

## LOCAL VESSELS ADVISORY COMMITTEE

### Minutes of the 14<sup>th</sup> Meeting

Date : 23 October 2013 (Wednesday)  
Time : 10:30 a.m.  
Place : Conference Room A, 24/F, Harbour Building

#### Present

<b>Chairman:</b>	Mr. H. M. TUNG	Deputy Director, Marine Department (MD)
<b>Members:</b>	Mr. SZETO Feut	Representing Ship Building and Repairing Industry
	Mr. NG Kwok-wing, Eric	Representing Naval Architecture
	Mr. XIE Da-ming	Representing Ship Survey Work
	(On behalf of Mr. HUANG Li-fan)	
	Ms. Vivian HO	Representing Marine Insurance Industry
	Mr. LUK Pak-hung	Representing Seafarer's Training
	Mr. WAN Guo-qing	Representing Cargo Vessels' Operations
	Mr. WEN Tsz-kit, Bondy	Representing Launch & Excursion Vessels' Operations
	Mr. CHEUNG Kwok-wai	Representing Ferry Vessels' Operations
	Mr. Ambrose LO	Representing Pleasure Boating Operations
	Mr. Joseph LI	Representing Hong Kong Police Force
	Mr. Y. K. LAI	GM/LVS (Ag), MD
	Mr. C. S. CHAN	GM/Ops, MD
<b>Secretary:</b>	Ms. Alison WONG	EO(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'

Mr. CHOR Yee-on	Association Ltd. The Hong Kong & Yaumati Ferry Co Ltd.
Mr. PANG Wah-kan	Hong Kong Fishermen's Association
Mr. KWOK Chi-hong	Marine Excursion Association Ltd.
Mr. LEE Shing-hing	Sai Kung Ferry Traders Association
Mr. FAN Keung	Small Craft Workers Union
Mr. ON Man-sang	Small Craft Workers Union
Mr. WU Ka-shun	Hong Kong Shipping Staff Association
Mr. KWOK Tak-kee	Hong Kong & Kowloon Motor Boats & Tug Boats Association Limited
Mr. PUI Chi-keung	Hong Kong & Kowloon Motor Boats & Tug Boats Association Limited
Ms. Yvette CHAN	Hong Kong Pilots Association
Mr. S. F. WONG	GM/SRSB, MD
Mr. W. H. WONG	SMO/VTC, MD
Mr. K. F. TANG	SS/LVS(Ag), MD

### **Absent with Apologies**

Mr. Kevin FAN	Representing River Trade Cargo Operations
Hon. Steven HO Chun-yin	Representing Fishing Industry
Mr. SIU Ping-wing	Representing Seafarer's Associations

## **I. Opening Remarks**

1. The Chairman welcomed all to the meeting and extended welcome particularly to Mr. XIE Da-ming, who was attending the meeting on behalf of Mr. HUANG Li-fan representing the ship survey work.

## **II. Confirmation of Minutes of Previous Meeting**

2. The minutes of the 13<sup>th</sup> meeting held on 16.4.2013 had been circulated to members for endorsement in May and October 2013 respectively. The proposed amendments had been tabled for members' reference and comment. The minutes were confirmed without further amendments.

### III. New Discussion Item

#### *LVAC Paper No. 5/2013 – Establishment of Principal Fairways at Waters North of Lantau Island*

3. Mr. WONG Wing-hung presented the paper in detail. He enunciated that the proposal was developed with a view to better organize the marine traffic in the waters at north of Lantau which had become one of the busiest waterways in Hong Kong by the establishment of principal fairways. He introduced the proposed fairway configuration such as the delineation, the establishment of a fairway junction, the laying of a new cardinal mark, the relocation of existing buoys and the adoption of a one-way traffic control measure at the proposed Castle Peak Fairway, etc. In order to master the on-scene traffic situation, simulations had been conducted with HKPA at the MD Training Centre covering the north-bound and south-bound traffic in the course of designing the fairways. He remarked that the proposal had been endorsed by the Pilotage Advisory Committee at its meeting on 24.9.2013.
  
4. While Mr. KEUNG Siu-fai agreed that there was genuine need to enhance navigation safety through better control of marine traffic, he expressed solemn concern about the impact of the proposal on the livelihood of the fishermen as fishing activities were prohibited in principal fairways. Mr. KEUNG also expressed his view that establishing a traffic separation scheme (TSS) would be better for the fishermen as fishing could still be conducted in the separation zone. He further enquired on whether there were figures on fishing activities in the vicinity. Mr. PANG Wah-kan opined that MD should work closely with the Agriculture, Fisheries and Conservation Department (AFCD) to propagate the proposed fairways and explain relevant legislation among the fishermen community.
  
