

**LEGISLATIVE COUNCIL BRIEF**

The Secretary for Economic Services submits the following note for members' information -

<b>Title of the Note</b>	<b>Date of Gazette</b>
Pilotage (Amendment) Order 1998	17.7.98
July 1998	Economic Services Bureau

**LEGISLATIVE COUNCIL BRIEF**

**Pilotage Ordinance (Chapter 84)**

**PILOTAGE (AMENDMENT) ORDER 1998**

**INTRODUCTION**

Under Section 22 of the Pilotage Ordinance, Chapter 84, the Pilotage Authority, i.e. the Director of Marine, may, after consultation with the Pilotage Advisory Committee (PAC), by order published in the Gazette provide for the required experience of applicants for registration as a licensed pilot in the First Schedule to the Pilotage Order made under the Pilotage Ordinance. In exercise of this power, the Director of Marine has amended the Pilotage Order as set out in the Annex.

**BACKGROUND AND ARGUMENT**

2. Under Section 4(b) of the Pilotage Order, an apprentice pilot has to acquire appropriate experience specified in the First Schedule before he can apply for a pilot's licence. Such experience is obtained when he accompanies licensed pilots to perform pilotage services in various berths, anchorages and major waterways.

## **THE PILOTAGE (AMENDMENT) ORDER 1998**

3. The Pilotage (Amendment) Order 1998 proposes the following changes to the First Schedule to the Pilotage Order :-

### **Paragraph 1(e)**

a) It is considered desirable for an apprentice pilot to obtain sufficient experience in piloting a ship to transit the Ma Wan Channel before obtaining his licence. The paragraph will be amended to require apprentice pilots to gain more experience in handling large container ships transiting Ma Wan Channel, particularly at night, as part of the apprentice training.

### **Table 1**

b) Item 1 - Since October 1995, pilotage exemption has been granted to passenger ferries using the China Ferry Terminal. There is therefore no longer a requirement for apprentice pilots to gain such experience and the requirement will be deleted from the table.

c) Item 2 - The item will be expanded to include berths No.11 to 14 of the Kwai Chung Container Terminals, which have come into operation. Apprentice pilots are required to accompany a licensed pilot in the berthing and unberthing of vessels at these berths to gain the necessary experience.

- d) Item 3 - The petroleum wharf at Nga Ying Chau has been demolished. The wharf will be deleted from the apprentice pilot experience requirement.
  
- e) Item 4 - Apprentice pilots are required to obtain sufficient experience in berthing and unberthing at the wharves and floating docks in Tsing Yi Island. The item will be amended to require apprentice pilots to acquire additional experience in handling small tankers at the Shell and China Resources Company (CRC) wharves.
  
- f) Item 5 - Similarly apprentice pilots are required to obtain sufficient experience in berthing and unberthing at the floating docks at Yam O. The item will be updated to reflect the proper names of the three floating docks which are “United”, “Yiu Lian No. 3” and “Yiu Lian No. 5”.
  
- g) Item 6 - The current requirement refers to the experience in berthing and unberthing at the Union Carbide Wharf at Sham Tseng which has been demolished. It will be replaced by “Lok On Pai” which is name of the area.

**Table 3**

h) Item 2 - The item will be expanded to include berths No.11 to 14 of the Kwai Chung Container Terminals, which have since come into operation. Apprentice pilots are required to observe the berthing and unberthing of vessels by licensed pilots at these berths for the minimum number of times specified in the table as part of their training requirement.

4. It is intended to bring the amendment Order into operation on 1 September 1998.

**HUMAN RIGHTS IMPLICATIONS**

5. The Department of Justice advises that the proposed amendment order has no human rights implications.

**FINANCIAL AND STAFFING IMPLICATIONS**

6. There are no financial or staffing implications.

**ECONOMIC IMPLICATIONS**

7. There are no economic implications.

**ENVIRONMENTAL IMPLICATIONS**

8. There are no environmental implications.

**PUBLIC CONSULTATION**

9. The Pilotage Advisory Committee has been consulted and has endorsed all the proposed provisions.

**PUBLICITY**

10. A press release will be issued today. A spokesman will be available to handle press enquiries.

**ENQUIRY**

11. For enquiry on this brief, please contact Mr. Y N Chan, Marine Officer/Pilotage at 28524468 or Mr. M K Chan, Assistant Secretary for Economic Services at 25372864.

Economic Services Bureau

Date : July 1998

**PILOTAGE (AMENDMENT) ORDER 1998**

(Made under section 22 of the Pilotage Ordinance (Cap. 84)  
after consultation with the Pilotage Advisory Committee)

**1. Commencement**

This Order shall come into operation on 1 September 1998.

**2. Appropriate experience of applicant**

The First Schedule to the Pilotage Order (Cap. 84 sub. leg.) is amended -

(a) by repealing paragraph 1(e) and substituting -

“(e) during the pilotage of a container ship exceeding 250 metres in length through Ma Wan Channel on at least 5 occasions, of which at least 2 must have commenced during the hours between sunset and sunrise;”;

(b) in Table 1 -

(i) in item 1 by repealing -

“China Ferry Terminal	2 berthings and 2 unberthings of a ship of any length.”;
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(ii) in item 2 by repealing “Berth No. 10” and substituting -

“Berth No. 10  
Berth No. 11  
Berth No. 12  
Berth No. 13  
Berth No. 14”;

(iii) by repealing item 3;

(iv) by repealing item 4 and substituting -

“4. Tsing Yi Island -

Petroleum Wharves

(Mobil)

(Esso)

(Caltex)

(China Resources Company main berth)

(Shell main berth)

4 berthings and 3 unberthings of a ship of any length at each wharf.

(China Resources Company, east inner berth and west inner berth)

(Shell inner LPG berth)

2 berthings and 2 unberthings of a ship of any length at each berth.

H.K. United Dockyards Seawalls Wharf

1 berthing and 1 unberthing of a ship of any length.

Euro-Asia Seawall Yiu Lian Seawall

1 berthing and 1 unberthing of a ship of any length at each berth.

Floating Docks - (Whampao) (Yiu Lian No. 1)

2 dockings and 2 undockings of a ship of any length at one or more of these docks.”;



- (v) in item 5 -
  - (A) by repealing “(Taikoo)” and substituting “(United)”;
  - (B) by repealing “(Yiu Lian No. 2)” and substituting -
    - “(Yiu Lian No. 3)
    - (Yiu Lian No. 5)”;
- (vi) by repealing item 6 and substituting -
  - “6. Lok On Pai 1 berthing and 1 unberthing of a ship of any length.”;
- (c) in item 2 of Table 3, by repealing “Berth No. 10” and substituting -

“Berth No. 10  
Berth No. 11  
Berth No. 12  
Berth No. 13  
Berth No. 14”.

Pilotage Authority

9 July,1998

### Explanatory Note

This Order amends the First Schedule to the Pilotage Order (Cap. 84 sub. leg.) to revise the training requirements of apprentice pilots. The amendments include -

- (a) requirement for apprentice pilots to gain more experience in Ma Wan Channel; and
- (b) revising training requirements in berthing, unberthing, docking and undocking various wharves, berths and docks.