

Bills Committee on Shipping and Port Control (Amendment) Bill 1999

Second Meeting on 26 July 1999

Points of concern of Members

1. **Commencement date of the proposed legislative amendment under the Bill, in particular to those relating to the penalty charges, and the issue of codes of practice by the Director of Marine (D of M).**

After its enactment, the Bill will come into operation on a day to be appointed by the Secretary for Economic Services. Different parts of the Bill may commence on different dates. In view of Members' concern, we agreed that the proposed penalty charges would commence on a day after the relevant codes of practice are put in place. We shall add a commencement clause to the Bill to effect the above.

2. **The need to increase the penalty charges after D of M has issued the codes of practice**

Please see above.

3. **Proposed exemption of vessels of less than 50 metres in length**

from the requirement of seeking D of M's written permission for any repair or breaking up work to be carried out to the vessels.

At present, the majority (over 98%) of local licensed vessels are less than 50 metres in length. Majority of these vessels is constructed of wood or fibreglass, repair work for these vessels do not involve welding or burning and therefore is not hazardous in nature. Most of the breaking up work for this group of vessels is being carried out in the Mainland. In 1998, there were only 36 cases of industrial accidents that involved ship repairing of vessels less than 50 metres in length. This represented only about 0.28% of the total number of local vessels that are less than 50 meters in length. Most of the high risk vessels are large vessels such as tankers and dangerous goods carriers. At present, vessels of length of less than 50 meters do not require written permission from Director of Marine to carry out repair or breaking up works. As the statistics show the risk of continuing such exemption should be low, we propose that the current exemption should continue. Clause 8 of the Bill provides that vessels of less than 50 metres in length will be subject to the provisions of Part V of the Shipping and Port Control Ordinance. Provisions of Part V regulate and control various aspects of repair and breaking up works of vessels, as well as cargo handling operation carry on vessels. As such, vessels of less than 50 metres in length will be under more stringent control than before. In addition, Clause 10 of the Bill provides that such vessels be exempted from the requirement of written permission from the Director of Marine for carrying out repairs and

breaking up works.