

政府總部  
運輸及房屋局

運輸科  
香港添馬添美道 2 號  
政府總部東翼



Transport and  
Housing Bureau  
Government Secretariat  
Transport Branch  
East Wing, Central Government Offices,  
2 Tim Mei Avenue,  
Tamar, Hong Kong

本局檔號 Our Ref.

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20 June 2018

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

Dear Ms Chan,

**Panel on Economic Development (“ED Panel”)**

**Discussion on the “Report of the Transport and Housing Bureau’s  
Investigation into Staff Conduct in the Marine Department in  
relation to the Vessel Collision Incident near Lamma Island on  
1 October 2012” (“the Report”)**

Thank you for your letters of 9 May 2018 and 31 May 2018 on the captioned. Our response to both letters is as follows.

We understand and duly respect the constitutional duty of Legislative Council (“LegCo”) Members to monitor and scrutinise the work of the Government. It is based on this understanding and respect that we had, to facilitate Members to discharge their duty, made arrangements twice in 2015 and 2017 for Members to peruse the redacted version of the Report at designated venues after signing the confidentiality undertaking. As we have explained in our letter to the ED Panel dated 20 April 2018, the arrangements were made exceptionally against the background that internal disciplinary investigation reports were normally not disclosed to LegCo or the public. As the internal

investigation has been concluded in 2014 and there was no update to the content of the Report since then, it stands to reason that there should be a compelling case to justify any further exceptional arrangements. This is particularly so when viable alternatives to enable LegCo Members and the public to obtain an understanding of the key findings of the Report, such as through the summary of the Report published in 2014, have already been put in place.

It is worth noting that issues that have been identified in the investigation, including problems and inadequacies in the systems and practices of the Marine Department (“MD”) (e.g. management and work culture, internal communication, monitoring mechanism and record keeping, etc.) have been succinctly set out in the summary of the Report and discussed at the ED Panel on 28 April 2014. The issues have been further addressed in the systemic review and reform of the MD, with various reform measures introduced and followed up progressively and reported to the ED Panel on many different occasions. These include reviewing and improving MD’s business processes and operational procedures, its manpower strategy and training matters, as well as improvement measures to enhance marine safety.

With the Report already concluded back in 2014, we consider that the most effective and productive means through which Members could discharge their roles in monitoring the work of the Government would be to accord priority and efforts to the measures and reforms to enhance marine safety and the marine regulatory regime. We note that this is also a view expressed by many Members of the ED Panel. With this forward-looking approach, we could concentrate our attention in formulating the optimal measures and reforms to address any inadequacies identified after the incident, thus enhancing marine safety in the interest of the community in the long term.

Your letter of 9 May 2018 relays a Member’s request for information on measures to strengthen the marine regulatory regime and enhance marine safety. Over the years, we have been taking forward a series of improvement measures and reforms to enhance marine safety in accordance with the directions set out in the Final Report of the Steering Committee on Systemic Reform of the MD published in April 2016. In

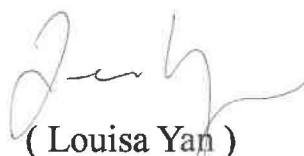
addition to the improvement measures that were already implemented in 2014, which include enhancing look-out by crew, requiring the provision of a muster list, etc., the Government has also been closely following up on a number of improvement measures which require legislative amendments.

For example, the increased minimum amount of liability cover for the compulsory third party risks insurance of local vessels came into effect in September 2016. The legislative amendments relating to the provision and operation of automatic identification system, radar and very high frequency radiotelephone were completed in February 2017.

The Government also recently consulted the ED Panel on the reform of the regulatory regime for local pleasure vessels in April 2018. In light of the concerns raised by Members and the trade, MD will fine-tune the details of the proposal after further consultation with the trade. We will consult the ED Panel on the proposed regime again in due course.

Looking ahead, the Government plans to consult the ED Panel soon on the legislative proposals to strengthen the requirements for lifejacket provision on local vessels, to implement safety measures during major events at sea, and to combat drink and drug boating for enhancing marine safety. We greatly appreciate Members' comments during the discussion of these items so that we could work together in enhancing the long-term marine safety in Hong Kong.

Yours sincerely,

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

( Louisa Yan )

for Secretary for Transport and Housing