

## **LEGISLATIVE COUNCIL BRIEF**

Merchant Shipping (Prevention and Control of Pollution) Ordinance  
(Cap. 413)

### **Merchant Shipping (Control of Ballast Water and Sediments) Regulation (Commencement) Notice**

## **INTRODUCTION**

This paper informs Members that the Merchant Shipping (Control of Ballast Water and Sediments) Regulation (Commencement) Notice (at **Annex**) (“the Commencement Notice”) will be published in the Gazette on 12 June 2020.

## **BACKGROUND**

2. The Merchant Shipping (Control of Ballast Water and Sediments) Regulation (Cap. 413Q) (“the Regulation”) was enacted by the Legislative Council and was gazetted on 10 May 2018. We have yet to bring the Regulation into operation after its making because the International Convention for the Control and Management of Ships’ Ballast Water and Sediments (“the Convention”) of the International Maritime Organization (“IMO”) was not yet applied to the Hong Kong Special Administrative Region (“HKSAR”).<sup>1</sup>

3. The Central People’s Government notified the IMO on 13 May 2020 of the extension of the Convention to the HKSAR and the extension will take effect on 13 August 2020. We have accordingly specified 13 August 2020 as the date for the commencement of the provisions of the Regulation in the Commencement Notice. After the commencement of the Regulation, the standards and procedures of the HKSAR for the management and control of ships’ discharge of ballast water

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<sup>1</sup> The Convention entered into force in China on 22 January 2019.

and sediments would be in line with the relevant international requirements established by the IMO.

## **LEGISLATIVE PROPOSAL**

4. Under section 1 of the Regulation, the Secretary for Transport and Housing has appointed 13 August 2020 as the day on which the relevant provisions of the Regulation come into operation via the Commencement Notice. The Commencement Notice will be published in the Gazette on 12 June 2020 and tabled in the Legislative Council on 17 June 2020 for negative vetting.

## **ENQUIRIES**

5. Any enquiries on this brief can be addressed to Ms Louisa YAN, Principal Assistant Secretary for Transport and Housing (Transport) (Tel: 3509 8162), or Mr CHOI Chi Chuen, Assistant Director of Marine (Multi-lateral Policy) (Tel: 2852 4408).

**Transport and Housing Bureau**  
**Marine Department**  
**June 2020**

Merchant Shipping (Control of Ballast Water and Sediments) Regulation  
(Commencement) Notice

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**Merchant Shipping (Control of Ballast Water and  
Sediments) Regulation (Commencement) Notice**

Under section 1 of the Merchant Shipping (Control of Ballast Water and Sediments) Regulation (Cap. 413 sub. leg. Q), I appoint 13 August 2020 as the day on which the Regulation comes into operation.



Secretary for Transport and Housing

9 June 2020