

**立法會**  
**Legislative Council**

LC Paper No. CB(4)1406/16-17  
(These minutes have been seen  
by the Administration)

Ref: CB4/SS/11/16

**Subcommittee on Legislative Amendments for Imposing Conditions on  
Vessels Navigating in the Vicinity of the Hong Kong-Zhuhai-Macao Bridge**

**Minutes of the first meeting held on  
Wednesday, 14 June 2017, at 8:30 am  
in Conference Room 2B of the Legislative Council Complex**

**Members present** : Hon Steven HO Chun-yin, BBS (Chairman)  
Hon Frankie YICK Chi-ming, JP  
Hon WU Chi-wai, MH  
Hon YIU Si-wing, BBS  
Dr Hon KWOK Ka-ki  
Hon Jeremy TAM Man-ho

**Public Officers  
attending** : Agenda item II

Transport and Housing Bureau

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

Ms Louisa YAN  
Principal Assistant Secretary for Transport and  
Housing (Transport)10

Marine Department

Mr CHEUK Fan-lun  
Assistant Director (Planning and Services)

Highways Department

Mr YUNG Kin-yee  
Chief Engineer/ Hong Kong Link Road

Mr PANG Chi-chiu  
Senior Engineer 9/ Hong Kong-Zhuhai-Macao Bridge

Ms IP Wing-yee  
Engineer 2/ Hong Kong-Zhuhai-Macao Bridge

Department of Justice

Miss HO Yuen-ting  
Government Counsel

Mr LAI Kwok-wing  
Government Counsel

**Clerk in attendance :** Ms Shirley CHAN  
Chief Council Secretary (4)5

**Staff in attendance :** Mr YICK Wing-kin  
Assistant Legal Adviser 8

Ms Shirley TAM  
Senior Council Secretary (4)5

Ms Lauren LI  
Council Secretary (4)5

Ms Zoe TONG  
Legislative Assistant (4)5

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Action

**I. Election of Chairman**

Election of Chairman

Mr Steven HO, the member of the highest precedence among those present at the meeting, presided over the election of Chairman. He invited nominations for the chairmanship of the Subcommittee.

2. Mr Frankie YICK nominated Mr Steven HO and the nomination was seconded by Mr YIU Si-wing. Mr HO accepted the nomination. There being no other nomination, Mr HO was elected Chairman of the Subcommittee.

Action

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

**II. Meeting with the Administration**

- (L.N. 82 of 2017 — Shipping and Port Control (Amendment) Regulation 2017
- L.N. 83 of 2017 — Shipping and Port Control Regulations (Amendment of Fifth Schedule) Notice 2017
- L.N. 84 of 2017 — Merchant Shipping (Local Vessels) (General) (Amendment) Regulation 2017
- File Ref: THB/MA70/16 pt14 — Legislative Council Brief issued by the Transport and Housing Bureau
- LC Paper No. LS69/16-17 — Legal Service Division Report on Subsidiary Legislation Gazetted on 19 May 2017
- LC Paper No. CB(4)1196/16-17(01) — Marked-up copy of the Shipping and Port Control (Amendment) Regulation 2017 prepared by the Legal Service Division (Restricted to members)
- LC Paper No. CB(4)1196/16-17(02) — Marked-up copy of the Shipping and Port Control Regulations (Amendment of Fifth Schedule) Notice 2017 prepared by the Legal Service Division (Restricted to members)
- LC Paper No. CB(4)1196/16-17(03) — Marked-up copy of the Merchant Shipping (Local Vessels) (General) (Amendment) Regulation 2017 prepared by the Legal Service Division (Restricted to members)

Action

LC Paper No. CB(4)1196/16-17(04) — Background brief prepared by the  
Legislative Council Secretariat)

Discussion

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

Follow-up actions to be taken by the Administration

5. The Administration was requested to provide a written response in respect of the following issues -

- (a) the anti-collision measures and monitoring systems, such as the installation of video-recording or alarm systems, to prevent ship-bridge collisions at the Hong Kong-Zhuhai-Macao Bridge ("HZMB");
- (b) illustrations showing the navigation signs to be erected on bridge piers within the restricted areas of HZMB with details of their sizes, colours and positions to be erected, as well as measures to enhance their visibility in adverse weather conditions and night time;
- (c) details of the briefing session(s) and publicity programmes to enhance understanding of local and Mainland vessel owners/operators of the new restrictions under the subsidiary legislation; and
- (d) whether all Mainland vessels entering Hong Kong waters had already been installed the automatic identification system for collision avoidance and identification of the relevant vessel(s) when collision occurred.

