 of the fee specified in column 3 of that Part opposite the type of vessel;
 - (ii) where the survey record is valid for more than 3 months –
 - (A) for the first 3 relevant visits to the vessel for the survey, the fee specified in column 3 of that Part opposite the type of vessel; and
 - (B) for each subsequent relevant visit to the vessel for the survey, 1/4 of the fee specified in column 3 of that Part opposite the type of vessel;
- (b) in the case of an application for survey, for the purposes of the issue of a Hong Kong load line certificate, of a local vessel of a type described in column 2 of Part 5 of Schedule 3 –
- (i) where the certificate is valid for not more than 3 months –
 - (A) for the first 3 relevant visits to the vessel for the survey, 1/2 of the fee specified in column 3 of that Part opposite the type of vessel; and

- (B) for each subsequent relevant visit to the vessel for the survey, 1/8 of the fee specified in column 3 of that Part opposite the type of vessel;
- (ii) where the certificate is valid for more than 3 months –
 - (A) for the first 3 relevant visits to the vessel for the survey, the fee specified in column 3 of that Part opposite the type of vessel; and
 - (B) for each subsequent relevant visit to the vessel for the survey, 1/4 of the fee specified in column 3 of that Part opposite the type of vessel;
- (c) in the case of an application for survey, for the purposes of the issue of a freeboard assignment certificate, of a local vessel of a type described in column 2 of Part 6 of Schedule 3 –
 - (i) where the certificate is valid for not more than 3 months –
 - (A) for the first 3 relevant visits to the vessel for the survey, 1/2 of the fee specified in column 3 of that Part opposite the type of vessel; and
 - (B) for each subsequent relevant visit to the vessel for the survey, 1/8 of the fee specified in column 3 of that Part opposite the type of vessel;
 - (ii) where the certificate is valid for more than 3 months –

- (A) for the first 3 relevant visits to the vessel for the survey, the fee specified in column 3 of that Part opposite the type of vessel; and
 - (B) for each subsequent relevant visit to the vessel for the survey, 1/4 of the fee specified in column 3 of that Part opposite the type of vessel;
- (d) in the case of an application for survey, for the purposes of the issue of a declaration of fitness, of a local vessel of a type described in column 2 of Part 7 of Schedule 3 –
 - (i) where the declaration of fitness is valid for not more than 3 months –
 - (A) for the first 3 relevant visits to the vessel for the survey, 1/2 of the fee specified in column 3 of that Part opposite the type of vessel; and
 - (B) for each subsequent relevant visit to the vessel for the survey, 1/8 of the fee specified in column 3 of that Part opposite the type of vessel;
 - (ii) where the declaration of fitness is valid for more than 3 months –
 - (A) for the first 3 relevant visits to the vessel for the survey, the fee specified in column 3 of that Part opposite the type of vessel; and
 - (B) for each subsequent relevant visit to the vessel for the survey, 1/4 of the fee specified in column 3 of that Part opposite the type of vessel.

(2) For the purposes of subsection (1), each visit by each specified officer to a local vessel for the purposes of a survey is counted as one relevant visit to the vessel for the survey.

14. Fees for surveys: alteration to local vessels

Subject to sections 16 and 17, the fee, under section 76(5)(d)(ii) of the Survey Regulation, to be paid in respect of a survey of a local vessel by a specified officer is –

- (a) for the first hour of the service period of each officer for the survey, \$3,270; and
- (b) for each subsequent hour of the service period of each officer for the survey, \$1,115.

15. Fees for re-inspections under Survey Regulation

Subject to sections 16 and 17, the fee to be paid under section 21(3), 26(3) or 65(3) of the Survey Regulation for the re-inspection of a local vessel by a specified officer is –

- (a) for the first hour of the service period of each officer for the re-inspection, \$3,270; and
- (b) for each subsequent hour of the service period of each officer for the re-inspection, \$1,115.

16. Additional fees for surveys or re-inspections outside Hong Kong

If the survey referred to in section 12, 13 or 14, or the re-inspection referred to in section 15, or part of the survey or re-inspection, is carried out outside Hong Kong by a specified officer sent from Hong Kong, there shall be payable, in addition to the fee prescribed under that section, a fee equal to the aggregate of the following amounts –

- (a) for each of the following –
 - (i) the first 24 hours, or part of it, of the travel period of each officer for the survey or re-inspection or that part;
 - (ii) each subsequent period of 24 hours, if any, of that travel period;
 - (iii) the remaining time of that travel period, an amount of \$7,645;
- (b) an amount that is, in the opinion of the Director, equivalent to the travelling and subsistence expenses of each officer incurred during that travel period.

17. Additional fees for surveys or re-inspections outside office hours

(1) If the survey referred to in section 12, 13 or 14, or the re-inspection referred to in section 15, or part of the survey or re-inspection, is carried out (whether within Hong Kong or not) by a specified officer outside office hours, there shall be payable, in addition to the fee prescribed under that section –

- (a) subject to paragraph (c), if the day of service is a weekday (other than a Saturday) –
 - (i) for each hour of the service period of each officer for the survey or re-inspection or that part between 6:30 a.m. and 8:30 a.m. or between 5:45 p.m. and 7:45 p.m., a fee of \$1,115; and
 - (ii) for each hour of the service period of each officer for the survey or re-inspection or that part before 6:30 a.m. or after 7:45 p.m., a fee of \$2,215;

- (b) if the day of service is a Saturday or Sunday, for each hour of the service period of each officer for the survey or re-inspection or that part, a fee of \$3,270;
- (c) if the day of service falls on a calendar day that is a general holiday (other than a Saturday or Sunday) in Hong Kong, for each hour of the service period of each officer for the survey or re-inspection or that part, a fee of \$3,270.

(2) For the purposes of subsection (1), where a survey or re-inspection, or part of a survey or re-inspection, is carried out outside Hong Kong, a reference to any time or date in that subsection (except the reference to general holiday in subsection (1)(c)) is the time or date according to the local time in the place where the survey or re-inspection, or that part, is carried out.

(3) Subsection (1) does not apply if the application for the survey or re-inspection was made to the Director at least 3 days before the survey or re-inspection, or part of the survey or re-inspection, is carried out, but the Director has caused the survey or re-inspection or that part to be carried out outside office hours.

18. Fees for considering declaration of survey and issue of certificates, etc.

(1) The fee to be paid under section 22(6) of the Survey Regulation is –

- (a) in the case of a declaration of survey of a Class II vessel, or a Class III vessel, that is a Category B vessel fitted with propulsion engine with total propulsion power not exceeding 30 BHP, \$285;
- (b) in the case of a declaration of survey of any other vessel, \$565.

- (2) The fee to be paid under section 59(2) of the Survey Regulation is –
- (a) in the case of a declaration of survey, submitted for the purposes of the issue of a survey record of safety equipment or Hong Kong load line certificate, \$565;
 - (b) in the case of a declaration of survey, submitted for the purposes of the issue of a freeboard assignment certificate –
 - (i) of a Class II vessel the gross tonnage of which is less than 100, \$285;
 - (ii) of any other vessel, \$565;
 - (c) in the case of a declaration of survey, submitted for the purposes of the issue of a declaration of fitness, \$565.

