

立法會
Legislative Council

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by the Administration)

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Panel on Economic Development

Minutes of special meeting
held on Tuesday, 17 September 2013, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present: Hon Jeffrey LAM Kin-fung, GBS, JP (Chairman)
Hon CHUNG Kwok-pan (Deputy Chairman)
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Paul TSE Wai-chun, JP
Hon James TIEN Pei-chun, GBS, JP
Hon Frankie YICK Chi-ming
Hon YIU Si-wing
Hon Dennis KWOK
Dr Hon Fernando CHEUNG Chiu-hung
Hon SIN Chung-kai, SBS, JP
Hon TANG Ka-piu

Members absent: Dr Hon LEUNG Ka-lau
Hon Albert CHAN Wai-yip
Hon Michael TIEN Puk-sun, BBS, JP
Hon WU Chi-wai, MH
Hon CHAN Han-pan
Hon Christopher CHEUNG Wah-fung, JP
Dr Hon Elizabeth QUAT, JP

Public officers : Agenda Item I
attending

Ms Julina CHAN Woon-yee
Deputy Secretary for Transport and Housing
(Transport) 5

Mr Francis LIU Hon-por
Director of Marine

Mr TUNG Hon-ming
Deputy Director of Marine

Ms Shirley LAM Shuet-lai
Deputy Director of Marine (Special Duties)

**Attendance by
invitation** : Agenda item I

Individual

Mr KWONG Koon-wan
Islands District Councillor

Hong Kong Shipowners Association

Mr Arthur BOWRING
Managing Director

Designing Hong Kong

Mr Paul ZIMMERMAN
Chief Executive Officer

Merchant Navy Officers' Guild - Hong Kong

Captain YU Chi-ming
Vice President

The Hong Kong Institute of Marine Technology

Mr Albert LO Wing-shun
Vice Chairman

Individual

Mr WONG Fuk-kan
Islands District Councillor

The Hong Kong Shipyard Limited

Mr CHAN Chi-ming
Deputy Shipyard Manager

Maritime Services Training Institute

Mr YEUNG Pui-keung
Manager

The Hong Kong Sea School

Mr Cowen CHIU
Chairman of the Board of Management

Sai Kung Yacht Association

Mr Jacky CHEUNG Yat-leung
Chairman

Small Craft Workers Union

Miss CHING Ngon-lai
Chairman

Hong Kong Seamen's Union

Mr LI Chi-wai
Chairman

Hong Kong Institute of Vocational Education

Captain CHAU Yat-ming
Program Leader, Higher Diploma in Maritime
Studies

The Hong Kong Institution of Engineers - Marine
& Naval Architectures Discipline Advisory Panel

Mr Louis SZETO Ka-sing
Chairman

Hong Kong Fishing Vessel Owners Association Ltd.

Mr CHEUNG Kam-yee
Honorary Adviser

Royal Hong Kong Yacht Club

Mr Roland Roger EASTHAM
Marine Services Manager

Hong Kong Water Ski Association

Mr Donald LEE
Hon Secretary

Individual

Mr Derek HUNG Chiu-wah
Yau Tsim Mong District Councillor

Hongkong United Dockyards Ltd.

Mr Ringo CHAU
Marine Manager

Coral Sea Ferry Service Co. Ltd.

Mr LI Koon-tai
Managing Director

Passenger Vessels Joint Committee

Mr Bondy WEN Tsz-kit
Chairman

New World First Ferry Services Ltd.

Mr CHEUNG Kwok-wai
Operations Manager

Peng Chau Kai To Co. Ltd.

Mr Ken WONG Hon-kuen
Director

Hong Kong Cargo-Vessel Traders' Association Ltd.

Mr WONG Yiu-kan
Chairman

Hong Kong & Kowloon Motor Boats & Tug Boats
Association Ltd.

Mr KWOK Tak-kee
Life President

Marine Excursion Association Limited

Mr Albert CHEUNG Yau-kwong
President

The "Star" Ferry Co., Ltd.

Mr Johnny LEUNG
General Manager

Fortune Ferry Company Ltd.

Mr CHAN Kam-hung
Director

Discovery Bay Transportation Services Limited

Mr Edward YUEN Yung-siew
Manager, Marine Operations

Eastern Ferry Co. Ltd.

Mr KEUNG Siu-fai
General Manager

Kee Marine Service & Consultant Ltd.

Mr CHEUNG Tai-kee
Director

Fu Tat Shipping & Transportation Co. Ltd.

Mr CHAN Wai-chiu
Director

Wing Yip Shipping & Transportation Co., Ltd.

Mr CHOW Chi-tong
Director

Ocean Fame Logistics Ltd.

Mr Mike NG Ka-wai
Director

Yat Sing Shipyard Limited

Mr LEUNG Yat-sing
Director

Harvest Marine Services Co., Ltd.

Mr Sammy LEE Chi-cheong
Director

Individual

Mr LI Ka-leung
Sai Kung District Councillor

Hong Kong Fishermen Consortium

Mr LEUNG Kwong-yong
Vice Chairlady

The Hong Kong Maritime Forum

Mr Sunny HO
Member

Institute of Seatransport

Mr TSANG Chiu-ming
Member

Chung Shak Hei (Cheung Chau) Home for the Aged Ltd.