*(Post-meeting note: The Administration's written response was issued to members vide LC Paper No. CB(4)1279/16-17(01) on 22 June 2017.)*

**III. Any other business**

Invitation of views

6. The Subcommittee agreed to invite the public to make submissions of views on the legislative amendments.

Action

*(Post-meeting note: A relevant notice was posted on Legislative Council website on 15 June 2017 and invitation letters were sent to District Councils on 15 June 2017.)*

Legislative timetable and extension of the scrutiny period

7. The Chairman concluded that the Subcommittee had completed the scrutiny of the subsidiary legislation.

8. The Subcommittee noted that the scrutiny period of the subsidiary legislation would expire on 21 June 2017. To allow sufficient time for the Administration to provide supplementary information pursuant to members' requests made as detailed in paragraph 5, the Subcommittee agreed to move a proposed resolution at the Council meeting of 21 June 2017 to extend the period of scrutiny to 12 July 2017. If the scrutiny period was extended, the deadline for giving notices of motions to amend the legislative amendments would be 5 July 2017.

*(Post-meeting note: As the proposed resolution to extend the scrutiny period of the subsidiary legislation was not dealt with at the Council meeting of 21 June 2017, the scrutiny period of the subsidiary legislation expired at that Council meeting.)*

9. There being no other business, the meeting ended at 9:52 am.

Council Business Division 4  
Legislative Council Secretariat  
14 July 2017

**Proceedings of the first meeting of  
the Subcommittee on Legislative Amendments for Imposing Conditions on Vessels Navigating in the  
Vicinity of the Hong Kong-Zhuhai-Macao Bridge  
on Wednesday, 14 June 2017, at 8:30 am  
in Conference Room 2B of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
<b>Agenda item I – Election of Chairman</b>			
001408 – 001606	Mr Steven HO	Election of Chairman	
<b>Agenda item II – Meeting with the Administration</b>			
001607 – 002127	Chairman Administration	Briefing by the Administration on the Shipping and Port Control (Amendment) Regulation 2017, the Shipping and Port Control Regulations (Amendment of Fifth Schedule) Notice 2017 and the Merchant Shipping (Local Vessels) (General) (Amendment) Regulation 2017, which sought to impose conditions on vessels navigating in the vicinity of the Hong Kong-Zhuhai-Macao Bridge ("HZMB") (Legislative Council Brief, File Ref. THB/MA70/16 pt14) with the aid of LC Paper No. CB(4)1236/16-17(01)	
002128 – 002632	Chairman Mr WU Chi-wai Administration	<p>In respect of various height restrictions to be imposed under the subsidiary legislation on vessels passing through the navigation channels underneath the Hong Kong Link Road ("HKLR") and the Southern Connection of the Tuen Mun-Chek Lap Kok Link ("TM-CLKL"), Mr WU Chi-wai enquired about the implication of the subsidiary legislation on vessels navigating in this area and their entrance to Hong Kong. He also considered that suitable warning device should be installed to alert vessel operators of the height restrictions of the navigation channels in advance.</p> <p>The Administration advised that the marine traffic in the concerned navigation channels was not busy, with only some 200 and 100 vessels passing through TM-CLKL and HKLR each day respectively. Vessels navigating in this water area were mostly small local vessels and river trade vessels less than 41 metres in height. As it was anticipated that marine traffic would be busiest along the two one-way navigation channels with height restriction of 41 metres, Radar Transponder Beacon facility would be installed at the centre of the bridge span so that vessels sailing through the two channels could send and receive radar signals from this facility. With the aid of radar, vessels could ensure that they were navigating along the correct channel even when visibility was low or during night time. The Administration agreed to consider installing similar</p>	