19. Fees for issue of new operating licences

- (1) The fee, under section 71 or 72 of the Survey Regulation, to be paid in respect of the issue of a new operating licence in respect of a local vessel is a fee equal to the aggregate of the following amounts –
- (a) for each of the following within the validity period of the licence –
 - (i) the monthly period beginning on the first day of the validity period;
 - (ii) each subsequent monthly period, an amount equal to 1/12 of the amount specified in subsection (2);
 - (b) for each day within the validity period of the licence that does not fall within a monthly period referred to in paragraph (a)(i), an amount equal to 1/365 of the amount specified in subsection (2).

(2) The amount specified for the purposes of subsection (1) is, for each person by which the number of passengers specified in the certificate of inspection or certificate of survey (as the case may be) in respect of the local vessel concerned exceeds the number of passengers shown in the existing operating licence in respect of the vessel, \$165.

20. Fees for issues of new certificates of inspection and certificates of survey

(1) The fee, under section 72(3) of the Survey Regulation, to be paid in respect of the issue of a new certificate of inspection in respect of a local vessel is \$565.

(2) The fee, under section 72(3) of the Survey Regulation, to be paid in respect of the issue of a new certificate of survey in respect of a local vessel is –

- (a) in the case of a Class II vessel that is a Category B vessel fitted with propulsion engine with total propulsion power not exceeding 30 BHP, \$285;
- (b) in the case of any other vessel, \$565.

21. Fees for issues of duplicates of certificates, etc.

(1) The fee, under section 85(4) of the Survey Regulation, to be paid in respect of an application for the issue of a duplicate of a certificate of inspection is \$565.

(2) The fee, under section 85(4) of the Survey Regulation, to be paid in respect of an application for the issue of a duplicate of a certificate of survey is –

- (a) in the case of a Class II vessel, or a Class III vessel, that is a Category B vessel fitted with propulsion engine with total propulsion power not exceeding 30 BHP, \$285;
- (b) in the case of any other vessel, \$565.

(3) The fee, under section 85(4) of the Survey Regulation, to be paid in respect of an application for the issue of a duplicate of a survey record of safety equipment or Hong Kong load line certificate is \$565.

(4) The fee, under section 85(4) of the Survey Regulation, to be paid in respect of an application for the issue of a duplicate of a freeboard assignment certificate is –

- (a) in the case of a Class II vessel the gross tonnage of which is less than 100, \$285;
- (b) in the case of any other vessel, \$565.

(5) The fee, under section 85(4) of the Survey Regulation, to be paid in respect of an application for the issue of a duplicate of a declaration of fitness is \$565.

22. Fees for re-issue of certificates, etc.

(1) The fee, under section 76(5)(d)(iii) of the Survey Regulation, to be paid in respect of the re-issue of a certificate of inspection is \$565.

(2) The fee, under section 76(5)(d)(iii) of the Survey Regulation, to be paid in respect of the re-issue of a certificate of survey is –

- (a) in the case of a Class II vessel, or a Class III vessel, that is a Category B vessel fitted with propulsion engine with total propulsion power not exceeding 30 BHP, \$285;
- (b) in the case of any other vessel, \$565.

(3) The fee, under section 76(5)(d)(iii) of the Survey Regulation, to be paid in respect of the re-issue of a survey record of safety equipment or Hong Kong load line certificate is \$565.

(4) The fee, under section 76(5)(d)(iii) of the Survey Regulation, to be paid in respect of the re-issue of a freeboard assignment certificate is –

- (a) in the case of a Class II vessel the gross tonnage of which is less than 100, \$285;
 - (b) in the case of any other vessel, \$565.
- (5) The fee, under section 76(5)(d)(iii) of the Survey Regulation, to be paid in respect of the re-issue of a declaration of fitness is \$565.

PART 6

FEES PRESCRIBED FOR PERMISSION AND EXEMPTION UNDER ORDINANCE

23. Interpretation of Part 6

In this Part –

“chargeable gross tonnage” (須予繳費總噸位), in relation to a local vessel, means –

- (a) one half of the gross tonnage of the vessel; or
- (b) if that one half is not a multiple of 100, that one half rounded up to the next multiple of 100;

“specified permission” (指明允許) means a written permission of the Director under section 70 of the Ordinance.

24. Fees for permission to break up local vessels

(1) The fee to be paid in respect of a specified permission for the purposes of section 41(1) of the Ordinance to break up a local vessel is –

- (a) if the vessel is to be broken up within the area of the Victoria port, a fee equal to the aggregate of the following amounts –
 - (i) \$875;
 - (ii) \$79 for each 100 of the chargeable gross tonnage of the vessel for each day during which the permission is in force;

- (b) if the vessel is to be broken up elsewhere in the waters of Hong Kong, a fee equal to the aggregate of the following amounts –
- (i) \$875;
 - (ii) \$52 for each 100 of the chargeable gross tonnage of the vessel for each day during which the permission is in force.

(2) In this section, “Victoria port” (維多利亞港口) means the area of the waters of Hong Kong declared under section 56 of the Shipping and Port Control Ordinance (Cap. 313) as Victoria port.

25. Fees for permission to navigate in waters of Hong Kong

(1) Subject to subsection (2), the fee to be paid in respect of a specified permission for the purposes of section 8(1) of the General Regulation for a local vessel of a type described in column 2 of Schedule 4 to navigate in the waters of Hong Kong is, for each of the following –

- (a) the first monthly period, or part of it, of the period during which the vessel is so permitted;
- (b) each subsequent monthly period, if any, of the period during which the vessel is so permitted;
- (c) the remaining time of the period during which the vessel is so permitted,

the fee specified in column 3 of that Schedule opposite the type of vessel.

(2) If, under the specified permission, the local vessel is permitted to carry more than 14 persons, there shall be payable in respect of the permission, for each of the following –

- (a) the first monthly period, or part of it, of the period during which the vessel is so permitted;
- (b) each subsequent monthly period, if any, of the period during which the vessel is so permitted;
- (c) the remaining time of the period during which the vessel is so permitted,

an additional fee of \$14 for each person in excess of 14 that the vessel is permitted to carry.

26. Fees for permission to moor to Government mooring buoys

(1) The fee to be paid in respect of a specified permission for the purposes of section 25(1) of the General Regulation for a local vessel to moor to a Government mooring buoy is –

- (a) if the mooring buoy is a Class A buoy, \$3,685 for each of the following –
 - (i) the first day, or part of it, of the period when the buoy is used;
 - (ii) each subsequent day, if any, of that period;
 - (iii) the remaining time of that period;
- (b) if the mooring buoy is a Class B buoy, \$2,455 for each of the following –
 - (i) the first day, or part of it, of the period when the buoy is used;
 - (ii) each subsequent day, if any, of that period;
 - (iii) the remaining time of that period.

(2) For the purposes of subsection (1), “day”(日) means a period of 24 hours beginning at midnight.

27. Fees for certain permission of Director

The fee to be paid in respect of a specified permission for the purposes of –

- (a) section 53(1) of the Ordinance;
- (b) section 4(2) or (4) of the Typhoon Shelters Regulation; or
- (c) section 9(1) or (2), 12(1), (2) or (3), 14, 15, 17, 18, 19(1), (2) or (3), 22(2)(e), (f) or (g), 23(1), 27(1) or (2), 28(1) or (2), 32(1), (2) or (3), 54(1) or (2), 84(1), 85(1), (2) or (3), 86(2), 87(1), 91(1), 92(1) or 93(1) of the General Regulation,

to do, cause or permit to be done, an act prohibited by the provision is \$160.