Mr HO Lai-on
Vice Chairman

China Classification Society Hong Kong Branch

Mr HUANG Lifan
Vice-General Manager

International Fisheries Alliance

Mr YEUNG Yun-kwong
Chairman

Individual

Mr SIU Ping-wing
Member of the Local Vessels Advisory Committee
(Seafarers' Associations)

Clerk in attendance : Mr Derek LO
Chief Council Secretary (1)5

Staff in attendance : Mr Ken WOO
Senior Council Secretary (1)5

Ms Michelle NIEN
Legislative Assistant (1)5

Action

I. Measures for enhancing marine safety and the safety of passenger carrying vessels

Submissions from individuals not attending the meeting

(LC Paper No. CB(1)1771/12-13(08) —Submission from Dr YANG Mo, Southern District Councillor

LC Paper No. CB(1)1811/12-13(18) —Submission from Mr YEUNG (tabled and subsequently issued via email on 18 September 2013) Wai-sing, Eastern District Councillor)

Other relevant papers issued previously

(LC Paper No. CB(1)1522/12-13(01) —Administration's paper on update on follow-up actions arising from the Report of the Commission of Inquiry into the Collision of Vessels near

Lamma Island on 1 October 2012

LC Paper No. CB(1)1522/12-13(02) — Paper on follow-up actions arising from the Report of the Commission of Inquiry into the Collision of Vessels near Lamma Island on 1 October 2012 prepared by the Legislative Council Secretariat (Updated background brief)

Welcoming remarks by the Chairman

The Chairman welcomed deputations/individuals and the Administration to the meeting. He said that the purpose of the meeting was for the Panel to receive the views of the public on the measures for enhancing marine safety and the safety of passenger carrying vessels. The Secretariat had circulated the written submissions received so far to members for perusal. Each deputation/individual would be given three minutes to present their views. He reminded the deputations/individuals that when addressing the Panel during the meeting, they were not covered by the protection and immunity under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) and their written submissions were also not covered by the said Ordinance.

Oral presentation by deputations/individuals

2. A total of 44 deputations/individuals presented their views. Their major concerns were summarized in the **Appendix**.

Response by the Administration

3. Deputy Secretary for Transport and Housing (Transport) 5 ("DSTH") advised that in recognition of the importance for enhancing manpower and training for supporting the development of the maritime and aviation sectors, the Financial Secretary had in the 2013-2014 Budget proposed to designate \$100 million to establish a training fund for the maritime and aviation industries. The Administration was exploring with the trade on the use of part of the fund for, inter alia, supporting professional and technical training programmes for the local shipping industry, and it aimed to seek funding approval from the Legislative Council in end of 2013. The direction of training efforts being discussed was multi-folded –

- (a) Increasing the number of student places of pre-service programme: The Administration was discussing with the

Vocational Training Council ("VTC") on increasing the places for its 23-week Junior General Purpose Rating Course from 60 to 80;

- (b) Strengthening the training for in-service coxswains and crew: The Administration would work with the trade to increase the number of approved training programmes to help in-service practitioners to sit relevant examinations so as to upgrade their skills and qualifications; and
- (c) Encouraging more new blood to the industry: The Administration was working in consultation with VTC and other relevant bodies on developing initiatives to attract young people to enrol in related skills training and join the industry upon graduation.

4. As regards concerns expressed on the lack of resources to the Marine Department ("MD") which might have affected its operations, DSTH advised that the Transport and Housing Bureau had all along worked with MD on securing the resources it needed to discharge its duties effectively.

5. Director of Marine ("D of Marine") thanked the deputations/individuals attending the meeting for their views. He advised that following the collision of vessels near Lamma Island on 1 October 2012 ("the vessel collision incident"), MD and the various working groups set up with the trade had held no less than 20 meetings during the previous ten months to discuss the implementation plan of various short-, medium- and long-term improvement measures, including their technical feasibility and related arrangements. Apart from requiring all vessel operators to step up safety measures immediately, MD had also looked into ways in which the safety of passenger carrying vessels could be raised, such as enhancing the standard of training to coxswains and crew and the requirement of safety equipment, providing guidelines on rest arrangements, strengthening publicity and promotion efforts, pursuing the proposal to increase third party risks insurance coverage, and exploring the feasibility of introducing a Marine Accident Victims Assistance Fund.

