

LEGISLATIVE COUNCIL BRIEF

Pilotage Ordinance
(Chapter 84)

Pilotage (Dues) (Amendment) Order 2016

INTRODUCTION

The Director of Marine, as Pilotage Authority, has made the Pilotage (Dues) (Amendment) Order 2016 (the Order) under section 22 of the Pilotage Ordinance (Cap. 84) to amend the amount of pilotage dues.

JUSTIFICATION

2. Pilotage dues are charged by licensed pilots for provision of pilotage services. The levels of dues are reviewed periodically taking into account a number of factors including inflation and market situation and mutually agreed between the Hong Kong Pilots Association Limited (HKPA) representing all pilots and the Hong Kong Liner Shipping Association (HKLSA) representing users of pilotage services. The pilotage dues were last revised in 2012. HKPA and HKLSA reviewed the current levels of pilotage dues in 2014 and proposed to increase dues by an average of 8%. Details are at **Annex A**.

LEGISLATIVE PROPOSAL

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

LEGISLATIVE TIMETABLE

4. The legislative timetable for the Order is as follows –
- | | |
|---|--------------|
| Publication in the Gazette | 20 May 2016 |
| Tabling at the Legislative Council for negative vetting | 25 May 2016 |
| Commencement Date | 18 July 2016 |

IMPLICATIONS OF THE PROPOSAL

5. Pilotage dues are an insignificant cost item for international shipping. There will not be any economic implications.
6. The proposal has no productivity, financial, family, gender, civil service, environmental, or sustainability implications. It 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.

PUBLIC CONSULTATION

7. The proposal was considered and endorsed by the Pilotage Advisory Committee, which comprises stakeholders of the shipping industry, namely, licensed pilots, ship-owners, terminal operators, liner operators, dockyard operators, tug operators, shipping agencies, bulk cargo operators and master mariners on 2 June 2015. We consulted the Legislative Council Panel on Economic Development on 19 April 2016. Members supported the proposed revisions.

PUBLIC REACTION

8. The revisions have been mutually agreed by the service providers as represented by HKPA and users as represented by HKLSA. There is no adverse public reaction to the proposed revision.

PUBLICITY

9. A press release will be issued on 20 May 2016. A spokesman will be available to answer enquires.

ENQUIRIES

10. Any enquiries on this brief can be addressed to Ms Louisa Yan, Principal Assistant Secretary for Transport and Housing (Transport) (Tel: 3509 8162) or Mr. C T Lai, Assistant Director, Port Control, Marine Department (Tel: 2852 4541).

Transport and Housing Bureau
May 2016

Proposed Revision of Pilotage Dues

Existing Rate			Proposed New Rate		Change (%)
1	Basic Pilotage Due	\$4,400	Basic Pilotage Due	\$4,700	Increase by \$300 (+6.8%)
2	Additional due per ton for ships of –		Additional due per ton for ships of –		N/A
	♦ <30000 GRT	\$0.065	♦ <40000 GRT	\$0.07	
	♦ ≥30000 & ≤60000 GRT (min. \$1,950)	\$0.0625	♦ ≥40000 & ≤80000 GRT (min. \$2,800)	\$0.065	
	♦ >60000 & ≤120000 GRT (min. \$3,750)	\$0.06	♦ >80000 & ≤120000 GRT (min. \$5,200)	\$0.0625	
			♦ >120000 & ≤140000 GRT (min. \$7,500)	\$0.055	
	♦ >120000 GRT (min. \$7,200)	\$7,200	♦ >140000 GRT	\$7,700	
3	Additional due for Ngan Chau or west of Lamma Island	\$1,900	Additional due for Ngan Chau or west of Lamma Island	\$2,000	Increase by \$100 (+5.3%)
4	Additional due for West of East Brother	\$2,600	Additional due for West of East Brother	\$2,800	Increase by \$200 (+7.7%)
5	Additional due for North of Black Point	\$1,250	Additional due for North of Black Point	\$1,300	Increase by \$50 (+4%)
6	Due for detention of pilots - per half hour for the first hour & thereafter	\$1,200	Due for detention of pilots - per half hour for the first hour & thereafter	\$1,300	Increase by \$100 (+8.3%)
7	Additional due for Tolo Harbour	\$3,500	Additional due for Tolo Harbour	\$4,200	Increase by \$700 (+20% ¹)
8	Cancellation of engagement	\$4,400	Cancellation of engagement	\$4,700	Increase by \$300 (+6.8%)

¹ Pilotage services for the Tolo Harbour route are less sought. Additional due for Tolo Harbour was last amended in 1996, and hence a higher increase in percentage when compared with other revisions

Pilotage (Dues) (Amendment) Order 2016

(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 comes into operation on 18 July 2016.

2. Pilotage (Dues) Order amended

The Pilotage (Dues) Order (Cap. 84 sub. leg. D) is amended as set out in section 3.

3. Schedule amended

(1) The Schedule, Part 1, paragraph 1—

Repeal

“4,400”

Substitute

“4,700”.

(2) The Schedule, Part 1, paragraph 1(a)—

Repeal

“30 000 tons, \$0.065”

Substitute

“40 000 tons, \$0.07”.

(3) The Schedule, Part 1, paragraph 1(b)—

Repeal

everything after “or above” and before “, whichever”

Substitute

“40 000 tons but not exceeding 80 000 tons, \$0.065 per ton of the ship’s gross tonnage or \$2,800”.

(4) The Schedule, Part 1, paragraph 1(c)—

Repeal

everything after “tonnage exceeding”;

Substitute

“80 000 tons but not exceeding 120 000 tons, \$0.0625 per ton of the ship’s gross tonnage or \$5,200, whichever is the greater;”.

(5) The Schedule, Part 1, after paragraph 1(c)—

Add

“(ca) for ships having a gross tonnage exceeding 120 000 tons but not exceeding 140 000 tons, \$0.055 per ton of the ship’s gross tonnage or \$7,500, whichever is the greater; or”.

(6) The Schedule, Part 1, paragraph 1(d)—

Repeal

“120 000 tons, \$7,200”

Substitute

“140 000 tons, \$7,700”.

(7) The Schedule, Part 2, paragraph 5—

Repeal

“1,900”

Substitute

“2,000”.

(8) The Schedule, Part 2, paragraph 5A—

Repeal

“2,600”

Substitute

“2,800”.

- (9) The Schedule, Part 2, paragraph 5B—

Repeal

“1,250”

Substitute

“1,300”.

- (10) The Schedule, Part 2, paragraph 6—

Repeal

“1,200” (wherever appearing)

Substitute

“1,300”.

- (11) The Schedule, Part 2, paragraph 8—

Repeal

“3,500”

Substitute

“4,200”.

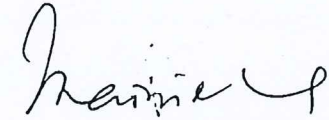
- (12) The Schedule, Part 3, paragraph 1—

Repeal

“4,400”

Substitute

“4,700”.



Pilotage Authority

13 May 2016

Explanatory Note

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

- (a) to increase the basic amount of the standard pilotage due (section 3(1));
- (b) to revise the scale of the additional amount of the standard pilotage due (section 3(2) to (6));
- (c) to increase certain additional pilotage dues (section 3(7) to (11)); and
- (d) to increase the due payable where the engagement of a pilot is cancelled (section 3(12)).