

LEGISLATIVE COUNCIL BRIEF
PILOTAGE ORDINANCE (CHAPTER 84)
PILOTAGE (DUES) (AMENDMENT) ORDER 2008

INTRODUCTION

This paper briefs Members on the Pilotage (Dues) (Amendment) Order 2008 (“the Order”) at **Annex A**.

A

JUSTIFICATIONS

2. Section 22 of the Pilotage Ordinance (Cap. 84) empowers the Pilotage Authority, who is the Director of Marine, to set the amount of pilotage dues by order published in the Gazette after consultation with the Pilotage Advisory Committee.

3. Pilotage dues are commercial fees charged by licensed pilots for the provision of pilotage services. The fee levels are periodically reviewed by the Hong Kong Liner Shipping Association (“HKLSA”), representing shipping lines, and the Hong Kong Pilots Association (“HKPA”), representing the pilots. In the latest review in December 2007, the HKPA and the HKLSA have agreed on the proposed revision set out in **Annex B**, including the introduction of a cap on the additional due for ships of more than 120,000 Gross Tonnage. The proposed increase was also endorsed by the Pilotage Advisory Committee.

B

THE ORDER

4. The Order amends the Schedule to the Pilotage (Dues) Order (Cap. 84D), to give effect to the proposed revision of pilotage dues outlined in **Annex B**.

B

LEGISLATIVE TIMETABLE

5. The Order will be gazetted on 3 April 2008 and tabled at the Legislative Council on 9 April 2008.

IMPLICATIONS OF THE PROPOSAL

6. Pilotage due is a relatively minor cost item for international shipping. The proposed increases in pilotage dues will not have significant economic implications.

7. 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 Pilotage Ordinance. It has no productivity, financial, civil service, environmental and sustainability implications.

PUBLIC CONSULTATION

8. The proposal was endorsed by the Pilotage Advisory Committee in January 2008. We also consulted and obtained the support of the Panel of Economic Development in March 2008.

PUBLICITY

9. A press release will be issued on 3 April 2008 and a spokesman will be available to handle enquiries.

ENQUIRY

10. Any enquiry on this brief can be addressed to Mr Andrew NG, Marine Officer (Tel: 2233 7812) or Miss Sian LI, Assistant Secretary for Transport and Housing (Tel: 2537 2842).

Transport and Housing Bureau

2 April 2008

PILOTAGE (DUES) (AMENDMENT) ORDER 2008

(Made by the Pilotage Authority under section 22 of the Pilotage Ordinance (Cap. 84) after consultation with the Pilotage Advisory Committee)

1. Commencement

This Order shall come into operation on 1 June 2008.

2. Schedule amended

The Schedule to the Pilotage (Dues) Order (Cap. 84 sub. leg. D) is amended –

- (a) in Part I –
 - (i) in paragraph 1, by repealing “\$3,650” and substituting “\$4,100”;
 - (ii) in paragraph 1(a), by repealing “6.50 cents” and substituting “\$0.065”;
 - (iii) in paragraph 1(b), by repealing “6.25 cents” and substituting “\$0.0625”;
 - (iv) in paragraph 1(b), by repealing “or” at the end;
 - (v) in paragraph 1(c), by adding “but not exceeding 120 000 tons” after “60 000 tons”;
 - (vi) in paragraph 1(c), by repealing “6 cents” and substituting “\$0.06”;
 - (vii) in paragraph 1(c), by repealing the full stop and substituting “; or”;
 - (viii) in paragraph 1, by adding –
 - “(d) for ships having a gross registered tonnage exceeding 120 000 tons, \$7,200.”;

- (b) in Part III, in paragraph 1, by repealing “\$3,650” and substituting “\$4,100”.

Pilotage Authority

2008

Explanatory Note

This Order amends the Pilotage (Dues) Order (Cap. 84 sub. leg. D) –

- (a) to increase the standard pilotage dues;
- (b) to provide for capped standard pilotage dues for ships having a gross registered tonnage exceeding 120 000 tons; and
- (c) to increase the dues payable where engagement of a pilot is cancelled.

Proposed Revision of Pilotage Dues

Item	Existing dues	Proposed dues	Percentage increase
(a) basic pilotage due	\$3,650	\$4,100	12.3%
(b) additional due per ton of ship			
(i) for ships of less than 30000 tons	\$0.065	\$0.065	-
(ii) for ships of 30000 to 60000 tons	\$0.0625 (subject to a minimum charge of \$1,950)	\$0.0625 (subject to a minimum charge of \$1,950)	-
(iii) for ships of more than 60000 tons	\$0.06 (subject to a minimum charge of \$3,750)	\$0.06 (subject to a minimum charge of \$3,750; and a maximum charge of \$7,200)	-
(c) due for cancellation of engagement			
(i) for service at Tolo Harbour or at the west of East Brother Island	\$3,650 (charged if cancellation is done within 1.5 hours before the last stated time of requirement)	\$4,100 (charged if cancellation is done within 1.5 hours before the last stated time of requirement)	12.3%
(ii) for service elsewhere	\$3,650 (charged if cancellation is done within 1 hour before the last stated time of requirement)	\$4,100 (charged if cancellation is done within 1 hour before the last stated time of requirement)	12.3%