

**LOCAL VESSELS ADVISORY COMMITTEE**  
**Minutes of the 17<sup>th</sup> Meeting**

Date : 5 May 2015 (Tuesday)  
Time : 2:30 p.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. HUANG Li-fan  | Representing Ship Survey Work                       |
|                   | Mr. WONG Leung-wai  | Representing Marine Insurance Industry              |
|                   | Mr. MAK Chiu-ki   | Representing Seafarer's Training                    |
|                   | Mr. SIU Ping-wing   | Representing Seafarer's Associations                |
|                   | Mr. WONG Miu-sang<br>(On behalf of Mr. WAN Guo-qing)            | Representing Cargo Vessels' Operations              |
|                   | Mr. WONG Hon-kuen, Ken<br>(On behalf of Mr. WEN Tsz-kit, Bondy) | Representing Launch & Excursion Vessels' Operations |
|                   | Mr. CHEUNG Kwok-wai   | Representing Ferry Vessels' Operations              |
|                   | Mr. K. L. LAU   | Representing Hong Kong Police Force (HKPF)          |
|                   | Mr. K. F. TANG  | GM/LVS(Ag), MD                                      |
|                   | Mr. H. B. 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' Association Ltd.                     |
| Mr. WU Wing-sun   | The Hong Kong & Yaumati Ferry Co Ltd.                                |

|                    |  |
|--------------------|--|
| Mr. LI Chi-keung   | Marine Excursion Association Ltd.                                  |
| Ms. Tiffany LEE    | Marine Excursion Association Ltd.                                  |
| Mr. KWOK Chi-hong  | Marine Excursion Association Ltd.                                  |
| Mr. PUI Chi-keung  | Hong Kong & Kowloon Motor Boats<br>& Tug Boats Association Limited |
| Mr. WU Ka-shun     | South China Towing Company Ltd.                                    |
| Mr. LEE Shing-hing | Sai Kung Ferry Traders Association                                 |
| Ms. Yvette CHAN    | Hong Kong Pilots Association                                       |
| Mr. Y. K. LI       | GM/SRSB, MD  |
| Mr. L. H. NG       | SMO/DG&P, MD   |
| Mr. Q SHI          | SS/TP1, MD   |
| Mr. Jerry TANG     | SSoS(SD), MD   |

### **Absent with Apologies**

|                         |  |
|-------------------------|--|
| Mr. NG Kwok-wing, Eric  | Representing Naval Architecture              |
| Mr. Leon CHAN           | Representing Pleasure Boating<br>Operations  |
| Mr. Kevin FAN           | Representing River Trade Cargo<br>Operations |
| Hon. Steven HO Chun-yin | Representing Fishing Industry                |

## **I. Opening Remarks**

1. The Chairman welcomed all to the meeting, and extended welcome particularly to the following attendees:

### New members

- Mr. K. L. LAU
- Mr. WONG Leung-wai
- Mr. MAK Chiu-ki

### Attending on behalf of other members

- Mr. WONG Miu-sang (on behalf of Mr. WAN Guo-qing representing cargo vessels' operations)
- Mr. WONG Hon-kuen, Ken (on behalf of Mr. WEN Tsz-kit, Bondy representing launch & excursion vessels' operations)

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

2. The minutes of the 16<sup>th</sup> meeting held on 10.10.2014 had been circulated to members for endorsement in November and December 2014 respectively. The minutes were confirmed without amendment.

### III. Matters Arising from Previous Minutes

#### *LVAC Paper No. 3/2015 – Review on the Compulsory Third Party Risks Insurance (CTPRI) Requirement for Local Vessels*

3. Mr. L. H. NG presented the paper to members, which featured the proposed amounts of minimum liability cover of the CTPRI for different types of local vessels and set out the corresponding indicative premiums provided by the Hong Kong Federation of Insurers (HKFI) for members' reference. He also remarked that the proposal had been endorsed by the Working Group on the Third Party Risks Insurance for Local Vessels after deliberations.
4. Mr. KEUNG Siu-fai was supportive to the proposal in principle, but had grave concern over the reluctance of some insurance companies in quoting an exact amount of the premium. He reckoned that this practice would make the vessel owners difficult to measure and manage the operating costs. Mr. KEUNG was also worried that vessel operators like kaitos and fishing boats might not be able to afford a high insurance premium. Mr. L. H. NG suggested vessel owners for making enquiries on premium quotations with a list of authorized insurers attached to Annex of the paper. Mr. KWOK Chi-hong expressed in dismay that insurance companies inclined to procrastinate offering the premium quotations until the expiry date of the policy was just round the corner, leaving the operators little time to compare the premiums charged by different insurers.
5. Mr. WONG Leung-wai explained that the ranges of indicative premiums tabulated in the paper were collected from members of HKFI by means of questionnaires and could make a valuable reference on the amount to be charged. However, the premiums would be determined on the basis of many factors such as the operating mode, the number of vessels to be insured, and the track record of claim for compensation of the insured party, etc. As a general practice of the industry, the notice for policy renewal would be served to insured party about 1 month prior to the expiry date of the policy, and the firm order of premium could be provided 1 or 2 weeks prior to the due date.
6. After thorough deliberation, the Chairman requested Mr. WONG to suitably address members' concern to the HKFI and urged insurance companies to provide premium quotations to vessel operators earliest possible to allow sufficient time for them to consider the insurance plans. Mr. WONG answered that he would convey the message to HKFI.

