

政府總部經濟局的信頭

本函檔號 Our Ref: ECON 4/3231/88(99) Pt.21

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29 May 1999

Mrs Sharon TONG
Clerk to Bills Committee
Legislative Council
Legislative Council Building
8 Jackson Road
Central
Hong Kong
(*Fax No.: 2877 8024*)

Dear Mrs Tong,

Bills Committee on Merchant Shipping (Local Vessels) Bill

Meeting on 24 May 1999

Thank you for your letter dated 19 May 1999 to Mr Richard YUEN. I am writing to reply on his behalf.

With regards to Mr YANG's queries, we would like to respond as follows:-

- (i) The "local vessel" means-
 - (a) any vessel used solely within the waters of Hong Kong, whether registered under the Merchant Shipping (Registration) Ordinance (Cap. 415) or in a place outside Hong Kong;
 - (b) any vessel regularly employed in trading to or from Hong Kong unless registered in a place outside Hong Kong;

- (c) any vessel possessed or used for pleasure purposes in the waters of Hong Kong;
- (d) any vessel employed in sea fishing plying regularly in the waters of Hong Kong, or using the waters of Hong Kong as a base; or
- (e) any vessel, not being a vessel referred to in paragraph (a), (b), (c) or (d), in respect of which a permit referred to in section 89(2) is in force.

River-trade vessels are included under the para (e) of the definition of “local vessel”, which is similar to the existing regulation. At present, river trade vessels are required to obtain a permit from the Director of Marine prior to entering and remaining in the waters of Hong Kong (a permit issued under section 89(2) as referred above). River trade vessels are therefore included in the definition of local vessels and regulated by the future Merchant Shipping (Local Vessels) Ordinance.

- (ii) On the amount of fine for offences under the Bill, they are based on those set out in Schedule 8 of the Criminal Procedure Ordinance, Cap. 221. There are only 6 levels of fines with the maximum penalty of \$100,000 in that Ordinance. Any serious crime with the penalty exceeds the maximum level of fine of that Ordinance, the amount of fine has to be specified in the law instead of by reference to a level.

Yours sincerely,

(Peter KWOK)
for Secretary for Economic Services