5. Mr. WONG Wing-hung elaborated that the marine traffic at the waters north of Lantau Island had indeed grown tremendously in the past twenty years and the risk of conducting fishing activities in the busy waterway was high. The fairways were proposed to enhance marine traffic safety. MD had also considered the possibility of establishing TSS. However, the stretch of water was not wide enough for implementing a TSS. He stressed that the proposed establishment of fairways would not affect the water quality in the vicinity and fishing activities could still be conducted outside the boundaries of the fairways.

He stated that MD had informed AFCD of the proposal and would continue to work closely with the department on the promotion of the fairways. He also undertook to collect data on the traffic concerning fishing vessels in the waters for members' reference.

6. Mr. Ambrose LO asked whether the fairways could be represented by assigned numbers instead of full names for easier reference. His suggestion was noted. In response to Mr. KWOK Tak-kee's enquiry on the widening of the Northern Fairway, Mr. WONG Wing-hung replied that a proposal was in the pipeline and would be submitted to members for consultation in due course. The Chairman concluded that no objection was raised by members on this issue.

#### **IV. Matters Arising from Previous Minutes**

##### ***LVAC Paper No. 6/2013 – Seeking Members' Endorsement on Measures to Enhance the Safety of Local Vessels and Navigation***

7. The Chairman extended his gratitude and appreciation to the whole maritime industry for their support and positive feedback on deriving improvement measures to enhance the safety of local vessels and navigation. He invited Mr. Y. K. LAI to introduce the paper to members, particularly on the five proposed improvement measures to be implemented in the first phase and the corresponding amendments to the Code of Practice – Safety Standards for Classes I, II and III Vessels (COP). The salient points and the conclusion of the discussion were summarized as follows:

- (i) **Muster list and emergency drill for vessels carrying more than 100 passengers**

- (a) Mr. KWOK Tak-kee commented that the two-month's interval for conducting an emergency drill was rather frequent for passenger vessels. Mr. KEUNG Siu-fai enquired about the current practice adopted by the local vessels in foreign countries for reference. He also suggested a review mechanism be put in place after implementation to ensure the effectiveness of the measure. The Chairman emphasized that the more the crew members got practice, the more they could get familiar with the actions to be taken in the event of emergency. He stressed that the COP would be reviewed periodically to explore rooms for improvement.

- (b) In respond to Mr. WONG Yiu-kan's enquiry, the Chairman replied that the requirement was not applicable to lay-up vessels. However, once the vessels concerned resumed operation, the vessel company should arrange for emergency drill according to the requirements laid down in the COP.
- (c) Mr. PUI Chi-keung enquired about the format to record the emergency drills and the schedule of inspection by MD. Mr. CHEUNG Kwok-wai probed into how long the records should be kept on-board. The Chairman said that MD would draw up a sample format for members' reference. He also remarked that the drill records were subject to inspection by MD anytime, including spot inspections. After discussion, members agreed that the records should be properly kept onboard for at least one year for inspections by MD officers.
- (d) Mr. XIE Da-ming pointed out that according to the international standard, all crew members on-board should be familiar with the proper actions to be taken in emergency. He enquired about the arrangement for the new crew members who started working on-board between the drills. The Chairman opined that the vessel operators should take up the responsibility to train up new comers in such case.
- (e) The Chairman concluded that the first measure was endorsed by the LVAC. Members also agreed that the commencement date of this measure should be no later than 6 months after the publication of the amendments of the COP.

**(ii) Indications and directives relating to lifejackets on-board**

- (a) Mr. CHEUNG Kwok-wai enquired on the arrangement for children lifejackets that were acquired additionally for use by different vessels under special occasion/events as backup and those lifejackets acquired for replacement but the printing was not yet ready. After discussion, members agreed that for additional children lifejackets used for events, the vessel's name would not be required to be printed on each of the lifejackets. The COP would be fine-tuned in this regard. It was also agreed that all vessels concerned should have sufficient number of lifejackets with printed vessel name or certificate of ownership number during annual inspection. In case

the printing was not ready for replacement lifejackets under special situation during a spot inspection, it would not be considered as non-compliance to the COP. Having said that, MD would issue a reminder to vessel companies for follow up action.