28. Fees for exemptions under section 69 of Ordinance

The fee to be paid in respect of an exemption of the Director under section 69 of the Ordinance is –

- (a) in the case of an exemption from section 28 of the Ordinance, \$525;
- (b) in the case of an exemption from section 3 of the General Regulation, \$97;
- (c) in the case of any other exemption, \$525.

PART 7**FEES FOR SERVICES PROVIDED BY DIRECTOR
UNDER SECTION 63A OF ORDINANCE****29. Interpretation of Part 7**

(1) In this Part –

“relevant service” (有關服務) means a service performed by the Director, upon request, under section 63A of the Ordinance;

“service period” (服務期間), in relation to a service carried out by a specified officer, means –

- (a) the period of time, in hours, during which the service continues; or
- (b) if that period of time is not a whole number, the period of time rounded up to the next whole number;

“travel period” (出差期間), in relation to a service carried out by a specified officer, means the period of time during which the officer is outside Hong Kong on account of the service.

(2) For the purposes of the definition of “travel period”, a specified officer is outside Hong Kong from the moment when he departs from Hong Kong to the moment when he arrives at Hong Kong.

Division 1 – Fees for attendance at legal proceedings or inquiries, giving advices, examination of plans, search of records and issue of documents

30. Fees for attendance at legal proceedings or inquiries

(1) The fee to be paid in respect of an attendance of a specified officer in any legal proceedings or inquiries, as a relevant service, is –

- (a) in the case of an attendance within Hong Kong, for each hour of the attendance period of each officer for the attendance, \$1,115;
- (b) in the case of an attendance outside Hong Kong, a fee equal to the aggregate of the following amounts –

- (i) for each of the following –
 - (A) the first 24 hours, or part of it, of the travel period of each officer for the attendance;
 - (B) each subsequent period of 24 hours, if any, of that travel period;
 - (C) the remaining time of that travel period, an amount of \$7,645;
- (ii) an amount that is, in the opinion of the Director, equivalent to the travelling and subsistence expenses of each officer incurred during that travel period.

(2) In this section, “attendance period” (出席期間), in relation to an attendance of a specified officer in any legal proceedings or inquiries, means –

- (a) the period of time, in hours, during which the attendance continues; or
- (b) if that period of time is not a whole number, the period of time rounded up to the next whole number.

31. Fees for giving advices and examination of plans

(1) The fee to be paid in respect of a visit by a specified officer to a local vessel that is certificated under the Certification and Licensing Regulation for a particular class and a particular type, as a relevant service, for the purpose of giving advice as to whether or not the vessel is suitable to be certificated for another class or another type, is \$365.

(2) The fee to be paid in respect of a visit by a specified officer to a local vessel that is not certificated under the Certification and Licensing Regulation, as a relevant service, for the purpose of giving advice as to whether or not the vessel is suitable to be certificated for a particular class and a particular type, is \$365.

(3) The fee to be paid in respect of an examination by a specified officer of plans relating to the structure, machinery or equipment of a local vessel, as a relevant service, for the purpose of giving advice as to whether or not that structure, machinery or equipment complies with the requirement under the Ordinance, is, for each hour of the examination period of a specified officer for the examination, \$1,115.

(4) In subsection (3), “examination period” (審閱期間), in relation to an examination by a specified officer of plans, means –

- (a) the period of time, in hours, during which the examinations continues; or
- (b) if that period of time is not a whole number, the period of time rounded up to the next whole number.

32. Fees for search of records

(1) The fee to be paid in respect of a search by a specified officer of the record relating to a local vessel as contained in the certificate of ownership, full licence, temporary licence or permission for a laid-up vessel of the vessel in the office of the Marine Department, as a relevant service, is \$175.

(2) The fee to be paid in respect of a search by a specified officer of any record (other than a record referred to in subsection (1)) in the office of the Marine Department, as a relevant service, is \$125.

33. Fees for copies, etc. of documents

(1) The fee to be paid in respect of the issue by a specified officer, as a relevant service, of a certified true copy of –

- (a) a certificate of ownership, full licence, temporary licence or permission for a laid-up vessel, is \$210;

- (b) a certificate of inspection, certificate of survey, survey record of safety equipment, Hong Kong load line certificate, freeboard assignment certificate or declaration of fitness, is \$565;
- (c) any other document, is \$160.

(2) The fee to be paid in respect of the issue by a specified officer of a certified extract of any document, as a relevant service, is \$160.

(3) The fee to be paid in respect of the issue by a specified officer of an uncertified copy of any document, as a relevant service, is \$9 for each sheet so issued.

34. Fees for documents to certify that local vessels have been broken up

The fee to be paid in respect of the issue by a specified officer of any written document to certify that a local vessel has been broken up by the Director, as a relevant service, is \$175.

Division 2 – Fees for miscellaneous services

35. Application of Division 2

- (1) This Division applies only to the following services –
 - (a) a visit by a specified officer to a local vessel, shore installation, navigation aid or other site, as a relevant service;
 - (b) the reproduction of any drawing of a local vessel by a specified officer, as a relevant service; and
 - (c) the examination of any equipment relating to a local vessel by a specified officer, as a relevant service.

(2) Notwithstanding subsection (1), this Division does not apply to any service in respect of which a fee is prescribed in Division 1 of this Part.

36. Fees for services of specified officers

(1) Subject to section 37, the fee to be paid in respect of a service carried out in whole within Hong Kong by a specified officer is –

- (a) in the case of a service referred to in section 35(1)(a) –
 - (i) for the first hour of the service period of each officer for the service, \$3,270; and
 - (ii) for each subsequent hour of the service period of each officer for the service, \$1,115;
- (b) in the case of a service referred to in section 35(1)(b) or (c), for each hour of the service period of each officer for the service, \$1,115.

(2) Subject to section 37, the fee to be paid in respect of a service carried out in whole outside Hong Kong by a specified officer sent from Hong Kong is the aggregate of the following amounts –

- (a) for each hour of the service period of each officer for the service, an amount of \$1,115;
- (b) for each of the following –
 - (i) the first 24 hours, or part of it, of the travel period of each officer for the service;
 - (ii) each subsequent period of 24 hours, if any, of that travel period;
 - (iii) the remaining time of that travel period, an amount of \$7,645;
- (c) an amount that is, in the opinion of the Director, equivalent to the travelling and subsistence expenses of each officer incurred during that travel period.

(3) Subject to section 37, the fee to be paid in respect of a service carried out in part within Hong Kong by a specified officer, and in part outside Hong Kong by a specified officer sent from Hong Kong, is the aggregate of the following amounts –

- (a) for the part of the service carried out within Hong Kong, an amount equal to the fee calculated in accordance with subsection (1) as if that part was a service carried out in whole within Hong Kong;
- (b) for the part of the service carried out outside Hong Kong, an amount equal to the fee calculated in accordance with subsection (2) as if that part was a service carried out in whole outside Hong Kong.

