

**Subcommittees¹ under the
Local Vessels Advisory Committee**

Standing Orders

1. Language

The agenda, papers and minutes of the meetings of the Subcommittees under the Local Vessels Advisory Committee (“LVAC”) shall be in Chinese language.²

2. Meetings of the Subcommittees

- I. Each Subcommittee shall hold meetings as may be necessary and whenever any matter may be referred by the chairman of the LVAC (if any).
- II. The Chairman of each Subcommittee (the “Chairman”) may at any time summon an extraordinary or emergency meeting.
- III. If a quorum is not present within twenty minutes after the time appointed for the meeting, the Chairman or a member acting on his behalf shall adjourn the meeting until the date of next meeting or any day requested by three members present, provided that such day is not less than ten days from the date of the adjourned meeting.

3. Terms of Reference, Composition and Quorum of the Subcommittees

- I. The terms of reference of each Subcommittee are set out in *Appendix I*.
- II. The composition of each Subcommittee is set out in *Appendix II*.

¹ Section 6 of the Merchant Shipping (Local Vessels) Ordinance (Cap. 548) (“the Ordinance”)

² In the event that some members of an individual Subcommittee are non-ethnic Chinese, the papers of that Subcommittee shall be in both English and Chinese languages.

- III. Not less than one-fourth of the members of a Subcommittee shall form a quorum at any meeting of the Subcommittee but, in any case, a quorum of the Subcommittee shall not be less than two members.³
- IV. The Chairman of each Subcommittee shall preside at all meetings of the Subcommittee but, if the Chairman is absent from any meeting or any part thereof, he may nominate a member to preside in his absence as Chairman at the meeting or part thereof.

4. Notice and Place of Meeting

- I. Notice and agenda of a meeting shall be given by the Secretary to each member of a Subcommittee at least seven clear days before the date of a regular meeting, or as soon as practicable in the case of an extraordinary or emergency meeting.
- II. All the Subcommittees' meetings shall be held at the headquarters of the Marine Department or elsewhere as the circumstances may require.

5. Conduct of Business

- I. The order of business at every meeting of a Subcommittee is as follows:
 - (a) To confirm and approve the minutes of the last meeting of the Subcommittee as a correct record.
 - (b) To consider any matters arising from the minutes of the last meeting of the Subcommittee.
 - (c) To handle any issues raised by the Chairman.
 - (d) To discuss items on the agenda in the order in which they have been given.
 - (e) To discuss any other business, if any, and set a date for the next meeting (if feasible).

³ Section 6(5) of the Ordinance

- II. Any item which a member would like to be included on an agenda shall be submitted, together with sufficient explanatory materials, to the Secretariat for the preparation of papers at least fourteen clear days before the date of the next meeting of the Subcommittee. The Secretary shall be responsible for the circulation of papers to members prior to the next meeting.

6. Minutes

- I. The Secretary shall prepare minutes of the meetings for the Subcommittees and shall, as soon as possible after each meeting, circulate a copy of the draft minutes to each member. Members shall submit any amendments on the draft minutes to the Secretary in writing.
- II. The minutes of the meeting of a Subcommittee shall record the names of the members present and the conclusions reached at the meeting.
- III. The text of addresses made by a member at the meeting shall not form part of the minutes but, if the member himself supplies to the Secretary an accurate transcription of his dissenting opinions given at the meeting, such transcription shall be attached to the official record.
- IV. The Chairman of each Subcommittee shall obtain confirmation from members that the minutes is a correct record at the next meeting.
- V. No discussion shall take place upon the minutes, except upon their accuracy.
- VI. The Secretary shall upload the agenda, papers and minutes of the meetings of the Subcommittees to the website of the Marine Department.

7. Voting

- I. All questions coming or arising before the meeting of a Subcommittee shall be decided by a majority of votes of members of the Subcommittee present and voting thereon.

- II. The Chairman of each Subcommittee or any member presiding in his absence shall have a vote on all matters coming before the Subcommittee; and in the case of an equality of votes he shall also have a casting vote.
- III. All pending issues shall be determined by a show of hands and, at the request of any member, the way in which he gave his vote or the fact that he abstained from voting shall be recorded in the minutes.