- (b) In response to Mr. KWOK Chi-hong and Mr. Ambrose LO's enquiry, the Chairman clarified that the measure would be applicable to all Class I vessels and would be implemented by means of a code of practice instead of legislation.
- (c) Echoed by Mr. CHEUNG Kwok-wai, Mr. KWOK Tak-kee opined that the Government should take the lead to produce videos or education programmes to promote safety on board passenger vessels to the general public and to demonstrate how lifejackets were to be obtained, donned and used. MD would consider their suggestion.
- (f) Members endorsed the second measure and agreed that the commencement date of this measure should be not later than the first survey after 3 months following the publication of the amendments of the COP.

**(iii) Alarms and notices in relation to the watertight door**

- (a) Members endorsed the third measure. It was also agreed that the implementation date of this measure should be not later than 6 months after the publication of the amendments of the COP.

**(iv) Crewmember for look-out duties**

- (a) Mr. CHEUNG Kwok-wai expressed grave concern on the proposed safe manning requirement for high speed craft (HSC) as stated in the COP as one more crew member had to assist lookout at all times even if the craft had decelerated for berthing or was navigating at a speed lower than the definition of HSC in the COP. He aired the difficulties for the industry to implement the measure without additional manpower and requested that the requirement be lifted for a craft with service speed lower than 15 knots under normal situation.

- (b) On the other hand, echoed by Mr. WU Ka-shun and Mr. SZETO Feut, Mr. CHEUNG also commented that the crew who performed the lookout duties might not be stationed in the wheelhouse, given the variation in vessel designs and the on-site situation. Mr. C. S. CHAN agreed that the crew could perform the lookout duties outside the wheelhouse, but appropriate communication device should be provided to facilitate effective communication between the coxswain and the crew.
- (c) After lengthy discussion, members reached a consensus that the location of the additional lookout by crew member should be assigned by the coxswain. The COP would be amended to remark that a crew member from the manning team deployed by the coxswain should assist the look-out duties. MD would issue a supplementary guideline to cater for berthing and unberthing situation in regard of HSC.
- (d) Members endorsed the fourth measure and agreed that the implementation date of this measure should be not later than 12 months after the publication of the amended COP.
- (v) **Minimum safe manning for emergency situation**
- (a) Mr. WEN Tsz-kit, Bondy pointed out that although the industry supported the measure in principle, they would like to have some guidelines on the manning level for reference. He also enquired on the differences between the drill to be demonstrated by the crew and the prevailing annual inspection conducted by MD. He also raised concern that the possible surge in manpower requirement could not be tackled easily.
- (b) Mr. Y. K. LAI outlined that a reference table on the required manning level would be drawn up for further discussion at the LVAC sub-committee. However the actual requirement would depend on the drill demonstrated by the crew on board during the final inspection carried out by MD officer. The Chairman remarked that a video on the drill would be worked out with the industry soonest possible so that the crew members and MD's inspectors would have an idea of how the drill should be conducted.
- (c) Members endorsed the fifth measure and agreed that the implementation date should be not later than the first annual survey after 12 months

following the publication of the amendments.

8. Mr. Y. K. LAI supplemented that besides a registered medical practitioner, a certificate on the eyesight standards of the coxswain could also be issued by a registered optometrist. The COP would be amended accordingly.
9. The Chairman concluded that the COP would be amended to incorporate members' comments. The revised COP would be circulated to members within next week and it was targeted to publish the COP amendment by gazette notice in end November 2013.

*(Post-meeting note: The revised COP had been circulated to members for comment on 1.11.2013 and 11.11.2013 respectively. It was subsequently published by gazette notice on 29.11.2013 for implementation.)*

***LVAC Paper No. 7/2013 – Information of the contents of the Maritime Preparatory Course, In-service Training and One-day Refresher Course***

10. Mr. S. F. WONG presented the information paper in detail, which outlined the syllabus of the maritime preparatory course, the shipboard in-service training required for local seamen in connection with the Coxswain Grade 3 Certificate examination and the one-day refresher course for coxswains of local passenger carrying vessels. He remarked that reference had been drawn to the courses organized by Maritime Services Training Institute (MSTI) and the Hong Kong Seamen's Union (HKSU) when designing the course contents. The scope and direction of the training was endorsed in principle at the Joint Subcommittee on Class I and Class IV Vessels meeting held on 17.10.2013. The Subcommittee would further discuss the details of the courses at its meeting to be held on 5.12.2013.
11. Mr. LUK Pak-hung suggested that the duration of the One-day Refresher Course should not be fixed at 7.5 hours so as to allow some flexibility. Mr. S. F. WONG replied that the course duration would be further discussed with MSTI and HKSU when working on the recognition of the maritime preparatory course and one-day refresher course for coxswains organized by the course providers.