6. D of Marine thanked the trade for their support on the proposals to strengthen the safety measures during major maritime events, provide refresher courses to coxswains, and require persons who apply for Coxswain Grade 3 Certificate to attend relevant maritime course before taking examination. He advised that these measures would be implemented shortly. In response to the concerns raised by deputations/individuals at the meeting, D of Marine advised the following –

Improvement measures to be implemented during the first phase

- (a) Requirement for a look-out: The requirements for all vessels carrying more than 100 passengers to have a look-out on the bridge in addition to the coxswain during the hours of darkness and in reduced visibility, and for high speed crafts to have a look-out at all times, were an established common practice for the trade;
- (b) Legal liability of the look-out: The coxswain, as the general in-charge and person conning a vessel, would be held accountable for all incidents;
- (c) Qualification of the look-out: A look-out was mainly deployed to assist the coxswain to monitor the situation of the sea and a professional certificate was not required for the job. MD would however assist the relevant training institutes to provide the relevant training if so required;
- (d) Eyesight test: All seamen required to keep a lookout should have an eyesight test at intervals not exceeding five years to ensure effective discharge of their duties;
- (e) Muster list: Emergency drill should be conducted at least once every two months. MD would provide a sample muster list to the trade to facilitate compliance with the relevant requirements;
- (f) Manning requirement: A manning schedule should be made available to ensure transparency and appropriateness of manning arrangements. The final manning arrangements had to be established through the conduct of a drilling exercise;
- (g) Printing the name of the vessel on each of the lifejackets: This was to prevent the use of the lifejackets for purposes other than life-saving;
- (h) Fitting watertight doors with alarms: This requirement should not affect the trade as the fitting of which was yet to be ready for only two vessels;

Medium and longer term measures

- (i) Installation of Automatic Identification System ("AIS"), radar and Very High Frequency ("VHF") radio: The proposal did not aim at modeling on the equipment needs and training standards

as required for ocean going vessels, but to tap on the advantages of such technologies to enhance navigational safety. MD would continue the discussion with the trade on the relevant installations;

- (j) Practical operational assessment for coxswains: The measure aimed at providing a simulated environment to enable coxswains to drill on different emergency situations, thus enhancing their capability to deal with emergencies;
- (k) Rest arrangements: To address the concern of the public on the fatigue of coxswains and crew due to long hours of working, there was a need to put in place a guideline for rest arrangements. MD would take into account the trade's concern on the possibility for disputes between employers and employees and would continue the discussion with the trade with a view to enhancing the flexibility of the relevant arrangements;

Other concerns

- (l) Additional manpower required to implement the measures: Measures that involved the employment of additional crew and training would be implemented one year after the publication of the amended Code of Practice ("CoP") so as to allow sufficient time for the vessel operators to make the necessary preparations;
- (m) Lack of training for the trade: MD would be in touch with the relevant training institutes and assist them to provide training programmes. It would also consider partially exempting the work experience required for attaining the rank of coxswains by certifications awarded under certified training programmes, thus enhancing the promotion opportunities for seamen. In addition, it would assist the trade to launch promotion programmes to attract young people to join the industry;
- (n) Provision of lifejackets for children on newbuild Class II vessels: Such requirement was necessary as children were allowed on board Class II vessels;
- (o) Personal health certification: MD shared the recommendation set out in the report of the Commission of Inquiry into the Collision of Vessels near Lamma Island on 1 October 2012 ("CoI") that coxswains of passenger carrying vessels should be subject to a medical test provided by the employer at five-yearly intervals; and

- (p) Safety management system: Similar to the recommendation of CoI, MD held the view that operators of vessels carrying more than 100 passengers should be required to implement a safety management system. MD would make available the relevant sample for ease of reference and compliance.

Discussions

Proposed installation of Automatic Identification System

7. Mr Frankie YICK declared that he was a Director of The "Star" Ferry Company, Limited. He urged the Administration to take on board views and concerns expressed by the trade on the impact of the proposed installation of AIS, which in their view might affect the work efficiency of coxswains.

8. D of Marine advised that in proposing the installation of AIS, MD had made reference to overseas experience and found out that AIS was commonly installed at vessels operating in navigational environments similar to that of Hong Kong. Vessels equipped with AIS would allow the detection of their navigation status by other vessels, including ocean going vessels, which enabled early collision avoidance actions as necessary. As for VHF radio, it enabled vessels in emergency to summon assistance from the Vessel Traffic Centre and nearby vessels, and to communicate with and report to those government vessels handling emergency situations, including Marine Police and Fire Service launches.

9. Mr TANG Ka-piu declared that he was a member of the Islands District Council. Pointing out that the number of pleasure vessels for hire in the category of Class IV vessels had increased five-fold from 2007 to 2012 and that marine transport services had yet to meet the demand fully, Mr TANG opined that there was much room for the development of the industry and the question now lay on whether the Government was capable of partnering with the trade to take forward effective safety measures that could restore public confidence in local vessels.

Implementation schedule of improvement measures

10. Mr Frankie YICK pointed out that even the improvement measures involving the employment of additional crew and training would be implemented one year after the publication of the amended CoP, the trade had expressed much concern about meeting the deadline in view of the acute shortage of manpower resource in the industry. He urged the Administration to exercise due care in taking forward the measures, otherwise operators might have to close down their business as a result, as some of them had already so indicated. Expressing a similar view, Mr TANG Ka-piu opined that vessel

operators should be allowed additional time if they were unable to satisfy the requirements one year after the publication of the amended CoP. Consideration could be given to implementing the first phase measures in phases to allow more time for the operators to make the necessary preparations. He also opined that the proposal for introducing the Marine Accident Victims Assistance Fund should be taken forward as soon as practicable.