37. Additional fees for services outside office hours

(1) If a service, or part of a service, is carried out (whether within Hong Kong or not) by a specified officer outside office hours, there shall be payable, in addition to the fee prescribed under section 36 –

- (a) subject to paragraph (c), if the day of service is a weekday (other than a Saturday) –
 - (i) for each hour of the service period of each officer for the service or that part between 6:30 a.m. and 8:30 a.m. or between 5:45 p.m. and 7:45 p.m., a fee of \$1,115; and
 - (ii) for each hour of the service period of each officer for the service or that part before 6:30 a.m. or after 7:45 p.m., a fee of \$2,215;
- (b) if the day of service is a Saturday or Sunday, for each hour of the service period of each officer for the service or that part, a fee of \$3,270;
- (c) if the day of service falls on a calendar day that is a general holiday (other than a Saturday or Sunday) in Hong Kong, for each hour of the service period of each officer for the service or that part, a fee of \$3,270.

(2) For the purposes of subsection (1), where a service, or part of a service, is carried out outside Hong Kong, a reference to any time or date in that subsection (except the reference to general holiday in subsection (1)(c)) is the time or date according to the local time in the place where the service, or that part, is carried out.

(3) Subsection (1) does not apply if the request for the service was made to the Director at least 3 days before the service, or part of the service, is carried out, but the Director has caused the service or that part to be carried out outside office hours.

PART 8

MISCELLANEOUS

38. Interpretation of Part 8

In this Part, “relevant matter” (有關事項) means a matter in respect of which a fee is prescribed under this Regulation.

39. Fees where services not completed

- (1) Where –
- (a) at the request of any person, any service for a relevant matter is carried out; and
 - (b) in consequence of the act of the person, the service is abandoned before it is completed,

the Director may reduce the fee payable in respect of the matter under this Regulation.

(2) In exercising the power under subsection (1), the Director shall have regard to the nature and extent of the work involved in the service.

40. Services required for certain official purposes

(1) The Director may waive the fee to be paid under this Regulation (except section 33(1)) in respect of any service for a relevant matter that is carried out at the request of any public body, or the representative of a government other than the Government of Hong Kong, for official purposes.

(2) The Director may waive the fee to be paid under section 33(1) in respect of the issue of a certified true copy of a document that –

- (a) is issued at the request of the Central People's Government, or the representative of a government other than the Government of Hong Kong; and
- (b) is required for official purposes.

41. Waiver of fees

The Director may waive the fee to be paid under section 28(a) or (b) in respect of the granting of an exemption to a local vessel that –

- (a) is a Class III vessel or a Class IV vessel; and
- (b) is a vessel exempted under section 63 of the Shipping and Port Control Ordinance (Cap. 313) from the requirement of section 15 of that Ordinance.

SCHEDULE 1

[ss. 4, 5 & 7]

FEES PRESCRIBED FOR PURPOSES OF MERCHANT
SHIPPING (LOCAL VESSELS)(CERTIFICATION AND
LICENSING) REGULATION

PART 1

In this Schedule –

“chargeable area” (須予繳費面積), in relation to a local vessel, means –

- (a) the area of the vessel in square metres; or
- (b) if that area is not a whole number, the area rounded up to the next whole number;

“relevant area” (有關範圍) means an area of sea bed –

- (a) which is included in a lease of the foreshore adjacent to the area; or
- (b) the lease of which is granted in conjunction with a lease of the foreshore adjacent to the area;

“specified sheltered waters” (指明遮蔽水域) means the waters specified in Schedule 2 to the Certification and Licensing Regulation;

“typhoon shelter” (避風塘) means a typhoon shelter specified in column 2 of the Schedule to the Typhoon Shelters Regulation.

PART 2

Item	Type of vessel	Fee
<i>Class I Vessel</i>		
1.	Ferry vessel, launch or multi-purposes vessel –	
	(a) that is restricted in its full licence or temporary licence to ply within any specified sheltered waters or typhoon shelter –	
	(i) where the area of the vessel is less than 50 m ²	\$345
	(ii) where the area of the vessel is 50 m ² or more but less than 100 m ²	\$695
	(iii) where the area of the vessel is 100 m ² or more	\$8.5 for each square metre of the chargeable area of the vessel
	(b) that is not a vessel mentioned in paragraph (a) –	
	(i) where the area of the vessel is less than 50 m ²	\$1,050
	(ii) where the area of the vessel is 50 m ² or more but less than 100 m ²	\$2,090

- | | | |
|---|---|--|
| (iii) | where the area of the vessel is 100 m ² or more but less than 400 m ² | \$3,420 |
| (iv) | where the area of the vessel is 400 m ² or more | \$10 for each square metre of the chargeable area of the vessel |
| 2. Floating restaurant, or stationary vessel certificated as a Class I vessel – | | |
| (a) | where the area of the vessel is less than 800 m ² | \$68 for each square metre of the chargeable area of the vessel |
| (b) | where the area of the vessel is 800 m ² or more | \$100 for each square metre of the chargeable area of the vessel |
| 3. Primitive vessel – | | |
| (a) | where the area of the vessel is less than 50 m ² | \$345 |
| (b) | where the area of the vessel is 50 m ² or more but less than 100 m ² | \$695 |
| (c) | where the area of the vessel is 100 m ² or more | \$8.5 for each square metre of the chargeable area of the vessel |

Class II Vessel

4. Transportation sampan fitted with propulsion engine –
- | | | |
|-------|---|---|
| (a) | that is restricted in its full licence or temporary licence to ply within any specified sheltered waters or typhoon shelter | \$210 |
| (b) | that is not a vessel mentioned in paragraph (a) – | |
| (i) | where the area of the vessel is less than 55 m ² | \$345 |
| (ii) | where the area of the vessel is 55 m ² or more but less than 80 m ² | \$695 |
| (iii) | where the area of the vessel is 80 m ² or more but less than 120 m ² | \$1,380 |
| (iv) | where the area of the vessel is 120 m ² or more but less than 250 m ² | \$13 for each square metre of the chargeable area of the vessel |
| (v) | where the area of the vessel is 250 m ² or more but less than 400 m ² | \$17 for each square metre of the chargeable area of the vessel |
| (vi) | where the area of the vessel is 400 m ² or more but less than 600 m ² | \$19 for each square metre of the chargeable area of the vessel |

(vii)	where the area of the vessel is 600 m ² or more but less than 800 m ²	\$21 for each square metre of the chargeable area of the vessel
(viii)	where the area of the vessel is 800 m ² or more but less than 1 000 m ²	\$24 for each square metre of the chargeable area of the vessel
(ix)	where the area of the vessel is 1 000 m ² or more but less than 1 300 m ²	\$29 for each square metre of the chargeable area of the vessel
(x)	where the area of the vessel is 1 300 m ² or more but less than 1 800 m ²	\$30 for each square metre of the chargeable area of the vessel
(xi)	where the area of the vessel is 1 800 m ² or more but less than 2 000 m ²	\$35 for each square metre of the chargeable area of the vessel
(xii)	where the area of the vessel is 2 000 m ² or more	\$40 for each square metre of the chargeable area of the vessel

5. Transportation sampan not fitted with propulsion engine –

(a)	that is restricted in its full licence or temporary licence to ply within any specified sheltered waters or typhoon shelter	\$92
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- (b) that is not a vessel mentioned in paragraph (a) –
- | | | |
|--------|---|--|
| (i) | where the area of the vessel is less than 55 m ² | \$180 |
| (ii) | where the area of the vessel is 55 m ² or more but less than 80 m ² | \$345 |
| (iii) | where the area of the vessel is 80 m ² or more but less than 120 m ² | \$695 |
| (iv) | where the area of the vessel is 120 m ² or more but less than 250 m ² | \$6.5 for each square metre of the chargeable area of the vessel |
| (v) | where the area of the vessel is 250 m ² or more but less than 400 m ² | \$8.5 for each square metre of the chargeable area of the vessel |
| (vi) | where the area of the vessel is 400 m ² or more but less than 600 m ² | \$9.5 for each square metre of the chargeable area of the vessel |
| (vii) | where the area of the vessel is 600 m ² or more but less than 800 m ² | \$11 for each square metre of the chargeable area of the vessel |
| (viii) | where the area of the vessel is 800 m ² or more but less than 1 000 m ² | \$12 for each square metre of the chargeable area of the vessel |

