

**立法會**  
**Legislative Council**

LC Paper No. LS43/13-14

**Paper for the House Committee Meeting  
on 11 April 2014**

**Legal Service Division Report on  
Subsidiary Legislation Gazetted on 4 April 2014**

**Tabling in LegCo** : Council meeting of 9 April 2014

**Amendment to be made by** : Council meeting of 7 May 2014 (or that of 28 May 2014 if extended by resolution)

**Immigration (Anchorage and Landing Places)  
(Amendment) Order 2014** (L.N. 46)

**Shipping and Port Control Regulations  
(Amendment of Seventh Schedule) Notice 2014** (L.N. 47)

L.N. 46

L.N. 46 is made by the Secretary for Security under section 60 of the Immigration Ordinance (Cap. 115). It amends Schedule 1 to the Immigration (Anchorage and Landing Places) Order (Cap. 115C) (ALP Order) to make adjustment to the boundaries of the Eastern Immigration Anchorage (EIA) and to specify the co-ordinate system used for the immigration anchorages in that Schedule.

2. Under section 3(1)(a) of Cap. 115, the captain of a ship shall, on the arrival of the ship in Hong Kong, anchor or moor the ship at an approved immigration anchorage and keep the ship in such anchorage as long as may be necessary for the purposes of Cap. 115. The places designated by the Secretary for Security under section 60 of Cap. 115 as approved immigration anchorages are specified in Schedule 1A and Schedule 1 to the ALP Order. The EIA is one of the approved immigration anchorages specified in Schedule 1 to the ALP Order.

3. According paragraphs 2 and 3 of the LegCo Brief (File Ref. : SBCR 1/2/1916/01) issued by the Security Bureau and the Immigration Department in April 2014, the second berth of the Kai Tak Cruise Terminal (KTCT) is planned to be commissioned in 2014. For the cruise liner using the second berth of KTCT, its vessel maneuvering basin will overlap with the existing EIA. L.N. 46 has been made to designate a new EIA with a re-alignment of its boundaries so as to ensure the

safety of vessels using the KTCT and the EIA, as well as preventing operational interference between two groups of vessels. The boundaries and coordinates of the new EIA are shown in Annex C to the LegCo Brief.

4. As advised by the Clerk to the Panel on Security, the Panel has not been consulted on L.N. 46.

L.N. 47

5. L.N. 47 is made by the Director of Marine under regulation 72(1) of the Shipping and Port Control Regulations (Cap. 313A) (SPC Regulations). It amends the Seventh Schedule to the SPC Regulations to make adjustment to the boundaries of the Eastern Quarantine Anchorage (EQA).

6. The EQA is one of the two quarantined anchorages specified in the Seventh Schedule to the SPC Regulations. The main function of the quarantined anchorages is for conducting health clearance by health officers for all cross-boundary vessels entering the waters of Hong Kong under Part 10 of the Prevention and Control of Disease Regulation (Cap. 599A).

7. According to paragraph 4 of the LegCo Brief (File Ref: THB(T)PMLCR 8/10/60/6) issued by the Transport and Housing Bureau in April 2014, as the EIA under the ALP Order and the EQA have been respectively designated by the relevant authorities in the same location, concurrent amendments have to be made to the boundaries of the EQA and EIA so as to provide adequate maneuvering water space for cruise vessels to safely navigate to and from the second berth of KTCT. The new boundaries and coordinates of the new EQA are set out in Annex B to the LegCo Brief. Members may note that the two sets of co-ordinates for demarcating the new EIA and EQA respectively under L.N. 46 and L.N. 47 are identical to each other.

8. As advised by the Clerk to the Panel on Economic Development, the Panel has not been consulted on L.N. 46 and L.N. 47. However, the Administration issued to the Panel on 13 March 2014 an information paper on the proposal to make adjustment to the coordinates demarcating the location of the EQA in order to provide adequate maneuvering water space for cruise vessels proceeding to and from the second berth of the KTCT.

9. Both L.N. 46 and L.N. 47 come into operation on 1 June 2014.

10. No difficulties have been identified in the legal and drafting aspects of the above items of subsidiary legislation.

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