11. D of Marine explained that since further discussion with the trade was required on the proposed measures, the relevant CoP would be ready for amendment in October 2013 at the earliest instead of September 2013 as originally planned. MD would engage the trade in the discussion on the proposal of phased implementation of the measures, and would render them appropriate assistance if necessary. On the proposal for setting up a Marine Accident Victims Assistance Fund, MD had engaged a consultant to conduct a study which was expected to be completed by the end of 2013. The trade would be consulted on the findings in due course.

12. Mr YIU Si-wing asked whether MD had put in place a mechanism to consult the views from related bodies, such as vessels operators and the related companies, before making any measures and regulations that would affect the operations of the trade.

13. D of Marine advised that the Local Vessels Advisory Committee and its sub-committees would meet regularly with trade representatives to discuss marine associated activities affecting local vessels.

Handling of non-conformities

14. Noting a case from the Lloyd's Register Audit Report that an Authorized Surveyor had received eight warnings in the past two years and was advised of "serious deficiencies" but no further action was taken in this regard, Mr YIU Si-wing considered it important to develop a mechanism for handling non-conformities to ensure the standard of ship inspection.

15. D of Marine advised that a committee with four members including two MD staff had instituted disciplinary proceedings against the Authorized Surveyor concerned. The authorization concerned would be suspended or even revoked in the case of gross negligence of duty.

16. Summing up, the Chairman expressed condolences for those people who were killed or injured in the vessel collision incident. He urged the Administration to pay heed to the possible difficulties the trade would face in the course of implementing the new measures, such as implications on manpower, increase in operating cost and the training required. He also requested the Administration to continue to engage the trade in the discussion

of the implementation schedule and work in collaboration with the relevant organizations to provide more training programmes to enhance the provision of manpower, especially technicians, for the trade.

II. Any other business

17. There being no other business, the meeting was adjourned at 5:10 pm.

Council Business Division 1
Legislative Council Secretariat
21 January 2014

Panel on Economic Development

Special meeting on Tuesday, 17 September 2013, at 2:30 pm

Measures for enhancing marine safety and the safety of passenger carrying vessels

Summary of views and concerns expressed by deputations/individuals

No.	Name of deputation/individual	Major views and concerns
1.	Mr KWONG Koon-wan, Islands District Councillor [LC Paper No. CB(1)1811/12-13(02)]	Collision avoidance radar and Very High Frequency ("VHF") radio had been installed in most of the local vessels and their operations had proven to be effective. Automatic Identification System ("AIS") would only serve the purposes of navigation monitoring and post-accident investigation, and it would add to the workload of coxswains. The Government should also subsidize the relevant installation if it was made mandatory. In addition, the Administration should review the requirement for the provision of fixed seats under the existing Code of Practice ("CoP") as such installation had reduced the space between passengers, and had resulted in embarrassment and even disputes between them.
2.	Hong Kong Shipowners Association	While expressing support in general the Administration's proposed measures on enhancing marine safety and the safety of passenger carrying vessels, the deputation was concerned about the possible implications arising from the implementation of such measures, such as an increase in operating and training costs, and a shortage in the supply of seamen locally. Port regulations should not be copied directly from overseas and should be specific to the context of Hong Kong having regard to the uniqueness of it.
3.	Designing Hong Kong [LC Papers Nos. CB(1)1771/12-13(01) and CB(1)1811/12-13(03)]	The Marine Department ("MD") had been starved of resources. The inadequate facilities for the operations of the Harbour Patrol Office and the ship survey area in Yau Ma Tei were cases in point. Also, there needed to have adequate berthing, landing and maintenance facilities to cater for the shift of the main marine activities from industrial to recreational. MD should also be mandated to represent the marine industry and be tasked to champion marine activities.
4.	Merchant Navy Officers' Guild - Hong Kong [LC Paper No. CB(1)1811/12-13(04)]	There were discrepancies between the radio plotting provided by MD and the Report of the Commission of Inquiry into the Collision of Vessels near Lamma Island on 1 October 2012 ("CoI") on the timing when the two vessels concerned noticed the presence of each other before collision. The Administration should address the concerns of the trade, such as local maritime education which lagged behind global developments, rest