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		radar signal system at Kap Shui Mun ("KSM") Bridge which also had a height restriction of 41 metres, so as to enhance navigation safety in that water area.	
002633 – 003152	Chairman Mr Frankie YICK Administration	<p>Mr Frankie YICK asked about the sizes of the navigation signs to be erected on HKLR and TM-CLKL. He also urged that in finalizing the use of colours for the signs, the Administration should take into account the visual impact of different colour schemes, as well as the presentation of different signage to enhance clarity for vessel operators.</p> <p>Mr YICK asked further about the anti-collision measures adopted to prevent ship-bridge collisions at HZMB. The Administration advised that the bridge structures were designed to withstand collision impact load to minimize damage to the structure. In navigation channels with the busiest marine traffic (i.e. navigation channels under the tallest arches of the two link roads), a row of protection fenders and dolphin structure had been built to minimize the impact of accidental collision.</p>	The Administration to follow up as per paragraphs 5(a) and 5(b) of the minutes
003153 – 004345	Chairman Mr YIU Si-wing Administration Mr Frankie YICK	<p>Mr YIU Si-wing asked about the measures to enhance the visibility of the navigation signs in the night time and the publicity programmes to be conducted for Mainland vessel owners/operators about the requirements under the subsidiary legislation. In light of the ship collision incident at KSM Bridge on the evening of 23 October 2015, he also enquired about the anti-collision measures and monitoring systems, such as the installation of video-recording or alarm systems, to prevent ship-bridge collisions at HZMB.</p> <p>The Administration responded that –</p> <p>(a) there were four different height restrictions along HKLR and three along TM-CLKL. Navigation aids such as colour-coded signs to distinguish different height restrictions would be put up on the bridge piers. Automatic energy saving lamps with light sensors would be installed on TM-CLKL and HKLR for illuminating the bridges and the navigation signs on the bridge piers;</p> <p>(b) the Marine Department ("MD") would identify frequent users (both local and Mainland vessel operators) of the navigation channels of HZMB and arrange seminars and briefings to familiarize them with the arrangements. MD would also distribute leaflets to enhance vessel operators'</p>	The Administration to follow up as per paragraphs 5(a) to 5(c) of the minutes

Time marker	Speaker	Subject(s)	Action required
		<p>understanding of different navigation aids and signage; and</p> <p>(c) Radar Transponder Beacon facility would be installed at the centre of the bridge spans of the two one-way navigation channels with height restriction of 41 metres, so that vessels sailing through the two channels could send and receive radar signals from this facility. The Administration would explore the feasibility of installing video-recording and alarm systems in the concerned navigation channels.</p> <p>The Chairman suggested that the Administration should arrange more briefing sessions for the shipping sector on the new requirements under the subsidiary legislation. He also requested the Administration to provide illustrations showing the navigation signs to be erected on bridge piers within the restricted areas of HZMB.</p>	
004346 – 004502	Chairman Mr Jeremy TAM Administration	In response to Mr Jeremy TAM, the Administration advised that that the legislative proposal sought to ensure the safe passage of vessels through the navigation channels underneath the Southern Connection of TM-CLKL, even though the marine traffic around TM-CLKL was not busy. The proposal would not affect the Tung Chung East ("TCE") development project or cause significant impact on marine traffic as the navigation channel within the area of height restriction of 21 metres would be sufficient for existing vessels to pass through.	
004503 – 005349	Chairman Mr WU Chi-wai Administration	Discussion on the navigation routes of small local vessels and height restrictions of HZMB locating in the Mainland	
005350 – 005637	Chairman Mr Frankie YICK Administration	<p>Mr Frankie YICK suggested that -</p> <p>(a) briefing sessions should be arranged for vessel operators to ensure compliance;</p> <p>(b) prominent colours should be used for the navigation signs showing the height restrictions;</p> <p>(c) the Administration should step up the enforcement actions against vessel operators breaching the local law to ensure the orderly operation of the marine traffic; and</p>	



