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Panel on Economic Development
Meeting on 26 November 2012

Background brief on the Pilotage Ordinance

Purpose

This paper provides information on the Pilotage Ordinance (Cap 84) ("the Ordinance") and the views expressed by the Panel on Economic Development ("the Panel") on related issues when discussing revisions to pilotage dues.

Background

2. The Ordinance is enacted to establish the Pilotage Authority and to regulate and control pilotage in Hong Kong. The Ordinance has laid down detailed provisions for the regulation of pilotage services, which included the establishment of the Pilotage Authority and Pilotage Advisory Committee, issue of licences, classification of pilots and periodic examination of pilots, compulsory pilotage, restriction on performance of pilotage and payment of pilotage dues, and disciplinary proceedings against licensed pilots. At present, there are 106 licensed pilots and some 5 000 pilotage services are performed each month.

Panel discussions on revisions to pilotage dues

3. Section 22 of the Ordinance 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 Pilotage Advisory Committee. Pilotage dues are commercial fees charged by licensed pilots for the provision of pilotage services. The fee levels are periodically reviewed by the Hong Kong Liner Shipping Association ("HKLSA") representing service users, and the Hong Kong Pilots Association ("HKPA") representing the service providers.

4. The Administration had made revisions to the pilotage dues in 2008, 2010 and 2012. The Panel was consulted on these revisions and expressed views as summarized in paragraphs 5 to 7 below.

5. The Administration briefed the Panel on the Pilotage (Dues) (Amendment) Order 2008 at the meeting on 17 March 2008. Members noted that capping the additional due per ton of ship for ships of more than 60 000 tons at \$7,200 would help attract more mega vessels to come to Hong Kong and facilitate their cost computation. The Order was tabled at the Council meeting on 9 April 2008 and came into operation on 1 June 2008.

6. On 16 November 2009 when members were briefed on the Pilotage (Dues) (Amendment) Order 2009, members agreed with the proposed reduction on the additional pilotage due from \$1,900 to \$1,820 for a period of 18 months if a pilot was required to board or disembark from a ship off Ngan Chau or at the west of Lamma Island. They however considered the level of the reduction too small to benefit the service users. The Administration explained that the fee level was reviewed and agreed between HKLSA and HKPA representing the service users and service providers respectively. At the meeting, the Panel expressed concern about the training of sufficient licensed pilots to ensure staff succession. The Order subsequently took effect on 1 February 2010 and the old rate was restored on 1 August 2011.

7. The Panel discussed the Pilotage (Dues) (Amendment) Order 2011 at the meeting on 28 November 2011. In response to members' concerns, the Administration advised that both HKLSA and HKPA had agreed that the proposed increases were not too significant in recognition that the increased amount would constitute some 0.05% of the total port related fees which merchant ships visiting Hong Kong had to pay. In recognition of the need for special training to qualify as pilots, the Administration had been launching the Sea-going Training Incentive Scheme since 2004 to encourage Hong Kong youngsters to take on and complete sea-going training. The Order was tabled at the Council meeting on 14 December 2011 and came into operation on 3 February 2012.

Latest development

8. At the meeting on 26 November 2012, the Administration will consult the Panel on a number of amendment proposals to improve the operation of the Ordinance in the light of experience gained. The Administration plans to present the relevant Bill to the Legislative Council in the first half of 2013.

References

Administration's paper on Pilotage Ordinance (Cap 84) Pilotage (Dues) (Amendment) Order 2008

<http://www.legco.gov.hk/yr07-08/english/panels/es/papers/edev0317cb1-1030-4-e.pdf>

Minutes of the Panel meeting on 17 March 2008

<http://www.legco.gov.hk/yr07-08/english/panels/es/minutes/ev080317.pdf>

Administration's paper on Pilotage (Dues) (Amendment) Order 2009

<http://www.legco.gov.hk/yr09-10/english/panels/edev/papers/edev1116cb1-301-5-e.pdf>

Minutes of the Panel meeting on 16 November 2009

<http://www.legco.gov.hk/yr09-10/english/panels/edev/minutes/edev20091116.pdf>

Administration's paper on Pilotage (Dues) (Amendment) Order 2011

<http://www.legco.gov.hk/yr11-12/english/panels/edev/papers/edev1128cb1-408-3-e.pdf>

Minutes of the Panel meeting on 28 November 2011

<http://www.legco.gov.hk/yr11-12/english/panels/edev/minutes/edev20111128.pdf>

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