

# LOCAL VESSELS ADVISORY COMMITTEE

## Minutes of the First Meeting

Date : 8 December 2006 (Friday)  
Time : 10:30 a.m.  
Place : Conference Room A, 24/F, Harbour Building

### Present

Chairman: Mr. W K LEE	Deputy Director (Acting), Marine Department (MD)
Member: Mr. Ken LO	Representing Ship Building & Repairing Industry
Mr. TAM Mo-pun	Representing Naval Architects
Mr. Martin CHU	Representing Ship Survey Work
Mr. Elden YAU	Representing Marine Insurance Industry
Mr. Tony YEUNG	Representing Seafarers' Training
Mr. LAI Hoi-ping	Representing Seafarer's Associations
Mr. WONG Miu-sang	Representing Cargo Vessels' Operations
Mr. KWOK Tak-kee	Representing Launch & Excursion Vessels' Operations
Mr. John HUI	Representing Ferry Vessels' Operations
Mr. Danny WU	Representing River Trade Cargo Operations
Dr. Alan LAU	Representing Pleasure Boating Operations
Hon. WONG Yung-kan, JP	Representing Fishing Industry
Mr. FUNG Wai-kin	Hong Kong Police Force
Mr. Michael LEE	GM/LVS, MD
Mr. CHEUK Fan-lun	GM/Ops (Acting), MD
Secretary: Ms. Shirley HO	ADS/C&G, MD

### In Attendance

Mr. KEUNG Siu-fai	Hong Kong & Kowloon Floating Fisherman Welfare Promotion Association
Mr. WONG Yiu-kan	Hong Kong Cargo Vessel Traders' Association
Mr. PANG Wah-kan	Hong Kong Fishermen's Association
Mr. WU Ka-shun	Hong Kong Shipping Staff Association
Mr. CHEUNG Yau-kwong	Marine Excursion Association
Ms. CHING Ngan-lai	Small Craft Workers Union

## **Presentation of Papers**

Paper No. 1/2006	Mr. Stanley LUK	GM/SRSB(Ag), MD
Paper No. 2/2006	Mr. Y C YEUNG	SSSO/MISS, MD
	Mr. F CHAN	SSO/MISS, MD
Paper No. 3/2006	Mr. M Y CHAN	SS/LVS, MD

### **I. Opening Remarks**

1. The Chairman welcomed all to the inaugural meeting of the Local Vessels Advisory Committee (LVAC) and introduced each of the LVAC members and observers in attendance.
2. The Chairman referred members to the copy of GN 7563 tabled at the meeting and told them that the appointment of the non-official members with effect from 8 December 2006 for a period of two years was gazetted on 1 December 2006.
3. The Chairman announced that the Provisional Local Vessels Advisory Committee (PLVAC) had satisfactorily completed its mission and was dissolved upon the establishment of the LVAC on 8 December 2006. The Merchant Shipping (Local Vessels) Ordinance (LVO) (Cap. 548) would come into force on 2 January 2007 and the Codes of Practice which had been agreed at the past PLVAC meetings would require members' endorsement at the first LVAC meeting before the operation of the LVO.

### **II. Discussion**

#### ***Terms of Reference***

4. The Chairman read out the English and Chinese versions of the proposed "Terms of Reference" for the LVAC as follows and sought members endorsement –

#### **English version**

- ✧ To keep under review the management, control, operations, standards of safety, security and protection of the environment by local vessels, including marine associated activities affecting local vessels; and

- ✧ To advise the Director of Marine of any matters arising therefrom and on any matters referred to it by the Director of Marine.

Chinese version

- ✧ 經常檢討與本地船隻有關的管理、管制、營運、安全標準、保安及環境保護事宜，包括影響本地船隻的相關海事活動在內；及
- ✧ 就從中所引起的事宜和海事處處長提出的事宜，向海事處處長提供意見。

5. Members did not propose any amendments and accepted both versions of the “Terms of Reference” unanimously.

*Standing Orders*

6. The Chairman went through the proposed “Standing Orders” of the LVAC with members and told members that a typo was found in the English version of the “Standing Orders” sent to them before the meeting. He asked members to make the following correction in their copy –

First sentence of paragraph 9 (VI) on page 5

“...paragraph 8(I) of this ...” should be amended to read “...paragraph 9(I) of this ...”

