

**LEGISLATIVE COUNCIL BRIEF**

**Shipping and Port Control Regulations (Cap. 313A)**

**Shipping and Port Control Regulations  
(Amendment of Fifth Schedule) Notice 2021**

**INTRODUCTION**

The Fifth Schedule to the Shipping and Port Control Regulations (Cap. 313A) (“Fifth Schedule”) needs to be amended to effect the changes on the boundaries of Hong Kong International Airport Approach Area (“HKIAAA”) No. 3 and 7 following the expansion of Hong Kong International Airport (“HKIA”) into a Three-Runway System (“3RS”).

2. The Director of Marine has made the Shipping and Port Control Regulations (Amendment of Fifth Schedule) Notice 2021 (“Notice”), at **Annex A**, under regulation 72(1) of Cap. 313A, to reflect the updated boundaries of HKIAAA.

**BACKGROUND**

3. The movement of vessels in the vicinity of HKIA is regulated to safeguard the operation of aircraft and air navigation service equipment. On this, some waters in the vicinity of HKIA have been designated as HKIAAA to prohibit vessels to enter or pass through or to prohibit vessels exceeding specified heights to enter or pass through except with the permission of the Director of Marine. Currently, eight HKIAAA have been designated under

the Fifth Schedule, each with different restrictions<sup>1</sup>.

4. The 3RS project includes reclamation of land to the north of the existing Airport Island for the construction of the Third Runway and associated infrastructure to support the 3RS operation. With this, part of the waters within the existing HKIAAA No. 3 and 7 at the northern part of HKIA would no longer exist. Moreover, the boundaries of HKIAAA No. 3 and 7 in the Fifth Schedule are required to be expanded accordingly to upkeep the aforesaid safety requirements for the commissioning of the Third Runway and the 3RS. A plan showing the indicative boundaries<sup>2</sup> of the expanded HKIAAA is at **Annex B**.

## **THE NOTICE**

5. The Notice will amend the Fifth Schedule to effect changes on the boundaries of HKIAAA No. 3 and 7.

## **LEGISLATIVE TIMETABLE**

6. The Notice will be published in the Gazette on 20 August 2021 and introduced into the Legislative Council on 25 August 2021. To facilitate the commissioning of the Third Runway, the proposed amendments to the Fifth Schedule shall come into force on 31 May 2022.

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<sup>1</sup> Except with the permission of the Director of Marine, no vessel shall enter or pass through HKIAAA No. 1, 2, 3 or 4; no vessel which has a height exceeding 15 metres above sea level shall enter or pass through HKIAAA No. 5 or 6; and no vessel which has a height exceeding 30 metres above sea level shall enter or pass through HKIAAA No. 7 or 8.

<sup>2</sup> The movement and navigation of local vessels will also be governed by the amended boundaries of HKIAAA concerned by virtue of Section 12 of the Merchant Shipping (Local Vessels) (General) Regulation (Cap. 548F).

## **IMPLICATIONS OF THE PROPOSAL**

7. The proposal is in conformity with the Basic Law, including provisions concerning human rights. The proposal has no economic, financial, civil service, productivity, environmental, sustainability, family or gender implications. It will not affect the current binding effect of the Shipping and Port Control Ordinance (Cap. 313) and the existing regulations.

## **CONSULTATION**

8. The changes in the boundaries of HKIAAA No. 3 and 7 are operational and technical in nature. The Airport Authority Hong Kong has consulted relevant stakeholders on the proposed amendments and they had no objection to the proposal.

## **PUBLICITY**

9. A press release will be issued on 20 August 2021. A spokesman will be available to answer enquiries.

## **ENQUIRIES**

10. Any enquiries on this brief can be addressed to Ms Joanne CHU, Principal Assistant Secretary for Transport and Housing (Transport) (Tel: 3509 8162).

**Transport and Housing Bureau**

**Marine Department**

**August 2021**

## Shipping and Port Control Regulations (Amendment of Fifth Schedule) Notice 2021

(Made by the Director of Marine under regulation 72(1) of the Shipping and Port Control Regulations (Cap. 313 sub. leg. A))

### 1. Commencement

This Notice comes into operation on 31 May 2022.

### 2. Shipping and Port Control Regulations amended

The Shipping and Port Control Regulations (Cap. 313 sub. leg. A) are amended as set out in section 3.

