

**L.N. 112 of 2019**

**Merchant Shipping (Local Vessels) (Fees) (Amendment)  
(Fee Concessions) Regulation 2019**

(Made by the Secretary for Financial Services and the Treasury under section 88 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) and section 29 of the Interpretation and General Clauses Ordinance (Cap. 1))

**1. Commencement**

- (1) Subject to subsection (2), this Regulation comes into operation on 1 November 2019.
- (2) Sections 5(2) and 6(2) come into operation on 1 November 2020.

**2. Merchant Shipping (Local Vessels) (Fees) Regulation amended**

The Merchant Shipping (Local Vessels) (Fees) Regulation (Cap. 548 sub. leg. J) is amended as set out in sections 3 to 6.

**3. Section 5A added**

After section 5—

**Add**

**“5A. Concessions on fees for certain applications**

- (1) This section applies to a local vessel that is—
  - (a) a Class I, II or III vessel; or
  - (b) a Class IV vessel that is let for hire or reward for an intended service that involves the carriage of passengers if there is in force in respect of the vessel a certificate of inspection or certificate

of survey that complies with section 6(3) of the Certification and Licensing Regulation.

- (2) The fee and any additional fee payable in respect of an application made—
  - (a) under section 15 of the Certification and Licensing Regulation for the issue of a full licence;
  - (b) under section 17 of the Certification and Licensing Regulation for the renewal of a full licence; or
  - (c) under section 19 of the Certification and Licensing Regulation for the issue or renewal of a temporary licence,in respect of a local vessel (as calculated in accordance with section 4 and Part 2 of Schedule 1) are waived if the application is made within the concession period.
- (3) The fee payable in respect of an application made under section 21 of the Certification and Licensing Regulation for the grant of a permission for a laid-up vessel in respect of a local vessel (as calculated in accordance with section 5 and Part 2 of Schedule 1) is waived if the application is made within the concession period.
- (4) If taking into account—
  - (a) the validity period of each full licence or temporary licence issued in respect of a local vessel pursuant to an application made within the concession period;

- (b) the validity period of each full licence or temporary licence renewed in respect of a local vessel pursuant to an application made within the concession period; and
- (c) the validity period of each permission for a laid-up vessel granted in respect of a local vessel pursuant to an application made within the concession period,

the aggregate validity period exceeds 12 months by a period (*excess period*), then, in respect of the last of those licences and permissions (*last document*) issued, renewed or granted in respect of the local vessel, the amount of fee and any additional fee that are waived under subsection (2) or (3) (as the case may be) is reduced by an amount equal to the fee and any additional fee that would, but for the operation of this section, have been payable for the last document under this Regulation for the excess period.

- (5) In this section—

*concession period* (寬免期) means the period from 1 November 2019 to 31 October 2020 (both dates inclusive);

*validity period* (有效期) means—

- (a) in relation to a full licence or a temporary licence—the period of validity of the licence;
- (b) in relation to a renewal of a full licence or a temporary licence—the period of validity of the renewed licence; or
- (c) in relation to a permission for a laid-up vessel—the period of validity of the permission.

- (6) This section expires at midnight on 31 October 2020.”.

**4. Section 8A added**

Part 4, after section 8—

**Add**

**“8A. Concessions on fees for certain matters under General Regulation**

- (1) The fee payable for—
- (a) the grant of a permit to remain under section 41; or
  - (b) the renewal of a permit to remain under section 42,
- of the General Regulation (as calculated in accordance with section 8 and item 3 of Schedule 2) is waived if the validity period of the permit granted or renewed commences within the period from 1 November 2019 to 31 October 2020 (both dates inclusive).
- (2) In this section—
- permit to remain* (停留許可證) has the meaning given by section 2 of the General Regulation.
- (3) This section expires at midnight on 31 October 2020.”.

**5. Schedule 1 amended (fees prescribed for purposes of Merchant Shipping (Local Vessels) (Certification and Licensing) Regulation)**

- (1) Schedule 1—

**Repeal**

“5 & 7]”

**Substitute**

“5, 5A & 7]”.

(2) Schedule 1—

**Repeal**

“5, 5A & 7]”

**Substitute**

“5 & 7]”.

**6. Schedule 2 amended (fees prescribed for purposes of Merchant Shipping (Local Vessels) (General) Regulation)**

(1) Schedule 2—

**Repeal**

“[s. 8]”

**Substitute**

“[ss. 8 & 8A]”.

(2) Schedule 2—

**Repeal**

“[ss. 8 & 8A]”

**Substitute**

“[s. 8]”.

James Henry LAU  
Secretary for Financial Services  
and the Treasury

17 September 2019

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### **Explanatory Note**

This Regulation amends the Merchant Shipping (Local Vessels) (Fees) Regulation (Cap. 548 sub. leg. J) by adding new sections 5A and 8A to provide for the concessions for 1 year—

- (a) on the fees (and any additional fees) payable in respect of an application—
  - (i) for the issue or renewal of a full licence, or a temporary licence; or
  - (ii) for the grant of a permission for a laid-up vessel,  
in respect of a local vessel that is a Class I, II or III vessel or is a Class IV vessel with a certificate of inspection or certificate of survey; and
- (b) on the fees payable for the grant or renewal of a permit to remain.