

LEGISLATIVE COUNCIL BRIEF

Shipping and Port Control Ordinance (Cap. 313) and Merchant Shipping (Local Vessels) Ordinance (Cap. 548)

CLOSURE OF WATERS (OPENING CEREMONY OF THE FIFTH EAST ASIAN GAMES) NOTICE 2009

INTRODUCTION

The Director of Marine (“DM”) has made the Closure of Waters (Opening Ceremony of the Fifth East Asian Games) Notice 2009 (“Notice”), at Annex A, under the Shipping and Port Control Ordinance (Cap. 313) (“SAPCO”) and the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) (“LVO”). The purpose of the Notice is to close the waters at the central part of the Victoria Harbour during specified hours on 5 December 2009 for the opening ceremony of the Fifth East Asian Games (“EA Games”).

BACKGROUND AND JUSTIFICATIONS

2. The EA Games will be held in Hong Kong during the period from 5 to 13 December 2009. It is the first ever international multi-sports games to be held in Hong Kong. Its opening ceremony will be held on 5 December 2009 at the Piazzas of the Hong Kong Cultural Centre with the Victoria Harbour as the backdrop. The ceremony will comprise, among others, a boat parade representing the nine participating countries/regions, cultural performances and a spectacular fireworks display. Similar to previous fireworks displays for which arrangements were made under Regulation 66A of the Shipping and Port Control Regulations (Cap. 313A) and section 24 of the LVO, DM has made the Notice under the SAPCO and the LVO to close the waters at the central part of the Victoria Harbour for the purpose of the fireworks display and the boat parade of the opening ceremony. The closure is necessary to facilitate control and ensure the safety of persons on board the vessels participating in the opening ceremony and spectator vessels, as well as the safety of other port users. The Marine Department will regulate marine traffic at scene

together with the Marine Police.

THE NOTICE

3. The Notice, at Annex A, closes the following 2 areas for the specified periods on 5 December 2009:

- (a) Area for the barges for fireworks display between 2 p.m. and 11 p.m.; and
- (b) Area for boat parade, cultural performances and fireworks display between 7 p.m. and 10:15 p.m.

The boundaries of the above two closed areas are shown at Annex B.

4. During the closure, the closed areas are closed to all vessels other than vessels directly involved in the opening ceremony of the EA Games (i.e. parade boats, barges serving as performance stages, barges for fireworks display, vessels towing the barges in position and vessels carrying the participating athletes and team officials) and those with special permission from DM to enter the areas.

5. The closure prescribed in the Notice will not apply if the boat parade is cancelled as announced by the Secretary for Home Affairs on or before 5 December 2009.

LEGISLATIVE TIMETABLE

6. The Notice will be gazetted on 9 October 2009 and tabled at the Legislative Council on 14 October 2009.

IMPLICATIONS OF THE PROPOSAL

7. Ferries operating in the Victoria Harbour and outlying islands will be affected during the closure. Meetings among the organizing department, i.e. the Leisure and Cultural Services Department, the Transport Department and the ferry operators were held to formulate the arrangements on announcement and ferries schedules.

8. 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 SAPCO and the LVO. It has no economic, productivity, financial, civil service, environmental and sustainability implications. It helps enhance the safety of persons on board the vessels participating in the opening ceremony and spectator vessels, as well as other port users during the opening ceremony.

PUBLIC CONSULTATION

9. The Home Affairs Bureau briefed the Legislative Council Panel on Home Affairs in April 2009 on the arrangements of the opening ceremony of the EA Games. The Leisure and Cultural Services Department consulted the Islands District Council and the Tsuen Wan District Council in June and July 2009 respectively on the arrangements for ferry services in the harbour for the opening ceremony. We consulted the port and maritime industry on the detailed closure arrangement through the established mechanism including the Port Operations Committee and the Local Vessels Advisory Committee. All parties consulted raised no objection to the proposed arrangements.

PUBLICITY

10. The Home Affairs Bureau will hold a press conference on the security, traffic and transport arrangements for the opening ceremony of the EA Games on 1 December 2009.

ENQUIRES

11. Any enquires on this brief can be addressed to Mr. C. S. Chan, Senior Marine Officer/Harbour Patrol Section(1), Marine Department at 2928 6377.

Transport and Housing Bureau
Marine Department
7 October 2009

CLOSURE OF WATERS (OPENING CEREMONY OF THE FIFTH EAST ASIAN GAMES) NOTICE 2009

(Made by the Director of Marine under section 16B of the Shipping and Port Control Ordinance (Cap. 313) and section 26 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548))

1. Closure of waters

(1) The areas of the waters of Hong Kong specified in paragraph (a) of each item of the Schedule are closed to all vessels other than –

- (a) vessels directly involved in the opening ceremony of the Fifth East Asian Games, that is to say, parade boats, barges serving as performance stages, barges for fireworks display, vessels towing the barges in position and vessels carrying the participating athletes; and
- (b) vessels (other than those mentioned in paragraph (a)) that have special permission from the Director of Marine to enter the areas,

for the period specified in paragraph (b) of that item.

(2) Subsection (1) does not apply if the boat parade expected to constitute part of the opening ceremony of the Fifth East Asian Games is cancelled as announced by the Secretary for Home Affairs on or before 5 December 2009.

SCHEDULE

[s. 1]

CLOSED AREAS

In this Schedule, a reference to the co-ordinates of a point is a reference to the co-ordinates of that point based on the World Geodetic System 1984 (WGS 84).

