

LEGISLATIVE COUNCIL BRIEF

MERCHANT SHIPPING (LOCAL VESSELS) ORDINANCE (CHAPTER 548)

MERCHANT SHIPPING (LOCAL VESSELS) (GENERAL) (AMENDMENT) REGULATION 2008

INTRODUCTION

A This paper briefs Members on the Merchant Shipping (Local Vessels) (General) (Amendment) Regulation 2008 (the “Regulation”) at **Annex A**. The Regulation seeks to establish a vessel height restricted area near the new Stonecutters Bridge (the “Bridge”) for preventing potential damage to the Bridge and ensuring safe navigation of vessels in its vicinity.

JUSTIFICATIONS

B 2. The Bridge, a major section of the Route 8, is scheduled to commission in mid-2009. It is necessary to ensure that no vessel exceeding 68.5 m will pass or attempt to pass under the Bridge. For this purpose, a vessel height restricted area of 41.9 hectare in the vicinity of the Bridge, as illustrated in **Annex B**, will have to be established.

THE REGULATION

3. The main provisions of the Regulation are –
 - (a) **Section 1** provides that the Secretary for Transport and Housing may by notice in the Gazette appoint the commencement date of the Regulation;
 - (b) **Section 2** adds a provision to the Merchant Shipping (Local Vessels) (General) Regulation (Cap. 548 sub. leg. F), so that except with the permission of the Director of Marine, no vessel exceeding 68.5m shall enter the waters adjacent to the Bridge, as specified in the Fifth Schedule to the Shipping and Port Control Regulations (Cap. 313 sub. leg. A).

LEGISLATIVE TIMETABLE

4. The Regulation will be published in the Gazette on 30 May 2008 and tabled at the Legislative Council on 4 June 2008.

IMPLICATIONS OF THE PROPOSAL

5. Marine Department will deploy its existing resources to control the access of vessels to the restricted area in the vicinity of the Bridge. Hence, the proposal has no additional financial and civil service implications.

6. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548). It has no economic, productivity, environmental or sustainability implications.

PUBLIC CONSULTATION

7. We have consulted the Port Operations Committee, the Local Vessels Advisory Committee and the Modern Terminals Ltd, the operator of the berth located within the proposed vessel height restricted area, and have their support for the proposal.

8. The Economic Development Panel of the Legislative Council was consulted in April 2008 and members were supportive of the proposal.

PUBLICITY

9. A press release will be issued on 30 May 2008. A spokesman will be available for answering media enquiries.

ENQUIRY

10. Any enquiry on this brief can be addressed to Mr K.L. Wong, Senior Marine Officer (Tel: 2852 4453) or Miss Sian LI, Assistant Secretary for Transport and Housing (Tel: 2537 2842).

Transport and Housing Bureau

28 May 2008

**MERCHANT SHIPPING (LOCAL VESSELS)(GENERAL)
(AMENDMENT) REGULATION 2008**

(Made by the Secretary for Transport and Housing under section 89(1) of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548))

1. Commencement

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

2. Prohibition of entry into other bridge areas

Section 19 of the Merchant Shipping (Local Vessels) (General) Regulation (Cap. 548 sub. leg. F) is amended by adding –

“(4) Except with the permission of the Director, a local vessel with a height exceeding 68.5 m above sea level shall not enter the Stonecutters Bridge Area specified in paragraph 21(b) of the Fifth Schedule to the SAPCR.”.

3. Offences relating to restricted areas, etc.

(1) Section 20(1) is amended by repealing “19(1), (2) or (3)” and substituting “19(1), (2), (3) or (4)”.

(2) Section 20(3) is amended by repealing “19(1), (2) and (3)” and substituting “19(1), (2), (3) and (4)”.

Secretary for Transport and Housing

Explanatory Note

This Regulation amends the Merchant Shipping (Local Vessels) (General) Regulation (Cap. 548 sub. leg. F) to provide that except with the permission of the Director of Marine, no local vessel exceeding 68.5 metres in height shall enter any area in the waters adjacent to the Stonecutters Bridge.

建議昂船洲大橋船隻高度限制區 Proposed Vessel Height Restricted Area - Stonecutters Bridge

