

中華人民共和國
香港特別行政區政府
The Government of the Hong Kong Special Administrative Region
of the People's Republic of China

政府總部
運輸及物流局

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Transport and Logistics Bureau
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11 July 2022

Clerk to Panel on Economic Development
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road,
Central, Hong Kong
(Attn: Ms Shirley Chan)

Dear Ms Chan,

**The Incident of the Jumbo Floating Restaurant Suspected to have Sunk
in the South China Sea**

Thank you for your letter of 27 June 2022 attaching a joint letter from Dr Hon TIK Chi-yuen and Revd Canon Hon Peter Douglas KOON Ho-ming to the Chairman of the Panel on Economic Development (“the Panel”) dated 24 June 2022 on the captioned matter. After consulting the Marine Department (“the MD”), our reply is as follows –

Vessel Licence and Registration Status of the Jumbo Floating Restaurant

2. The Jumbo Floating Restaurant (“Jumbo”) was a local vessel registered under the Merchant Shipping (Local Vessels) Ordinance (Cap. 548), and it was a marine restaurant licensed as a Class I vessel. When Jumbo was towed out of Hong Kong on 14 June, it still held a valid operating licence for local vessel which was effective until 22 June 2022.

3. According to the information provided by the owner of Jumbo, Jumbo was registered in Sierra Leone in May 2022¹.

Jumbo Towed out of Hong Kong by an Ocean-going Tugboat

4. On 13 June, the MD received applications for port clearance respectively from the agent of Jumbo and the agent of the ocean-going tugboat (“Jaewon 9”) to tow Jumbo from Hong Kong to Cambodia. The ocean-going tugboat “Jaewon 9” was registered in South Korea.

5. Prior to the application for port clearance, Jumbo has submitted to the MD the vessel registration document issued to it by its flag state (i.e. Sierra Leone) and the declaration of tow worthiness issued by an accredited institution authorised by its flag state. According to the declaration, the accredited institution completed the pre-towing survey for Jumbo and the ocean-going tugboat “Jaewon 9” in accordance with the relevant regulations of the International Maritime Organisation. Hence, Jumbo could be towed from Hong Kong to Cambodia by the ocean-going tugboat “Jaewon 9”. The MD reviewed and accepted that the relevant information was in compliance with the requirements for towing at sea, and thus issued port clearance on the same day. In general, no re-survey will be conducted by the MD on vessel that has been surveyed by an accredited institution authorised by the relevant flag state.

Jumbo Leaving Hong Kong Waters

6. Jumbo was towed out of the Aberdeen Typhoon Shelter at noon on 14 June by two locally licensed tugboats “Yun Fu” and “Yun Wai”. After Jumbo was being towed to the waters near Lamma Island, the ocean-going tugboat “Jaewon 9” took over the towing of Jumbo and left Hong Kong waters at about 5 p.m. During the course of Jumbo’s removal from Hong Kong, a vessel deployed by the MD was at the scene to regulate marine traffic and monitor the situation en route, with a view to ensuring the smooth towing process in Hong Kong waters and no impact on marine safety. During the process, no abnormality was found. It is the usual practice of the MD to cease monitoring a vessel’s navigation status after it has left Hong Kong.

¹ Local marine legislation does not prohibit the registration of locally licensed vessels in other countries. In fact, some local cargo vessels and pleasure vessels are also registered in other countries.

The Incident of Jumbo Suspected to have Sunk

7. In the evening of 20 June, the owner of Jumbo issued a statement to the media that in the afternoon of 18 June, Jumbo encountered heavy seas in the vicinity of Xisha Islands in the South China Sea, resulting in water entering into the hull of the ship and its listing. The tugboat company responsible for the voyage attempted to rescue Jumbo but in vain. Eventually, Jumbo was fully flooded with water and capsized, but no one was injured in the incident.

8. Subsequently, there were widespread media reports of the “sinking” of Jumbo. As Jumbo still held a valid licence for local vessel on the day of the incident (i.e. 18 June), the vessel owner is required to furnish to the MD full particulars about the sinking of the local vessel in accordance with section 57 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548). The MD, however, did not receive the alleged “sinking” report of Jumbo and it therefore asked the vessel owner on the morning of 21 June to submit a written report of the Jumbo incident that took place in the South China Sea.