7. The Chairman pointed out that, though the proceedings of the LVAC would be in both English and Chinese languages, the language medium would normally be Chinese in conducting the meeting and exchanging correspondence unless the otherwise was required, considering that the present committee composition was all Chinese.
8. Mr. WONG Yiu-kan asked and the Chairman answered that an observer would not have a right to vote if and when there was a question coming or arising before a meeting of the Committee.
9. Members made no other comments and the Chairman confirmed that the “Standing Orders” was endorsed and arrangements for all the future LVAC meetings would follow those clauses set out in the Standing Orders.

### *Establishment of Sub-Committees*

10. The Chairman gave a brief account of the document on “Establishment of Sub-Committees” and invited members’ views and endorsement on the recommendations made therein.
11. The Chairman said that, pursuant to Section 6 of the LVO, the sub-committees might include persons who were not members of the LVAC, and the LVAC should appoint a chairman for each sub-committee. Having been appointed by the LVAC, each sub-committee Chairman would proceed to invite sub-committee members who might not be members of the LVAC, establish the sub-committee formally and report the details on paper to the LVAC at next meeting. LVAC members were most welcome to join individual sub-committees as far as they concerned or to nominate a designated representative on behalf of them. Members supported the proposed appointment of MD officers, i.e. GM/Ops and GM/LVS, as the Chairman of the sub-committees as indicated in the document. As suggested by Mr. CHEUK Fan-lun, members would advise the sub-committee Chairman after the meeting if they would join or whom they would nominate to join the sub-committee(s).
12. In reply to Ms. CHING Ngon-lai and Mr. Elden YAU, the Chairman clarified that no fixed intervals would be set for holding the LVAC meetings or the sub-committee meetings. They would normally be convened on a need basis. According to the PLVAC records, there would be a meeting at least every three to four months.
13. Upon an enquiry from Mr. LAI Hoi-ping, the Chairman explained that ad hoc LVAC meeting or sub-committee meeting would be held to handle special or emergency incidents. Such sub-committee meeting would be convened subject to members’ endorsement sought either in an LVAC meeting or by correspondence.
14. The Secretary confirmed Mr. Elden YAU that any member of the LVAC appointed under Section 4(2)(d) of the LVO might, at any time by notice in writing to the Director of Marine, resign from the LVAC. The LVAC secretariat would then follow up to seek the view and approval from the Director on the appointment of a replacement member and arrange for its gazettal.

15. Members unanimously approved all the recommendations made in the document, i.e. the establishment of six sub-committees as named therein, the composition proposed for each of the six sub-committees and the terms of reference proposed for each of the six-committees.

***LVAC Paper No. 1/2006 - Updated Rules for the Issue of Local Certificates of Competency for Local Vessel Operators***

16. Mr. Stanley LUK presented the paper briefly and told members that the following amendments were required for the Chinese version of the paper –
- (i) to add “臨時” before “本地船隻諮詢委員會” on line 1 of paragraph 5 and lines 1, 6 and 8 of paragraph 12; and
  - (ii) to add a bold heading “諮詢” for paragraph 12.
17. Mr. Ken LO enquired and Mr. Stanley LUK replied that, for a local vessel that was of gross tonnage more than 1600 or had an aggregate power more than 3000 kW, the upper limits of a Coxswain or Engineer Operator Grade 1 Certificate might be relaxed at the discretion of the Director of Marine upon application by the owner of that vessel. A practical examination on board the subject vessel by a local examiner to assess the ability of the concerned Coxswain/Engineer Operator in commanding the subject vessel was required before the relaxation would be given.
18. Mr. John HUI spotted that the words “安挑” on line 2 of paragraph 7 of the paper in Chinese would also need to be amended to read as “安排”. He noticed that the paper was presented for the information of members as stated in paragraph 13 of the paper and opined that it should be a paper to seek members’ endorsement. The Chairman thanked for Mr. HUI’s comments and consulted members’ views. Members returned a unanimous endorsement on the paper and the updated rules for the issue of Local Certificates of Competency for Local Vessel Operators stated therein. The Chairman confirmed that the rules could be amended and updated from time to time if and when necessary even after they were endorsed.

