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23 May 2018

Ms Shirley CHAN
Clerk to Panel on Economic Development
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong

Dear Ms CHAN,

**Legislative Council Panel on Economic Development
Agenda item III on “Reform of regulatory regime for local pleasure vessels”
at the meeting on 23 April 2018**

At the Legislative Council Panel on Economic Development (ED Panel) meeting on 23 April 2018, we consulted Members on the proposal to reform the regulatory regime for local pleasure vessels. At the meeting, Members requested us to provide supplementary information relating to the proposal (the details were summarised in your letter dated 25 April 2018), relayed the views of three deputations on the reform measures (a joint submission from the three deputations was passed to us vide your letter dated 24 April 2018) and passed a motion under the captioned agenda item calling on the Government to revisit the details of the reform proposal and consult the ED Panel again in due course (Member’s motion was set out in your letter dated 24 April 2018). Our response to the above is set out below.

Supplementary Information Requested

(i) *Number of local pleasure vessels and persons affected by the proposal*

As set out in LC Paper No. CB(4)928/17-18(03), the purpose of the proposed reform is to enhance the safety of local pleasure vessels. A number of

measures are therefore proposed to tighten the regulatory regime of Class IV vessels (i.e. local pleasure vessels). Depending on the size, the date when the vessel is first licensed and the use of the local pleasure vessel (i.e. whether it is let for hire or reward), the applicable requirements, which include more stringent plan approval and survey requirements, enhanced navigational and communications equipment, and prior approval from the Marine Department (MD) before a local pleasure vessel could be let for hire or reward, will vary. As compliance requirements with our proposal are dependent on different factors such as vessel size, first licensed date or the vessel's intended use, the number of local pleasure vessels and persons to be affected also differ, with some vessels having to comply with more requirements than others. For example, among the close to 10 000 locally licensed pleasure vessels in Hong Kong as at 1 May 2018, about 760 pleasure vessels are let for hire or reward in MD's current record and will be subject to the prior approval requirements, whereas about 400 pleasure vessels will be required to provide Very High Frequency Radiotelephone under our proposal. It is worth noting that the proposal has already taken into consideration the need to balance the trade's concern on compliance with the new requirements and the need to enhance marine safety. It is for this reason that certain proposed requirements such as those requiring enhancements of a vessel's structure will only be applicable to local pleasure vessels licensed after the commencement of the proposed reform.

(ii) The proposed compliance benchmark at "24 metres in length"

In our proposal, we suggest adopting a new benchmark in defining whether a new local pleasure vessel licensed after the commencement of the reform proposal is large in size and thus should be subject to tighter plan approval and survey requirements. Instead of the existing benchmark at 150 gross tonnage, we proposed to follow a more widely adopted international practice and adopt the compliance benchmark at 24 metres in length. This same benchmark is also adopted in the United Kingdom, Australia and the Marshall Islands.

The Trade's Concern on Compliance and the Motion Passed at the Captioned Meeting

As explained above, we are mindful of the need to balance the trade's concern on compliance and the need to enhance marine safety. In developing the proposal, MD has been engaging the relevant stakeholders on an on-going basis, with a view to ensuring that the proposal is practicable from the trade's perspective. While the policy direction to enhance marine safety is not disputed, MD will take note of the concerns raised in the joint submission, and fine-tune the details of the proposal in further consultation with the trade. Subject to the

progress of the discussion with the trade, we will consult the ED Panel again at a suitable time.

Should you have further enquiries, please feel free to contact me at 3509 8162. Thank you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Louisa YAN', written in a cursive style.

(Ms Louisa YAN)
for Secretary for Transport and Housing

c.c. Marine Department (Attn: Mr Zachary LEE)

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