12. As to the need of completing shipboard in-service training for a seaman prior to obtaining Coxswain Grade 3 Certificate, Mr. CHEUNG Kwok-wai was of the view that although coxswains or chief engineers were conversant with their own job, they might not be capable to perform the role as a professional trainer to follow the proposed training programme effectively. Mr. S. F. WONG responded that the training items were basically the daily routine of the coxswains or chief engineers and as a mentor they should be able to pass on their job experience to others under training. Moreover, the training programme did not request them to possess professional qualifications of a trainer.
13. Mr. WEN Tse-kit, Bondy probed into the possibility of off-setting the duration of shipboard in-service training by the maritime preparatory course. Mr. S. F. WONG pointed out that the details could be further discussed at the upcoming Subcommittee meeting.
14. In respond to Mr. PUI Chi-keung's enquiry, Mr. S. F. WONG clarified that although the measure would be implemented in January 2014, the first batch of candidates planning to obtain the Coxswain Grade 3 certificate under the new measure would be those sitting for the examinations on or after January 2015.
15. Mr. CHEUNG Kwok-wai asked whether MSTI would acquire a vessel for training purpose. Mr. LUK Pak-hung replied that owing to financial consideration and the fact that MSTI would make use of ship simulator to provide training, the institution did not have plan to do so for the time being.
16. Mr. KEUNG Siu-fai voiced out the difficulties for fishermen to attend a learning centre to complete the maritime preparatory course before obtaining a Coxswain Grade 3 certificate. Mr. S. F. WONG remarked that the course would be available in different centres to facilitate the trainees. He would also inform AFCD on the above new measures.
17. Members expressed grave concern on the manpower drain of the industry in recent years and grumbled about the difficulties to bring in new blood. The working condition and career prospect were considered less attractive than other transportation industry. They urged the government to inject more resources to train up new talents and to draw up policies to encourage more people to join the industry.

18. Some members also criticized that the government did not attach importance to the maritime industry or valued their contributions to the society. Hong Kong was also lacking in a comprehensive and sustainable policy or planning for the development of the industry. They pleaded the policy bureau to seriously consider formulating a long-term development policy so that the industry could subsist.
19. The Chairman addressed the members that the policy bureau was in the process of formulating measure of utilizing the \$100M maritime and aviation training fund to sustain the industry.

## V. Any other Business

20. Mr. KEUNG Siu-fai said that at present the ancillary vessel of a Class III vessel was not allowed to apply for fixing of engine. He requested that this restriction be relaxed.

*(Post-meeting note: It was a legal requirement that the ancillary vessel of a Class III vessel was not allowed to fit with an engine according to Section 13(1)(a)(iii) of Merchant Shipping (Local Vessels)(Certification of Licensing) Regulation (Cap. 548D), which stipulated that:*

*“13(1) The Director may, on request, make on the certificate of ownership for a local vessel an endorsement –*

*(a) in the case of the certificated vessel being a Class III vessel, to the effect that the certificated vessel may be used with one or more ancillary vessels where each ancillary vessel –*

*(i) belongs to the same owner as the certificated vessel;*

*(ii) does not exceed 4 metres in length overall; and*

*(iii) is not fitted with an engine”)*

21. Mr. KEUNG further suggested the government should set up a Marine Traffic Safety Consultative Committee modeled on the one applicable to road traffic to absorb more views from the public to improve maritime safety. The Chairman

remarked that the LVAC was not the suitable platform for the discussion of this issue and that he should convey his message to other appropriate platform.

22. Echoed by Mr. WEN Tze-kit, Bondy, Mr. CHEUNG Kwok-wai pointed out that many of the recommendations laid down by the expert witnesses in the CoI Report were impracticable and did not take into account the genuine situations of local maritime industry such as the operation and business environment, manpower and training requirement, recourses allocation as well as the long-term development of the trade. As such the whole industry was suffering from unreasonable pressure and was entangled in dilemma. He proposed the government to engage local experts to study the recommendations of the CoI Report with a view to set out practicable and meaningful measures for implementation. The Chairman responded that further engagement in consultancy studies would give the society a negative impression that the government and the maritime industry were procrastinating and would like to elude our responsibilities. Members were encouraged to stay positive and work together with the government to further explore and implement feasible measures to enhance the navigation safety of local vessels.

## **VI. Date of Next Meeting**

23. There being no other business, the meeting ended at 1:05 p.m. The date of next meeting would be announced in due course.