

香港特別行政區政府
The Government of the Hong Kong Special Administrative Region

政府總部
運輸及房屋局
運輸科
香港添馬添美道 2 號
政府總部東翼



Transport and
Housing Bureau
Government Secretariat
Transport Branch
East Wing, Central Government Offices,
2 Tim Mei Avenue,
Tamar, Hong Kong
電話 Tel. No.: 3509 7247
傳真 Fax No.: 2523 0030

本局檔號 OUR REF.: THB(T)PML CR 8/180/1
來函檔號 YOUR REF.: CB1/F/3/6

21 April 2016

Clerk to the Establishment Subcommittee
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Miss Sharon Lo)

Dear Miss Lo,

**Establishment Subcommittee
Follow-up to Meeting on 31 March 2016
EC(2015-16)18**

At the meeting of the Establishment Sub-committee of the Legislative Council held on 31 March 2016, during discussion of EC(2015-16)18, a Member requested the Government to provide information on the consultation conducted by the Marine Department (“MD”) for seeking views of the industry stakeholders on issues related to the review of legislative and administrative measures on passenger and marine safety matters, including the consultative framework, scope of consultation, means of communication, issues discussed, and measures taken to address concerns raised during the consultation. The required information is set out below.

Consultative Framework

MD conducts regular consultations with industry stakeholders on matters relating to local vessels through the Local Vessels Advisory Committee (“LVAC”) and its sub-committees. LVAC is an advisory committee established under the Merchant Shipping (Local Vessels) Ordinance (Cap 548) to advise the Director of Marine on any matter which is connected with or incidental to —

- (a) the performance of his/her functions, or the exercise of his/her powers, under the Ordinance; or
- (b) the general regulation or control of local vessels in Hong Kong.

LVAC may establish sub-committees for deliberation of matters for LVAC's consideration. At present, there are five active sub-committees under LVAC —

- (a) Sub-committee on Class III Vessels;
- (b) Sub-committee on Class IV Vessels;
- (c) Sub-committee on Survey Work of Local Vessels;
- (d) Sub-committee on Safety for Works on Vessels; and
- (e) Joint Sub-committee on Class I and Class IV Vessels.

The terms of reference of LVAC and its sub-committees are set out at Annex A.

Membership

LVAC comprises members who, in the opinion of the Director of Marine, have expertise in the ship building and repairing industry, naval architecture, ship survey work, marine insurance industry, seafarers' training, seafarers' association, cargo vessels' operations, launch and excursion vessels' operations, ferry vessels' operations, river trade cargo operations, pleasure boating operations, and fishing industry. The sub-committees may co-opt persons who are not LVAC members as members of the sub-committees. At present, LVAC and its sub-committees comprise 12 non-official members and 59 co-opted non-official members.

Mode of Operation

Consultations under LVAC and its sub-committees are conducted through regular meetings or circulation of papers. Since 2012, LVAC and its sub-committees have conducted a total of 58 meetings and circulated 18 papers. The dates of meetings and circulation of papers for LVAC and its sub-committee in these four years are set out at Annex B. The meeting papers and papers circulated are available on MD's website at www.mardep.gov.hk/en/aboutus/lvac.html.

Matters for Discussion

LVAC and its sub-committees discuss issues which come under their terms of reference. Since the vessel collision incident near Lamma Island on 1 October 2012, the major areas of discussion in LVAC and its sub-committees have been the series of improvement measures to enhance marine safety, e.g., enhancing look-out by crew; review of minimum safe manning; requirement on the provision of life-saving apparatus; requirement on the installation of automatic identification system ("AIS"), radar and Very High Frequency radiotelephone; specifying an empirical standard for seat attachment; introducing a navigation simulation assessment to the examinations for certain coxswain certificates; and increasing the minimum liability amount of the compulsory third party risks insurance of local vessels. In view of the feedback received during the consultations, MD has refined the proposals as appropriate, and provided appropriate assistance to the trade where necessary. For instance, subsidy schemes have been implemented to encourage early installation of AIS and radar on local passenger vessels, and the syllabus for the radar training course has been modified to make it more relevant to the local vessel operation.

MD will continue to make use of LVAC and its sub-committees as the forum to consult the industry stakeholders of local vessels on further improvement measures that may affect their operations.

Yours sincerely,



(Miss Mary Tsang)

for Secretary for Transport and Housing

c.c. Secretary for Financial Services and the Treasury
(Attn : Deputy Secretary for Financial Services and the Treasury
(Treasury) 1)
Director of Marine
(Attn : Deputy Director (Special Duties))

**Terms of Reference of the
Local Vessels Advisory Committee and Its Sub-committees**

A. Local Vessels Advisory Committee (“LVAC”)

- To keep under review the management, control, operations, standards of safety, security and protection of the environment by local vessels, including marine associated activities affecting local vessels; and
- To advise the Director of Marine of any matters arising therefrom and on any matters referred to it by the Director of Marine.