### 3. Fifth Schedule amended (restricted areas, etc.)

(1) Fifth Schedule—

#### Repeal paragraph 7

#### Substitute

“7. HONG KONG INTERNATIONAL AIRPORT APPROACH AREA NO. 3

The area of the waters of Hong Kong bounded by the shore and straight lines joining the following positions (a) to (f), (g) to (l), and (m) to (r)—

- |     |           |                  |
|-----|-----------|------------------|
| (a) | latitude  | 22°18'24" north, |
|     | longitude | 113°53'47" east; |
| (b) | latitude  | 22°18'06" north, |
|     | longitude | 113°52'50" east; |
| (c) | latitude  | 22°18'30" north, |
|     | longitude | 113°52'40" east; |
| (d) | latitude  | 22°18'40" north, |

- |     |           |                   |
|-----|-----------|-------------------|
|     | longitude | 113°53'13" east;  |
| (e) | latitude  | 22°19'01" north,  |
|     | longitude | 113°53'41" east;  |
| (f) | latitude  | 22°19'08" north,  |
|     | longitude | 113°54'02" east;  |
| (g) | latitude  | 22°19'20" north,  |
|     | longitude | 113°53'56" east;  |
| (h) | latitude  | 22°18'48" north,  |
|     | longitude | 113°52'16" east;  |
| (i) | latitude  | 22°19'18" north,  |
|     | longitude | 113°52'06" east;  |
| (j) | latitude  | 22°20'26" north,  |
|     | longitude | 113°55'36" east;  |
| (k) | latitude  | 22°19'56" north,  |
|     | longitude | 113°55'47" east;  |
| (l) | latitude  | 22°19'48" north,  |
|     | longitude | 113°55'22" east;  |
| (m) | latitude  | 22°19'38" north,  |
|     | longitude | 113°55'38" east;  |
| (n) | latitude  | 22°19'39" north,  |
|     | longitude | 113°56'19" east;  |
| (o) | latitude  | 22°19'50" north,  |
|     | longitude | 113°56'51" east;  |
| (p) | latitude  | 22°19'36" north,  |
|     | longitude | 113°56'56" east;  |
| (q) | latitude  | 22°19'22" north,  |
|     | longitude | 113°56'51" east;  |
| (r) | latitude  | 22°19'20" north,  |
|     | longitude | 113°56'46" east.” |

(2) Fifth Schedule—

**Repeal paragraph 11**

**Substitute**

“11. HONG KONG INTERNATIONAL AIRPORT APPROACH AREA  
NO. 7

The area of the waters of Hong Kong bounded by the shore and straight lines joining the following positions (a) to (j), (k) to (m), and (n) to (o)—

- (a) latitude 22°17'15" north,  
longitude 113°53'40" east;
- (b) latitude 22°16'53" north,  
longitude 113°52'32" east;
- (c) latitude 22°17'55" north,  
longitude 113°52'00" east;
- (d) latitude 22°18'32" north,  
longitude 113°52'00" east;
- (e) latitude 22°18'34" north,  
longitude 113°52'06" east;
- (f) latitude 22°19'13" north,  
longitude 113°51'52" east;
- (g) latitude 22°20'30" north,  
longitude 113°55'50" east;
- (h) latitude 22°19'48" north,  
longitude 113°56'06" east;
- (i) latitude 22°20'10" north,  
longitude 113°57'19" east;
- (j) latitude 22°19'19" north,  
longitude 113°57'38" east;
- (k) latitude 22°19'07" north,

- longitude 113°57'42" east;
- (l) latitude 22°18'36" north,  
longitude 113°57'54" east;
- (m) latitude 22°18'08" north,  
longitude 113°56'27" east;
- (n) latitude 22°17'42" north,  
longitude 113°55'04" east;
- (o) latitude 22°17'31" north,  
longitude 113°54'30" east.”.



Director of Marine

5 August 2021

### **Explanatory Note**

This Notice amends the Fifth Schedule to the Shipping and Port Control Regulations (Cap. 313 sub. leg. A) (*Cap. 313A*) to make adjustments to the boundaries of the Hong Kong International Airport Approach Areas (*Areas*) No. 3 and No. 7 to reflect the change of the boundaries relating to the Third Runway and associated infrastructure. Under regulation 23 of Cap. 313A, certain restrictions are imposed on vessels entering or passing through the Areas.

