

**L.N. 141 of 2009****MERCHANT SHIPPING (LOCAL VESSELS) (FEE CONCESSIONS) REGULATION 2009**

(Made by the Secretary for Financial Services and the Treasury under section 88 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) and section 29 of the Interpretation and General Clauses Ordinance (Cap. 1))

**1. Commencement**

This Regulation comes into operation on 1 July 2009.

**2. Interpretation**

In this 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);

“concession period” (寬免期) means the period 1 July 2009 to 30 June 2010 (both dates inclusive);

“principal Regulation” (《主體規例》) means the Merchant Shipping (Local Vessels) (Fees) Regulation (Cap. 548 sub. leg. J);

“validity period” (有效期)—

- (a) in relation to a full licence or a temporary licence, means the period of validity of the licence;
- (b) in relation to a renewal of a full licence or a temporary licence, means the period of validity of the renewed licence; or
- (c) in relation to a permission for a laid-up vessel, means the period of validity of the permission.

**3. Concessions on fees for certain applications**

(1) The fee and any additional fee payable in respect of an application made 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, as calculated in accordance with section 4 of, and Part 2 of Schedule 1 to, the principal Regulation, are waived if—

- (a) the local vessel is one to which this section applies;
- (b) in the case of an application for the issue of a full licence or a temporary licence, the application is made within the concession period; and

(c) in the case of an application for the renewal of a full licence or a temporary licence, the renewed licence will take effect from a date falling within the concession period.

(2) The fee payable in respect of an application made under section 21 of the Certification and Licensing Regulation for the grant of a permission for a laid-up vessel in respect of a local vessel, as calculated in accordance with section 5 of, and Part 2 of Schedule 1 to, the principal Regulation, is waived if—

- (a) the local vessel is one to which this section applies; and
- (b) the application is made within the concession period.

(3) This section applies to a local vessel that is—

- (a) a Class I, II or III vessel; or
- (b) a Class IV vessel that is let for hire or reward for an intended service that involves the carriage of passengers if there is in force in respect of the vessel a certificate of inspection or certificate of survey that complies with section 6(3) of the Certification and Licensing Regulation.

(4) If taking into account—

- (a) the validity period of each full licence or temporary licence issued in respect of a local vessel pursuant to an application made within the concession period;
- (b) the validity period of each full licence or temporary licence renewed in respect of a local vessel that takes effect from a date falling within the concession period; and
- (c) the validity period of each permission for a laid-up vessel granted in respect of a local vessel pursuant to an application made within the concession period,

the aggregate validity period exceeds 12 months, then, in respect of the last of those licences and permissions (“the last document”) issued, renewed or granted in respect of the local vessel, the amount of fee and any additional fee that are waived under subsection (1) or (2) (as the case may be) is reduced by an amount equal to the fee and any additional fee that would apart from this Regulation have been payable for the last document under the principal Regulation for the period by which that aggregate validity period exceeds 12 months.

K. C. CHAN

Secretary for Financial Services  
and the Treasury

23 June 2009

### **Explanatory Note**

This Regulation provides for the concessions for one year on the fees (and any additional fees) payable in respect of an application for the issue or renewal of a full licence, or a temporary licence, or for the grant of a permission for a laid-up vessel, in respect of a local vessel that is a Class I, II or III vessel or is a Class IV vessel with a certificate of inspection or certificate of survey.