8. Declaration of Interests⁴

- I. If a member (including the Chairman) has any direct personal or pecuniary interest in any matter under consideration by the Subcommittee, he must, as soon as practicable after he has become aware of it, disclose to the Chairman (or the Subcommittee) prior to the discussion of the item.
- II. The Chairman (or the Subcommittee) shall decide whether the member disclosing an interest may speak or vote on the matter, may remain in the meeting as an observer, or should withdraw from the meeting.
- III. If the Chairman declares an interest in a matter under consideration, the chairmanship may be temporarily taken over by a delegated member.
- IV. When a known direct pecuniary interest exists, the Secretary may withhold circulation of relevant papers to the member concerned. Where a member is in receipt of a paper for discussion and he notices a direct conflict of interest, he should immediately inform and return the paper to the Secretary.
- V. All cases of declaration of interests shall be recorded in the minutes of the meeting.

9. Subcommittees

- I. The LVAC may establish Subcommittees and appoint the members

⁴ Paper No. 1/2017 of the Subcommittees – Declaration of Interests by Members

thereof, which may include persons who are not members of the LVAC, and the LVAC shall appoint a Chairman for each Subcommittee.⁵

- II. The Chairman of the LVAC may refer any matter to a Subcommittee.⁶
- III. The Chairman of the LVAC shall have the right to attend any meeting of any Subcommittee under the LVAC, whether or not he was appointed as a member of that Subcommittee.⁷
- IV. The Chairman of the LVAC or the Chairman of a Subcommittee may convene a meeting of the Subcommittee.⁸
- V. Notwithstanding paragraph 9 (I) of these standing orders, a Subcommittee may co-opt additional members into the Subcommittee, and shall at all times furnish the Chairman of the LVAC with particulars of the co-opted members.⁹
- VI. Upon the conclusion of its deliberations a Subcommittee shall prepare a factual report covering all aspects of its work for the consideration of the LVAC. The report, together with all other materials, shall be forwarded to the Chairman and the Secretary of the LVAC for inclusion in the agenda of the next meeting of the LVAC.¹⁰

10. Standing Orders

- I. These standing orders may be amended or added to, as the Chairmen of the Subcommittees see fit, subject to the approval of the LVAC.
- II. A copy of the standing orders shall be given to a newly appointed/re-appointed member of a Subcommittee by the Secretary.

⁵ Section 6(1) of the Ordinance.

⁶ Section 6(2) of the Ordinance.

⁷ Section 6(3) of the Ordinance.

⁸ Section 6(4) of the Ordinance.

⁹ Section 6(6) of the Ordinance.

¹⁰ Section 6(7) of the Ordinance.

11. Secretariats of the Subcommittees

Executive Officer/Shipping & Multi-lateral Policy Division (1), Marine Department;

Executive Officer/Shipping & Multi-lateral Policy Division (2), Marine Department

Marine Department, 24/F, Harbour Building, 38 Pier Road, Central, Hong Kong

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**Subcommittees under the Local Vessels Advisory Committee
Terms of Reference¹¹**

Subcommittee on Class I and Class II Vessels

To discuss any matters related to the management, control, operations, security, surveys, inspections, construction, maintenance, safety standards, environmental protection, the code of practice, etc. pertaining to Class I and Class II vessels, including maritime activities which affect such vessels. If separate discussion is required for any specific issues, the Chairman may decide to set up ad hoc working groups and invite relevant parties to attend the meetings. The results of the discussion of the Subcommittee shall be reported to the Local Vessels Advisory Committee.

Subcommittee on Class III Vessels

To discuss any matters related to the management, control, operations, security, surveys, inspections, construction, maintenance, safety standards, environmental protection, the code of practice, etc. pertaining to Class III vessels, including maritime activities which affect such vessels. If separate discussion is required for any specific issues, the Chairman may decide to set up ad hoc working groups and invite relevant parties to attend the meetings. The results of the discussion of the Subcommittee shall be reported to the Local Vessels Advisory Committee.