No.	Name of deputation/individual	Major views and concerns
		arrangements, back ground lights which reduced the detectable range or was confusing with other non-navigational lights, and the width of fairways in order to lower traffic density and congestion.
5.	The Hong Kong Institute of Marine Technology [LC Paper No. CB(1)1771/12-13(02)]	<p>Expression of the following views on the measures proposed by MD –</p> <p>Improvement measures to be implemented during the first phase:</p> <ul style="list-style-type: none"> ▪ eyesight test should be conducted at intervals not exceeding two years; ▪ simple drills should be performed regularly; and ▪ watertight doors should be fitted with alarms to the wheelhouse. <p>Medium and longer term measures:</p> <ul style="list-style-type: none"> ▪ professionals should be engaged to conduct assessment on damage stability and watertight sub-division design requirements; ▪ restrictions and/or penalties should be imposed on cases of defective AIS operations; ▪ incentive schemes should be introduced for organizing training/refresher courses for serving coxswains/new recruits; and ▪ vessel crew should be given adequate rest time. <p>Independent audit review and benchmark survey:</p> <ul style="list-style-type: none"> ▪ the study on damage stability standard could also examine the necessity to impose speed limitation under dark or adverse weather conditions; ▪ quality control should be in place in respect of MD's work on plan approval, ship inspection and surveys; ▪ MD should be injected adequate resources to undertake the required improvements; and ▪ MD should strictly enforce the safety regulations.
6.	Mr WONG Fuk-kan, Islands District Councillor	The measures implemented by MD following the vessel collision incident near Lamma Island on 1 October 2012 ("the vessel collision incident") had seriously affected the operations of the trade, in particular to kaitos. Some kaitos had stopped service and this had in turn affected the provision of transport service to island residents. The Administration should make amendments to the measures as appropriate to facilitate the operation of the trade.

No.	Name of deputation/individual	Major views and concerns
7.	The Hong Kong Shipyard Limited	The trade in general recognized the need to improve the safety of passenger carrying vessels to reduce the chance of maritime accidents. The trade was however concerned about the implications of the proposed measures, such as manpower and equipment, increase in operating and training costs, and potential pressure to their business environment. The Administration should inject resources to assist the trade to implement the safety measures.
8.	Maritime Services Training Institute ("MSTI")	As experience showed that it took much time for coxswains to familiarize themselves on the use of simulator for practical operational assessments, it should be used for the purpose of training instead. As regards the proposed installation of AIS, while vessels equipped with AIS would allow the detection of their navigation status by other vessels, it would not be conducive to reducing the chance for vessel collision. Installation of too many instruments and hence overloading coxswains with information might interfere with their work.
9.	The Hong Kong Sea School	The trade had been unable to attract new blood due to the absence of a well-established mechanism for recruitment, remuneration, training and promotion. To address the issue of labour shortage and aging workforce, the Administration should, apart from continuing the partnership with the Vocational Training Council ("VTC") on provision of training courses, work with the trade and non-profit-making education institutions to set up a local seamen training centre to nurture seamen to fill the manpower gap. To attract and, more importantly, retain new blood for the trade, the Administration should conduct a comprehensive review into the remuneration, promotion and prospect, and working hours of the trade.
10.	Sai Kung Yacht Association	The operation of the trade had been effective and the vessel collision incident might be attributable to the professional ethics of the two coxswains concerned. In proposing new measures to enhance marine safety, the Administration should seek a consensus view with the trade before implementation. The Administration should also make ways to encourage further studies by coxswains and seamen to help them keep pace with the advanced marine technologies. Furthermore, it would reduce the chance of maritime incidents if reasonable restrictions were imposed on the issuance of licence for vessels used for recreational purpose, the number of which had been on the rise.
11.	Small Craft Workers Union	In relation to the safety measures proposed by the Administration, the deputation expressed support for the rest arrangements and the requirement for a look-out on the bridge in addition to the coxswain during the hours of darkness and in reduced visibility, with legal responsibility of the look-out clearly defined in case of accident. The deputation however expressed reservation on the proposal for practical operational assessment for

No.	Name of deputation/individual	Major views and concerns
		<p>coxswains as it would raise the examination fees which had to be fully shouldered by the examination takers.</p> <p>The Administration should put in place measures to enhance the training to be provided to coxswains and seamen, these should include introducing new courses to be offered at convenient venues, subsidizing training fees, launching a similar scheme as the Enhanced Construction Manpower Training Scheme in order to attract and subsidize new bloods, and appealing to trade employers to provide employment opportunities and subsidies to graduates of MSTI.</p>
12.	Hong Kong Seamen's Union	<p>While expressing support for the requirement of a look-out on the bridge during the hours of darkness and reduced visibility, the deputation requested the Administration to make clear the qualifications/experience required of the look-out. Details on the display and notification arrangements of the muster list should also be provided. AIS would be of little use in avoiding maritime incidents but add to the workload of coxswains during navigation. Furthermore, proposals regarding training and examinations should not be implemented too quickly to minimize immediate impact to the livelihood of in-service practitioners.</p>
13.	Hong Kong Institute of Vocational Education	<p>The Administration should make reference to the Manila Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers promulgated by the International Maritime Organization ("IMO") for setting standards and practices appropriate to the context of Hong Kong. It should also inject additional resources on monitoring marine traffic and training seamen, and come up a consensus view with the trade on working hours. There was also a need to strengthen regulation and even prosecution on the operation of high speed vessels as their speed and number had posed tension to the traffic of the Victoria Harbour.</p>
14.	The Hong Kong Institution of Engineers - Marine & Naval Architectures Discipline Advisory Panel	<p>The Administration should impose more stringent requirements in respect of the design of watertight doors, partner with VTC and universities on providing training courses to enhance the standard of in-service seamen and attract new blood, and increase the supply of Authorized Surveyors whose qualification and experience should be on a par with those inspectors employed by MD.</p>
15.	Hong Kong Fishing Vessel Owners Association Ltd. [LC Paper No. CB(1)1771/12-13(03)]	<p>The vessel collision incident was caused by high sailing speed and negligence of the coxswains concerned. To enhance vigilance towards marine traffic conditions, a look-out should be provided for all passenger carrying vessels operating at a speed of above 10 knots.</p>