1. Area for barges for fireworks display

(a) Area

The area of the waters bounded by straight lines joining the following positions –

	Latitude	Longitude
(i)	22°17.366' north	114°09.960' east
(ii)	22°17.366' north	114°10.574' east
(iii)	22°17.192' north	114°10.574' east
(iv)	22°17.192' north	114°09.960' east

(b) Period

The whole period between 2 p.m. and 11 p.m. on 5 December 2009.

2. Area for boat parade, cultural performances and fireworks display

(a) Area

The area of the waters contained within the following boundaries –

On the north – The shoreline of Kowloon;

On the east – A straight line drawn from the southern extremity of MTR Hung Hom Freight Terminal Pier at position 22°17.835' north 114°10.935' east to the

breakwater at Kellett Island, Royal Hong Kong Yacht Club at position 22°17.135' north 114°10.940' east;

On the south – The shoreline of Hong Kong Island;

On the west – A straight line drawn from the southwestern extremity of the Ocean Terminal at position 22°17.654' north 114°09.885' east to the Central Government Pier at position 22°17.335' north 114°09.354' east.

(b) Period

The whole period between 7 p.m. and 10:15 p.m. on 5 December 2009.

Director of Marine

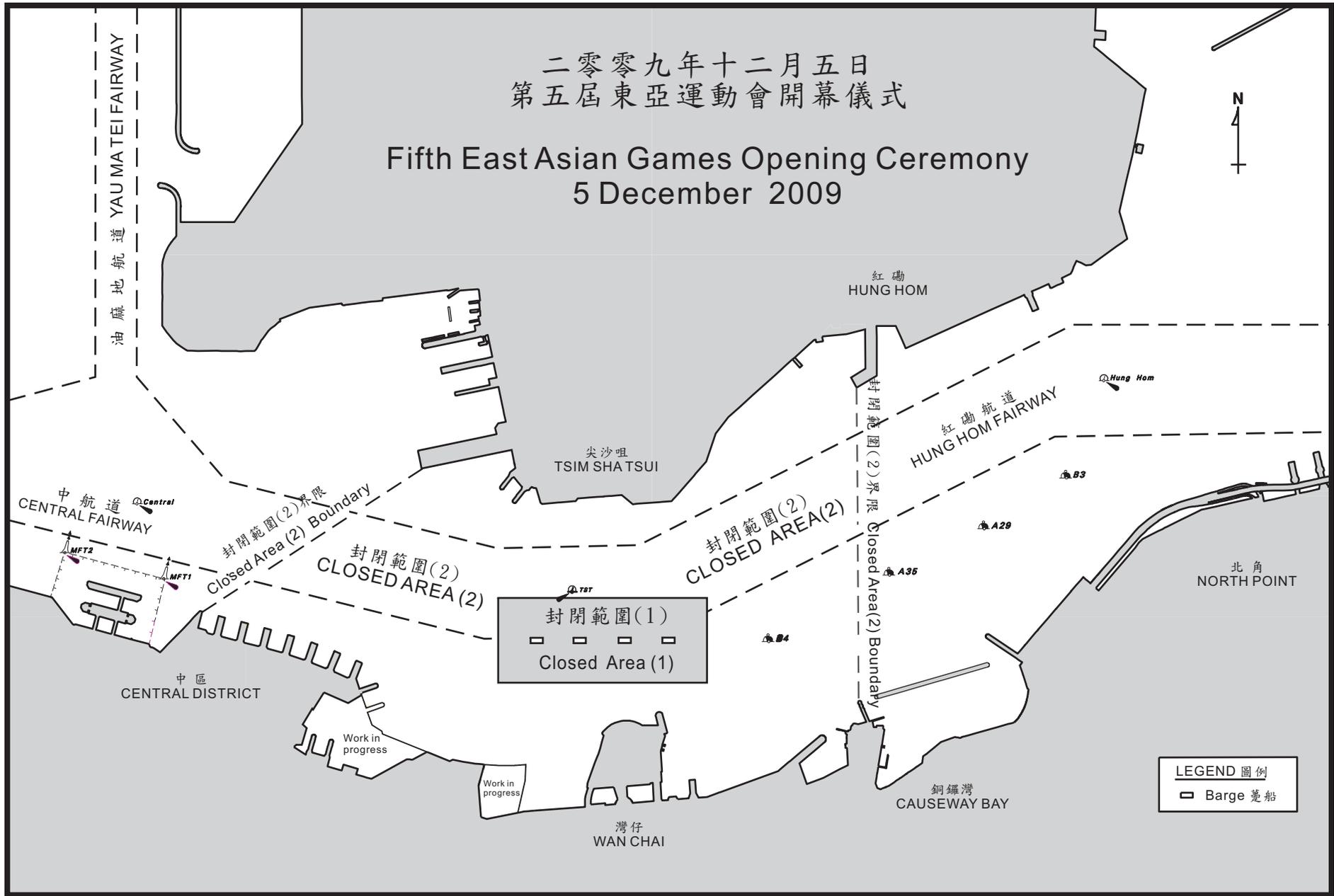
2009

Explanatory Note

This Notice specifies the areas of the waters at the central part of the Victoria Harbour of Hong Kong to be closed to all vessels except 2 classes of vessels for certain periods on 5 December 2009 for the opening ceremony of the Fifth East Asian Games.

二零零九年十二月五日
第五屆東亞運動會開幕儀式

Fifth East Asian Games Opening Ceremony
5 December 2009



不宜作航行用途
NOT TO BE USED FOR NAVIGATION