9. The MD received a written report from the agent of the owner of Jumbo on 23 June. The report indicated that on 18 June, when Jumbo was being towed by an ocean-going tugboat in the vicinity of Xisha Islands in the South China Sea, it capsized due to adverse weather.

Follow-up action

10. After receiving the vessel owner’s incident report, the MD has liaised with the administration of Jumbo’s flag state, the company which the ocean-going tugboat “Jaewon 9” belongs to and the Hainan Maritime Safety Administration to request relevant information for reference. However, no reply has been received up to 10 July. According to the statement issued by the owner of Jumbo on 26 June (see [Annex](#)), the Sansha Maritime Safety Administration under the Hainan Maritime Safety Administration will take appropriate measures having regard to the local and international maritime laws and regulations.

Conclusion

11. The MD has dealt with the Jumbo incident in compliance with local marine legislation and international maritime practices. Overseas-registered vessels navigating outside Hong Kong waters are generally controlled and managed by their registered flag states. The MD has not received any request from the owner of Jumbo for assistance after the incident.

12. Regarding the ocean-going tugboat “Jaewon 9”, as the vessel is registered in Korea and the incident happened outside Hong Kong waters, the tugboat is not required to report the incident or submit any written report to the MD.

13. According to international maritime practices, if Jumbo’s flag state or the administration responsible for the waters in question (i.e. the Sansha Maritime Safety Administration) needs to obtain Jumbo-related information from the MD, MD will render full support in this regard.

Yours sincerely,



(Mr Sam KWAN)
for the Secretary for Transport and Logistics

c.c. Director of Marine

聲明

香港仔飲食企業有限公司（「公司」）近日陸續收到有關珍寶海鮮舫（「海鮮舫」）日前於西沙群島附近發生事故的查詢。公司希望在得悉充分資料後，向各界提供相關的資訊。事情仍在發展中，公司希望提供有關事件的資訊詳情，就以下事項在此作出澄清：

公司說明以下幾點：

1. 公司並不會因海鮮舫的損失而獲得任何保險賠償：根據海事規例，海鮮舫持有彌償及賠償第三方的保險，只涵蓋第三者的損失，並不包括賠償公司任何財物上的損失。
2. 我們已盡力保存海鮮舫：自 2013 年起，公司就營運海鮮舫已累積虧損超過 1 億港元。自 2020 年 3 月海鮮舫停業，公司每年依然耗資數百萬元以維持基本運作，履行牌照的要求，以保留海鮮舫。過去兩年，公司嘗試無償捐贈或轉讓海鮮舫予有興趣的公司和團體接手經營，可惜未能成事。
3. 海鮮舫離港航程遵照國際海事規定和慣例：在海鮮舫離港前，公司聘請海事工程專家檢查船身結構並安裝圍板，並得到當局批准是次航行。過程中公司委託持牌第三方（海事中介代理），安排聘請專業拖船公司處理是次航行。航程所採用的拖行方式符合國際海事規例和慣例。
4. 公司依法向當局作出報告：公司於 6 月 20 日（星期一）就有關事故發出聲明，同時準備海上事故報告。公司於 6 月 23 日（星期四）向海事處提交海上事故報告。根據規例，香港註冊的船舶於本港水域外遇上事故，須在切實可行的範圍內盡快但不遲於該船舶抵達下一個停靠港後 24 小時，向海事處提交海上事故報告。
5. 公司就珍寶海鮮舫意外的回應前後一致：公司於 6 月 20 日（星期一）發出聲明指海鮮舫行駛至南中國海西沙群島附近水域時，船身入水開始傾側。負責航程的拖船經過嘗試救援後不果，海鮮舫最終全面入水翻轉。這與我們於 6 月 23 日（星期四）向海事處提交的報告一致，報告指珍寶海鮮舫因惡劣天氣而傾覆。
6. 根據目前掌握最新資訊，三沙海事局正就是次事故進行跟進：直至 6 月 26 日（星期日）拖船仍在西沙群島一帶並在海鮮舫附近留守，以協助維持航道安全。當地海事局（三沙海事局）已知悉事故，在考慮當地和國際海事法規和規例後，採取適當措施。