No.	Name of deputation/individual	Major views and concerns
16.	Royal Hong Kong Yacht Club [LC Paper No. CB(1)1771/12-13(04)]	Around 50% of local licensed vessels were Class IV pleasure vessels and its number was growing at a rate of 6% per annum. To encourage the development of safe recreational boating, the Administration should step up education and training efforts such as by re-publishing the "Safety Afloat", reviewing the terms of reference and effectiveness of the Sub-committee on Class IV Vessels under the Local Vessels Advisory Committee ("LVAC"), adopting International Organization for Standardization ("ISO") standards for lifejackets for Class IV pleasure vessels, providing more practical training and evaluation for the curriculum and examination for Pleasure Vessel Operator Certificates, reviewing as a matter of priority the provision of safe mooring facilities (in particular to the current policy that no additional private moorings were to be laid in typhoon shelters), and setting up a recreational boating section within MD.
17.	Hong Kong Water Ski Association	The improvement measures as MD proposed should be implemented on a phased approach in order that the trade could take time to raise fund for the changes and get used to them. Such an approach could also allow the Administration to evaluate and make adjustments to the measures as necessary.
18.	Mr Derek HUNG Chiu-wah, Yau Tsim Mong District Councillor	<p>Expression of the following views –</p> <ul style="list-style-type: none"> ▪ for all vessels carrying more than 100 passengers: <ul style="list-style-type: none"> – in relation to the Administration's proposal to have a look-out on the bridge in addition to the coxswain during the hours of reduced visibility, replace the look-out by an assistant coxswain as it would be difficult to have a look-out onboard immediately in response to visibility which could change unexpectedly; – all seamen should have a basic medical examination and eyesight test at intervals not exceeding two years; – regular drill on emergency incidents should be conducted; ▪ launches carrying more than 12 passengers should be equipped with VHF radio; and ▪ the Administration should review comprehensively the effectiveness of MSTI on supporting the training needs of seamen, and discuss with the trade to ensure proper insurance coverage for operations of pleasure vessels.
19.	Hongkong United Dockyards Ltd.	The improvement measures proposed by the Administration should not be implemented too quickly to avoid unfavourable impact on the operation of the trade.

No.	Name of deputation/individual	Major views and concerns
20.	Coral Sea Ferry Service Co. Ltd. [LC Paper No. CB(1)1811/12-13(05)]	The trade was faced with the difficulty to comply with the requirement to provide a lifejacket for each child actually on board, as its number was inconstant for each voyage. MD should remove the ban on the provision of the type of lifejacket which could be flexibly adjusted to fit the size of adult and children which had been in use before the vessel collision accident.
21.	Passenger Vessels Joint Committee [LC Paper No. CB(1)1796/12-13(01)]	The 42 member companies of the Passenger Vessels Joint Committee held a unanimous view that Hong Kong was a safe port and the operation of the existing regulations and facilities were effective. The trade was faced with a great pressure and anxiety towards the proposed improvement measures, some of which were pre-mature and even ineffective/infeasible for implementation. The Administration should seek to address the core issues of labour shortage and lack of professional training for the trade.
22.	New World First Ferry Services Ltd. ("NWFF") [LC Paper No. CB(1)1796/12-13(02)] (Restricted to Members)	Expression of concerns on the adverse impact of the immediate measures required of the trade following the vessel collision incident, such as providing fixed seats, reducing the licence extension period, requiring the provision of adequate lifejackets for all children on board, and making changes to rest arrangements without setting eyes on the heart of the problems faced by the trade, i.e. acute manpower shortage and lack of professional training.
23.	Peng Chau Kai To Co. Ltd.	The Administration had neither provided assistance nor subsidy to facilitate the operation of kaito services. Many kaito operators had been forced to give up their licences as there was a lack of business prospect, coupled with the confusing and ever-changing policies, the requirement in respect of the provision of lifejackets was a case in point.
24.	Hong Kong Cargo-Vessel Traders' Association Ltd. [LC Paper No. CB(1)1771/12-13(05)]	The Administration's proposal for making available lifejackets for children at cargo vessels was pointless as only those aged 18 and over and possessed relevant certification would be allowed for boarding. The requirement for the installation of AIS at cargo vessels carrying dangerous goods was unnecessary in view of the mechanism already in place for advance reporting to MD.
25.	Hong Kong & Kowloon Motor Boats & Tug Boats Association Ltd. [LC Paper No. CB(1)1811/12-13(06)]	The majority of the 73 recommendations made by the two expert witnesses appointed by CoI were applicable to international waters only. The Administration should establish the appropriateness of the recommendations to local waters, and consult and give the trade sufficient time for the preparation before putting the measures into implementation. Strengthening of resources and training for the trade would help enhance marine safety.