B. Sub-committee on Class III Vessels

- To advise the Director of Marine on issues directed from LVAC, which are relating to:
 - promoting the use of Class III vessels in a safe and environmentally friendly manner; and
 - the continual improvements on/updating of the relevant Codes of Practice.

C. Sub-committee on Class IV Vessels

- To promote the use of Class IV vessels in a safe and environmental friendly manner;
- To discuss any matter referred by the Chairman of LVAC;
- To advise the Director of Marine through LVAC on all aspects of Class IV vessels; and
- To prepare reports covering all aspects of the Sub-committee’s work for the consideration of LVAC.

D. Sub-committee on Survey Work of Local Vessels

- To advise the Director of Marine on issues directed from LVAC, which are relating to:
 - survey or inspection works of local vessels including their effective control and monitoring; and
 - the continual improvements on/updating of the relevant Codes of Practice.

E. Sub-committee on Safety for Works on Vessels

- To advise the Director of Marine on issues directed from LVAC, which are relating to:
 - safety for works on local vessels and other visiting ships, including survey of lifting appliances and derrick cranes, shipboard container handling, provision of safe means of access, provision of first aid box, personal safety equipment and clothing, designation of competent persons; and
 - the continual improvements on/updating of the relevant Codes of Practice.

F. Joint Sub-committee on Class I and Class IV Vessels¹

- To further discuss the following items:
 - Certificate of Competency;
 - Crew working conditions; and
 - Advisory guidance regarding traffic control and safety measures in firework display and other major events.

Note: Issues which concern Class I and Class II vessels may be discussed by LVAC direct or other sub-committees such as the Sub-committee on Survey Work of Local Vessels, the Sub-committee on Safety for Works on Vessels and the Joint Sub-committee on Class I and Class IV vessels.

¹ The Joint Sub-committee was established in October 2012 to discuss issues which concern both Class I and Class IV vessels.

**Dates of Meetings and Paper Circulation of the
Local Vessels Advisory Committee and Its Sub-committees since 2012**

A. Local Vessels Advisory Committee

<u>Date of Meeting</u>	<u>Date of Paper Circulation</u>
3 December 2015	One paper circulated on 15 March 2016
18 August 2015	One paper circulated on 17 February 2016
5 May 2015	One paper circulated on 16 December 2015
10 October 2014	One paper circulated on 29 May 2015
25 April 2014	One paper circulated on 4 March 2015
23 October 2013	One paper circulated on 3 February 2015
16 April 2013	One paper circulated on 28 August 2014
26 October 2012	One paper circulated on 24 July 2014
22 February 2012	One paper circulated on 27 February 2014
	One paper circulated on 30 January 2014
	One paper circulated on 26 March 2013
	One paper circulated on 4 March 2013
	One paper circulated on 15 February 2013
	One paper circulated on 28 May 2012
	One paper circulated on 6 January 2012

Number of meetings: 9

Number of papers circulated: 15

B. Sub-committee on Class III Vessels

<u>Date of Meeting</u>	<u>Date of Paper Circulation</u>
11 June 2015	Two papers circulated on 19 November 2015
22 September 2014	
23 December 2013	
19 July 2013	
4 October 2012	
15 February 2012	

Number of meetings: 6

Number of papers circulated: 2

C. Sub-committee on Class IV Vessels

<u>Date of Meeting</u>	<u>Date of Paper Circulation</u>
6 July 2015	Nil
9 April 2014	

Number of meetings: 2

D. Sub-committee on Survey Work of Local Vessels

<u>Date of Meeting</u>	<u>Date of Paper Circulation</u>
22 October 2015	One paper circulated on 2 July 2014
20 November 2014	
29 August 2014	
26 June 2014	
22 May 2014	
27 March 2014	
21 February 2014	
31 December 2013	
19 September 2013	
17 July 2013	
30 May 2013	
25 April 2013	
20 March 2013	
7 February 2013	
3 January 2013	
5 December 2012	
15 November 2012	
26 September 2012	
23 February 2012	

Number of meetings: 19

Number of papers circulated: 1

E. Sub-committee on Safety for Works on Vessels

<u>Date of Meeting</u>	<u>Date of Paper Circulation</u>
26 May 2015	Nil
14 October 2014	
25 March 2014	
26 March 2013	
18 September 2012	
21 February 2012	

Number of meetings: 6

F. Joint Sub-committee on Class I and Class IV Vessels

<u>Date of Meeting</u>	<u>Date of Paper Circulation</u>
25 June 2015	Nil
12 March 2015	
27 November 2014	
28 August 2014	
15 May 2014	
20 February 2014	
5 December 2013	
17 October 2013	
22 August 2013	
12 July 2013	
31 May 2013	
11 April 2013	
1 March 2013	
28 December 2012	
29 November 2012	
8 November 2012	

Number of meetings: 16