Time marker	Speaker	Subject(s)	Action required
		(d) video-recording systems should be installed on HKLR and TM-CLKL for gathering evidence in case of law infringement.	
005638 – 010214	Chairman Dr KWOK Ka-ki Administration	<p>In response to Dr KWOK Ka-ki, the Administration advised that –</p> <p>(a) the legislative proposal would not affect the TCE development project or cause significant impact on marine traffic;</p> <p>(b) the activities of pleasure vessels in this water area would not be affected by the legislative proposal as the navigation channel of this water area was sufficiently wide and pleasure vessels were normally less than 41 metres in height; and</p> <p>(c) vessels and sailboats heading from the Victoria Harbour to Macao would not sail through this water area.</p>	
010215 – 010743	Chairman Mr Jeremy TAM Administration	<p>Mr Jeremy TAM stressed that apart from night time, visibility could be low even in the day time during adverse weather conditions. Appropriate measures should therefore be put in place to enhance the visibility of the navigation signs to be erected on HKLR and TM-CLKL in different situations. He also considered that these navigation signs should comply with international standards.</p> <p>The Administration responded that automatic energy saving lamps with light sensors would be installed on TM-CLKL and HKLR for illuminating the bridges and the navigation signs on the bridge piers. These lamps could be switched on manually in adverse weather conditions. In addition, navigation lights with different characteristics would also be installed at the navigation channels underneath TM-CLKL and HKLR to facilitate the passage of vessels. Final arrangements would be worked out.</p> <p>The Administration added that the height limit of the navigation channels of HKLR and TM-CLKL would be marked on the nautical charts to assist vessel operators on navigation. Nautical charts were essential tools for marine navigation and the owner or the master of a vessel must ensure that the nautical charts carried on board the vessel were kept up to date.</p>	The Administration to follow up as per paragraph 5(b)
010744 – 011545	Chairman Dr KWOK Ka-ki Administration	Discussion on the manpower deployment for managing HZMB and the marine traffic in this water area	

Time marker	Speaker	Subject(s)	Action required
		Dr KWOK Ka-ki requested the Administration to provide written information on whether all Mainland vessels entering Hong Kong waters had already been installed the automatic identification system for collision avoidance and identification of the relevant vessel(s) when collision occurred.	The Administration to follow up as per paragraph 5(d)
011546 – 011610	Chairman Mr Frankie YICK	Discussion on the cause of the KSM Bridge incident	
011611 – 011809	Chairman Administration	The Chairman pointed out that suitable engagement with stakeholders to enhance their understanding on proposed legislation was important. The Administration should consider improving the existing consultation mechanism and arranging more briefing sessions for the shipping and fishery sectors, particularly vessel operators to facilitate their understanding and compliance.	
011810 – 012143	Chairman Administration Mr Frankie YICK	<p><u>Examination of the provisions</u></p> <p><u>The amended Cap. 313A</u></p> <p>The Chairman enquired if the Administration would consider reviewing the level of penalties imposed on breaching the relevant conditions. Mr Frankie YICK considered that the penalty level should be set at a level that could achieve the desired deterrent effect. The Administration agreed to review this matter in future if necessary.</p>	
012144 – 012316	Chairman Assistant Legal Adviser 8 ("ALA8") Administration	<p><u>The amended Fifth Schedule of Cap. 313A</u></p> <p>In response to ALA8, the Administration responded that WGS 84 was a widely used international standard for geographical co-ordinates in longitude and latitude.</p>	
012317 – 012500	Chairman Administration	<p><u>The amended Cap. 548F</u></p> <p>Members raised no queries on relevant amendments.</p>	
<b>Agenda item III – Any other business</b>			
012501 – 012632	Chairman Mr Frankie YICK	<p>Invitation of views</p> <p>Legislative timetable and extension of the scrutiny period</p>	