(ix)	where the area of the vessel is 1 000 m ² or more but less than 1 200 m ²	\$13 for each square metre of the chargeable area of the vessel
(x)	where the area of the vessel is 1 200 m ² or more but less than 1 400 m ²	\$15 for each square metre of the chargeable area of the vessel
(xi)	where the area of the vessel is 1 400 m ² or more but less than 1 800 m ²	\$16 for each square metre of the chargeable area of the vessel
(xii)	where the area of the vessel is 1 800 m ² or more	\$19 for each square metre of the chargeable area of the vessel

6. Landing platform, or stationary vessel certificated as a Class II vessel –

(a)	where the area of the vessel is less than 62 m ²	\$1,760
(b)	where the area of the vessel is 62 m ² or more but less than 94 m ²	\$3,470
(c)	where the area of the vessel is 94 m ² or more but less than 140 m ²	\$6,940
(d)	where the area of the vessel is 140 m ² or more but less than 180 m ²	\$10,360
(e)	where the area of the vessel is 180 m ² or more but less than 250 m ²	\$73 for each square metre of the chargeable area of the vessel

- | | | |
|---|--|--|
| (f) | where the area of the vessel is 250 m ² or more but less than 350 m ² | \$81 for each square metre of the chargeable area of the vessel |
| (g) | where the area of the vessel is 350 m ² or more but less than 500 m ² | \$86 for each square metre of the chargeable area of the vessel |
| (h) | where the area of the vessel is 500 m ² or more | \$90 for each square metre of the chargeable area of the vessel |
| 7. Floating dock or floating workshop – | | |
| (a) | that is moored to a relevant area – | |
| (i) | where the area of the vessel is less than 500 m ² | \$7 for each square metre of the chargeable area of the vessel |
| (ii) | where the area of the vessel is 500 m ² or more but less than 10 000 m ² | \$9.5 for each square metre of the chargeable area of the vessel |
| (iii) | where the area of the vessel is 10 000 m ² or more | \$11 for each square metre of the chargeable area of the vessel |
| (b) | that is not a vessel mentioned in paragraph (a) – | |
| (i) | where the area of the vessel is less than 500 m ² | \$35 for each square metre of the chargeable area of the vessel |

(ii)	where the area of the vessel is 500 m ² or more but less than 10 000 m ²	\$47.5 for each square metre of the chargeable area of the vessel
(iii)	where the area of the vessel is 10 000 m ² or more	\$55 for each square metre of the chargeable area of the vessel
8. Class II vessel fitted with propulsion engine (other than a transportation sampan, landing platform, stationary vessel, floating dock or floating workshop) –		
(a)	where the area of the vessel is less than 55 m ²	\$345
(b)	where the area of the vessel is 55 m ² or more but less than 80 m ²	\$695
(c)	where the area of the vessel is 80 m ² or more but less than 120 m ²	\$1,380
(d)	where the area of the vessel is 120 m ² or more but less than 250 m ²	\$13 for each square metre of the chargeable area of the vessel
(e)	where the area of the vessel is 250 m ² or more but less than 400 m ²	\$17 for each square metre of the chargeable area of the vessel
(f)	where the area of the vessel is 400 m ² or more but less than 600 m ²	\$19 for each square metre of the chargeable area of the vessel

- | | | |
|-----|---|---|
| (g) | where the area of the vessel is 600 m ² or more but less than 800 m ² | \$21 for each square metre of the chargeable area of the vessel |
| (h) | where the area of the vessel is 800 m ² or more but less than 1 000 m ² | \$24 for each square metre of the chargeable area of the vessel |
| (i) | where the area of the vessel is 1 000 m ² or more but less than 1 300 m ² | \$29 for each square metre of the chargeable area of the vessel |
| (j) | where the area of the vessel is 1 300 m ² or more but less than 1 800 m ² | \$30 for each square metre of the chargeable area of the vessel |
| (k) | where the area of the vessel is 1 800 m ² or more but less than 2 000 m ² | \$35 for each square metre of the chargeable area of the vessel |
| (l) | where the area of the vessel is 2 000 m ² or more | \$40 for each square metre of the chargeable area of the vessel |
| | | |
| 9. | Class II vessel not fitted with propulsion engine (other than a transportation sampan, landing platform, stationary vessel, floating dock or floating workshop) – | |
| (a) | where the area of the vessel is less than 55 m ² | \$180 |

(b)	where the area of the vessel is 55 m ² or more but less than 80 m ²	\$345
(c)	where the area of the vessel is 80 m ² or more but less than 120 m ²	\$695
(d)	where the area of the vessel is 120 m ² or more but less than 250 m ²	\$6.5 for each square metre of the chargeable area of the vessel
(e)	where the area of the vessel is 250 m ² or more but less than 400 m ²	\$8.5 for each square metre of the chargeable area of the vessel
(f)	where the area of the vessel is 400 m ² or more but less than 600 m ²	\$9.5 for each square metre of the chargeable area of the vessel
(g)	where the area of the vessel is 600 m ² or more but less than 800 m ²	\$11 for each square metre of the chargeable area of the vessel
(h)	where the area of the vessel is 800 m ² or more but less than 1 000 m ²	\$12 for each square metre of the chargeable area of the vessel
(i)	where the area of the vessel is 1 000 m ² or more but less than 1 200 m ²	\$13 for each square metre of the chargeable area of the vessel
(j)	where the area of the vessel is 1 200 m ² or more but less than 1 400 m ²	\$15 for each square metre of the chargeable area of the vessel

- | | | |
|-----|---|---|
| (k) | where the area of the vessel is
1 400 m ² or more but less than
1 800 m ² | \$16 for each square
metre of the chargeable
area of the vessel |
| (l) | where the area of the vessel is
1 800 m ² or more | \$19 for each square
metre of the chargeable
area of the vessel |

Class III Vessel

10. Class III vessel fitted with propulsion engine, the hull of which is not constructed of metal –
- | | | |
|-----|--|--|
| (a) | where the area of the vessel is less
than 90 m ² | \$345 |
| (b) | where the area of the vessel is 90
m ² or more but less than
200 m ² | \$6.5 for each square
metre of the chargeable
area of the vessel |
| (c) | where the area of the vessel is 200
m ² or more | \$7.5 for each square
metre of the chargeable
area of the vessel |
11. Class III vessel fitted with propulsion engine, the hull of which is constructed of metal –
- | | | |
|-----|--|-------|
| (a) | where the area of the vessel is less
than 50 m ² | \$345 |
|-----|--|-------|