Subcommittee on Class IV Vessels

To discuss any matters related to the management, control, operations, security, surveys, inspections, construction, maintenance, safety standards, environmental protection, the code of practice, etc. pertaining to Class IV vessels, including maritime activities which affect such vessels. If separate discussion is required for any specific issues, the Chairman may decide to set up ad hoc working groups and invite relevant parties to attend the meetings. The results of the discussion of the Subcommittee shall be reported to the Local Vessels Advisory Committee.

¹¹ Extracted from Annex I of Paper No. 16/2017 of the Local Vessels Advisory Committee.

Subcommittee on Safety for Works on Vessels

To discuss any matters pertaining to the safety of marine works on local vessels and other visiting vessels, and the enhancement and updating of the relevant code(s) of practice. If separate discussion is required for any specific issues, the Chairman may decide to set up ad hoc working groups and invite relevant parties to attend the meetings. The results of the discussion of the Subcommittee shall be reported to the Local Vessels Advisory Committee.

**Subcommittees under the Local Vessels Advisory Committee
Membership Composition¹²**

Subcommittee on Class I and Class II Vessels

Chairman	General Manager/Local Vessels Safety, Marine Department (“MD”)
Ex-officio members	One representative from the Transport Department
	Three representatives from the MD (i.e. Senior Surveyor of Ships/Local Vessels Safety, Senior Marine Officer/Licensing & Port Formalities, and Senior Marine Officer/Harbour Patrol Section)
Non-official members	Representative of Class I vessels (Ferry vessels’ operations; launch & excursion vessels’ operations)
	Representatives of Class II vessels (Oil tanker operations; tug operations; workers for cargo boats; cargo vessels’ operations; tug and barge operations)
	Representatives of the shipbuilding and repairing industry
	Representatives of authorised organisations
	Authorised surveyors
Secretary	Executive Officer/Shipping & Multi-lateral Policy Division (1), MD

Subcommittee on Class III Vessels

Chairman	General Manager/Local Vessels Safety, MD
Ex-officio members	One representative from the Agriculture, Fisheries and Conservation Department
	Three representatives from the MD

¹² Extracted from Annex I of Paper No. 16/2017 of the Local Vessels Advisory Committee and the letter issued by the Secretary of the Local Vessels Advisory Committee on 20 October 2017.

	(i.e. Senior Surveyor of Ships/Local Vessels Safety, Senior Surveyor of Ships/Seafarers' Certification, and Senior Marine Officer/Licensing & Port Formalities)
Non-official members	Representatives of the fishing industry
	Authorised surveyors
Secretary	Executive Officer/Shipping & Multi-lateral Policy Division (1), MD

**Subcommittees under the Local Vessels Advisory Committee
Membership Composition**

Subcommittee on Class IV Vessels

Chairman	Assistant Director (Special Duties), MD
Ex-officio members	One representative from the Leisure and Cultural Services Department
	Three representatives from the MD (i.e. Senior Marine Officer/Harbour Patrol Section (1), Senior Marine Officer/Licensing & Port Formalities, and Senior Surveyor of Ships/Local Vessels Safety)
Non-official members	Representatives of associations and organisations actively involved in various types of water sports
	Representatives of yachting and boating clubs
	Representative of pleasure boating operations
	Representative of marinas
	Representative of operators engaging in chartering of Class IV vessels
	Representative of the pleasure vessel building and repair industry
	Representative of authorised organisations
	Authorised surveyors
Secretary	Executive Officer/Shipping & Multi-lateral Policy Division (2), MD

Subcommittee on Safety for Works on Vessels

Chairman	General Manager/Local Vessels Safety, MD
Ex-officio members	One representative from the Labour Department
	One representative from the Civil Engineering and Development Department
	One representative from the Highways Department
	One representative from the MD

	(i.e. Senior Shipping Safety Officer/Marine Industrial Safety)
Non-official members	Representatives of cargo handling operations
	Representatives of the shipbuilding and repairing industry
	Representative of the sea-transport and logistics industry
	Representative of the marine construction industry
	Launch & excursion vessels' operations
	Representative of the Maritime Services Training Institute
	Representative of the Occupational Safety and Health Council
Secretary	Executive Officer/Shipping & Multi-lateral Policy Division (2), MD