

立法會
Legislative Council

LC Paper No. CB(4)509/16-17
(These minutes have been seen
by the Administration)

Ref : CB4/SS/4/16

Subcommittee on Merchant Shipping (Local Vessels) (General)
(Amendment) Regulation 2016 and Merchant Shipping (Local Vessels)
(Safety and Survey) (Amendment) Regulation 2016

Minutes of the meeting
held on Thursday, 5 January 2017 at 4:30 pm
in Conference Room 2B of the Legislative Council Complex

Members present : Hon Frankie YICK Chi-ming, JP (Chairman)
Hon WONG Ting-kwong, SBS, JP
Hon Jeremy TAM Man-ho

Member absent : Hon Steven HO Chun-yin, BBS

Public Officers attending : Item II

Transport and Housing Bureau

Miss Joey LAM, JP
Deputy Secretary for Transport & Housing
(Transport)5

Miss Crystal CHIU
Assistant Secretary for Transport & Housing
(Transport)10C

Marine Department

Mr HO Wing-hong
Assistant Director (Special Duties)

Mr WONG Wing-hung
General Manager/Vessel Traffic Services

Department of Justice

Miss Emma WONG
Senior Government Counsel

Miss Wendy HO
Government Counsel

Clerk in attendance : Ms Angel WONG
Chief Council Secretary (4) 4

Staff in attendance : Ms Wendy KAN
Assistant Legal Adviser 6

Mr KWONG Kam-fai
Senior Council Secretary (4) 4

Miss Mandy NG
Council Secretary (4)4

Ms Sandy HAU
Legislative Assistant (4)4

Action

I. Election of Chairman

Mr WONG Ting-kwong, the member present who had the highest precedence, called for nominations for the chairmanship of the Subcommittee.

2. Mr WONG Ting-kwong nominated Mr Frankie YICK and the nomination was seconded by Mr Jeremy TAM. Mr Frankie YICK accepted the nomination. There being no other nomination, Mr Frankie YICK was declared Chairman of the Subcommittee.

3. Members agreed that there was no need to elect a Deputy Chairman.

Action

II. Meeting with the Administration

- (File Ref: THB(T) PML 8/10/70/16 -- Legislative Council Brief
- L.N. 186 and 187 of 2016 -- Merchant Shipping (Local Vessels) (General) (Amendment) Regulation 2016 and Merchant Shipping (Local Vessels) (Safety and Survey) (Amendment) Regulation 2016
- LC Paper No. LS18/16-17 -- Legal Service Division Report
- LC Paper No. CB(4)382/16-17(02) -- Marked-up copy of the Merchant Shipping (Local Vessels) (General) (Amendment) Regulation 2016
- LC Paper No. CB(4)382/16-17(03) -- Marked-up copy of the Merchant Shipping (Local Vessels) (Safety and Survey) (Amendment) Regulation 2016
- LC Paper No. CB(4)382/16-17(04) -- Assistant Legal Adviser's letter dated 30 December 2016 to the Administration
- LC Paper No. CB(4)382/16-17(05) -- Letter dated 4 January 2017 from Hon Steven HO Chun-yin
- LC Paper No. CB(4)382/16-17(06) -- Background brief prepared by the Legislative Council Secretariat)

Discussion

4. The Subcommittee deliberated (index of proceedings attached at **Annex**).

Action

Follow-up actions by the Administration

5. The Administration was requested to provide the following information:

- (a) a written response to the issues of concern as set out in Mr Steven HO's letter dated 4 January 2017; and
- (b) in respect of the definition of "specified information" in the new section 80A(8) of the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap. 548G), the form of words used in similar provision by another jurisdiction as well as the enforcement criteria for this provision.

(Post-meeting note: The Administration's responses were issued to members vide LC Paper Nos. CB(4)425/16-17(01) and CB(4)439/16-17(01) on 13 and 17 January 2017 respectively.)

Invitation of views

6. Members considered it not necessary for the Subcommittee to meet with deputations to receive views on the Merchant Shipping (Local Vessels) (General) (Amendment) Regulation 2016 and Merchant Shipping (Local Vessels) (Safety and Survey) (Amendment) Regulation 2016 ("the two Amendment Regulations").

Legislative timetable

7. The Subcommittee agreed that subject to any views members might have on the information provided by the Administration pursuant to members' requests as mentioned in paragraph 5 above, the scrutiny of the Amendment Regulations would be completed.

8. The Chairman informed members that to allow time for studying the information provided by the Administration, he would move at the Council meeting of 11 January 2017 a proposed resolution to extend the scrutiny period of the two Amendment Regulations to 8 February 2017. Upon extension of the scrutiny period, the Chairman would report the deliberations of the Subcommittee to the House Committee on 20 January 2017.

(Post-meeting note: At the Council meeting of 11 January 2017, the resolution to extend the scrutiny period of the two Amendment Regulations to 8 February 2017 was passed.)

Action

III. Any other business

9. There being no other business, the meeting ended at 6:02 pm.

Council Business Division 4
Legislative Council Secretariat
7 February 2017

**Proceedings of the meeting of the
Subcommittee on Merchant Shipping (Local Vessels) (General) (Amendment)
Regulation 2016 and Merchant Shipping (Local Vessels) (Safety and Survey)
(Amendment) Regulation 2016
on Thursday, 5 January 2017 at 4:30 pm
in Conference Room 2B of the Legislative Council Complex**

Time marker	Speaker(s)	Subject(s)	Action required
Agenda Item I - Election of Chairman			
000319 - 000611	Mr Frankie YICK Mr WONG Ting-kwong Mr Jeremy TAM	Election of Chairman	
Agenda Item II - Meeting with the Administration			
000612 - 000953	Chairman Administration	Briefing by the Administration on the Merchant Shipping (Local Vessels) (General) (Amendment) Regulation 2016 and Merchant Shipping (Local Vessels) (Safety and Survey) (Amendment) Regulation 2016 ("the two Amendment Regulations")	
000954 - 001708	Chairman Mr WONG Ting-kwong Administration	The trade's concerns about training and examination requirements The Administration was requested to provide a written response to Mr Steven HO's letter dated 4 January 2017	Para. 5(a) of the minutes refers
001709 - 003206	Mr Jeremy TAM Administration	Concerns about examination requirement, subsidy schemes and implementation timetable	
003207 - 003857	Mr Jeremy TAM Administration Chairman Mr WONG Ting-kwong	Difficulties of crew members in learning 26 code words	
003858 - 005007	Chairman Mr Jeremy TAM Mr WONG Ting-kwong Administration	Ways to facilitate crew members to send distressed signals	
005008 - 005822	Chairman Administration Assistant Legal Adviser 6 ("ALA6") Mr WONG Ting-kwong	Clause-by-clause examination of the two Amendment Regulations	
005823 - 012205	ALA6 Administration Chairman Mr WONG Ting-kwong Mr Jeremy TAM	Definition of "specified information" in the new section 80A(8) of the Merchant Shipping (Local Vessels) (Safety and Survey) Regulation (Cap. 548G) The Administration was requested to provide the form of words used in similar provision by another jurisdiction as well as the enforcement criteria for this provision	Para 5(b) of minutes refers

Time marker	Speaker(s)	Subject(s)	Action required
012206 - 012236	Mr WONG Ting-kwong Chairman	Legislative timetable	
012237 - 013220	Mr Jeremy TAM Administration Mr WONG Ting-kwong Chairman	Monitoring by the Administration on the implementation of measures to ensure automatic identification system, Very High Frequency radiotelephone and radar are in good working condition	
Agenda Item III – Any other business			
013221- 013320	Chairman	Closing remarks	