- | | | |
|--|--|--|
| (b) | where the area of the vessel is 50 m ² or more but less than 250 m ² | \$12 for each square metre of the chargeable area of the vessel |
| (c) | where the area of the vessel is 250 m ² or more | \$15 for each square metre of the chargeable area of the vessel |
| 12. Class III vessel not fitted with propulsion engine – | | |
| (a) | where the area of the vessel is less than 50 m ² | \$180 |
| (b) | where the area of the vessel is 50 m ² or more but less than 100 m ² | \$345 |
| (c) | where the area of the vessel is 100 m ² or more | \$5.5 for each square metre of the chargeable area of the vessel |

Class IV Vessel

- | | | |
|-----------------------|---|-------|
| 13. Class IV vessel – | | |
| (a) | where the area of the vessel is less than 10 m ² | \$335 |
| (b) | where the area of the vessel is 10 m ² or more but less than 20 m ² | \$670 |

- | | | |
|-----|---|---|
| (c) | where the area of the vessel is 20 m ² or more but less than 40 m ² | \$1,340 |
| (d) | where the area of the vessel is 40 m ² or more but less than 100 m ² | \$1,340 plus \$1,340 for each 20 m ² of the difference between the area of the vessel and 40 m ² (rounded up to the next multiple of 20 m ² if the difference is not a multiple of 20 m ²) |
| (e) | where the area of the vessel is 100 m ² or more but less than 220 m ² | \$5,360 plus \$1,340 for each 30 m ² of the difference between the area of the vessel and 100 m ² (rounded up to the next multiple of 30 m ² if the difference is not a multiple of 30 m ²) |
| (f) | where the area of the vessel is 220 m ² or more but less than 420 m ² | \$10,720 plus \$1,340 for each 40 m ² of the difference between the area of the vessel and 220 m ² (rounded up to the next multiple of 40 m ² if the difference is not a multiple of 40 m ²) |

- (g) where the area of the vessel is 420 m² or more \$17,420 plus \$1,340 for each 60 m² of the difference between the area of the vessel and 420 m² (rounded up to the next multiple of 60 m² if the difference is not a multiple of 60 m²)

PART 3

Item	Matter	Fee
1.	An appointment by the certificated owner of a local vessel, under section 7 of the Certification and Licensing Regulation, of another person as an agent for the purposes of that Regulation	\$355
2.	The Director's endorsement, under section 8(7) of the Certification and Licensing Regulation, of the termination of appointment of an agent	\$355
3.	A request by the certificated owner of a local vessel, or his agent, to the Director for the inclusion, under section 12(1) of the Certification and Licensing Regulation, of the business name of the certificated owner of the vessel in the	\$355

certificate of ownership

- | | | |
|----|--|-------|
| 4. | A request by the certificated owner of a local vessel, or his agent, to the Director for the making of an endorsement, under section 13(1) of the Certification and Licensing Regulation, on the certificate of ownership for the vessel | \$355 |
| 5. | A request by the certificated owner of a local vessel, or his agent, to the Director for the making of an endorsement, under section 14(1) of the Certification and Licensing Regulation, on the certificate of ownership for the vessel to the effect that a mortgage or hire-purchase agreement subsists in relation to the vessel | \$355 |
| 6. | An application for the purposes of section 23(1) of the Certification and Licensing Regulation | \$355 |
| 7. | An application for the purposes of section 26(1) of the Certification and Licensing Regulation | \$355 |

- | | | |
|-----|--|-------|
| 8. | An application for the purposes of section 23(1) of the Certification and Licensing Regulation as applying to a transfer of the ownership of a local vessel by virtue of section 29(1)(a) of that Regulation | \$355 |
| 9. | A notice of change in the particulars specified in the certificate of ownership, under section 37(1) of the Certification and Licensing Regulation – | |
| | (a) where the particular changed is the shore address in Hong Kong of the owner of the local vessel, or his agent, specified in the certificate of ownership | Nil |
| | (b) where the particular changed is any other particulars specified in the certificate of ownership | \$355 |
| 10. | An application by a certificated owner of a local vessel, or his agent, for the name of the local vessel to be specified in the certificate of ownership of the vessel under section 40(5) of the Certification and Licensing Regulation | \$355 |

- | | | |
|-----|--|-------|
| 11. | The issue of a duplicate of a certificate of ownership, full licence, temporary licence or permission for a laid-up vessel under section 54(1) of the Certification and Licensing Regulation | \$355 |
|-----|--|-------|

SCHEDULE 2

[s. 8]

FEES PRESCRIBED FOR PURPOSES OF MERCHANT SHIPPING (LOCAL VESSELS)(GENERAL) REGULATION

Item	Matter	Fee
1.	An application under section 4 of the General Regulation for an arrival clearance in respect of a local vessel	\$97
2.	An application under section 6 of the General Regulation for a port clearance in respect of a local vessel	\$97
3.	A permit to remain granted in respect of a local vessel under section 41 of the General Regulation, or renewed under section 42 of that Regulation – (a) in the case of a permit that may be used for not more than 10 occasions within one monthly period –	

- | | | |
|---------------------------------------|---|--|
| (i) | where the area of the vessel is less than 400 m ² | \$4,100 |
| (ii) | where the area of the vessel is 400 m ² or more | \$4,100 plus \$11 for each square metre of the difference, in square metres, between the area of the vessel and 400 m ² (rounded up to the next whole number if the difference is not a whole number) |
| (b) in the case of any other permit – | | |
| (i) | for each occasion that the vessel remains in the waters of Hong Kong for not more than 7 consecutive days – | |
| (A) | where the area of the vessel is less than 400 m ² | \$820 |
| (B) | where the area of the vessel is 400 m ² or more | \$820 plus \$2.2 for each square metre of the difference, in square metres, between the area of the vessel and 400 m ² (rounded up to the next whole number if the difference is not a whole number) |

- (ii) for each occasion that the vessel remains in the waters of Hong Kong for 8 or more consecutive days –
- (A) where the area of the vessel is less than 400 m^2
- \$820 for each of the following –
- (a) each period of 7 consecutive days during that occasion
- (b) the remaining days during that occasion
- (B) where the area of the vessel is 400 m^2 or more
- \$820 plus \$2.2 for each square metre of the difference, in square metres, between the area of the vessel and 400 m^2 (rounded up to the next whole number if the difference is not a whole number), for each of the following –
- (a) each period of 7 consecutive days during that occasion

- (b) the remaining days during that occasion
4. A duplicate copy of a permit to remain granted under section 43 of the General Regulation \$355

SCHEDULE 3 [ss. 10, 11, 12 & 13]

FEES PRESCRIBED FOR PURPOSES OF
MERCHANT SHIPPING (LOCAL
VESSELS)(SAFETY AND
SURVEY) REGULATION

PART 1

In this Schedule –

“consideration period” (考慮期間), in relation to the consideration of plans by a specified officer, means –

- (a) the period of time, in hours, during which the consideration continues; or
- (b) if that period of time is not a whole number, the period of time rounded up to the next whole number;

“specified number of passengers” (指明乘客數目), in relation to a local vessel the subject matter of an application under section 8 or 17 of the Survey Regulation, means the maximum number of passengers that the vessel is intended to carry, as specified in that application.