No.	Name of deputation/individual	Major views and concerns
26.	Marine Excursion Association Limited [LC Paper No. CB(1)1811/12-13(07)]	The vessel collision incident was a rare occasion and should not override the marine safety record that had long been established. Some of the Administration's proposed measures which would render coxswains liable for prosecution, such as failing to keep a passenger list and failing to ensure all children on board to don lifejackets at all times, but these requirements were often out of the coxswains' control and would add to the burden of coxswains amid the important duty to navigate safely.
27.	The "Star" Ferry Co., Ltd.	During the discussion of the item on review on the minimum manning requirement for local passenger vessels at the meeting of the LVAC Sub-committee on Survey Works of Local Vessels on 30 May 2013, MD proposed that 40 seamen be added to 26 vessels currently in service. In view that the minimum time required to train up a coxswain for Class I vessels was more than five years, and that there were currently more than 120 vacancies which had not been filled for more than 6 months from the date they were made available, MD's proposal was quite impossible for implementation. The Administration should not seek to introduce changes to the minimum manning requirement for local passenger vessels as the existing arrangements had proven to be effective.
28.	Fortune Ferry Company Ltd. [LC Paper No. CB(1)1811/12-13(08)]	Stringent requirements in respect of inspection of vessels and medical examination and eyesight test for coxswains had all along been in place. The many improvement measures currently proposed by the Administration would give the public a wrong impression that there were major problems with existing arrangements. The refresher training programmes and forum offered by the related bodies following the vessel collision incident would however be beneficial to trade practitioners.
29.	Discovery Bay Transportation Services Limited [LC Paper No. CB(1)1811/12-13(01)]	The Administration should take the following actions: address the shortage in manpower and training; evaluate service sustainability and passenger affordability in response to the increase in costs following the implementation of the improvement measures; issue practical guidelines to enhance safety standards; and provide justifications for its proposal that each member of a crew should have at least 30 minutes break after six continuous hours of duty and the total accumulated duty time should be capped at a maximum of 13 hours for a 24-hour duty cycle.
30.	Eastern Ferry Co. Ltd. [LC Paper No. CB(1)1811/12-13(09)]	The port of Hong Kong had always been safe and the regulations in place had proven to be effective. The Administration should not seek to introduce reformatory measures owing to just a rare incident, particularly when those measures were formulated without the input of local experts and inappropriate to the context of Hong Kong. Taking the proposed measure on lifejackets as an example, since children aged 12 might now be

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		raised to a height beyond 1.5 metres and that the height difference for children aged between 3 and 12 might now be quite big, it would be practically difficult for the trade to make available the right amount of lifejackets that could cater for children at all sizes.
31.	Kee Marine Service & Consultant Ltd. [LC Paper No. CB(1)1811/12-13(10)]	According to the relevant international conventions, AIS and collision avoidance radar were required to be installed for ocean going vessels of more than 500 gross tonnage. Both systems were inappropriate to the context of Hong Kong as the operation of which required much training and the installation of other auxiliary electronic equipment which were currently unavailable for local vessels. The small size of the wheelhouse of local vessels in addition to the absence of an independent power generator also rendered the installation of AIS impossible for local vessels.
32.	Fu Tat Shipping & Transportation Co. Ltd. [LC Paper No. CB(1)1811/12-13(11)]	Given the extensive coverage of the mobile phone network and the two-way communication made possible by the Global Positioning System ("GPS"), mobile phones had the greater advantage over VHF radio (which allowed only one-way broadcast) on enhancing marine safety. The Administration should conduct a review into the training programmes and mode of certification before mandating the installation of VHF radio.
33.	Wing Yip Shipping & Transportation Co., Ltd. [LC Paper No. CB(1)1811/12-13(12)]	A survey conducted by the relevant trade union had shown that seamen were concerned about the possible intrusion of their privacy under the proposed installation of voice recorders in the wheelhouse of local passenger carrying vessels. The effectiveness of voice recorders on recording dialogue between seamen was also in doubt as the noise in the wheelhouse could reach as high as 70 decibels. The installation of closed circuit televisions would be acceptable only if it was pointed to monitor the situation of the sea.
34.	Ocean Fame Logistics Ltd. [LC Paper No. CB(1)1811/12-13(13)]	The proposed Safety Management System, which had always been a system for ocean going vessels and involved a great deal of administration, management and inspection, would be too burdensome for the trade comprising mainly small and medium enterprises. Also, in view that the majority of the 73 recommendations made by the two expert witnesses on enhancing marine safety were based on the operations of giant vessels and some of which even exceeded the requirements of IMO, the Administration should examine carefully the appropriateness of such measures on local vessels and their impact on the trade.
35.	Yat Sing Shipyard Limited [LC Paper No. CB(1)1811/12-13(14)]	The trade was currently faced with the problem of labour shortage, and a lack of and aging technicians. Labour shortage was further aggravated by a drain of talents in response to the attractive remuneration package offered by the contractors commissioned to undertake the many public works projects currently proceeding at

