

LOCAL VESSELS ADVISORY COMMITTEE

Joint Sub-committee on Class I and Class IV Vessels

**Proposed Legislation to Require that
Children Don a Lifejacket at all times on board and
a Passenger and Crew List be kept on board
during Fireworks Displays and other Major Events at Sea**

Purpose

This paper aims to brief members on the proposal of the Marine Department (MD) that legislation be enacted to require that children don a lifejacket at all times on board and a passenger and crew list be kept on board during fireworks displays and other major events at sea.

Background

2. The collision incident of 1 October 2012 has claimed the lives of 39 passengers and left 87 injured. Since heavy casualties were involved, the public has raised concerns about the cause of the accident and has questioned the maritime safety of Hong Kong. Various government departments are now conducting a series of investigations into the incident according to the relevant statutory procedures and administrative guidelines. A Commission of Inquiry has been established in accordance with the Commissions of Inquiry Ordinance (Chapter 86). An inquiry is being held to ascertain the causes of the incident and make appropriate findings thereof; to consider and evaluate the general conditions of maritime safety concerning passenger vessels in Hong Kong and the adequacy or otherwise of the present system of control; and to make recommendations on measures, if any, required for the prevention of the recurrence of similar incidents in future.

3. Many children who died in the incident did not don a lifejacket. After the incident, the number of people on board could not be confirmed because there was no passenger and crew list. This has caused immense difficulties in confirming the number of people and in effecting rescue. Considering that it takes considerable time

for various investigations and the inquiry to complete, MD hopes to initiate the legislative process as soon as possible to require that all children don a lifejacket at all times on board and a passenger and crew list be kept on board in order to ensure the safety of passengers. In addition, given that it takes time for the relevant legislation to be enacted, MD has, starting with the recent New Year countdown pyrotechnic display and 2013 Lunar New Year fireworks display, inspected excursion vessels for compliance with the two requirements and has, where necessary, issued directions to coxswains to ensure compliance.

Legislative Proposal

4. In order to implement the maritime safety measures for fireworks displays and other major events at sea more effectively, MD proposes that legislation be put in place to require that Class I and Class IV vessels involved in such activities comply with the following requirements:

- All children should don a lifejacket at all times on board; and
- A passenger and crew list should be kept on board.

Advice Sought

5. Members' views are sought on the proposals set out above.

Marine Department

1 March 2013