PART 2

CONSIDERATION OF PLANS

Item	Type of vessel	Plan	Fee
1.	Ferry vessel, launch or multi-purposes vessel –		
	(a) where the specified number of passengers of the vessel is not more than 100	all plans	\$19,150
	(b) where the specified number of passengers of the vessel is more than 100	all plans	\$27,050
2.	Floating restaurant, or stationary vessel certificated as a Class I vessel	all plans	\$46,200
3.	Primitive vessel	(a) plans relating to the assessment of the maximum permissible number of passengers of the vessel	\$1,400

		(b) other plans	\$5,000
4.	Class II vessel that is a Category A vessel	all plans	\$12,600
5.	Class II vessel that is a Category B vessel	(a) plans relating to the loading stability of the vessel	\$1,400
		(b) other plans	\$5,000
6.	Class III vessel that is a Category A vessel	all plans	\$12,600
7.	Class III vessel that is a Category B vessel	(a) plans relating to the loading stability of the vessel	\$1,400
		(b) other plans	\$5,000
8.	Class IV vessel (other than one that falls within section 7(3)(b) of the Survey Regulation) –		
	(a) where the specified number of passengers of the vessel is not more than 60	all plans	\$1,115 for each hour of the consideration period of each specified officer for

		considering the plan	
(b)	where the specified number of passengers of the vessel is 61 or more but not more than 100	all plans	\$19,150
(c)	where the specified number of passengers of the vessel is 101 or more	all plans	\$27,050

PART 3

SURVEY FOR ISSUE OF CERTIFICATE OF SURVEY

Item	Type of vessel	Fee
------	----------------	-----

Class I Vessel

- | | | |
|-----|--|---------|
| 1. | Ferry vessel, launch or multi-purposes
vessel – | |
| (a) | where the specified number of
passengers of the vessel is 13 or
more but not more than 60 | \$2,200 |
| (b) | where the specified number of
passengers of the vessel is 61 or
more but not more than 100 | \$2,850 |

- | | | |
|-----|---|---|
| (c) | where the specified number of passengers of the vessel is 101 or more but not more than 500 | \$4,950 |
| (d) | where the specified number of passengers of the vessel is 501 or more | \$4,950 plus \$1,000 for each 100 passengers of the difference between the specified number of passengers of the vessel and 500 (rounded up to the next multiple of 100 if the difference is not a multiple of 100) |
| 2. | Floating restaurant, or stationary vessel certificated as a Class I vessel | \$1,690 for each 100 passengers of the specified number of passengers of the vessel (rounded up to the next multiple of 100 if the specified number of passengers is not a multiple of 100) |
| 3. | Primitive vessel – | |
| (a) | where the specified number of passengers of the vessel is 13 or more but not more than 30 | \$800 |

- | | | |
|-----|---|---------|
| (b) | where the specified number of passengers of the vessel is 31 or more but not more than 60 | \$1,000 |
| (c) | where the specified number of passengers of the vessel is 61 or more | \$1,400 |

Class II Vessel

- | | | |
|----|--|---------|
| 4. | Class II vessel that is a Category A vessel (other than a floating dock, pilot boat, transportation boat or tug) | \$3,775 |
| 5. | Floating dock that is classed with a classification society | \$7,535 |
| 6. | Pilot boat, or transportation boat, that is a Category A vessel | \$2,200 |
| 7. | Tug | \$2,860 |
| 8. | Class II vessel that is a Category B vessel fitted with propulsion engine – | |

(a) where the total engine power of the propulsion engine is not more than 15 BHP	\$565
(b) where the total engine power of the propulsion engine is more than 15 BHP but not more than 30 BHP	\$780
(c) where the total engine power of the propulsion engine is more than 30 BHP but not more than 50 BHP	\$1,045
(d) where the total engine power of the propulsion engine is more than 50 BHP but not more than 80 BHP	\$1,335
(e) where the total engine power of the propulsion engine is more than 80 BHP	\$1,335 plus \$150 for each 40 BHP of the difference between the total engine power of the propulsion engine and 80 BHP (rounded up to the next multiple of 40 BHP if the difference is not a multiple of 40 BHP)
9. Class II vessel that is a Category B vessel not fitted with propulsion engine	\$1,145

- | | | |
|-----|--|---|
| 10. | Class II vessel that is a Category B vessel not fitted with propulsion engine but is fitted with auxiliary machinery | \$1,145 plus \$1,145 for each auxiliary machinery so fitted |
|-----|--|---|

Class III Vessel

- | | | |
|-----|--|---------|
| 11. | Class III vessel that is a Category A vessel | \$3,775 |
| 12. | Class III vessel that is a Category B vessel fitted with propulsion engine – | |
| | (a) where the total engine power of the propulsion engine is not more than 15 BHP | \$565 |
| | (b) where the total engine power of the propulsion engine is more than 15 BHP but not more than 30 BHP | \$780 |
| | (c) where the total engine power of the propulsion engine is more than 30 BHP but not more than 50 BHP | \$1,045 |
| | (d) where the total engine power of the propulsion engine is more than 50 BHP but not more than 80 BHP | \$1,335 |

- | | | |
|-----|---|---|
| (e) | where the total engine power of the propulsion engine is more than 80 BHP | \$1,335 plus \$150 for each 40 BHP of the difference between the total engine power of the propulsion engine and 80 BHP (rounded up to the next multiple of 40 BHP if the difference is not a multiple of 40 BHP) |
|-----|---|---|

Class IV Vessel

- | | | |
|-----|--|---|
| 13. | Class IV vessel (other than one that falls within section 15(2)(b) of the Survey Regulation) – | |
| (a) | where the specified number of passengers of the vessel is not more than 60 | \$2,200 |
| (b) | where the specified number of passengers of the vessel is 61 or more but not more than 100 | \$2,850 |
| (c) | where the specified number of passengers of the vessel is 101 or more but not more than 500 | \$4,950 |
| (d) | where the specified number of passengers of the vessel is 501 or more | \$4,950 plus \$1,000 for each 100 passengers of the difference between specified number of passengers of the vessel |

and 500 (rounded up to the next multiple of 100 if the difference is not a multiple of 100)

PART 4

SURVEY FOR ISSUE OF SURVEY RECORD OF SAFETY EQUIPMENT

Item	Type of vessel	Fee
1.	Local vessel in respect of which no survey record of safety equipment has ever been issued –	
	(a) where the gross tonnage of the vessel is less than 150	\$18,615
	(b) where the gross tonnage of the vessel is 150 or more but less than 500	\$28,600
	(c) where the gross tonnage of the vessel is 500 or more but less than 1 600	\$103,160
	(d) where the gross tonnage of the vessel is 1 600 or more	\$154,950
2.	Local vessel in respect of which a survey record of safety equipment was issued –	

(a)	where the gross tonnage of the vessel is less than 150	\$3,435
(b)	where the gross tonnage of the vessel is 150 or more but less than 500	\$4,170
(c)	where the gross tonnage of the vessel is 500 or more but less than 1 600	\$8,095
(d)	where the gross tonnage of the vessel is 1 600 or more	\$12,020

PART 5

SURVEY FOR ISSUE OF HONG KONG LOAD LINE CERTIFICATE

Item	Type of vessel	Fee
1.	Local vessel in respect of which no Hong Kong load line certificate has ever been issued –	
(a)	where the gross tonnage of the vessel is less than 150	\$39,160
(b)	where the gross tonnage of the vessel is 150 or more but less than 200	\$47,500
(c)	where the gross tonnage of the vessel is 200 or more but less than 300	\$58,730
(d)	where the gross tonnage of the vessel is 300 or more but less than 500	\$78,310