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		the sea. Labour shortage had led to delays in vessel inspection and maintenance, which in turn affected services to passengers. Marine safety was also compromised as some operators had to employ semi-skilled technicians for the inspection and maintenance works. The Administration should therefore focus its efforts on the core issues such as shortage in labour and training, and avoid taking forward pre-mature measures which add extra costs to the operation vessels and affect the survival of operators.
36.	Harvest Marine Services Co., Ltd. [LC Paper No. CB(1)1811/12-13(15)]	The shortage in labour and an aging workforce were main challenges the local shipping industry currently faced. With an average age at 55 and above, in-service seamen would have difficulty understanding new and sophisticated technologies and installations. Apart from the lack of assistance provided by the Administration on nurturing new entrants, the training programmes offered for seamen had also been too academic and had failed to address the practical needs of seamen for knowledge such as ship inspection and maintenance. There was an imminent need to attract new blood and strengthen training to seamen in order to provide a pool of skilled labour for the trade.
37.	Mr LI Ka-leung, Sai Kung District Councillor [LC Paper No. CB(1)1811/12-13(16)]	As revealed by the CoI report, the level of marine safety did not correlate positively with an increased number of equipment and safety measures. The crux to marine safety rested upon the in-service training to coxswains, and their attitude in abiding by guidelines. Instead of implementing the proposed measures which might only add extra costs to operations of vessel operators, the Administration should partner with the trade, and step up promotion and training efforts with a view to enhancing the work attitude and job-related knowledge of coxswains and seamen. It should also strengthen law enforcement to ensure compliance with the relevant safety requirements.
38.	Hong Kong Fishermen Consortium [LC Paper No. CB(1)1771/12-13(06)]	The existing regulations governing marine safety was adequate. The Administration's proposed measures, if not verified to be effective and appropriate to the local context, would affect the livelihood of in-service practitioners.
39.	The Hong Kong Maritime Forum ("HKMF") [LC Paper No. CB(1)1771/12-13(07)]	Indication of the following views gathered at the meeting of HKMF on 28 August 2013 – <ul style="list-style-type: none"> ▪ the improvement measures proposed to be implemented during the first phase as detailed in the Administration's paper (LC Paper No. CB(1)1522/12-13(01)) were suitable and reasonable; ▪ AIS could enhance communications amongst vessels, and exert a deterrent effect on seamen and raise their safety awareness. The Administration should subsidize the installation and maintenance costs of AIS;

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		<ul style="list-style-type: none"> ▪ ferries permitted to carry more than 12 passengers should be required to carry a VHF radio, and vessels permitted to carry more than 100 passengers be equipped with AIS, collision avoidance radar and VHF radio; ▪ refresher training should be made compulsory for coxswains; ▪ the existing patrol system of marine traffic control should be enhanced to meet the increased sea traffic; and ▪ crew working on local passenger vessels should have adequate rest time.
40.	Institute of Seatransport	Owing to the limited authority conferred on coxswains, it was unfair to coxswains if they were held liable for failing to ensure that all children on board had donned lifejackets at all times. Also, the Administration should strengthen publicity during major maritime events the importance of lifejackets for children, and inject additional resources to MD's Harbour Patrol Section to increase its manpower and the times of marine traffic control.
41.	Chung Shak Hei (Cheung Chau) Home for the Aged Ltd. [LC Paper No. CB(1)1811/12-13(17)]	To enable immediate assistance be given to the disabled elderly, the deputation requested NWFF to make available two seats around the designated area for the disabled for priority use by caretakers in fast ferries, and similarly designate an area for use by the disabled and their caretakers in the lower floor of ordinary ferries. The deputation also proposed providing back-up emergency lighting, installing safety belts at the first row of seats in fast ferries to minimize casualty in case of accident, and designating a seaman as commander who was tasked to disseminate first hand information and contingency measures in case of accidents.
42.	China Classification Society Hong Kong Branch	The requirement to have a look-out on the bridge in addition to the coxswain in times of reduced visibility was reasonable. To enhance maritime safety, there was a need for vessel operators to put in place an enhanced system for staff management and manning requirement. Learning from the experience of the vessel collision incident, the Administration should make clear the general obligation for vessels to proceed to the assistance of those in distress under Regulation 33 of IMO's International Convention for the Safety of Life at Sea.
43.	International Fisheries Alliance	MD's inspections of vessels were more stringent than those of the Mainland and some other Southeast Asian countries. It was inappropriate to hold MD responsible for the vessel collision incident. The Hong Kong Tourism Board should be blamed for failing to observe the tradition of worshipping the God while organizing a maritime activity at the Lamma Island on 13 April 2012, which might have contributed to the vessel collision incident.

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44.	Mr SIU Ping-wing, Member of the Local Vessels Advisory Committee (Seafarers' Associations)	Given that the manuals and instructions for the latest marine technologies were commonly available in English only, more training should be provided on their use. Also, the proposed installation of closed circuit televisions was useless in enhancing marine safety.

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