

LEGISLATIVE COUNCIL BRIEF

Pilotage Ordinance
(Chapter 84)

PILOTAGE (DUES) (AMENDMENT) ORDER 2011

INTRODUCTION

This paper briefs Members on the Pilotage (Dues) (Amendment) Order 2011 (the Order) at **Annex A**.

JUSTIFICATIONS

2. Pilotage dues are commercial fees charged by licensed pilots for the provision of pilotage services. The fee levels are reviewed from time to time by the Hong Kong Liner Shipping Association (HKLSA) and the Hong Kong Pilots Association (HKPA), representing the service users and service providers respectively. Having regard to the current market environment and operating conditions, the latest review completed by HKLSA and HKPA in May 2011 recommended increases in certain pilotage dues as set out at **Annex B**. The fee revision proposals were considered and endorsed in June 2011 by the Pilotage Advisory Committee (PAC) which comprises representatives from the Hong Kong Shipowners Association, HKLSA, HKPA, container terminal operators, bulk cargo operators, oil terminal operators, tug operators, dockyard industry and master mariners.

3. Section 22 of the Pilotage Ordinance (Cap. 84) empowers the Pilotage Authority, who is the Director of Marine, to set the amount of pilotage dues by order published in the Gazette after consultation with the PAC.

THE ORDER

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

LEGISLATIVE TIMETABLE

5. The Order will be published in the Gazette on 9 December 2011 and tabled at the Legislative Council on 14 December 2011.

IMPLICATIONS OF THE PROPOSAL

6. Pilotage dues are a relatively minor cost item for international shipping. The proposed increases in pilotage dues will not bring about significant economic implications.

7. The proposal 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. It has no productivity, financial, civil service, environmental or sustainability implications.

PUBLIC CONSULTATION

8. The proposal was considered and endorsed by the PAC in June 2011. The Legislative Council Panel on Economic Development was consulted on the proposal at the meeting on 28 November 2011 and indicated support to it.

PUBLICITY

9. A press release will be issued on 9 December 2011. A spokesman will be available to handle enquiries.

ENQUIRIES

10. Any enquiries on this brief can be addressed to Mr. Edward Cheng, Assistant Secretary for Transport and Housing (Tel: 2121 2340).

Transport and Housing Bureau
7 December 2011

Pilotage (Dues) (Amendment) Order 2011

Pilotage (Dues) (Amendment) Order 2011

Section 1

1

Pilotage (Dues) (Amendment) Order 2011

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

1. Commencement

- (1) Subject to subsection (2), this Order comes into operation on 3 February 2012.
- (2) Section 3(3) comes into operation on 1 January 2013.

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 I, paragraph 1—

Repeal

“\$4,100”

Substitute

“\$4,400”.

- (2) The Schedule, Part II, paragraph 5A—

Repeal

“\$2,000”

Substitute

“\$2,300”.

- (3) The Schedule, Part II, paragraph 5A—

Repeal

everything before “shall be”

Substitute

Section 3

2

“5A. An additional pilotage due of \$2,600”.

- (4) The Schedule, Part III, paragraph 1—

Repeal

“\$4,100”

Substitute

“\$4,400”.



Pilotage Authority

1. 12. 2011

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 increase an additional pilotage due, which is payable for any pilotage service that requires a pilot to board a ship or disembark from a ship west of a straight line drawn from Pearl Island to East Brother Island, in two phases (section 3(2) and (3)); and
- (c) to increase the due payable where the engagement of a pilot is cancelled (section 3(4)).

Proposed Revision of Pilotage Dues

Item	Existing dues	Proposed dues	Percentage increase
(a) basic pilotage due	\$4,100	\$4,400	7.3%
(b) additional pilotage due for boarding or disembarking from a ship west of a straight line drawn from Pearl Island to East Brother Island ^{Note}			
(i) from 3 February 2012	\$2,000	\$2,300	15%
(ii) from 1 January 2013	-	\$2,600	13%
(c) due for cancellation of engagement			
(i) for service at Tolo Harbour or at the west of East Brother Island	\$4,100 (charged if cancellation is done within 1.5 hours before the last stated time of requirement)	\$4,400 (charged if cancellation is done within 1.5 hours before the last stated time of requirement)	7.3%
(ii) for service elsewhere	\$4,100 (charged if cancellation is done within 1 hour before the last stated time of requirement)	\$4,400 (charged if cancellation is done within 1 hour before the last stated time of requirement)	7.3%

^{Note} The proposed increase will be implemented in phases. The pilotage due will be increased to \$2,300 by 3 February 2012 and then \$2,600 by 1 January 2013.