***LVAC Paper No. 2/2006 - Issue of Codes of Practice under section 45A of the Merchant Shipping (Local Vessels) Ordinance (Cap 548) and under section 44A of the Shipping and Port Control Ordinance (Cap 313)***

19. Mr. Michael LEE presented the details of the paper and sought members' endorsement on the nine Codes of Practice (CoPs) attached to the paper. He confirmed that these nine CoPs had been agreed by the PLVAC and only editorial changes on minor wordings, format and layout had been made in the past months. The Chairman promised that members would be duly informed if there were any further editorial amendments to the CoPs before the operation of the LVO. In addition, the CoPs would be updated and improved from time to time if found necessary in future to suit operational needs subject to the endorsement obtained from the LVAC members.
20. Mr. Y C YEUNG answered Mr. John HUI that most of the proposed standards and requirements set in the CoPs had been promulgated through MD notices and parts of them were being widely adopted by relevant industry sectors.
21. Mr. Martin CHU asked and Mr. Y C YEUNG explained that, different from those on the ocean going vessels to be tested once every five years, all derrick cranes on local vessels should be tested and examined by a competent examiner at least once every four years after being taken into use because they were used frequently and heavily every day and took a lot of wear and tear.
22. Members endorsed the paper and its nine CoPs unanimously.
23. Mr. Michael LEE drew members' attention to the Register of Lifting Appliances and Lifting Gear tabled at the meeting and said that it had been updated for members' information and retention. He added that the following two sets of CoPs were being fine-tuned and would be circulated for members' comments by mid January 2007. Subject to members' endorsement, they would be gazetted for implementation by early February.

Under Cap. 548

- (i) Code of Practice on Shipboard Container Handling on Local Vessels
- (ii) Code of Practice on Using Protective Clothing and Equipment for Works on Local Vessels

Under Cap. 313

- (i) Code of Practice on Shipboard Container Handling on Vessels
- (ii) Code of Practice on Using Protective Clothing and Equipment for Works on Vessels

24. Mr. Martin CHU requested and the Chairman agreed to study the feasibility of providing an electronic copy of the relevant forms on the MD website to facilitate the industry sectors to complete the forms directly on the computer, instead of to type on the printout of the forms.

*LVAC Paper No. 3/2006 - Issue of Codes of Practice under Merchant Shipping (Local Vessels) Ordinance (Cap 548)*

25. Mr. M Y CHAN introduced to members the brief of the paper and sought members' endorsement.

26. The Chairman reiterated that, same as the previous two papers, members would be duly informed if there were any further editorial amendments to the CoPs before the operation of the LVO. Members did not have any questions about the paper. The Chairman announced that the paper was endorsed and the CoPs would be amended from time to time to improve the contents if and when necessary.

**III. Any Other Business**

27. In reply to Mr. CHEUNG Yau-kwong and Mr. WONG Miu-sang, the Chairman stated that –

- (i) the CoPs did not require the endorsement by the Legislative Council but a government notice in the Gazette; and
- (ii) the updated CoPs would be uploaded onto the MD Website for viewing and downloading the latest 29 December 2006 before the operation of the LVO on 2 January 2007.

28. The Secretary said that future papers and correspondence of the LVAC would be distributed to members according to their indicated preference to the language medium, i.e. English only, Chinese only or both English and Chinese.

Members were welcome to express their views whenever they wished to change their options. A survey would be done shortly to see if members could accept to receive the soft copy of LVAC papers or documents, such as in form of CD-ROM or web links.

29. Mr. KEUNG Siu-fai asked and Mr. Michael LEE responded that briefings would be arranged to the relevant industry sectors if and when required. Mr. Michael LEE agreed to consider arranging a briefing to introduce the new requirements and standards for building new vessels to the operators concerned.

#### **V. Date of Next Meeting**

30. There being no other business, the meeting ended at 12:35 p.m. The date of next meeting would be announced in due course.