(e)	where the gross tonnage of the vessel is 500 or more but less than 1 000	\$97,860
(f)	where the gross tonnage of the vessel is 1 000 or more but less than 1 500	\$117,440
(g)	where the gross tonnage of the vessel is 1 500 or more	\$137,020
2.	Local vessel in respect of which a Hong Kong load line certificate was issued –	
(a)	where the gross tonnage of the vessel is less than 150	\$11,000
(b)	where the gross tonnage of the vessel is 150 or more but less than 200	\$13,250
(c)	where the gross tonnage of the vessel is 200 or more but less than 300	\$15,750
(d)	where the gross tonnage of the vessel is 300 or more but less than 500	\$19,550
(e)	where the gross tonnage of the vessel is 500 or more but less than 1 000	\$23,350
(f)	where the gross tonnage of the vessel is 1 000 or more but less than 1 500	\$29,150
(g)	where the gross tonnage of the vessel is 1 500 or more	\$34,950

PART 6

SURVEY FOR ISSUE OF FREEBOARD ASSIGNMENT
CERTIFICATE

Item	Type of vessel	Fee
1.	Local vessel the gross tonnage of which is less than 100	\$770
2.	Local vessel the gross tonnage of which is 100 or more but less than 200	\$1,060
3.	Local vessel the gross tonnage of which is 200 or more but less than 300	\$1,350
4.	Local vessel the gross tonnage of which is 300 or more	\$1,600

PART 7

SURVEY FOR ISSUE OF DECLARATION OF FITNESS

Item	Type of vessel	Fee
1.	Local vessel other than oil carrier	\$815 in respect of each category of dangerous goods specified in the Dangerous Goods Ordinance (Cap. 295) and its subsidiary legislation

2. Oil carrier –
- (a) where the gross tonnage of the vessel is less than 500 \$1,895 in respect of each category of dangerous goods specified in the Dangerous Goods Ordinance (Cap. 295) and its subsidiary legislation
- (b) where the gross tonnage of the vessel is 500 or more \$3,775 in respect of each category of dangerous goods specified in the Dangerous Goods Ordinance (Cap. 295) and its subsidiary legislation

SCHEDULE 4

[s. 25]

FEES FOR PERMISSION TO NAVIGATE IN WATERS OF HONG KONG

Item	Type of vessel	Fee
1.	Local vessel the area of which is less than 10 m ²	\$28
2.	Local vessel the area of which is 10 m ² or more but less than 20 m ²	\$56

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| 3. | Local vessel the area of which is 20 m^2 or more but less than 40 m^2 | \$112 |
| 4. | Local vessel the area of which is 40 m^2 or more but less than 100 m^2 | \$112 plus \$112 for each 20 m^2 of the difference between the area of the vessel and 40 m^2 (rounded up to the next multiple of 20 m^2 if the difference is not a multiple of 20 m^2) |
| 5. | Local vessel the area of which is 100 m^2 or more but less than 220 m^2 | \$448 plus \$112 for each 30 m^2 of the difference between the area of the vessel and 100 m^2 (rounded up to the next multiple of 30 m^2 if the difference is not a multiple of 30 m^2) |
| 6. | Local vessel the area of which is 220 m^2 or more but less than 420 m^2 | \$896 plus \$112 for each 40 m^2 of the difference between the area of the vessel and 220 m^2 (rounded up to the next multiple of 40 m^2 if the difference is not a multiple of 40 m^2) |

- | | |
|---|--|
| 7. Local vessel the area of which is 420 m ² or more | \$1,456 plus \$112 for each 60 m ² of the difference between the area of the vessel and 420 m ² (rounded up to the next multiple of 60 m ² if the difference is not a multiple of 60 m ²) |
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Secretary for Financial Services
and the Treasury

2006

Explanatory Note

The object of this Regulation is to provide for the fees to be paid in respect of certain services and matters under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) (“the Ordinance”) and its subsidiary legislation.

2. Part 2 provides for the fees, under the Merchant Shipping (Local Vessels)(Ferry Terminals) Regulation (Cap. 548 sub. leg. B), to be paid in respect of –

- (a) an application for the issue of a standard pass;
- (b) the issue of a replacement pass;
- (c) the berthing of a local vessel; and
- (d) passenger embarkation.

3. Part 3 and Schedule 1 provide for the fees, under the Merchant Shipping (Local Vessels)(Certification and Licensing) Regulation (Cap. 548 sub. leg. D), to be paid in respect of –

- (a) an application for the issue or renewal of a full licence or temporary licence;
- (b) an application for the grant of permission for a laid-up vessel; and
- (c) various applications and requests made to the Director of Marine (“Director”) and services provided by the Director.

4. Part 4 and Schedule 2 provide for the fees, under the Merchant Shipping (Local Vessels)(General) Regulation (L.N. of 2006)(“General Regulation”), to be paid in respect of –

- (a) an application for an arrival clearance;
- (b) an application for a port clearance;
- (c) a permit to remain; and
- (d) a duplicate copy of a permit to remain.

5. Part 5 and Schedule 3 provide for the fees to be paid under the Merchant Shipping (Local Vessels)(Safety and Survey) Regulation (L.N. of 2006). Such fees include the fees for –

- (a) an approval of plans that relate to a local vessel by the Director;
- (b) a survey of a local vessel by the Director;
- (c) a re-inspection of a local vessel by the Director; and
- (d) the issue of a new operating licence, certificate of inspection, certificate of survey, survey record of safety equipment, Hong Kong load line certificate, freeboard assignment certificate and declaration of fitness by the Director.

6. Sections 23 to 27 of Part 6 and Schedule 4 provide for the fees to be paid in respect of written permission of the Director under section 70 of the Ordinance

to do, or cause or permit to be done, an act prohibited by the Ordinance, the Merchant Shipping (Local Vessels)(Typhoon Shelters) Regulation (Cap. 548 sub. leg. E) and the General Regulation.

7. Section 28 of Part 6 provides for the fee to be paid in respect of any written exemption of the Director to exempt any person or any local vessel or any class, type or description of local vessels from a requirement under the Ordinance.

8. Part 7 provides for the fees to be paid for services provided by the Director under section 63A of the Ordinance. Such services include –

- (a) attendance at legal proceedings or inquiries;
- (b) the giving of advices and the examination of plans for various purposes;
- (c) the search of records; and
- (d) the issue of certified or uncertified copy or extract of any document.

9. Part 8 provides for the circumstances under which fees payable may be waived or reduced.

**Subsidiary Legislation passed by Legislative Council
under the Merchant Shipping (Local Vessels)
Ordinance, Cap. 548**

1. Merchant Shipping (Local Vessels) (Dwelling Vessels) Regulation (Cap. 548A)
2. Merchant Shipping (Local Vessels) (Ferry Terminals) Regulation (Cap. 548B)
3. Merchant Shipping (Local Vessels) (Conduct of Inquiries) Regulation (Cap. 548C)
4. Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation (Cap. 548D)
5. Merchant Shipping (Local Vessels) (Typhoon Shelters) Regulation (Cap. 548E)

**Subsidiary Legislation
under the Merchant Shipping (Local Vessels)
Ordinance, Cap. 548 that were tabled at the
Legislative Council on 11 October 2006**

1. Merchant Shipping (Local Vessels) (General) Regulation
2. Merchant Shipping (Local Vessels) (Safety and Survey) Regulation
3. Merchant Shipping (Local Vessels) (Compulsory Third Party Risks Insurance) Regulation
4. Merchant Shipping (Local Vessels) (Works) Regulation