7. Members raised no further comments and the paper was endorsed.

***LVAC Paper No. 4/2015 – The Feasibility of Marine Traffic Accident Victims Assistance Scheme***

8. Mr. L. H. NG presented the paper in detail, which covered the study findings on the feasibility of introducing a M-TAVA scheme by modelling on the Traffic Accident Victims Assistance Scheme for road traffic in Hong Kong and the recommendation made by the consultant.
9. Mr. KEUNG Siu-fai commented that the vetting or approving procedures of some of the Government-administered financial assistance funds were somehow confusing, with possible loopholes in the implementation of the schemes. He reminded that a comprehensive mechanism should be adopted should any new assistance funds be introduced in future.
10. Members raised no further comments and the paper was endorsed.

***LVAC Paper No. 5/2015 – Life-saving Appliances of Local Vessels***

11. Mr. K. F. TANG presented the paper to member, which covered the proposal of accepting lifejackets which comply with the specified standard of the International Organization for Standardization as appropriate for use on local vessels, and clarifying the standards for life-saving appliances of pre-2007 existing vessels of Classes I, II and III. He remarked that the Code of Practice (COP) in relation to the above proposal would be amended accordingly.
12. Members had an active discussion on the qualified standards of the lifejackets to be used for existing and new vessels. Mr. CHEUNG Kwok-wai suggested that MD should prepare a leaflet or notice listing out the approved codes and required standards of the lifejackets to facilitate the implementation by vessel owners. His suggestion was seconded by Mr. KEUNG Siu-fai and Mr. PUI Chi-keung. Mr. K. F. TANG advised members to submit samples for assessment on case by case basis if they were in doubt.
13. In response to the enquiry of Mr. PUI Chi-keung, Mr. K. F. TANG clarified that lifejackets in compliance with SOLAS 1974 and its amendments 1996 were acceptable for pre-2007 existing vessels of Class I, II and III. He also reminded members that Class I vessels navigating within Hong Kong waters were required to be provided with children

lifejackets equal to 5% of the total no. of persons on board.

14. Mr. WONG Yiu-kan enquired about whether the requirement of providing children's lifejackets on dumb lighters could be waived as there should be no passengers on board working vessels. The Chairman replied that it was a statutory requirement but his comment would be taken into account in future legislative amendment exercise.
15. Mr. WONG further pointed out that at present it was neither clearly specified in the legislation nor the COP that portable inflatable life rafts could be used on dumb lighters. He wondered whether legislative amendment could be initiated in this regard. Mr. K. F. TANG explained that it would be time-consuming to amend the legislation and proposed that relevant COP could be amended instead to speed up the process. In the meantime, MD would issue internal instructions for ship inspectors to follow when conducting annual inspection.
16. Members raised no further comments and the paper was endorsed.

#### **IV. New Discussion Item**

*LVAC Paper No. 6/2015 – Implementation of COLREGs Amendments on Local Vessels*

17. Mr. Q SHI presented the paper on the proposed amendments to the Merchant Shipping (Safety) (Signals of Distress and Prevention of Collisions) Regulations (Cap. 369N) which were required to give effect to the amendments adopted by recent IMO Assembly resolutions. Members had no comments and the paper was endorsed.

#### **V. Any other Business**

*LVAC Paper No. 7/2015 – Amendment of Requirement for Production of Valid Certificate of Eyesight Test in Chapters 4.3 of Existing Examination Rules*

18. Mr. Y. K. LI introduced the proposed arrangement of waiving the requirement for applicants for a Coxswain Certificate or Pleasure Vessel Operator Certificate of Competency of any grade ("the Certificate") to produce a valid certificate of eyesight test upon an application for a replacement of the Certificate.
19. Mr. WONG Hon-kuen, Ken enquired whether an appeal mechanism was in

place if the applicant failed the eyesight test for the first attempt. Mr. Y. K. LI replied that according to the current practice, the applicant could re-take the test at the Hong Kong Eye Hospital.

20. Members raised no further comments to the paper. The Chairman indicated that a 2-week consultation period would be given to the proposal and invited members to put forward their comments, if any, by 19.5.2015. MD would then proceed to amend the examination rules.

*(Post-meeting note: Members raised no further comments by 19.5.2015 and the paper was endorsed.)*

***Subsidy Scheme for Installation of Automatic Identification System (AIS) on Local Passenger Vessels***

21. Mr. K. F. TANG reported that only 6 applications applying for the subsidy scheme had been received so far. He urged vessel owners concerned to expedite action to tender their applications within the application period. The deadline for submitting application was 31.1.2016.

***Approval of Ship Plans***

22. In response to Mr. KEUNG Siu-fai's enquiry and comment, Mr. K. F. TANG replied that more Ship Inspectors had been recruited by the department to take up the duties of ship plans approval. He envisaged that this could help speed up the drawing approval of new vessels.

***Typhoon Shelters Improvement Works***

23. Mr. KEUNG Siu-fai enquired whether there was any concrete planning to improve the usage of typhoon shelters. The Chairman answered that a consultant had been engaged to conduct a survey in this aspect. Based on the data collected, proposals would be drawn up and put forward to consult the industry. The proposals would then be submitted to the Transport and Housing Bureau for consideration.

***Implementation of the Merchant Shipping (Limitation of Shipowners Liability) (Amendment) Ordinance 2005***

24. The Chairman reported that Marine Department Notice No. 64/2015 had been issued on 28.4.2015 to notify the commencement of the relevant Sections of the Merchant Shipping (Limitation of Shipowners Liability) (Amendment) Ordinance 2005. Upon the commencement of the relevant

legal provisions, shipowners would be subjected to higher liability limits for claims in respect of loss of life or personal injury and other claims arising from vessel incidents.

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

25. There being no other business, the meeting ended at 3:45 p.m. The date of next meeting would be announced in due course.

CONFIRMED this minutes 18th day of August 2015.

Committee Unit  
Marine Department  
Ref.: HQ/COM 425/1(13)